

STATE OF VERMONT

SUPERIOR COURT
WASHINGTON UNIT

CIVIL DIVISION
Docket No. 536-9-16 Wncv

STATE OF VERMONT,)
)
)
 Plaintiff,)
)
 v.)
)
 VOLKSWAGEN AKTIENGESELLSCHAFT a/k/a)
 VOLKSWAGEN AG; VOLKSWAGEN GROUP)
 OF AMERICA, INC.; VOLKSWAGEN GROUP)
 OF AMERICA CHATTANOOGA OPERATIONS)
 LLC; AUDI AKTIENGESELLSCHAFT a/k/a)
 AUDI AG; AUDI OF AMERICA, L.L.C.; DR. ING.)
 H.C.F. PORSCHE AKTIENGESELLSCHAFT)
 a/k/a PORSCHE AG; and PORSCHE CARS)
 NORTH AMERICA, INC.,)
)
 Defendants.)

STIPULATION FOR ENTRY OF PARTIAL CONSENT JUDGMENT

Plaintiff, the State of Vermont, by and through the Office of the Attorney General Thomas J. Donovan, Jr., and Defendants, Volkswagen Aktiengesellschaft a/k/a Volkswagen AG, Volkswagen Group of America, Inc., Volkswagen Group of America Chattanooga Operations LLC, Audi Aktiengesellschaft a/k/a Audi AG, and Audi of America, L.L.C. (collectively, “Volkswagen”), Dr. Ing. h.c. F. Porsche Aktiengesellschaft a/k/a Porsche AG, and Porsche Cars North America, Inc. (collectively, “Porsche”) (Volkswagen and Porsche together, “Defendants”), through the undersigned counsel, stipulate and agree as follows:

WHEREAS, the State filed a Complaint in the above-captioned matter on September 8, 2016, alleging that Defendants marketed, advertised, distributed, sold, and leased certain 2.0- and

3.0-liter diesel passenger vehicles containing undisclosed software allegedly intended to circumvent federal or state emissions standards in violation of (a) the Vermont Air Pollution Control statutes, 10 Vt. Stat. Ann. §§ 551 *et seq.*, and the Vermont Air Pollution Control Regulations (“VAPCR”) §§ 5-1101 – 1109 (Counts 1 -8), and (b) the Vermont Consumer Protection Act, 9 V.S.A. § 2453(a) (Counts 9-10);

WHEREAS, as more fully set forth within the accompanying Partial Consent Judgment, the parties now desire to resolve Counts 1-8 of the Complaint while reserving to the State all rights with respect to Counts 9-10 of the Complaint;

WHEREAS, the Attorney General pursuant to 3 V.S.A. Chapter 7 and 10 V.S.A. § 8221 is authorized to represent the State in this action and settle actions as the interests of the State require;

WHEREAS, the Partial Consent Judgment has been negotiated by and among the State and Defendants in good faith;

WHEREAS, the Attorney General believes that the Partial Consent Judgment is in the State’s interest; and

WHEREAS, in accordance with its standard practice described on the Attorney General’s webpage, to facilitate possible public participation in consideration of the proposed settlement through intervention pursuant to V.R.C.P. 24, the State will post notice of the proposed settlement, including a link to this stipulation and the proposed Partial Consent Order, on the Attorney General’s website, and the State requests the Court to hold the proposed Partial Consent Judgment for 21 days before considering and acting on it. Defendants do not object to this request.

NOW, THEREFORE, the State and Defendants hereby stipulate and agree as follows:

1. The Court is respectfully requested to refrain from considering and acting on the accompanying Partial Consent Judgment for twenty-one (21) calendar days following its filing with the Court to facilitate possible public participation in consideration of the proposed settlement; and

2. At the conclusion of the twenty-one (21) day period, the Consent Judgment may be entered by the Court.

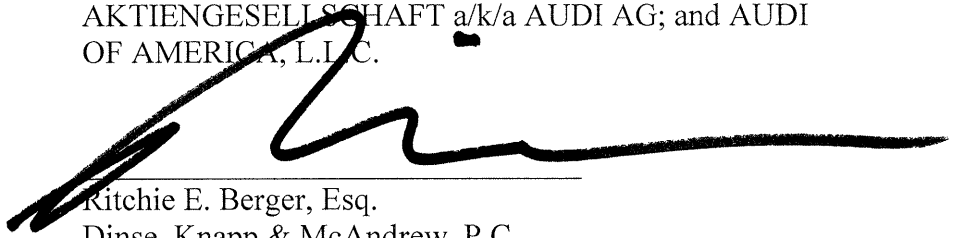
Dated: September 14, 2017.

STATE OF VERMONT
THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL



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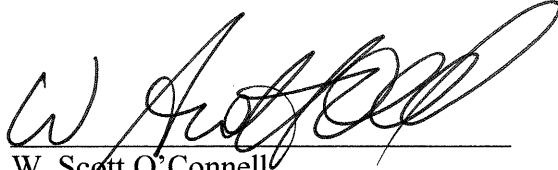
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