

## [Notice of Settlement Approval]

# QUEBEC CLASS ACTION SETTLEMENT - AUDI PODS CLASS ACTION

## A SETTLEMENT HAS BEEN APPROVED

*(Peillon v. Audi Canada Inc., N° 500-06-001170-212)*

This notice is to all persons in Quebec who purchased and/or leased before May 31, 2021, one or more of the following Audi vehicles recalled under Transport Canada Recall # 2021-169 because of the defective Passenger Occupant Detection System manufactured, distributed, supplied, wholesaled and/or imported by Audi, namely:

- Audi A3 (model years 2016 to 2020)
- Audi A3 E-TRON (model years 2016 to 2018)
- Audi RS3 (model years 2018 to 2020)
- Audi S3 (model years 2016 to 2020)

**PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR RIGHTS. THIS CLASS ACTION HAS BEEN SETTLED AND THE COURT APPROVED THE SETTLEMENT AGREEMENT**

## SETTLEMENT OF THE CLASS ACTION & COMPENSATION OFFERED

The parties to this class action have reached a settlement (the “**Settlement Agreement**”), which was approved by the Superior Court of Quebec on November 17, 2023. The deadline to submit your claim online at [www.quebecPODSsettlement.com](http://www.quebecPODSsettlement.com) is **June 22, 2024**.

The Defendants have accepted, according to the Settlement Agreement, to compensate affected Class Members. It is not an admission of liability, wrongdoing or fault. If eligible, Class Members may claim a compensation in the following amounts:

- a) For Class Members who still own or lease their Audi Vehicle as of the date that they submit their claim:** a credit of **\$75.00 or \$150.00 for each month (for up to a maximum of 12 months and \$1,800.00)**, depending on how many days on average per month the Class member drove their Audi Vehicle with a passenger in the backseat;

or

- b) For Class Members who no longer own or lease their Audi Vehicles as of the date that they submit their claim:** a cash payment of **\$75.00 or \$150.00 for each month (for up to a maximum of 12 months and \$1,800.00)**, depending on how many

days on average per month the Class Member drove their Audi Vehicle with a passenger in the backseat, paid via Interac e-transfer or cheque.

A compensation will be offered to valid claimants to a maximum of 12 months of use of their Vehicle, that is from February 28, 2021, up until February 28, 2022.

In order to make a valid claim, Class Member claimants must submit a valid and timely online claim form attesting that they purchased or leased a Vehicle before May 31, 2021, and provide the information listed on the Claim Form.

Only one claim can be accepted per Vehicle.

In addition to and on top of the compensation provided for above, the Court approved the payment of administration expenses, and the payment of Class Counsel fees of \$302,000.00 plus taxes and disbursements not exceeding \$15,000.00 plus taxes. These amounts will be paid separately and will not reduce the Settlement benefits.

## **MAKING A CLAIM**

To make a claim, visit [www.quebecPODSsettlement.com](http://www.quebecPODSsettlement.com) and determine whether your Audi Vehicle is part of the Class by using the VIN Look-up tool.

- If your Vehicle's VIN is included in the Class, fill out the online Claim Form.
- If your Vehicle's VIN is not included in the Class, you may not be eligible to partake in the Settlement. If you think your Vehicle should be included, you may contact the Claim Administrator at [PODS@velvetpayments.com](mailto:PODS@velvetpayments.com) or 1-888-770-6892.

You have until **June 22, 2024**, to complete the Claim Form and claim your compensation. For details on how to fill out your Claim Form, request a paper version of the Claim Form, or obtain additional information regarding the claim's process, visit [www.quebecPODSsettlement.com](http://www.quebecPODSsettlement.com) or contact the Claim Administrator at [PODS@velvetpayments.com](mailto:PODS@velvetpayments.com) or 1-888-770-6892.

If you do not submit a claim before **June 22, 2024**, you will not receive a compensation.

## **SUPPORTING DOCUMENTS & INFORMATION REQUIRED**

To make a valid claim, you will need to include the following information in the Claim Form:

- Your up-to-date contact information (including email address if available);
- The VIN of your Vehicle;
- A proof of purchase or lease (bill of sale, copy of the Vehicle's registration certificate, lease contract, etc.);
- The status of the execution of recall # 2021-169 on the Vehicle;
- The approximate date (month/year) at which the PODS issue first occurred;

- A confirmation that you drove with a passenger (weighing more than 80 pounds) in the back seat because the front seat could not be used pursuant to the Recall letter because of the PODS issue;
- An indication of the approximate number of days on average, per month, you drove the Vehicle with a passenger weighing more than 80 pounds in the backseat;
- A confirmation that you were not offered a loaner vehicle by an Audi/Volkswagen dealership for the entire period;

The Claim Form will have to be signed (electronically or on paper) and you will need to agree to the following acknowledgement: *I understand that my Claim and information provided will be subject to verification. By submitting this Claim Form, I affirm under penalty of perjury that the information it contains is accurate.*

## REVIEW OF YOUR CLAIM

Once the claim deadline has passed, the Claim Administrator will review each claim and confirm (1) the eligibility of the claimant to partake in the Settlement, and, if applicable (2) the amount and type of compensation owed to each eligible claimant.

Approximately four months after the claim deadline, if the Claim Administrator determines that you are eligible for a compensation, you will receive:

- If you are eligible for a cash payment pursuant to the Settlement Agreement, an electronic Interac e-transfer by email (or a cheque by mail if this preference was indicated in your Claim Form);
- If you are eligible for a credit payment pursuant to the Settlement Agreement, an email or a letter indicating the amount of credit you can redeem and how to redeem said credit.

The amount of your compensation will be determined by the Claim Administrator in accordance with the terms of the Settlement Agreement and the information provided in your Claim Form. **The maximum compensation available per claimant is \$1,800.00.**

Regarding credit payments, they can be redeemed for goods and services generally offered in dealerships belonging to the Audi dealership network, the whole as detailed in **Schedule E** of the Settlement Agreement and posted on the settlement website. The credit payment may be applied to more than one good or service and may be used in multiple transactions until it is entirely redeemed. The credit payments will expire after 3 years.

## **ADDITIONAL INFORMATION**

For further information or details about the Settlement Agreement, you may contact Class counsel identified below. Your name and any information provided will be kept confidential. Please do not contact the Defendants, or the judges of the Superior Court.

**Mtre Joey Zukran**  
**LPC Avocat Inc.**  
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Email: [izukran@lpclex.com](mailto:izukran@lpclex.com)  
Tel: (514) 379-1572

You may also visit the Settlement Website at [www.quebecPODSsettlement.com](http://www.quebecPODSsettlement.com) or contact the Claims Administrator:

**Velvet Payments Inc.**  
5900 Andover Avenue, Suite 1  
Montreal, Quebec, H4T 1H5  
Phone: 1-888-770-6892  
Fax: 1-800-934-3320  
Email: [PODS@velvetpayments.com](mailto:PODS@velvetpayments.com)

**THE PUBLICATION OF THIS NOTICE TO CLASS MEMBERS HAS BEEN APPROVED AND ORDERED BY THE SUPERIOR COURT OF QUEBEC.**