



QUALITY ACTION

CAMPAIGN BULLETIN

Halogen Headlamp Class Action Owner Notification

Reference: Headlamp

Date: October 8, 2021

Attention: Dealer Principal, Sales, Service & Parts Managers

Beginning October 25, 2021, current and former owners and lessees of certain 2013-2018 Altimas will receive a postcard from a Settlement Administrator informing them of the terms of a proposed class action that, subject to final court approval, could extend the warranty on the halogen headlamps. The class action lawsuit alleges that 2013-18 Altima models manufactured with halogen headlamps have a defect that causes the internal reflecting surface to delaminate, resulting in dimming of the low beam headlamps. Nissan denies all allegations of wrongdoing and liability but has agreed to this customer service initiative in order to resolve the dispute. Beginning in December 2018, all genuine Nissan replacement parts were manufactured with a new design.

The proposed settlement is still subject to final approval by the court presiding over the class action lawsuit. The court will determine if the settlement will be approved at or shortly after a hearing that is scheduled for **December 20, 2021**. If approved, the warranty extension will become effective 31 days after the approval is granted. Additional communication will be distributed prior to the warranty extension going into effect.

To be clear, **unless and until the proposed settlement is approved by the presiding court, there is no warranty extension** and you should proceed with halogen headlamp-related claims as outlined below in #3 under what dealers should do.

The proposed settlement, and the associated potential warranty extension, include many terms and conditions. **Rather than attempting to address questions** about the proposed settlement terms from customers, **it is strongly recommended that you refer customers to the websites and/or telephone numbers listed below** so that they can receive information from appropriate sources and to avoid providing incorrect and/or incomplete information.

***** What Dealers Should Do *****

1. No action is necessary at this time. Nissan will provide additional instructions if and when the proposed settlement is approved.
2. If the vehicle is no longer covered by a basic or parts warranty, provide owners a repair estimate for diagnosis and repair after consulting the goodwill guidelines available in the Assurance Product Resources Manual (APRM) or WBP/20-014.
3. If a customer has questions regarding the terms of the proposed settlement, please refer them to the following website and telephone number rather than attempting to answer the questions directly.

Altima: 1-855-786-0996 or www.altimaheadlightsettlement.com

Sample settlement notices are included with this announcement following the frequently asked questions.

NISSAN NORTH AMERICA, INC.

Aftersales DIVISION

Frequently Asked Questions (FAQ):

Q. Who is eligible to be a member of the class action settlement?

A. People who have purchased or leased one of the 2013-18 Altima equipped with halogen headlamps in the United States or its territories.

Q. When are eligible owners expected to receive this notification?

A. The class action settlement administrator will be releasing a press release on October 11, 2021 and mailing potential class members notification of the proposed settlement no later than **October 25, 2021**. The notice will provide the address of a website and a toll free number where potential class members can find more detailed information that may answer many of their questions.

Q. Is this a safety recall or service campaign?

A. No.

Q. What is the proposed settlement?

A. **If the settlement is approved**, Nissan will offer the following options to eligible owners and lesses:

1. Reimbursement for Headlamp Replacements Prior To October 25, 2021: If the owner or lessee paid to replace his or her halogen headlamps due to dimming prior to October 25, 2021, the owner or lessee can submit a claim for reimbursement. The deadline to submit a reimbursement claim is April 25, 2022. See the FAQs for additional information about reimbursement.

2. 3-Year Extension of the Warranty Covering Headlamp Dimming Due to Delamination: Beginning on the Effective date of the Settlement, which is anticipated to be on or after January 20, 2022, Nissan will cover headlamp dimming due to delamination for a total of 6 years. This warranty is transferable and subject to the same terms as the standard warranty. To receive replacement headlamps within the extended warranty period, the owner or lessee should take his or her Class Vehicle to an Authorized Nissan Dealer.

3. Option to Obtain Immediate Replacement from an Authorized Nissan Dealer With Reimbursement: If the Class Vehicle is currently within the 6-year extended warranty period and the owner or lessee does not want to wait until the Effective Date of the settlement to

acquire replacement headlamps, the owner or lessee can pay out-of-pocket for replacement headlamps from an [Authorized Nissan Dealer](#) and submit a claim for reimbursement. Reimbursement claims must be submitted by April 25, 2022.

For other questions about the settlement, please refer customers to the websites and/or telephone numbers provided above.

Q. Does this proposed warranty extension cover vehicles sold or registered in Canada or Mexico?

A. No. The proposed settlement applies only to vehicles sold or registered in the United States or its territories.

Q. Does the proposed settlement provide anything other than extended warranty coverage or reimbursement of customer paid expenses for repair/replacement?

A. The settlement websites will have more information about this.

Q. Where can I learn more about the proposed settlement?

A. Altima: 1-855-786-0996 or www.altimaheadlightsettlement.com

Q. Are certified pre-owned vehicle owners/lessees being notified of this proposed settlement?

A. The proposed settlement applies to current and former owners and lessees.

Q. Why is Nissan agreeing to this settlement?

A. To assure customer satisfaction and to address customer concerns, including those that were raised by customers through litigation.

Q. When will a decision be made for this proposed warranty extension?

A. The court will conduct a hearing on **December 20, 2021** to determine if the settlement will be approved, and Nissan expects a final decision shortly thereafter. Nissan will provide additional information to its dealers after receiving confirmation of the court's decision.

Revision History:

Date	Announcement	Purpose
October 8, 2021	Original	Halogen Headlamp Class Action Owner Notification

NOTICE OF CLASS ACTION SETTLEMENT

Rafael Suarez, et al. v. Nissan North America, Inc., No. 3:21-cv-00393-WLC-AN (M.D. Tenn.)

A Settlement Involving Headlamps on 2013-2018 Nissan Altima Vehicles May Affect You.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

You are receiving this Notice because records indicate that you own or lease, or previously owned or leased, a 2013-2018 Nissan Altima that is included in a class action settlement. This Notice is a summary only. You can get more information at www.AltimaHeadlightSettlement.com or by contacting the Settlement Administrator, *Suarez v. Nissan* Settlement Administrator, P.O. Box 43250, Providence, RI 02940-3250 or calling 1-855-786-0996.

WHAT IS THIS LAWSUIT ABOUT?

Plaintiffs allege that the headlights of 2013-2018 model year Nissan Altimas manufactured with halogen headlamps (“Class Vehicles”) can become dim over time due to delamination of reflective surfaces inside the headlamp (“Headlamp Defect”). Nissan North America, Inc. (“Nissan”) denies the allegations but has agreed to provide extended warranty coverage, cash reimbursement and other benefits to settle the claims.

HOW DO I KNOW IF I AM INCLUDED?

The Settlement Class consists of all United States residents who are current or former owners or lessees of 2013-2018 Nissan Altimas manufactured with halogen headlamps.

WHAT CAN I GET FROM THE SETTLEMENT?

The Settlement will become effective on the Effective Date, which will be 31 days after the Court enters a final order approving the Settlement, or after all appeals are exhausted, if an appeal is filed. Absent any appeals, the Effective Date is anticipated to occur around January 20, 2022, but this is subject to change. Check the Settlement website for updates.

The Settlement provides for the following benefits:

- (1) **Extended Warranty Covering Headlamp Dimming Due to Delamination:** Nissan will provide a three-year extension of the manufacturer’s warranty (for a total of six years) covering headlamp dimming due to delamination. To receive replacement headlamps within the extended warranty period, bring your Class Vehicle to an Authorized Nissan Dealer after the Effective Date of the Settlement.
- (2) **Opportunity to Receive Replacement Headlamps for Class Vehicles That Are or Will Be Outside of the Extended Warranty as of the Effective Date:** If your Class Vehicle will already be outside the extended warranty on the Effective Date, you may still qualify for free replacement headlamps if you: (1) submit an “Out-of-Warranty Claim Form” within 65-days after the Effective Date of the Settlement, and (2) bring your vehicle to an Authorized Nissan Dealer within six months thereafter.
- (3) **Option to Obtain Immediate Replacement from an Authorized Nissan Dealer With Reimbursement:** If you are currently within the extended warranty period and you do not want to wait until the Effective Date of the Settlement to acquire replacement headlamps, you can pay out-of-pocket for replacement headlamps from an Authorized Nissan Dealer and submit a claim for reimbursement. Reimbursement claims must be submitted by April 25, 2022.
- (4) **Reimbursement of Out-of-Pocket Costs Incurred Up To October 25, 2021:** If you previously paid out-of-pocket to replace your headlamps due to dimming prior to October 25, 2021, you can submit a claim for cash reimbursement. The deadline to submit a reimbursement claim is April 25, 2022. You may seek reimbursement for parts, labor, and other costs incurred to replace your headlamps, regardless of whether the costs were incurred through an Authorized Nissan Dealer, but reimbursements for amounts paid to Independent Repair Facilities are capped at \$1,200 per headlamp pair. Reimbursements for amounts paid to Authorized Nissan Dealers are not capped. After October 25, 2021, only costs incurred through an Authorized Nissan Dealer are reimbursable.

Visit the Settlement Website, www.AltimaHeadlightSettlement.com, for more details.

WHAT ARE YOUR LEGAL RIGHTS AND OPTIONS UNDER THE SETTLEMENT?

Option 1: Receive Replacement Headlamps and/or Submit a Reimbursement Claim – You do not need to do anything to claim the extended warranty coverage, but to receive replacement headlamps under the extended warranty, you will need to bring your Class Vehicle to an Authorized Nissan Dealer after the Effective Date and within your extended warranty period.

If your Class Vehicle will already be outside the extended warranty period as of the Effective Date, you may still receive free replacements from an Authorized Nissan Dealer, but you must: (1) submit an Out-of-Warranty Claim Form within sixty-five days after the Effective Date, and (2) bring your vehicle to an Authorized Nissan Dealer within six months thereafter to obtain replacements.

If you prefer to obtain replacement headlamps before the Effective Date, you may elect to pay out-of-pocket for replacement headlamps and seek reimbursement. To qualify, you must: (1) obtain replacements from an Authorized Nissan Dealer, and (2) submit a valid reimbursement claim no later than April 25, 2022.

Finally, if you paid out-of-pocket costs to replace your headlamps due to dimming prior to October 25, 2021, even if the costs were not incurred through an Authorized Nissan Dealer, you can submit a claim for reimbursement of those costs no later than April 25, 2022. Such costs may include parts, shipping, and labor, but reimbursement is capped at \$1,200 per headlamp pair replaced through an independent repair shop. After October 25, 2021, only costs incurred through an Authorized Nissan Dealer are reimbursable.

Option 2: Exclude Yourself from the Settlement – If you do not wish to receive benefits from the Settlement and you want to retain your right to sue Nissan at your own expense on an individual basis, you must exclude yourself (opt out) online or in writing on or before **November 22, 2021**. If you exclude yourself, you cannot get any benefits from this Settlement. If you remain in the Settlement, you will receive the benefits of the Settlement but you will also release claims you might have against Nissan arising out of the headlamp defect alleged in the lawsuit.

Option 3: Object to the Settlement – You have a right to stay in the Class and argue in a written objection that the Settlement should not be approved. You will still be bound by the Settlement if it is approved and you cannot object if you exclude yourself from the Settlement. The deadline to object is **November 22, 2021**. You can also ask to speak in Court about the fairness of the Settlement.

Option 4: Do Nothing – If you do nothing, you will not receive any cash payment. You will be bound by the Settlement's terms and will lose the right to sue Nissan regarding the Headlamp Defect. All Class Members, however, will receive the benefit of the warranty extension, regardless of whether or not they submit a Claim Form.

WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?

The Court will hold a hearing in this case on **December 20, 2021 at 1:30 p.m.** in the Estes Kefauver Federal Building & Courthouse, 801 Broadway, Nashville, Tennessee 37203 to consider whether to approve the Settlement, an award of attorneys' fees and expenses, and service awards to the Class Representatives. Information about how to join the Final Approval hearing, whether it is held in person or by other means, shall be provided in a manner to be directed by the Court to the parties and to any Objecting Settlement Class Member who serves a timely objection with notice of intent to appear at the Final Approval hearing. The attorneys' fees, expenses, and service awards approved by the Court will be paid separately by Nissan and will not reduce the amount available to pay Settlement benefits. The motion for attorneys' fees and expenses will be posted on the website after it is filed. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.AltimaHeadlightSettlement.com or call 1-855-786-0996 for any updates about the hearing. The Court may also allow participation at this hearing via video or phone in light of the COVID-19 pandemic. If there are timely objections to the Settlement, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. You or your attorney may appear at the hearing, at your own expense, but you don't have to. We do not know how long these decisions will take.

This Notice is a summary only.

You should review the full Notice for additional information about the Settlement and your rights at www.AltimaHeadlightSettlement.com or by contacting the Settlement Administrator, Suarez v. Nissan Settlement Administrator, P.O. Box 43250, Providence, RI 02940-3250 or calling 1-855-786-0996.