

182. There are only two approaches available, 1.) Recall all ARC hybrid toroidal inflators OR 2.) wait until another field rupture takes place and recall the inflators of the same lot.

183. The Defendants “Wait and See” approach places drivers and passengers of vehicles that utilize an ARC hybrid toroidal inflator at risk. The two drivers of the 2015 Chevrolet Traverses were the latest guinea pigs the Defendants used to identify 2 defective lots of ARC inflators and they will not be the last unless all ARC hybrid toroidal inflators are recalled.

184. In fact, in the October 4, 2016, letter from NHTSA to ARC’s Chief Executive Officer ARC’s position on the serious of the matter was called out quite clearly by Michael Brown, Acting Director Offices of Defect Investigation:

185. ARC's response to the Agency's investigation to date does not demonstrate the behavior that NHTSA expects of manufacturers, much less manufacturers of vital safety components utilized in vehicles across the globe. To the contrary, ARC's behavior has demonstrated a lack of cognizance regarding the seriousness of this investigation and the underlying issues.

186. The following table identifies, to the best of Plaintiffs' understanding, and without the benefit of discovery, the vehicles equipped with an ARC hybrid inflator, the model years involved, the installed position of ARC hybrid inflator (driver side, passenger side, or both):

Defendant	Make	Model	MY
FCA US	Chrysler	200	2015-2017
FCA US	Chrysler	300 LX	2016-2017
FCA US	Chrysler	PT Cruiser	2001-2002
FCA US	Chrysler	Town & Country	2001-2007
FCA US	Dodge	Caravan	2001-2007
FCA US	Dodge	Challenger	2015-2017
FCA US	Dodge	Charger/Magnum LX	2016-2017
FCA US	Dodge	Grand Caravan	2001-2007
FCA US	Jeep	Cherokee	2016-2017
Ford	Ford	Crown Victoria	2004-2011

Ford	Lincoln	Town Car	2004-2011
Ford	Mercury	Grand Marquis	2004-2011
Ford	Ford	F150	2015-2017
Ford	Ford	Mustang	2015-2017
General Motors	Buick	Envision	2016-2017
General Motors	Buick	LaSabre	2002-2005
General Motors	Buick	Terraza	2005-2008
General Motors	Buick	Enclave	2008-2017
General Motors	Buick	Encore	2013-2017
General Motors	Buick	LaCrosse	2005-2009
General Motors	Buick	Lucerne	2006-2011
General Motors	Buick	Rainier	2004-2007
General Motors	Buick	Rendezvous	2002-2007
General Motors	Cadillac	ATS	2013 - 2017
General Motors	Cadillac	CTS	2003-2007
General Motors	Cadillac	CTS	2008-2014
General Motors	Cadillac	CTS	2014 - 2017
General Motors	Cadillac	Deville	2002-2005
General Motors	Cadillac	DTS	2006-2011
General Motors	Cadillac	ELR	2013-2016
General Motors	Cadillac	Escalade 1500	2002-2006
General Motors	Cadillac	Escalade 1500	2007-2014
General Motors	Cadillac	Escalade 1500	2015-2017
General Motors	Cadillac	Escalade ESV	2002-2006
General Motors	Cadillac	Escalade ESV	2007-2014
General Motors	Cadillac	Escalade ESV	2015-2017
General Motors	Cadillac	Escalade EXT	2002-2006
General Motors	Cadillac	Escalade EXT	2007-2013
General Motors	Cadillac	SRX	2004-2009
General Motors	Cadillac	SRX	2010-2016
General Motors	Cadillac	STS	2005-2007
General Motors	Cadillac	XLR	2004-2009
General Motors	Cadillac	XT5	2017
General Motors	Chevrolet	Avalanche 1500	2002-2006
General Motors	Chevrolet	Avalanche 1500	2007-2013
General Motors	Chevrolet	Avalanche 2500	2002-2006
General Motors	Chevrolet	Camero	2010-2015
General Motors	Chevrolet	Camero	2016-2017
General Motors	Chevrolet	Captiva	2011-2017
General Motors	Chevrolet	Cavalier	2000-2005
General Motors	Chevrolet	Colorado	2015-2017
General Motors	Chevrolet	Corvette	2005-2013

General Motors	Chevrolet	Cruze	2016-2017
General Motors	Chevrolet	Encore	2014-2017
General Motors	Chevrolet	Equinox	2005-2009
General Motors	Chevrolet	Equinox	2010-2017
General Motors	Chevrolet	Express 1500	2003-2017
General Motors	Chevrolet	Express 2500	2003-2017
General Motors	Chevrolet	Express 3500	2003-2017
General Motors	Chevrolet	HHR	2006-2010
General Motors	Chevrolet	Impala	2006-2014
General Motors	Chevrolet	Impala	2015-2017
General Motors	Chevrolet	Malibu	2004-2007
General Motors	Chevrolet	Malibu	2008-2012
General Motors	Chevrolet	Malibu Maxx	2004-2007
General Motors	Chevrolet	Monte Carlo	2006-2017
General Motors	Chevrolet	Silverado 1500	2000-2007
General Motors	Chevrolet	Silverado 1500	2007-2014
General Motors	Chevrolet	Silverado 2500	2000-2007
General Motors	Chevrolet	Silverado 2500	2007-2014
General Motors	Chevrolet	Silverado 3500	2000-2007
General Motors	Chevrolet	Silverado 3500	2007-2014
General Motors	Chevrolet	SSR	2003-2005
General Motors	Chevrolet	Suburban 1500	2000-2006
General Motors	Chevrolet	Suburban 1500	2007-2014
General Motors	Chevrolet	Suburban 2500	2007-2013
General Motors	Chevrolet	Tahoe 1500	2000-2006
General Motors	Chevrolet	Tahoe 1500	2007-2014
General Motors	Chevrolet	Trailblazer	2003-2009
General Motors	Chevrolet	Trailblazer EXT	2003-2006
General Motors	Chevrolet	Traverse	2009-2017
General Motors	Chevrolet	Trax	2014-2017
General Motors	Chevrolet	Uplander	2005-2008
General Motors	Chevrolet	Venture	2000-2005
General Motors	Chevrolet	Volt	2011-2015
General Motors	GMC	Canyon	2015-2017
General Motors	GMC	Savana 1500	2003-2017
General Motors	GMC	Savana 2500	2003-2017
General Motors	GMC	Savana 3500	2003-2017
General Motors	GMC	Sierra 1500	2000-2007
General Motors	GMC	Sierra 1500	2007-2014
General Motors	GMC	Sierra 2500	2000-2007
General Motors	GMC	Sierra 2500	2007-2014
General Motors	GMC	Sierra 3500	2000-2007

General Motors	GMC	Sierra 3500	2007-2014
General Motors	GMC	Terrain	2010-2017
General Motors	GMC	Yukon 1500	2000-2006
General Motors	GMC	Yukon 1500	2007-2014
General Motors	GMC	Yukon XL 1500	2000-2006
General Motors	GMC	Yukon XL 1500	2007-2014
General Motors	GMC	Yukon XL 2500	2000-2006
General Motors	GMC	Yukon XL 2500	2007-2014
General Motors	GMC	Acadia	2017
General Motors	GMC	Acadia	2007-2016
General Motors	GMC	Envoy	2003-2009
General Motors	GMC	Envoy XL	2003-2006
General Motors	GMC	Envoy XUV	2004-2005
General Motors	Hummer	H2	2003-2009
General Motors	Hummer	H3	2006-2010
General Motors	Isuzu	Ascender	2003-2008
General Motors	Oldsmobile	Silhouette	2000-2004
General Motors	Oldsmobile	Bravada	2002-2004
General Motors	Oldsmobile	Silhouette	2005-2008
General Motors	Pontiac	Aztek	2002-2007
General Motors	Pontiac	Bonniville	2002-2005
General Motors	Pontiac	Montana	2000-2004
General Motors	Pontiac	Montana	2005-2009
General Motors	Pontiac	Sunfire	2000-2005
General Motors	Pontiac	G6	2005-2010
General Motors	Pontiac	Grand Am	2005-2006
General Motors	Pontiac	Torrent	2006-2009
General Motors	Saab	Saab 9-3	2003-2012
General Motors	Saab	Saab 9-5	2010-2012
General Motors	Saturn	Aura	2007-2010
General Motors	Saturn	Outlook	2007-2010
General Motors	Saturn	Relay	2005-2008
General Motors	Saturn	Vue	2002-2007
Hyundai	Hyundai	Accent	2012-2017
Hyundai	Hyundai	Azera	2006-2011
Hyundai	Hyundai	Elantra	2007-2017
Hyundai	Hyundai	Genesis	2009-2013
Hyundai	Hyundai	Sonata	2009-2010
Hyundai	Hyundai	Tiburon	2003-2005
Hyundai	Hyundai	Tucson	2005
Hyundai	Hyundai	Tucson	2007-2010
Hyundai	Hyundai	XG350	2002-2005

Kia	Kia	Amanti	2006-2009
Kia	Kia	Forte	2014-2016
Kia	Kia	Optima	2001-2006
Kia	Kia	Rio	2009-2011
Kia	Kia	Rondo	2007-2010
Kia	Kia	Sedona	2006-2014
Kia	Kia	Sportage	2005-2016

187. Each of the above listed vehicles contains a representation, relied upon by NHTSA, the American public, and the Plaintiffs, in which the respective Vehicle Manufacturer asserts that the vehicle conforms to all applicable Federal motor vehicle safety and theft prevention standards in effect on the date of manufacture. Without this representation from the Vehicle Manufacturer, the Class Vehicles would not have been sold to the Class Members including the named Plaintiffs.

V. Defendants' Inadequate Recalls and Failure to Assist Impacted Consumers

188. The Class Vehicles are not safe to drive. Due to Defendants' failures, Plaintiffs and Class Members are left with poor options: be without the use of a vehicle; purchase, lease, or rent a new vehicle until Defendants first issue and then complete the recall; or use a vehicle with a dangerous or disabled airbag over an extended period of time. These are all, obviously, entirely unacceptable alternatives.

189. Consequently, because of the inherently dangerous nature of the defect at issue in the class vehicles, Defendants should be compelled to either: (1) provide replacement vehicles; and/or (2) purchase the class vehicles at a fair value calculated for a comparable vehicle with a safe functioning airbag.

TOLLING OF THE STATUTE OF LIMITATIONS

Fraudulent Concealment

190. Upon information and belief, Defendant ARC and the Vehicle Manufacturer Defendants have known of the defects in its airbags since at least 2015. Defendants knew well