

Dieselpgate – a year later

Daniel Lange

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Quick reminder

(Nearly?) everybody cheated
and the attention is still only
on Volkswagen products

When carmakers begin turning down pollution control

Average temperature in Europe:



9°C

Below 17°C



Opel (Vauxhall)

Below 17°C



Renault-Nissan

Below 10°C



Daimler

Below 5°C



Peugeot

High speeds
& full car



Ford

High speeds
& full car



Fiat

2.0l TDI

475,000 cars affected in the USA (590,000 initially sold)

750,000 claims registered (wtf?)

200,000 buyback / lease termination offers made by VW

104,000 offers accepted → \$2b value

84,000 appointments scheduled

\$2.7b → environmental trust

\$2b → ZEV infrastructure

3.0l TDI

83,000 cars affected in the USA

20,000 Gen 1 → buyback / lease termination

63,000 Gen 2 → **New catalyst, up to three new sensors, turbine mixer,
new AdBlue dosing valve (all to be EPA approved) or GOTO 1**

\$225m → environmental trust

\$25m → CARB for ZEV promotion

VOLKSWAGEN

GROUP OF AMERICA

2.0-Liter Settlement Claims Program Buyback Checklist

Below is a list of items that you are required to bring to your closing appointment.

If you have any questions, please call us at 1-844-98-CLAIM.

REMINDER: The final payment to you will depend on the mileage on your vehicle at the time of the appointment. If, on the day of your appointment, your mileage is in excess of the range expected based on the mileage you have entered, and you chose to be paid by check, the appointment could be rescheduled so that a new check can be processed with the adjusted amount. If your mileage is less than the expected range on that day, a second check for the amount of the resulting additional compensation will be mailed to you. If you chose to be paid by EFT, your EFT payment will be adjusted accordingly.

PLEASE BRING THE FOLLOWING ITEMS TO YOUR CLOSING

- Government Issued Photo ID for Each Listed Registered Owner**
If you filed this claim on behalf of another individual, please bring your Photo ID as well as a legible copy of the individual's Photo ID.
If there is more than one Registered Owner, all Registered Owners must be present at the closing appointment or you will need to bring a legible copy of a Photo ID for each Registered Owner.
- Government Issued Photo ID for Each Listed Titleholder, if applicable**
If any name(s) on the Title is different than the name(s) of the Registered Owner(s), you will need to bring a legible copy of a Photo ID for each individual whose name appears on the title. This is not necessary if the additional listed Titleholder is your lender.
- Notarized Power of Attorney for Titleholder(s), if applicable**
If each Titleholder cannot be present at the closing appointment, you will need to bring a notarized Power of Attorney demonstrating that the Titleholder(s) have granted you authority to transact the Buyback. A copy of a Power of Attorney Form can be found here https://www.vwcourtsettlement.com/en/docs/Forms/Limited_Power_of_Attorney.pdf. This is not necessary if the additional listed Titleholder is your lender.
- 2.0-Liter TDI Vehicle whose VIN Matches the VIN Associated with Your Claim**
Remember that the vehicle must be driven under its own 2.0-liter engine power in order to complete the Buyback.

VOLKSWAGEN

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Odometer Disclosure Statement

Federal law (and State law, if applicable) requires that you state the mileage upon transfer of ownership. Failure to complete or making a false statement may result in fines and/or imprisonment.

I, _____, state that the odometer now reads _____ (no tenths) miles and that to the best of my knowledge it **reflects the actual mileage** of the vehicle, unless one of the following statements is checked.

(1) The mileage stated is in **excess of its mechanical limits**.

(2) The odometer reading is **NOT** the actual mileage. **WARNING: Odometer discrepancy exists.**

Make: **Model:** **Year:**

Vehicle Identification Number (VIN):

Seller Name:

Seller Address:

Seller Signature(s): _____

Date of Statement: _____

Buyer Name: Volkswagen Group of America, Inc.

Buyer Address: 3800 Hamlin Road, Auburn Hills, MI 48326

fact checking
“transparency”
and
“winning back trust”

03.11.2015

"From the very start I have pushed hard for the **relentless and comprehensive clarification of events**. We will stop at nothing and nobody. This is a painful process, but it is our only alternative. For us, **the only thing that counts is the truth**. That is the basis for the **fundamental realignment** that Volkswagen needs", **Matthias Müller**, CEO of Volkswagen Aktiengesellschaft, said, and added. "The **Board of Management of Volkswagen AG** deeply regrets this situation and wishes to underscore its **determination to systematically continue** along the present path of **clarification and transparency**."

04.05.2016

MATTHIAS MÜLLER
CHAIRMAN OF THE BOARD OF MANAGEMENT

To the Minister for Transport, Tourism and Sport
Mr Paschal Donohoe
D2 Dublin
Ireland

4 May 2016

Dear Mr Donohoe,

I would like to take this opportunity to offer my reassurance that the Volkswagen Group is resolutely determined and has what it takes to overcome this difficult situation by itself, and to tackle any challenges in the future. We are well aware that this will involve winning back the trust of our customers, the public, and politicians, and will do our best to ensure that this happens.

Yours sincerely,



Presse | News | Prensa | Tisk | Imprensa | Prasa | Stampa | Pers | 新闻 | Пресса

CO₂ issue largely concluded


- **No unlawful change to the stated fuel consumption and CO₂ figures found to date**
- Only a small number of the model variants of new cars will have the catalogue figure slightly adjusted

Wolfsburg, 9 December 2015 – Just a month after questions relating to the CO₂ figures measured on some of the Group's models arose, Volkswagen has largely concluded the clarification of the matter. Following extensive internal investigations and measurement checks, it is now clear that almost all of these model variants do correspond to the CO₂ figures originally determined. This means that these vehicles can be marketed and sold without any limitations. The suspicion that the fuel consumption figures of current production vehicles had been unlawfully changed was not confirmed. During internal remeasurements slight deviations were found on just nine model variants of the Volkswagen brand.

16. Simply put, the cheat device program equips the subject vehicles with two personalities. The “dyno calibration” personality reduces fuel supply and limits rpms per gear, thereby reducing fuel burn and emissions to deceive emissions test operators. While the “road calibration” personality allows the engine to turn maximum rpms in each gear and provides the necessary fuel supply required to deliver advertised torque and performance.

17. Upon information and belief, the cheat device software is imbedded in the transmission control module (“TCM”). The TCM’s primary function is to establish shift logic by reacting to signals from sensors monitoring coolant temperature, exhaust temperature, ignition timing, crankshaft and camshaft positioning, fuel mixture and air flow volumes.

18. Upon information and belief, the TCM and engine control unit (“ECU”) work in tandem to execute the actual cheat function. Upon information and belief, engineers imbedded the cheat software in the TCM unit, intentionally making its detection less probable.

Berlin. Bei der millionenfachen Umrüstung von Dieselfahrzeugen im Zuge des VW -Abgasskandals gibt es Wirbel um den Begriff „Garantie“. Volkswagen bekräftigte am Freitag, dass der Umbau der Autos keine negativen Auswirkungen habe.

Nach der Umrüstung der Fahrzeuge gebe es bei Kraftstoffverbrauch, CO2-Emissionen oder Motorleistung keinerlei Verschlechterung. Der Autobauer stelle den Kunden nach der Umrüstung eine „garantiegliche“ Bescheinigung aus, spreche aber nicht von einer „Garantie“, wie es am Freitag in Unternehmenskreisen hieß. Grund seien „juristische Feinheiten“.



20.12.2016

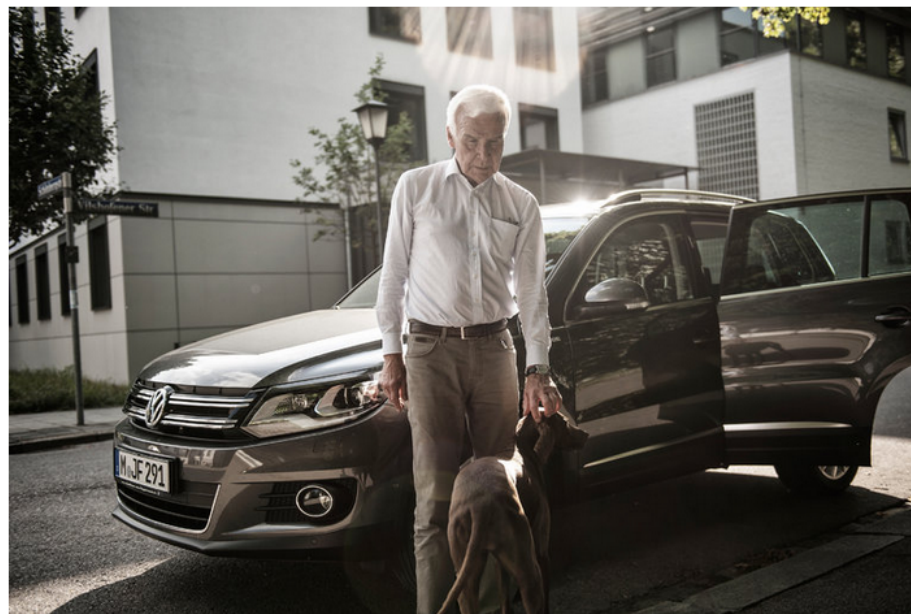
3.9.3 The warranty period for the Extended Emissions Warranty shall be the greater of:

- i. 10 years or 120,000 actual miles whichever comes first; and
- ii. 4 years or 48,000 miles, whichever comes first, from date and mileage of implementing the Emissions Modification, except for vehicles offered for resale, in which case, from the date and mileage of the first resale transaction after the modification to the first person who in good faith purchases the vehicle for purposes other than resale.

3.9.4 Defendants must make available online a searchable database that includes all 3.0 Liter Subject Vehicles, by which users, including Eligible Owners, Eligible

In the U.S., VW Owners Get Cash. In Europe, They Get Plastic Tubes.

By JACK EWING AUG. 15, 2016



Jürgen Franz of Munich says his Volkswagen, a diesel Tiguan sport utility vehicle, burns more fuel after a software update that was part of a mandatory recall. He drives the same route every morning and now fills his tank more often. Laetitia Vancon for The New York Times

FRANKFURT — [Volkswagen](#) owners in the United States will receive about \$20,000 per car as compensation for the company's diesel deception. Volkswagen owners in Europe at most get a [software update](#) and a short length of plastic tubing.

22.12.2016

22. Dezember 2016, 05:10 Uhr Abgasaffäre

Heimliche Vergleiche schützen VW


- Etliche VW-Händler schließen Vergleiche mit Kunden ab, um so Urteile vor Oberlandesgerichten zu verhindern.
- Der Volkswagen-Konzern sagt zwar, die heimlichen Vergleiche seien nicht Teil einer Strategie - er spart durch die Methode jedoch viele Millionen Euro.
- In den USA muss VW gut 15 Milliarden Dollar an Schadenersatz und Strafen zahlen, in Europa möchte der Konzern hingegen ohne Geldstrafe davonkommen.

Von *Markus Balsler* und *Klaus Ott*

Die entscheidende Klausel, die [Volkswagen](#) viele Millionen, wenn nicht Milliarden Euro ersparen könnte, steht am Ende des geheimen Papiers. Die Gegner vor Gericht seien sich einig, über Abschluss und Inhalt dieses Vergleichs "Stillschweigen" zu vereinbaren. Kein Wort, kein Detail, nichts soll nach außen dringen. Autos zurücknehmen, Käufer ausbezahlen, keine Verurteilung riskieren, das ist die Strategie etlicher VW-Händler im Umgang mit Kunden. Mit jenen, die wegen manipulierter Abgaswerte bei Diesel-Autos in Deutschland vor Gericht ziehen und ihr Geld wiederhaben wollen. Und die inzwischen des öfteren Aussicht auf Erfolg haben, sogar bei Oberlandesgerichten (OLG).

Verfügung

in dem Rechtsstreit

 gegen Volkswagen AG

1.

Verhandlungstermin wird bestimmt auf

Freitag, 20.01.2017, 10:30 Uhr,

II. Etage, Sitzungssaal 203, Am Bogen 2 - 4, 33098 Paderborn.

2.

Hinweis/Auflage:

Der Verfahrensstand stellt sich gegenwärtig folgendermaßen dar:

Der Zeuge Winterkorn hat von seinem Zeugnisverweigerungsrecht Gebrauch gemacht (SS. v. 17.11.2016). Der Kläger hält daran fest, den Zeugen zu hören, rügt also die Unzulässigkeit der Aussageverweigerung (SS. v. 23.11.2016). Damit liegen

German court cases – VW forced to buy back / compensate

Amtsgericht Lehrte, Aktenzeichen: 13 C 549/16; **Amtsgericht Weiden in der Oberpfalz**, Urteil vom 23.09.2016, Aktenzeichen: 1 C 90/16; **Landgericht Aachen**, Urteil vom 06.12.2016, Aktenzeichen: 10 O 146/16; **Landgericht Bonn**, Aktenzeichen: 15 O 41/16; **Landgericht Braunschweig**, Urteil vom 12.10.2016, Aktenzeichen: 4 O 202/16; **Landgericht Dortmund**, Urteil vom 29.09.2016, Aktenzeichen: 25 O 49/16; **Landgericht Essen**, Urteil vom 16.09.2016, Aktenzeichen: 16 O 165/16; **Landgericht Frankfurt am Main**, Urteil vom 20.10.2016 Aktenzeichen: 2-23 O 149/16; **Landgericht Hagen**, Aktenzeichen: 3 O 66/16, **Landgericht Hamburg** Urteil vom 16.11.2016, Aktenzeichen: 301 O 96/16; **Landgericht Krefeld**, Urteil vom 14.09.2016 Aktenzeichen: 2 O 72/16; **Landgericht Krefeld**, Aktenzeichen: 2 O 83/16; **Landgericht Lüneburg**, Urteil vom 02.06.2016, Aktenzeichen: 4 O 3/16; **Oberlandesgericht Celle** Aktenzeichen: 7 U 103/16; **Landgericht München I**, Urteil vom 14.04.2016, Aktenzeichen: 23 O 23033/15; **Landgericht München I**, (Versäumnis-)Urteil vom 29.09.2016 Aktenzeichen: 41 O 14374/16; **Landgericht München II**, Urteil vom 15.11.2016, Aktenzeichen: 12 O 1482/16; **Landgericht Oldenburg**, Urteil vom 01.09.2016 Aktenzeichen: 16 O 790/16; **Landgericht Regensburg**, Urteil vom 21.11.2016, Aktenzeichen: 6 O 409/16 (3); **Landgericht Stuttgart**, (Versäumnis-)Urteil vom 20.10.2016 Aktenzeichen: 7 O 68/16; **Oberlandesgericht Celle**, Beschluss vom 30.06.2016, Aktenzeichen: 7 W 26/16; **Oberlandesgericht Hamm**, Beschluss vom 21.06.2016 Aktenzeichen: 28 W 14/16

fact checking

“accidental data loss”

Daniel Donovan lawsuit

- information manager at the general counsel's office of VWGoA
- said he was fired for questioning VWGoA's efforts to preserve evidence
- said tried unsuccessfully to stop other employees of the company from destroying electronic documents related to emissions cheating
- settled out of court 09.06.2016

The company and Sam Morgan, Mr. Donovan's lawyer, said in nearly identical statements that "he has now voluntarily dismissed the complaint and has agreed to cooperate fully with the company's internal investigations."

"The matter has been resolved amicably to the satisfaction of all of the parties," their statements said.

Jack Ewing, New York Times, 30.06.2016

N. N. lawsuit

- German law advisor at VW requested colleagues to delete infringing documents
- also not use "defeat device" in documents

Der VW-Jurist ist seit Monaten freigestellt. Auf Anfrage bestritt er die Vorwürfe vehement: „Da es sich um ein schwebendes Verfahren handelt, kann ich aber nicht mehr dazu sagen.“ Nach "BamS"-Recherchen nahm er im Sommer 2015 an entscheidenden Sitzungen zum Abgasskandal teil. Laut Zeugenaussagen riet er Teilnehmern, die Wörter „defeat device“ (Betrugssoftware) in Schriftsätzen zu vermeiden.

Nach einer Sitzung des Ausschusses für Produktsicherheit am 24. August 2015 in Wolfsburg habe er zudem einzelne Teilnehmer darauf hingewiesen, brisante Daten von Computern zu löschen. Wie "BamS" erfuhr, sollen in der Tat diverse vertrauliche Dokumente nicht mehr zu finden sein. Erst am 1. September verschickte VW an einen bestimmten Mitarbeiterkreis einen sogenannten „litigation hold“, eine Verpflichtung zur Datensicherung für Prozesszwecke. Zwei Tage später gab VW den Betrug bei den US-Umweltbehörden offiziell zu.

Focus Finanzen, 01.05.2016

FTC lawsuit

- Volkswagen **“lost”** or **“accidentally erased” 23 mobile phones**
- A Justice Department trial attorney said in a letter to Volkswagen’s outside lawyer that the witness **“was either unprepared or otherwise unable to provide responsive information** to certain topics.” The witness **“answered ‘I don’t know’** or some variation thereof over **250 times**, including in response to questions he should have been able to answer,” the FTC said in the filing.
- Volkswagen filed a rebuttal to that request on Dec. 1, asking the court to deny the FTC’s request. Attorneys for Sullivan & Cromwell, representing Volkswagen, argued in their brief that **preparation of the witness** had been **“extraordinarily thorough”** and that the witness **“spent 20 days preparing for this one deposition.”** Volkswagen’s attorney said the witness answered **“thousands of questions”** by five examiners.
- The FTC argues that it **“should not have to accept VW’s assurance** that there is **nothing to see and that we should just move along.”**

William Boston, Wall Street Journal, 10.12.2016 (updated)

fact checking

Why is the European regulation
so easy to evade?

Copy and paste regulation 1/2

Code of Federal Regulations Title 40, § 86.1803-01

Auxiliary Emission Control Device (AECD) means any element of design which senses temperature, vehicle speed, engine RPM, transmission gear, manifold vacuum, or any other parameter for the purpose of activating, modulating, delaying, or deactivating the operation of any part of the emission control system.[..]

Defeat device means an auxiliary emission control device (AECD) that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use, unless:

- (1) Such conditions are substantially included in the Federal emission test procedure;
- (2) The need for the AECD is justified in terms of protecting the vehicle against damage or accident;
- (3) The AECD does not go beyond the requirements of engine starting; [..]

Regulation of the European Parliament (EC) No 715/2007, Art. 3

10. '**defeat device**' means any element of design which senses temperature, vehicle speed, engine speed (RPM), transmission gear, manifold vacuum or any other parameter for the purpose of activating, modulating, delaying or deactivating the operation of any part of the emission control system, that reduces the effectiveness of the emission control system under conditions which may reasonably be expected to be encountered in normal vehicle operation and use;

Copy and paste regulation 2/2

Code of Federal Regulations Title 40, § 86.1809-10

(a) **No** new light-duty vehicle, light-duty truck, medium-duty passenger vehicle, or complete heavy-duty vehicle shall be equipped with a **defeat device**.

Regulation of the European Parliament (EC) No 715/2007, Art. 4

2. The **use of defeat devices that** reduce the effectiveness of emission control systems **shall be prohibited**. The **prohibition shall not apply** where:

- (a) the need for the device is justified in terms of protecting the engine against damage or accident and for safe operation of the vehicle;
- (b) the device does not function beyond the requirements of engine starting;
or
- (c) the conditions are substantially included in the test procedures for verifying evaporative emissions and average tailpipe emissions.


Herding cats with just one very long stick ...
EU Treaty infringement proceedings

No sanctioning mechanisms: **Czech Republic, Lithuania, Greece**

No enforcement of sanctioning mechanisms: **Germany, Luxembourg, Spain, United Kingdom**
(all homologized VW group vehicles)

Fiat sagt Termin im BMVI per Anwalt ab

Dobrindt: "Unkooperatives Verhalten von Fiat"

 ALLE PRESSEMITTEILUNGEN

19.05.2016

Mobilität



Quelle: BMVI

Fiat hat den für heute im Bundesverkehrsministerium anberaumten Termin kurzfristig per Anwaltsschreiben abgesagt. Das Unternehmen besteht unter anderem darauf, dass für die Frage, ob Fiat-Fahrzeuge die europarechtlichen Abgas-Vorschriften einhalten, allein italienische Behörden zuständig sind. Fiat beruft sich dabei auf europäisches Verfahrensrecht und verweigert sich zunächst weiteren Gesprächen mit deutschen Behörden.

Bundesverkehrsminister Alexander Dobrindt:

„Dieses unkooperative Verhalten von Fiat ist völlig unverständlich. Hier stehen konkrete Vorwürfe im Raum. Es wäre angemessen, wenn Fiat gegenüber der Untersuchungskommission dazu Stellung nehmen würde.“

Die Untersuchungskommission hat Zweifel, ob bei Fiat die Typgenehmigungsvorschriften eingehalten wurden.

Fiat hat den für heute im Bundesverkehrsministerium anberaumten Termin kurzfristig per Anwaltsschreiben abgesagt. Das Unternehmen besteht unter anderem darauf, dass für die Frage, ob Fiat-Fahrzeuge die europäischen Abgasvorschriften erfüllen, die italienischen Behörden zuständig sind. Fiat blockiert die Ermittlungen zunächst weiteren Ge...

Bundesverkehrsmini

„Dieses unkooperative Verhalten ist im Raum. Es wäre zu erwarten, dass die Behörden mitarbeiten würden.“

Die Untersuchungskommission wurde nicht eingehalten wurden.

Jetzt werde klar, wieso Bundesverkehrsminister Alexander Dobrindt sich mit Händen und Füßen gegen unabhängige Kontrollen auf europäischer Ebene wehre, sagt der grüne Europaabgeordnete Turmes. Das "Tachtelmechtel" zwischen Bundesregierung, KBA und Automobilindustrie solle keinesfalls aufgedeckt werden.



VW-Abgasaffäre: Kraftfahrt-Bundesamt soll Untersuchungsbericht entschärft haben

"Schonungslos" wollte Verkehrsminister Dobrindt die VW-Abgasaffäre aufklären. Doch jetzt wurde bekannt: Aus einem Untersuchungsbericht wurden

wohl kritische Passagen gestrichen. [mehr ...](#)

		Rollenprüfstand			Portable Emission Measurement System (PEMS)				
Hersteller	Handelsbezeichnung	NEFZ kalt (mg/km)	NEFZ warm/ PEMS validiert (mg/km)	NEFZ 10°C (mg/km)	NEFZ Straße (mg/km)	NEFZ Back (mg/km)	NEFZ +10% (mg/km)	NEFZ -10% (mg/km)	RDE-Fahrt (mg/km)
Audi	A6 3.0l	145,00	168,00	663,00	868,13	819,90	980,67	803,83	1109,28

Minister Dobrindt:

„Es darf nicht sein, dass ein EU-Gesetz so formuliert ist, dass sich Motoren hinter dem Argument Motorschutzgründe verstecken.“

Der Hersteller erklärt, dass er aufgrund von massiven Feldproblemen bei einer Außentemperatur unter 17 °C die AGR-Raten reduziert hat. Bei der Auslegung handelte der Hersteller im Einklang mit dem Stand der Technik und in Übereinstimmung mit den über die Jahre gesammelten Erfahrungen. Durch diese Vorgehensweise seien die Beanstandungen auf ein niedrigeres Niveau gesunken.

Gleichwohl hat sich der Hersteller bereit erklärt, im Rahmen einer Servicemaßnahme die im Feld befindlichen Fahrzeuge diesbezüglich durch ein Softwareupdate ab Sommer 2016 zu optimieren. Wenn der Hersteller, wie beabsichtigt, die Maßnahmen ergreift und das KBA sich von der Wirksamkeit überzeugt, würden Zweifel an der Zulässigkeit der Abschalteneinrichtung aus Motorschutzgründen nicht weiter bestehen.

190 Jahre
No. 30 - 29.7.2016 - www.autobild.de
**Auto
Bild**
30 JAHRE NR. 1
MERCEDES
S-KLASSE BJ. 2007
OPEL
ADAM
SKODA KODIAQ
NEUE SERIE
Traumwagen
Jaguar XF-S
VERGLEICHSTEST
Diese SUV sind
echte Geheimtipps!
VERGLEICHSTEST
Audi A3 Sportback
mit neuem Dreizylinder
gegen Mercedes A 180

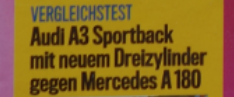
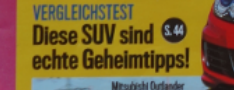
Mit dem neuen 240-PS-TDI
**VW TIGUAN BESSER ALS
DER TEURE TOUAREG**



Neuer Audi SQ7 im Test mit Rundenzeiten
**FETTER SUV SCHNELLER
ALS ALTER PORSCHE 911**



DIE 25 BESTEN AUTOS BIS 25 000 EURO



**VW GOLF VI
GTI EDITION 35**



**EXKLUSIV BMW BAUT
WIEDER EINEN 8er**



LADA 4X4



**MASERATI
QUATTROPORTE
BJ. 2007**

10 Modelle
im Test
**DIE BESTEN
KÜHLBOXEN**
für die Urlaubsfahrt



**NEUER
GTCA LUSSO
FERRARI BRINGT
FLÜGELTÜRER**



**BMW 850i
BJ. 1991**



190
 Nr. 30 - 29.7.2016 - www.autobild.de

Auto Bild

30 JAHRE NR. 1

MERCEDES S-KLASSE BJ. 2007

OPEL ADAM

SKODA KODIAQ

NEUE SERIE Traumwagen Jaguar XJ-S

VERGLEICHSTEST Diese SUV sind echte Geheimtipps!

Mitsubishi Outlander

Land Rover Discovery Sport

VERGLEICHSTEST Audi A3 Sportback mit neuem Dreizylinder gegen Mercedes A 180

EXKLUSIV BMW BAUT WIEDER EINEN 8er

Mit dem neuen 240-PS-TDI VW TIGUAN **BESSER ALS DER TEURE TOUAREG**

Neuer Audi SQ7 **FETTER ALS ALTE**

DIE 25 BESTEN AUTOS BIS 25 000 EURO

WOB-6T 351

VW GOLF VI GTI EDITION 35

BMW 850i BJ. 1991

BEAMTE MIT IT-WISSEN DRINGEND GESUCHT!

OPEL HAT Berichten zufolge zugesagt, die Steuerung der Abgasreinigung im neuen Zafira zu ändern. Nach der Entschlüsselung fragwürdiger Parameter durch den IT-Experten Felix Domke (Heft 20/2016) blieb selbst dem bis dato handzahmen Verkehrsminister Dobrindt nichts anderes übrig, als Opel massiv zu drohen. Gut so! Wer sich Vorschriften auf Kosten der anderen zurechtbiegt, muss mit Strafen rechnen. Der Fall zeigt aber auch: Ohne externe Expertise tappen die zuständigen Beamten bedenklich im Dunkeln. Die Prüfung der Opel-Nachbesserungen erledigt konsequenterweise kein Amt – damit hat Dobrindt IT-Mann Domke beauftragt.

fact checking

Calling Braunschweig...
hello? Anybody, HELLO?

Hello, can you hear me?
I'm in California dreaming
about who we used to be.



“BY ORDER OF JUDGE Mary C Devins a Judge of the District Court”

Between:

Record number: 2015/10319



Claimant

And

VOLKSWAGEN GROUP IRELAND LIMITED
VOLKSWAGEN AG

Respondents

ORDER

BEFORE JUDGE MARY C. DEVINS, JUDGE OF THE DISTRICT COURT sitting at The Courthouse, Castlebar, County of Mayo on the 7th day of June, 2016.

WHEREUP AND UPON HEARING what was urged by Evan O'Dwyer, Solicitor for the Claimant and Paul Fogarty, Barrister-at Law instructed by A & L Goodbody, Solicitors for both Respondents.

THE COURT DOTH ORDER BY ORDER OF JUDGE MARY C DEVINS:

1. The Respondents do Discover documentary, technical, expert, original evidence indicating which, if either or both, issues, *viz*; NOx and Co2 emissions affect the Claimant's car;

Legal representatives for Volkswagen **walked out of court in Mayo** today [06.09.2016] after **labelling an ongoing court case regarding emissions as “entirely inappropriate and unfair”**.

Barrister Paul Fogarty and two instructing solicitors from A&L Goodbody walked out of Castlebar District Court after Judge Mary Devins ruled that she would continue with the case.

Earlier Mr Fogarty told Judge Devins that his clients, Volkswagen Group Ireland and Volkswagen AG had obtained legal advice that the court had no jurisdiction to take the case.

He said that **as a result representatives were not present in court** and the defence would be calling no witnesses.

Mr Fogarty said his clients also took the view that there were **serious issues in relation to orders previously made by the court** in the case and raised concerns about the manner in which evidence would be given by witnesses for the claimant. He said the manner of the case was “highly unconventional”.

He informed Judge Devins that the respondents would be **seeking a judicial review** in the matter.

Judge Devins said **the case would continue “without Hamlet”** and later referred to the **actions of the legal team as a “spectacular walk out”**.



USA vs.
James R. Liang
31.08.2016

4. **Cooperation**

Defendant agrees to assist the government in the investigation and prosecution of others involved in criminal activities, as specified below.

A. **Truthful Information and Testimony.** Defendant will provide truthful and complete information concerning all facts of this case known to him. Defendant will provide full debriefings, as requested by the government, to federal, state, and local law enforcement agencies. Defendant will provide truthful testimony at all proceedings, criminal, civil, or administrative, as requested by the government. Such testimony may include, but is not limited to, grand jury proceedings, trials, and pretrial and post-trial proceedings. Defendant agrees to be available for interviews in preparation of all testimony. Defendant understands that this obligation to provide cooperation continues after sentencing and that failure to follow through constitutes a breach of this agreement. Defendant shall cooperate fully with the government, and any other law enforcement agency designated by the government, including but not limited to the Staatsanwaltschaft Braunschweig in Germany.

bonus round

trolling the process

VOLKSWAGEN OF AM CHASE PYMT PPD ID: 9364012002

Nov 29, 2016

\$26,159.67

\$21,436.73

SO CAL GAS PAID SCGC 1713066733 WEB ID: 1992052494

Nov 28, 2016







22.12.2016

9 I wanted, your Honor, if possible, to flag one issue for
10 the Court. While the great majority of Volkswagen customers
11 participating in the 2-liter settlement have taken very good
12 care of their vehicles. A handful of owners have brought in
13 vehicles for buyback that have been regrettably deliberately
14 stripped of parts. In fact, at least one owner went so far as
15 to strip the car of almost every removable part, including
16 seats, doors, a radio and even the air bag.

17 Now, under the settlement agreement there was an allowance
18 made for class members whose vehicles were in accidents or
19 otherwise suffered from harm through no fault of their own.
20 But, you know, we think that deliberately stripping the
21 vehicles of their parts goes -- goes too far. And, in fact,
22 the buyback announced provided for in the agreement were based
23 on the value of the cars as a whole, including their parts.

Summary

- **There is pervasive emissions cheating, not just VW but (nearly?) all OEMs.**
- **VW promises and actions are contradicting completely. Look beyond the spin doctoring.**
- **There is currently no functional regulation or enforcement reg. vehicle emissions in the EU.**

Dieselpgate – a year and 30+ min later

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