

FILED
JOHN P. HERTMAN
CLERK

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

2014 FEB 25 PM 12:43

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

**IN RE: PORSCHE CARS NORTH
AMERICA, INC. PLASTIC COOLANT
TUBES PRODUCTS LIABILITY
LITIGATION**

Case No. 2:11-MD-2233

Judge Gregory L. Frost

Magistrate Judge Preston-Deavers

ORAL ARGUMENT REQUESTED

**MOTION OF JEFFREY M. EDELSON TO INTERVENE AND BE EXCLUDED
FROM THE SETTLEMENT CLASS OR TO ALLOW OBJECTIONS TO
PROPOSED SETTLEMENT**

Comes now, Jeffrey M. Edelson, *pro se*, and requests permission to intervene for purposes of requesting leave to allow his request for exclusion from the Settlement Class on the following grounds:

1. He did not learn until February 13, 2014 that the settlement amount allowed for his subclass of members was only a fraction of the actual expenses he would incur from a failure of the coolant tubes. The maximum compensation available to the undersigned was roughly 12% of the cost of repair and replacement;

The undersigned further requests, in the event his exclusion is not allowed, that he be permitted to object to the settlement on the following grounds:

1. The notice did not provide to class members who had not yet suffered failed cooling tubes any reasonable estimate of the cost of repairing the failed cooling tubes or the damage caused to other parts of the vehicle. As a result, the notice does not give the class members a reasonable opportunity to consider the fairness of the compensation available;

2. The settlement unfairly and arbitrarily favors class members whose vehicles suffered coolant tube failures before 2014. Class members who suffer failure are entitled to considerably less compensation if the failure occurs after December 31, 2013;

3. The amount of compensation is not proportionate to the cost of repair and replacement due to coolant pipe failure, representing as little as 10% of the cost;

4. The requirements for verification of failure are ambiguous, unachievable in certain cases, and leave too much discretion to defendants; and

5. The requirements for repair facilities are arbitrary and create unreasonable inconveniences for vehicle owners.

6. Oral argument is requested because the undersigned would like the opportunity to reply to any opposition and to be able to respond to questions from the Court. Telephonic hearing is requested because the undersigned lives and works in Oregon more than 2,400 miles from the Ohio courthouse.

Mr. Edelson relies on the accompanying Declaration of Jeffrey M. Edelson, and the exhibit attached thereto.

DATED this 20th day of February, 2014.



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