

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: FORD MOTOR CO. F-150 AND RANGER TRUCK
FUEL ECONOMY MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2901

TRANSFER ORDER

Before the Panel:* Plaintiffs in two actions move under 28 U.S.C. § 1407 to centralize this litigation in the Eastern District of Michigan. This litigation currently consists of three actions pending in three districts, as listed on Schedule A. Since the filing of the motion, the Panel has been notified of eleven additional related federal actions.¹

All responding parties support centralization, but differ on the appropriate transferee district. Plaintiffs in three potential tag-along actions (*Travis, Smith, and Allen*) support centralization in the Eastern District of Michigan. Plaintiffs in three other potential tag-along actions (*Sartip, Dawson, and Goodfriend*) request the Central District of California and, alternatively, the Eastern District of Michigan. Defendant Ford Motor Company requests the Southern District of New York and, alternatively, the Eastern District of Michigan.

On the basis of the papers filed and the hearing session held, we find that these actions involve common questions of fact, and that centralization will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. These putative nationwide and statewide class actions share complex factual questions arising from allegations that defendant Ford falsely marketed and advertised the miles per gallon estimates for Ford F-150 and Ford Ranger trucks, model years 2017 to 2019. Plaintiffs contend that defendants marketed the vehicles as achieving certain EPA mileage estimates, but those vehicles performed well below the advertised levels. Specifically, all actions allege that Ford misrepresented and miscalculated road testing factors, including “road load,”² during internal testing processes in order to report that its

* One or more Panel members who could be members of the putative classes in this litigation have renounced their participation in the classes and have participated in this decision.

¹ The related actions are pending in the Central District of California, the District of Colorado, the Southern District of Florida, the Middle District of Georgia, the Eastern District of Michigan, and the Eastern District of New York. These and any other related actions are potential tag-along actions. *See* Panel Rules 1.1(h), 7.1 and 7.2.

² “Road load” is allegedly a vehicle-specific resistance level used in vehicle dynamometer testing for fuel economy and emissions ratings.

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automobiles are more fuel efficient than they actually are, and that Ford is conducting an investigation into the road load specifications used to certify its fuel economy ratings. Centralization will eliminate duplicative discovery; prevent inconsistent pretrial rulings, especially with respect to class certification and *Daubert* motions; and conserve the resources of the parties, their counsel and the judiciary.

We conclude that the Eastern District of Michigan is an appropriate transferee forum. Ford, the sole defendant in all actions, has its headquarters in this district, and thus relevant documents and witnesses will be located in this district. Judge Sean F. Cox is an experienced transferee judge with the ability and willingness to manage this litigation efficiently. We are confident he will steer this matter on a prudent course.

IT IS THEREFORE ORDERED that the actions listed on Schedule A and pending outside the Eastern District of Michigan are transferred to the Eastern District of Michigan and, with the consent of that court, assigned to the Honorable Sean F. Cox for coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION



Sarah S. Vance
Chair

Lewis A. Kaplan
R. David Proctor
Karen K. Caldwell

Ellen Segal Huvelle
Catherine D. Perry
Nathaniel M. Gorton

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SCHEDULE A

Middle District of Alabama

COOK v. FORD MOTOR COMPANY, C.A. No. 2:19-00335

Central District of Illinois

HUBERT v. FORD MOTOR COMPANY, C.A. No. 2:19-02125

Eastern District of Michigan

LLOYD v. FORD MOTOR COMPANY, C.A. No. 5:19-11319