

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: MERCEDES-BENZ TELE AID
CONTRACT LITIGATION

Civ. No. 07-2720 (DRD)
MDL No. 1914

ORDER

This matter having come before the court on the motion of Plaintiffs Leroy Browning, James Giotis, Richard Hankins, Jack D. Kelley, Karen Marcus, Nicholas Lonziser, Christian Andrew Pellegrini, Mark Russell, Ashish Sen, Colleen Sen, Cord Shiflet, Michael Leslie Shim, Lois A. Stowers, Robert E. Stowers, and Susan Tuteur (“Plaintiffs”) for certification of a class of similarly-situated individuals pursuant to Federal Rule of Civil Procedure 23; and Defendant Mercedes-Benz U.S.A., LLC having moved to exclude the expert testimony of Dr. Russell L. Lamb pursuant to Federal Rule of Evidence 702; and the court having reviewed the submissions and heard the arguments of the parties; and for the reasons set forth in the opinion of even date,

IT IS on this 24th day of April, 2009, ORDERED that Plaintiffs’ Motion for Class Certification is GRANTED and Defendant’s Motion to Exclude the Testimony of Dr. Russell L. Lamb is DISMISSED as moot. The following class is hereby certified:

All persons or entities in the United States who purchased or leased a Mercedes-Benz vehicle equipped with an analog-only Tele Aid system after August 8, 2002, and

- (1) subscribed to Tele Aid service until being informed that such service would be discontinued at the end of 2007, or
- (2) purchased an upgrade to digital equipment.

In all proceedings after the date of this Order, Plaintiffs claims for common law unjust enrichment and violations of the New Jersey Consumer Fraud Act, N.J. Stat. Ann. §§ 56:8-1 et seq., along with all issues related to those claims and all defenses thereto, shall be treated on a class basis.

s/ Dickinson R. Debevoise
DICKINSON R. DEBEVOISE, U.S.S.D.J.