

CASE SUMMARY

CARLOS COLLADO, ET AL.
V. TOYOTA MOTOR SALES, USA, INC.

LOS ANGELES, CA | January 2011 | Toyota Motor Corp. has agreed to settle a class action lawsuit that some estimate could run into the tens of millions of dollars, based on the number of vehicles potentially affected by the High Intensity Discharge (“HID”) headlight issue.

For the owners of 2006-2009 Toyota Priuses who experience defective HID headlight systems with their vehicles, relief may be on the horizon.

Beginning in February, eligible Prius owners will be notified of the settlement by mail. If the settlement is granted final approval, qualified owners will be reimbursed for the cost they have incurred for the repair of the HID headlight system. Additionally, warranties for the HID headlight systems will be extended to five years or 50,000 miles from the standard three years or 36,000 miles.

“We are pleased that Toyota has stepped up to the plate with regard to the safety of their customers,” said **Melissa Meeker Harnett**, partner at Wasserman, Comden, Casselman & Esensten and one of the attorneys representing the class. “Overwhelmingly, our clients love their Priuses and just want their headlights to work.”

Under the settlement, which was granted preliminary approval by U.S. District Court Judge Manuel Real, the automaker did not admit any wrongdoing or liability.



TIMOTHY HENKLE | 2006 PRIUS
BALTIMORE, MARYLAND

I purchased my Prius from a private seller in Maryland in the summer of 2007. I very much enjoyed my car until about the end of 2008 when it started experiencing headlight failures at about 40,000 miles. These failures would happen during routine driving and would cause limited visibility. It was the oddest thing - one or both headlights would stop working and then all of a sudden, start working properly again.

The issue was so intermittent and unpredictable, I was constantly worried about my safety and that of my passengers, especially traveling long distances. In March, 2009 I paid approximately \$530 to the dealership to replace both headlight bulbs.

WCC&E has been extremely helpful throughout the entire process and I look forward to recovering the repair costs I paid.



CLASS MEMBER | 2006 PRIUS
CHARLOTTESVILLE, VIRGINIA

The last thing I expected after purchasing a brand new Prius in 2006 was for the headlights to stop working. But that's what happened starting in September 2007, when my car had only 10,000 miles on it.

There were at least a dozen instances in which both headlights would go out simultaneously while I was driving at night, forcing me to drive in complete darkness. Because my Prius never gave any indication as to when the lights would fail, I was terrified to drive at night. As a precaution, I would drive with the fog lights on to compensate for any potential headlight failure.

The team at WCC&E is an impressive one! Their diligence with this settlement has helped me immediately. I went to my Toyota dealer with the information and they replaced my lights for free. I am absolutely thrilled with the outcome of this case.



JOHN GRAHAM | 2007 PRIUS
PANACEA, FLORIDA

In buying my 2007 Prius from the dealer, I opted to upgrade my package and include the factory installed HID headlight system - something I would not have done had I known about the headlight failure problems experienced by other Prius owners.

Beginning at about 20,000 miles, I started experiencing sporadic headlight failure. On two separate occasions, I was even pulled over by the police and issued verbal warnings for driving with only one headlight.

One estimate that I received put the cost to replace the bulbs and the electronic control unit at over \$1200! With WCC&E's involvement in this settlement, I am happy to report that I will be reimbursed for out-of-pocket expenses that I incurred for my vehicle headlight repairs.

For additional information on this or any other case, please contact a member of our class action department at **(818) 705-6800**, or visit our website at www.wccelaw.com/classaction. The scenarios above are from actual class members involved in the *Carlos Collado, et al. v. Toyota Motor Sales, USA, Inc.* case, however the material is for informational purposes only and does not constitute legal advice nor does it offer any guarantee of case results.

Melissa Meeker Harnett
Practice Group Chair
mharnett@wccelaw.com

Gregory B. Scarlett
gscarlett@wccelaw.com

Jesse B. Levin
jlevin@wccelaw.com

Jordan S. Esensten
jesensten@wccelaw.com