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Counsel for Plaintiff Paul Butler and the Putative Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

PAUL B. BUTLER, On Behalf Of
Himself And All Others Similarly
Situated,

Plaintiff,

vs.

PORSCHE CARS NORTH AMERICA,
INC.,

Defendant.

CASE NO.

CLASS ACTION

COMPLAINT

JURY TRIAL DEMANDED

NATURE OF THE ACTION

1
2 1. Plaintiff Paul B. Butler (“Plaintiff” or “Butler”), a resident of California and
3 owner of a 2007 Porsche 911 vehicle, brings this action on behalf of himself and all
4 other similarly situated owners and lessees within California of 2005-2008 Porsche 911
5 vehicles (“the Class Vehicles”).¹ As detailed, herein, the Class Vehicles are equipped
6 with a defective alternator cable that, due to its defective nature, malfunctions and
7 thereby prevents the alternator from properly charging the battery. As a result of the
8 defective alternator cable, the vehicle battery is left insufficiently charged, potentially
9 rendering the vehicle inoperable as there is insufficient electric charge to power the car.
10 Vehicles driven at the time the charge dissipates can be rendered disabled in the middle
11 of a road or highway. If the failure occurs in the evening, or during rain, the insufficient
12 battery charge may also render the vehicle’s headlights and other electrical equipment
13 inoperable even before the vehicle is disabled. Either situation poses a real and
14 significant safety risk.

15 2. Defendant Porsche Cars North America, Inc. (“Defendant” or “Porsche”)
16 has known about this defect but has failed to make any disclosure of it and has failed to
17 take any corrective action. Plaintiff, whose vehicle suffered the fate of a depleted
18 battery due to a defective alternator cable, therefore, brings this action to seek redress for
19 Porsche’s violations of the California Consumer Legal Remedies Act (“CLRA”) and
20 Unfair Competition Law (“UCL”). This Class Action Complaint seeks only equitable,
21 injunctive, and declaratory relief. Following the filing of this Class Action Complaint,
22 Plaintiff, through his counsel, will serve Porsche with a CLRA demand letter pursuant to
23 California Civil Code, § 1782. If, within the 30-day statutory demand notice period
24 following service of Plaintiff’s CLRA demand letter, Porsche does not provide the full
25 and complete relief demanded in the letter, then Plaintiff intends to amend this pleading
26

27
28 ¹ 911 models are also referred to by Porsche as the 997 model.

1 to include, *inter alia*, a claim for money damages under the CLRA as is permitted under
2 California Civil Code, § 1782(d).

3 **JURISDICTION AND VENUE**

4 3. This Court has subject matter over this action pursuant to the Class Action
5 Fairness Act, 28 U.S.C. § 1332 (as amended 2005) because the Class Action Complaint
6 pleads a class action involving more than \$5 million in controversy, and involves a
7 putative plaintiff class of diverse citizenship (California) than Defendant (Georgia).

8 4. This Court has personal jurisdiction over Defendant Porsche Cars North
9 America, Inc. because Defendant markets and distributes Porsche automobiles, including
10 the Class Vehicles, within California and this judicial district.

11 5. Venue is proper in this district because Plaintiff Butler is a resident of this
12 judicial district, his vehicle malfunctioned and was repaired within this judicial district,
13 such that the events giving rise to his claims took place within this judicial district.
14 Venue in this district is therefore proper pursuant to 28 U.S.C. § 1391.

15 **THE PARTIES AND PLAINTIFF'S EXPERIENCES**

16 6. Plaintiff Paul B. Butler is a resident of San Jose, California in Santa Clara
17 County, and the owner of a 2007 Porsche 911 S C2 Cabriolet. Just a few months ago,
18 when the vehicle had approximately 78,000 miles, and shortly after Mr. Butler had
19 replaced the battery with a brand new, fully charged battery, Mr. Butler found that the
20 key remained stuck in his vehicle and the car would not start. Plaintiff brought his
21 vehicle in for inspection and repair to Porsche of Stevens Creek, a Porsche factory-
22 authorized dealership in Santa Clara, California. The dealership mechanic found that
23 Mr. Butler's new battery, indeed, was insufficiently charged, registering only 11.2 volts,
24 so the dealer recharged the battery to a reading of approximately 12.6 volts. Yet, when
25 the dealership's mechanic next checked the charging system, he found that the charging
26 system was "insufficient." The output voltage at the car's alternator was measured to
27 read 13 volts, yet when measured at the battery, the reading only yielded 12.6 volts, a
28

1 voltage drop of 0.4 volts across the wiring harness from alternator to the battery. The
2 Porsche dealership's mechanic then removed and replaced the alternator, and retested the
3 system. Again, the charging was found to be insufficient, even with a new alternator,
4 with now a 0.8 voltage drop between the "good battery and alternator." Only when the
5 dealership mechanic replaced the wiring harness from the alternator did the car's
6 charging system work properly and charge the battery to a full 14.4 volts, such that all
7 the faults could be cleared. Plaintiff was billed and paid \$3,180.44 for this repair work.
8 A true and correct copy of the Porsche of Stevens Creek repair order is attached hereto
9 as Exhibit 1.

10 7. Defendant Porsche Cars North America, Inc. ("Defendant" or "Porsche") is
11 a Delaware corporation having its principal place of business at One Porsche Drive in
12 Atlanta, Georgia 30354. Established in 1984, Defendant is the exclusive importer of
13 Porsche vehicles for the United States and is a wholly owned subsidiary of Dr. Ing. h.c.
14 F. Porsche AG, which is headquartered in Stuttgart, Germany. As such, Defendant was
15 the entity responsible for injecting Plaintiff's Porsche vehicle and the Class Vehicles into
16 the United States stream of commerce.

17 **INTRADISTRICT ASSIGNMENT**

18 8. Pursuant to Civil Local Rules 3-2(e) and 3-5(b), Plaintiff alleges that this
19 action should be assigned to this Court's San Jose Division. Plaintiff is a resident of San
20 Jose, California and his allegedly defective vehicle is and, at all times relevant, was
21 found there. The vehicle malfunctioned in San Jose, and was repaired at Porsche of
22 Stevens Creek, a Porsche factory-authorized dealership in Santa Clara, California. Thus,
23 the events giving rise to Plaintiff's claims all arose in Santa Clara County.

24 **THE PERVASIVE NATURE OF THE PROBLEM**

25 9. Plaintiff's experience with a defective wiring between the alternator and the
26 battery is hardly anomalous. Instead, it is a pervasive defect documented in Porsche 997
27
28

1 Class Vehicles across the country. Upon information and belief, the defect in the Class
2 Vehicles appears to be attributable to a defect in the selection of material, gauge or other
3 characteristic of the wiring or harness between the alternator or battery that results in
4 insufficient charging of the battery. So pervasive is the problem, that a host of message
5 boards for aggrieved Porsche owners has arisen online. Even a cursory sampling of
6 these online complaints evidences how commonplace the problem is.

7 10. Attached as Exhibit 2 hereto are postings at the online message board
8 6speedonline.com . The particular message board forum is entitled 05-06
9 Alternator/Cable Battery Issues and contains numerous postings by owners of the
10 Porsche Class Vehicles who have experienced this same issue. One such posting dated
11 August 9, 2013 from user "schicago" in Chicago, Illinois , for example, states:

12 Alternator Cable

13 Porsche should cover the cable and replacement. It is a widespread problem,
14 and it proves that the design and location of the "Y" cable is faulty. It
15 should not take 6+ hours to replace a Y cable.

16 Ex. 2 hereto at Page 8.

17 11. Another user, "Super Adjuster," posted the following message on July 16,
18 2013:

19 I had a bad cable replaced. The trickle charger helped with the cold start but
20 not the hot start. The cable loses conductivity as it heats because it runs near
21 the engine and transmission. So, the voltage from the battery cannot get to
22 the starter motor to start the engine after it is hot. I got stranded at a gas
23 station for quite a while because I couldn't get voltage to the starter. Jumping
24 didn't help. I had to wait for the wire to cool.

25 So, sluggish starting after driving is the tale-tale symptom of a bad
26 alternator/starter cable. It's not the battery as so many are talked into
27 replacing by misinformed service advisors.

28 *Id.*, at Page 3.

12. Yet another user, "AP 997S," posted the following message on the forum
on the same day, July 16, 2013:

1 Precisely the problem. I replaced my cable on my recently sold 2005 997 a
2 couple of years ago and the problem was solved. Trickle charging
3 the battery has little, if any, effect on a faulty (high resistance
4 wire/connection) starter/alternator cable.

5 Forget the 'Battery Tender' and bite the bullet and get the cable replaced w/
6 the latest version. If you're still under warranty or CPO PCNA should
7 replace it at no charge.

8 Please no more suggestions to charge the battery!

9 *Id.*

10 13. Porsche has known all along about the existence of the alleged defect.
11 Indeed, by the time that Plaintiff's 2007 model year vehicle was first sold, Porsche had
12 received numerous complaints about the insufficient charging brought about by the
13 defective wiring and wiring harness between the alternator and battery of the Class
14 Vehicles. So much so, that Porsche issued a Technical Service Bulletin ("TSB")
15 instructing its dealership's mechanics about the nature of this problem and directing
16 them to replace the wire. Yet, despite this knowledge of the defect and the TSB it issued
17 to its dealerships and mechanics, Porsche never made any disclosure to consumers or the
18 putative class members about the defect plaguing the Class Vehicles.

19 14. Rather than recalling or replacing the defective wire, even when the wiring
20 failed, Porsche has washed its hands of any responsibility and forced unsuspecting
21 consumers to pay for the replacement and repair. Plaintiff Butler, thus was charged
22 \$3,180.44 by the Porsche dealership that replaced the defective wiring in his car.

23 15. At the same time, Porsche quietly discontinued using the same wiring in
24 future model years of the Porsche 997 vehicles. Upon information and belief, following
25 the 2007 model year for the 997 Porsche vehicles, Porsche began using a different
26 version of the wiring between the alternator and battery that no longer presents the
27 alleged defect. Yet, while it did so for post-2007 model year 997 vehicles, Porsche left
28 in place the old defective wiring and took no action with respect to the Class Vehicles.

16. Because the insufficient charging of the electrical system brought about by

1 the allegedly defective wiring poses a real and serious safety risk and hazard, Porsche
2 had a legal duty to disclose to owners of the Class Vehicles the existence of this defect,
3 but failed to do so.

4 **CLASS ACTION ALLEGATIONS**

5 17. Pursuant to Federal Rule of Civil Procedure 23, Plaintiff brings this action
6 as a class action on behalf of all owners within California of the Class Vehicles.
7 Specifically excluded from the class are all judicial officers assigned to this case, as well
8 as all federal and state employees, and the employees of Defendant or its corporate
9 affiliates. Also excluded from the class definition are any individuals who allegedly
10 have suffered personal injuries as a result of the alleged defects. Plaintiff reserves the
11 right to amend or supplement this class definition as discovery or other case
12 development warrant.

13 18. Although the exact number of class members is presently unknown,
14 Plaintiff is informed and believes and thereon alleges, based on the prevalence of
15 Porsche 911 vehicles sold and present in California that the class will number in the
16 thousands of consumers, thereby making joinder impracticable.

17 19. Class certification is also appropriate because there are questions of fact
18 and/or law that are common to the class members. Among these common questions of
19 fact and/or law are:

- 20 a. Whether Defendant is responsible for injecting allegedly defective
21 vehicles in to the United States' stream of commerce;
- 22 b. Whether the subject vehicles are defective, and, if so, the nature of the
23 defect;
- 24 c. Defendant's knowledge and Defendant's concealment of the defect;
- 25 d. Whether Defendant violated (i) California's UCL, (iii) the California
26 CLRA;
- 27 e. Whether class members are entitled to the relief sought, and if so, the
28 proper scope of such relief.

1 20. Plaintiff's claims are typical of the claims of the absent class members in
2 that Plaintiff, like all the absent class members, claims that he is a California resident and
3 owner of a Class Vehicle that was factory-equipped with defective wiring between the
4 car's alternator and wiring that resulted in improper or insufficient charging of the car's
5 electrical system. Plaintiff is a member of the class he seeks to represent, and the claims
6 he advances on his own behalf are identical to the claims asserted on behalf of the class.

7 21. Plaintiff is an adequate class representative in that, as a member of the class
8 and as a current owner of an allegedly defective Class Vehicle, Plaintiff's interests are
9 entirely aligned with those of the class. There are no individual conflicts that prevent
10 Plaintiff from adequately representing the class. Plaintiff has also retained competent
11 counsel experienced in class action litigation.

12 22. Class certification is proper because common questions of fact and law
13 predominate over questions that may affect only individual members of the class. The
14 subject vehicles are manufactured on an assembly line setting, subject to a common
15 design and manufacturing plan, such that evidence of a defect in the wiring between the
16 alternator and the battery of the car would be one that would predominate over the entire
17 class membership, as would evidence of Defendant's course of action, knowledge of the
18 alleged defect, and any alleged concealment thereof.

19 23. A class action presents a superior form of adjudication over individual
20 litigation. The costs of litigating this action against a large and sophisticated defendant
21 like Defendant in comparison to the recovery or relief sought would make individual
22 litigation impracticable. In addition, forcing individual litigation would risk the result of
23 inconsistent rulings with respect to Defendant's duties owed to the various vehicle
24 owners and lessees.

25 24. A class action is manageable. The proposed class represents an identifiable
26 community that can be readily identified, and the relief sought is one that can be
27 overseen by the Court.
28

COUNT I
**(VIOLATION OF THE CALIFORNIA CONSUMER LEGAL REMEDIES
ACT, CAL. CIV. CODE §1750 et. seq.)**

25. Plaintiff hereby incorporates by reference each of the preceding allegations as though fully set forth herein.

26. Defendant has violated the following provisions of Cal. Civ. Code §1750 et. seq.:

(a) Cal. Civ. Code §1770(a)(5): by representing that its goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have;

(b) Cal. Civ. Code §1770(a)(7): by representing that its goods or services are of a particular standard, quality, or grade, if they are of another;

(c) Cal. Civ. Code §1770(a)(9): by advertising goods and services with the intent not to sell them as advertised;

(d) Cal. Civ. Code §1770(a)(14): by representing that its subscription service confers or involves rights, remedies, or obligations which it does not have or involve;

(e) Cal. Civ. Code §1770(a)(16): by representing that the subject of a transaction has been supplied in accordance with a previous representation when it has not.

27. Defendant undertook the above and acts or practices in transactions intended to result, or which did result, in the sale of its vehicles to customers for personal, family, or household use.

28. Plaintiff and the members of the putative class are all “consumers” within the meaning of the CLRA.

29. Because the defective wiring, which results in insufficient charging of the car’s electrical system, poses a real and serious safety risk (which could lead to the car being totally disabled or having any of its electrical components rendered inoperable without prior warning), Porsche had a duty to disclose to class members the existence of

1 this defect. Porsche failed to disclose this defect to Plaintiff or members of the putative
2 class.

3 30. Defendant has therefore violated the Consumers Legal Remedies Act, and
4 in this pleading, Plaintiff prays for declaratory, equitable and injunctive relief authorized
5 by that Act.

6 31. Pursuant to Cal. Civ. Code §1782, Plaintiff will serve Defendant with a
7 written demand letter, setting forth Plaintiff's claims and demand. If, after 30 days of
8 receipt of that demand letter, Defendant fails to provide the full and complete requested
9 relief demanded in Plaintiff's CLRA letter, Plaintiff intends on then amending this Class
10 Action Complaint to, at that time, also assert a claim for money damages for the
11 violations of the CLRA alleged.

12 **COUNT II**

13 **(VIOLATION OF CALIFORNIA'S UNFAIR COMPETITION LAW, CAL. BUS.** 14 **AND PROFESSIONS CODE, § 17200 ET. SEQ.).**

15 32. Plaintiff hereby incorporates by reference each and every allegation of this
16 Class Action Complaint with the same force and effect as if it these allegations had been
17 fully restated herein.

18 33. California's Unfair Competition Law ("UCL") prohibits and makes
19 actionable any unlawful, unfair, or deceptive business practice. Defendant's actions, as
20 alleged herein, in connection with the marketing and distribution of the Class Vehicles
21 with a latent defect to their wiring between the alternator and battery amount to, at least,
22 an unlawful and deceptive business practice and, hence, a violation of the UCL.

23 34. For at least the reasons alleged in Count I of this Class Action Complaint,
24 Porsche's actions are an unlawful business practice in that Porsche's violation of the
25 CLRA is independently an unlawful business practice that is actionable under the UCL.

26 35. Porsche's marketing, distribution, and sale through its factory-authorized
27 dealers of the subject vehicles without disclosing the existence of the latent defect
28

1 plaguing the cars' wiring also amounts to a deceptive business practice within the
2 meaning of the UCL. The conduct was deceptive because it was intended to and did
3 mislead and deceive Plaintiff and the class members. Had Porsche disclosed to Plaintiff
4 that the Class Vehicle contained a latent defect that would result in his vehicle being
5 rendered non-driveable when it did, even when equipped with a brand new battery
6 and/or alternator, Plaintiff would not have purchased his vehicle or paid as much as he
7 did for it. Defendant knew that if it were to make such a disclosure as to the existence of
8 this latent defect, consumers at large would feel and react similarly and forego their
9 purchases of these vehicles or pay less for them. As a result, Porsche intentionally
10 elected to conceal its knowledge of this existing latent defect.

11 36. As a direct, proximate, and foreseeable result of Porsche's unlawful and/or
12 deceptive business practice, Plaintiff and the putative class members have sustained an
13 ascertainable loss in that: they are left with a significant expense to have their vehicles
14 repaired to remedy the defective wiring (for example, Plaintiff was charged and paid
15 \$3,180.44 for the repair work necessitated by the defective wiring in his Class Vehicle);
16 their vehicles have sustained a loss or diminution of value as a result of this undisclosed
17 defect; and, have or will incur incidental damages attributable to the loss of use of the
18 vehicle during the time that the vehicles are being repaired.

19 37. Moreover, Plaintiff and the class members conveyed monies and benefits to
20 Porsche in the form of, *inter alia*, the purchase price or lease payments for their vehicles,
21 and the repair and parts costs for their vehicles to repair the damage caused by the defect
22 at issue.

23 38. Plaintiff and the class members are entitled to and do seek an order of
24 restitution forcing Porsche to restore to them the benefits and monies they conveyed to
25 Porsche in connection with their purchase of the subject vehicles or any repair or
26 replacement of the defective wiring of these vehicles.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and the class members pray for judgment against Defendant as follows:

- a) That the Court determine that this action may be litigated as a class action, and that Plaintiff and his counsel be appointed class representative and class counsel, respectively;
- b) That the Court enter judgment against Defendant and in favor of Plaintiff and the class on all counts;
- c) That Defendant be ordered to bear the cost of notice the absent class members;
- d) That restitution or disgorgement be awarded to each Plaintiff and class member according to proof;
- e) That the Court enter appropriate declaratory relief, declaring the vehicles defective and setting forth Defendant's obligations with respect to the repair of the defect, and provide any and all appropriate equitable or injunctive relief in favor of the members of the Class to effectuate this relief;
- f) That Plaintiff and the class members be awarded all such other relief as this Court deems just and proper.

Plaintiff requests a jury trial on all counts so triable.

1 Dated this 19th day of April, 2016.

2
3 Respectfully submitted,

4
5 /s/ Roy A. Katriel

6 Roy A. Katriel (SBN 265463)
7 THE KATRIEL LAW FIRM
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19 e-mail: service@braunlawgroup.com

20
21 *Counsel for Plaintiff Paul Butler and the Putative Class*
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EXHIBIT 1 TO COMPLAINT

Butler v. Porsche Cars North America, Inc.,



PORSCHE of STEVENS CREEK

4155 Stevens Creek Boulevard
Santa Clara, California 95051
(408) 247-1655 • Fax: (408) 260-6191 • Wholesale: (408) 260-6143

CUSTOMER NO. 78237		ADVISOR RON SAKAI		TAG NO. 466 9829		INVOICE DATE 02/05/16		CELL: 669-2	
PAUL B BUTLER 237 [REDACTED] # 7030 SAN JOSE, CA 95128		LICENSE NO. 5ZWR249		MILEAGE 78,230		COLOR SILVER/		INVOICE NO. POCS90908	
PAUL [REDACTED]		YEAR/MAKE/MODEL 07/PORSCHE/911 C2 S CABRIO/CV		VEHICLE ID. NO. W P 0 C B 2 9 9 1 7 S 7 7 5 5 7 2		DELIVERY DATE 05/27/07		STOCK NO. P4908A	
RESIDENCE PHONE [REDACTED]		BUSINESS PHONE 669- [REDACTED]		F.T.E. NO.		P.Q. NO.		DELIVERY MILES 76,621	
COMMENTS						SELLING DEALER NO. 188		PRODUCTION DATE	
						R.O. DATE 02/01/16			

JOB# 1 CHARGES----- MO: 78232

LABOR-----

10-02-07 1935.00

CUSTOMER STATES THAT THE BATTERY WAS REPLACED A FEW MONTHS AGO. NOW THE KEY IS STUCK AND THE CAR WILL NOT START. PLEASE INSPECT AND REPORT.

Inspected: battery voltage low 11.2v. Charged battery and tested available amperage- passed. Static voltage stable at 12.65v. Checked charging system- insufficient, charging at 12.6 to battery when loaded. Checked output of alternator- insufficient, 13.0v at alt output. .4 volt drop of power harness. Removed and replaced alternator. Retested system- alternator output proper. found voltage drop of power harness excessive. .8v drop with good battery and alternator.

Removed and replaced power harness from trans to alternator. Also replaced seeping breather line from vapor separator to intake. Tested- system functioning properly. charging at 14.4v to battery. All faults cleared, adaption set.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
	1	997-603-022-EX	GENERATOR	1238.74	1238.74
	1	999-703-267-40	BUSH	4.00	4.00
	-1	997-603-022-EX	CORE RETURN	155.74	-155.74
	1	997-107-145-02	DISTRIBUTOR LI	131.00	131.00
	1	997-607-019-03	AS CABLE LOOM	175.00	175.00
TOTAL - PARTS				1393.00	1393.00

G.O.G. & SUPPLIES-----

FREIGHT (PARTS)

TOTAL - GOG 75.54

MISC-----

CODE	DESCRIPTION	CONTROL NO	
PD1	PORSCHE 10% PARTS DISCOUNT		-139.30
PD2	PORSCHE 10% LBR DISCOUNT		-193.50
TOTAL - MISC			-332.80

JOB# 1 TOTALS-----

LABOR 1935.00

PARTS 1393.00

G.O.G. 75.54

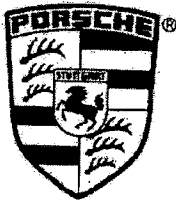
MISC -332.80

JOB# 2 CHARGES----- JOB# 1 JOURNAL PREFIX POCS JOB# 1 TOTAL 3070.74

LABOR-----

10-02-07 0.00

AS PER CALIFORNIA VEHICLE CODE SECTION 95550, PLEASE INFLATE CUSTOMERS TIRES TO "RECOMMENDED TIRE PRESSURE RATING" AIR TO DOOR PLACARD SPECIFICATIONS OR TIRE INFLATION REFERENCE



PORSCHE of STEVENS CREEK

4155 Stevens Creek Boulevard
Santa Clara, California 95051
(408) 247-1655 • Fax: (408) 260-6191 • Wholesale: (408) 260-6143

CUSTOMER NO. 78237		ADVISOR RON SAKAI		466	TAG NO. 9829	INVOICE DATE 02/05/16	CELL: 669- [REDACTED]
PAUL B BUTLER 237 [REDACTED] 7030 SAN JOSE, CA 95128		LICENSE NO. 5ZWR249		MILEAGE 78,230		INVOICE NO. POCS90908	
		YEAR / MAKE / MODEL 07/PORSCHE/911 C2 S CABRIO/CV		COLOR SILVER/		STOCK NO. P4908A	
		VEHICLE ID. NO. W P 0 C B 2 9 9 1 7 S 7 7 5 5 7 2		DELIVERY DATE 05/27/07		DELIVERY MILES 76,621	
PAUL [REDACTED]		R.T.E. NO.		SELLING DEALER NO. 188		PRODUCTION DATE	
RESIDENCE PHONE 669-[REDACTED]		BUSINESS PHONE 669-[REDACTED]		R.O. DATE 02/01/16			
COMMENTS							
							MO: 78232

CALIFORNIA AIR RESOURCE BOARD REGULATION TO REDUCE GREENHOUSE GAS EMISSIONS FROM VEHICLES OPERATING WITH UNDER INFLATED TIRES. Inspect Tire Inflation All		BAR AH241328 EPA CAL 000297821
JOB# 2 TOTALS-----		
JOB# 3 CHARGES----- JOB# 2 JOURNAL PREFIX POCS JOB# 2 TOTAL 0.00		
LABOR-----		
07/PORSCHE/911 C2 S CABRIO/CV PERFORM PORSCHE OF STEVENS CREEK MULTI POINT INSPECTION PERFORMED MULTI POINT INSPECTION		
JOB# 3 TOTALS-----		
JOB# 4 CHARGES----- JOB# 3 JOURNAL PREFIX POCS JOB# 3 TOTAL 0.00		
LABOR-----		
HERTZ RENTAL VEHICLE; YOU, THE CUSTOMER, ARE RESPONSIBLE FOR FUEL, INSURANCE, AND TAXES DURING RENTAL PERIOD. YOU ARE ALSO RESPONSIBLE FOR ANY ADDITIONAL RENTAL DAYS, UNLESS PRIOR ARRANGEMENTS ARE MADE WITH STEVENS CREEK PORSCHE THIS VEHICLE IS COMPLIMENTARY FOR 24 HOURS. PROVIDED HERTZ RENTAL VEHICLE		
JOB# 4 TOTALS-----		
JOB# 5 CHARGES----- JOB# 4 JOURNAL PREFIX POCS JOB# 4 TOTAL 0.00		
LABOR-----		
UPON INSPECTION TECHNICIAN FOUND YELLOW BRAKE(S) CUSTOMER ADVISED OF FUTURE REPAIR NEEDS		
JOB# 5 TOTALS-----		
JOB# 6 CHARGES----- JOB# 5 JOURNAL PREFIX POCS JOB# 5 TOTAL 0.00		
LABOR-----		
UPON INSPECTION TECHNICIAN FOUND RED TIRE(S) CUSTOMER DECLINED SERVICES		
JOB# 6 TOTALS-----		
JOB# 6 JOURNAL PREFIX POCS JOB# 6 TOTAL 0.00		



PORSCHE of STEVENS CREEK

4155 Stevens Creek Boulevard
Santa Clara, California 95051
(408) 247-1655 • Fax: (408) 260-6191 • Wholesale: (408) 260-6143

CUSTOMER NO. 78237		ADVISOR RON SAKAI	TAG NO. 466	INVOICE DATE 02/05/16	CELL: 669- [REDACTED]
PAUL B BUTLER 237 [REDACTED] 7030 SAN JOSE, CA 95128		LICENSE NO. 5ZWR249	MILEAGE 78,230	INVOICE NO. POCS90908	
PAV [REDACTED]		YEAR / MAKE / MODEL 07 / PORSCHE / 911 C2 S CABRIO / CV	COLOR SILVER /	STOCK NO. P4908A	
RESIDENCE PHONE [REDACTED] BUSINESS PHONE 669-[REDACTED]		VEHICLE ID. NO. W P 0 C B 2 9 9 1 7 S 7 7 5 5 7 2	DELIVERY DATE 05/27/07	DELIVERY MILES 76,621	
COMMENTS		F.T.E. NO.	SELLING DEALER NO. 188	PRODUCTION DATE	
		R.O. NO.	R.O. DATE 02/01/16		

MO: 78232

ESTIMATE
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING
ORIGINAL ESTIMATE OF \$0.00 (+TAX)
APPROVED REVISED ESTIMATE (# 1) OF \$3739.00 (+TAX) ON 02/05/16 AT 05:28pm
BY: PAUL B BUTLER COMMENTS
COMMENTS
TOM IN
DELETED OPERATION(S)
83PORBATTERY RED BATTERY

BAR AH241328
EPA CAL 000297821

TOTALS

*****	TOTAL LABOR.....	1935.00
* [] CASH [] CHECK CK NO. [] *	TOTAL PARTS.....	1393.00
* [] VISA [] MASTERCARD [] CHARGE *	TOTAL SUBLET.....	0.00
*****	TOTAL G.O.G.....	75.54
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Butler v. Porsche Cars North America, Inc.,

4/15/2016

05-06 Alternator/Battery Cable Issue - 6SpeedOnline - Porsche Forum and Luxury Car Resource

Save an average of \$420

Page 2

07-12-2013, 07:01 PM

#2

**AP 997S**

Registered User

Join Date: Oct 2006
 Location: Hermosa Beach
 Posts: 1,013
 Rep Power: 61

I don't believe there was a TSB for that problem. If you simply tell your SA that your car really cranks slow when warm and have them check the resistance.

Refer to the following:

<http://rennsportkc.com/porsche-997-a...t-kansas-city/>

<http://forums.rennlist.com/rennforum...w-voltage.html>

2014 981CS
 2005 997S Launch Car - Gone
 2001 986S - Gone
 1956 356A - Gone

+ QUOTE

07-13-2013, 10:28 AM

#3

**sullivas**

Registered User

Join Date: Dec 2009
 Location: CT USA
 Posts: 162
 Rep Power: 13

Thanks AP

+ QUOTE

07-14-2013, 04:00 PM

#4

Gpjli

Registered User

Join Date: Apr 2007
 Location: long island
 Posts: 1,303
 Rep Power: 74

Trickle charger makes this a non issue and prolongs battery life. I would think though that if you had this problem you'd know by now.

+ QUOTE

07-14-2013, 05:30 PM

#5

**AP 997S**

Registered User

Join Date: Oct 2006
 Location: Hermosa Beach
 Posts: 1,013
 Rep Power: 61

Quote:

Originally Posted by **Gpjli**
Trickle charger makes this a non issue and prolongs battery life. I would think though that if you had this problem you'd know by now.

It's not a battery problem but a voltage drop across the cable due to wire size and/or terminations.

2014 981CS
 2005 997S Launch Car - Gone
 2001 986S - Gone
 1956 356A - Gone

+ QUOTE

07-15-2013, 09:20 AM

#6

Gpjli

Join Date: Apr 2007
 Location: long island
 Posts: 1,303



4/15/2016

05-06 Alternator/Battery Cable Issue - 6SpeedOnline - Porsche Forum and Luxury Car Resource


Registered User Rep Power: 74

Quote:

Originally Posted by **AP 997S**
It's not a battery problem but a voltage drop across the cable due to wire size and/or terminations.

As long as I keep battery on charger a couple days a week I do not have the problem. State of charge seems to be a factor in my experience. This is not a solution of course.


07-16-2013, 10:47 AM #7

 **sullivan**
Registered User

Join Date: Dec 2009
 Location: CT USA
 Posts: 162
 Rep Power: 13

I always have the Battery Tender on. What's weird is that after I drive the car it takes a while for the Tender to go green. Could take hours, you'd think after a long drive a 1 year old battery would not need more charging.
 If I put a voltmeter in the cig outlet while driving the car at first it registers 14+ charge but after it gets hot the charging drops to 13.3-13.6. If there's an issue I want to get it resolved before my EW runs out.

07-16-2013, 11:26 AM #8

 **Super Adjuster**
Registered User


Join Date: Jan 2012
 Posts: 273
 Rep Power: 16

I had a bad cable replaced. The trickle charger helped with the cold start but not the hot start. The cable loses conductivity as it heats because it runs near the engine and transmission. So, the voltage from the battery cannot get to the starter motor to start the engine after it is hot. I got stranded at a gas station for quite a while because I couldn't get voltage to the starter. Jumping didn't help. I had to wait for the wire to cool.

So, sluggish starting after driving is the tale-tale symptom of a bad alternator/starter cable. It's not the battery as so many are talked into replacing by misinformed service advisors.

Currently
 2006 Carrera 4S cab
 2008 Cayenne S
 2007 Chevy Avalanche LTZ 4WD
 Elite Pro-150FD

07-16-2013, 11:53 AM #9

 **AP 997S**
Registered User

Join Date: Oct 2006
 Location: Hermosa Beach
 Posts: 1,013
 Rep Power: 61

Precisely the problem. I replaced my cable on my recently sold 2005 997 a couple of years ago and the problem was solved. Trickle charging the battery has little, if any, effect on a faulty (high resistance wire/connection) starter/alternator cable.

Forget the 'Battery Tender' and bite the bullet and get the cable replaced w/ the latest version. If you're still under warranty or CPO PCNA should replace it at no charge.

Please no more suggestions to charge the battery!

Quote:

Originally Posted by **Super Adjuster**
I had a bad cable replaced. The trickle charger helped with the cold start but not the hot start. The cable loses conductivity as it heats because it runs near the engine and



4/15/2016

05-06 Alternator/Battery Cable Issue - 6SpeedOnline - Porsche Forum and Luxury Car Resource

transmission. So, the voltage from the battery cannot get to the starter motor to start the engine after it is hot. I got stranded at a gas station for quite a while because I couldn't get voltage to the starter. Jumping didn't help. I had to wait for the wire to cool.

So, sluggish starting after driving is the tale-tale symptom of a bad alternator/starter cable. It's not the battery as so many are talked into replacing by misinformed service advisors.

2014 981CS
2005 997S Launch Car - Gone
2001 986S - Gone
1956 356A - Gone

QUOTE

07-17-2013, 08:57 PM

#10

Banilejo

Registered User

Join Date: Jul 2008
Location: MA
Posts: 59
Rep Power: 13

Good to know about this, going by the thread title it seems this is not an issue with 07s and up? Can anybody confirm that?

QUOTE

07-18-2013, 08:56 AM

#11

JimKan

Registered User

Join Date: Mar 2012
Location: New Brunswick
Posts: 4
Rep Power: 0

I've seen a detailed how to replace the cable here on 6speed.

QUOTE

07-18-2013, 10:35 AM

#12

**sullivas**

Registered User

Join Date: Dec 2009
Location: CT USA
Posts: 162
Rep Power: 13

Quote:

Originally Posted by **Banilejo**

Good to know about this, going by the thread title it seems this is not an issue with 07s and up? Can anybody confirm that?

I believe they beefed up the cable for 06, someone correct me if I'm wrong.

QUOTE

07-18-2013, 11:02 AM

#13

**Super Adjuster**

Registered User

Join Date: Jan 2012
Posts: 273
Rep Power: 16

Mine is an 06 C4S cab and needed the cable replacement. My dealer charged the aftermarket warranty company about \$1200 for the job. I've heard of quotes as high as \$1900. The part is only a couple hundred, but there's lots of labor. The wire snakes through many tight spots.

Currently
2006 Carrera 4S cab
2008 Cayenne S
2007 Chevy Avalanche LTZ 4WD
Elite Pro-150FD

QUOTE

#14

ADAPTEC
Page 4-



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4/15/2016

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07-18-2013, 05:09 PM

Gpjlj

Registered User

Join Date: Apr 2007
 Location: long island
 Posts: 1,303
 Rep Power: 74

Quote:

Originally Posted by **AP 997S**

Precisely the problem. I replaced my cable on my recently sold 2005 997 a couple of years ago and the problem was solved. Trickle charging the battery has little, if any, effect on a faulty (high resistance wire/connection) starter/alternator cable.

Forget the 'Battery Tender' and bite the bullet and get the cable replaced w/ the latest version. If you're still under warranty or CPO PCNA should replace it at no charge.

Please no more suggestions to charge the battery!

Excuse me. Let me be clear here. I own an 06 S and am on my second battery. From the outset of ownership my experience has been that without the trickle charge I get hot start/slow crank issue. With it I do not. Make what you like of that but you being argumentative changes nothing. I understand the nature of the problem. This has worked for me as I am reporting. Sorry if you find that a problem. ☺

QUOTE

07-19-2013, 12:33 AM

#15



kellym

Registered User

Join Date: Jun 2012
 Location: Calgary
 Posts: 16
 Rep Power: 0

I've had slow crank issues as well, to the point of getting a dead battery and I've been stranded several times while parked away from home. The battery was less than a year old at the time, although it was some OEM brand the previous owner put in. I took my 911 into my dealer under CPO warranty and they replaced the alternator cable at no charge, thinking they solved the problem. My car is a 2005 C2S.

Something the dealer service rep told me was very interesting: the alternator does not always charge the battery while driving. I was told this is for performance reasons. So my Porsche 997 seems to be really hard on batteries, especially with stop-park-start again type driving around town, and the battery really wears down.

Now with a new alternator cable and also a new Interstate battery I still sense some slower cranking after a bunch of driving-parking-driving again around town. I don't notice the slower crank speeds at all if I've had the trickle charger on the night before, which tells me the battery isn't getting fully charged on some of my drives. I do like to take fast runs around some cloverleaves and really work the engine, but it's not always possible everyday. What do other people experience when doing a lot of city driving?

These experiences worry me a little bit and make me wonder if it's a good idea to even charge my smartphone and run a radar detector at the same time around town, further killing the battery if the alternator isn't charging it constantly. These electrical experiences are the only thing I don't like about my 911... not fun to get stranded and have to call for a boost. Twice.

Kelly

H2O Graphics
 BY DESIGN

QUOTE

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997.1 Turbo - Eliminating Wheelhop is...EASY! TPC DSC module	proTUNING Freaks	997 Turbo / GT2	20	09-15-2015 07:28 AM
Porsche Durametric Diagnostic tool (Enthusiast)	arhim22	Automotive Parts & Accessories For Sale/Wanted	2	09-07-2015 08:49 PM
Vantage V8 fuel pump issue. Fuse vs Fuel pump driver module	adnanm3	Aston Martin	6	09-06-2015 12:08 PM

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02, 2006, 997, 997s, alternator, battery, boxster, cable, carrera, porsche, slow, start, symptoms, tpb, warm
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05-06 Alternator/Battery Cable Issue

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07-19-2013, 09:41 AM #16

Gpjl

Registered User

Join Date: Apr 2007
Location: long island
Posts: 1,303
Rep Power: 74

Quote:

Originally Posted by **kellym**
I've had slow crank issues as well, to the point of getting a dead battery and I've been stranded several times while parked away from home. The battery was less than a year old at the time, although it was some OEM brand the previous owner put in. I took my 911 into my dealer under CPO warranty and they replaced the alternator cable at no charge, thinking they solved the problem. My car is a 2005 C2S.

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These experiences worry me a little bit and make me wonder if it's a good idea to even charge my smartphone and run a radar detector at the same time around town, further killing the battery if the alternator isn't charging it constantly. These electrical experiences are the only thing I don't like about my 911... not fun to get stranded and



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have to call for a boost. Twice.

Kelly

This is why to me a trickle charger is a no brainer. Even when off and locked the drain on the battery is constant (btw locking the car cuts down somewhat on battery drain). The generic of the Porsche charger can be had for under \$100. Plugs into cigarette lighter. No guarantee it will stop the cable related hot start problem but it will keep you charged and batteries last longer. CTEK makes the best one. Porsche puts their name on it and doubles the price. Got mine from Amazon 6 years ago. Great stuff for modern cars, esp those that are not used daily. Good luck



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QUOTE

08-09-2013, 03:59 PM

#17

schicago

Registered User

Join Date: Nov 2004
Location: chicago
Posts: 385
Rep Power: 0

Alternator Cable

Porsche should cover the cable and replacement. It is a widespread problem, and it proves that the design and location of the "Y" cable is faulty. It should not take 6+ hours to replace a Y cable.

06 997S Cab midnight blue /beige interior, blue top
05 997 Cab atlas grey, sea blue/with stone grey (traded)
daily drivers/ park where u can
2002 Chrysler 300 M
2000 Chrysler Concorde

QUOTE

08-10-2013, 05:30 AM

#18



SlateC2S

Registered User

Join Date: Jul 2011
Location: Atlanta
Age: 44
Posts: 162
Rep Power: 15

Dyi

Has anyone seen a decent DYI post anywhere? Anyone attempted it?

"P-Nuts" - Carrera 911S - Slate Gray

Porsche SSK (Suncoast), Blk 19in HRE P40 - Offset 51/49 (rear-56 w/ 7mm h&r), Bilstein PSS10 Coilovers, Gundo (2" stainless), Drilled Pedal Set (Rennline), 911S badge (Bumperplugs), full coverage bra (Xpel Ultimate), flims, OEM sport seats, Depo/Dectane LED rears (SpeedsterSource.com), silver & black wheel caps (maxspeed.com), clear side-markers

QUOTE

08-10-2013, 08:59 AM

#19



Dadio

Registered User

Join Date: Jun 2008
Location: USA
Posts: 1,344
Rep Power: 94

Quote:

Originally Posted by **SlateC2S**
Has anyone seen a decent DYI post anywhere? Anyone attempted it?



4/15/2016

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Link below to one DIY for the cable. Did the cable replacement using a post by Equinox but the link below uses his info anyway so it's almost identical. I did it on '07 C4S and if you have the tools it's probably a 5 out of ten. Bulk of the procedure centers around getting stuff out of the way. The cable replacement part is the easiest part of the whole procedure. Difference is nothing less than remarkable. Car actually starts up like even the cheapest car on the planet now. Just unbelievable that I had to replace a battery cable in my \$ 100 K + Porsche to get it to start like a 20 year old Ford Taurus.

As for for a trickle charger being the work around, since I changed the cable I do not have to use the trickle charger anymore which was a PIA. Trickle charger is great for storing your car for long periods or over the winter but shouldn't be needed for short periods and definitely not a car being used everyday.

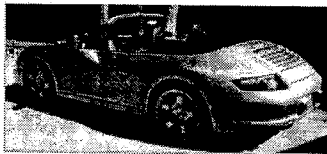
As to the question of wether or not you have the cable ? You have it unless you changed it out. Porsche didn't change the cable on the 997.1 cars.

3.8S - How to replace the alternator cable

QUOTE

08-10-2013, 09:11 AM

#20



Dadio

Registered User

Join Date: Jun 2008
Location: USA
Posts: 1,344
Rep Power: 94

Quote:

Originally Posted by **Gpjlj**
This is why to me a trickle charger is a no brainer. Even when off and locked the drain on the battery is constant (btw locking the car cuts down somewhat on battery drain). The generic of the Porsche charger can be had for under \$100. Plugs into cigarette lighter. No guarantee it will stop the cable related hot start problem but it will keep you charged and batteries last longer. CTEK makes the best one. Porsche puts their name on it and doubles the price. Got mine from Amazon 6 years ago. Great stuff for modern cars, esp those that are not used daily. Good luck

My '12 Jag XF sits for weeks at a time and starts immediately without the need of a trickle charger. A constant battery drain significant enough to render a battery the size of the one used in the 997 unable to start the car would not be normal IMO and should be sorted out.

QUOTE

08-11-2013, 10:53 AM

#21

Gpjlj

Registered User

Join Date: Apr 2007
Location: long island
Posts: 1,303
Rep Power: 74

Quote:

Originally Posted by **Dadio**
My '12 Jag XF sits for weeks at a time and starts immediately without the need of a trickle charger. A constant battery drain significant enough to render a battery the size of the one used in the 997 unable to start the car would not be normal IMO and should be sorted out.

Whatever you do, do NOT use a trickle charger

My car starts cold after 4 or more weeks w/o charger also. What it does not do with charger is exhibit slow hot restart issue which was original topic.

Would make sense to me that given a voltage drop of X % (put in a number) due to increased resistance of cable with engine hot, a battery that is fully charged will perform better than one that is at say 75% or less due to parasitic drain or short trips.

I get that this is not the solution others want. It works for me though.

To my knowledge Jaguar does not have the issue that started this post in the first place.

Glad you like your car though.

QUOTE

08-11-2013, 07:36 PM

#22

Join Date: Jun 2008
Location: USA
Posts: 1,344

ge9-



4/15/2016

05-06 Alternator/Battery Cable Issue - Page 2 - 6SpeedOnline - Porsche Forum and Luxury Car Resource

**Dadio**

Registered User

Rep Power: 94
★★★★★

[QUOTE=Gpjli;3914240]Whatever you do, do NOT use a trickle charger ☺

"My car starts cold after 4 or more weeks w/o charger also. What it does not do with charger is exhibit slow hot restart issue which was original topic."

Since replacing the original Alternator to starter cable in my C4S with the improved cable my Porsche exhibits no slow restart issues, hot or cold, at all and it no longer needs to be on a trickle charger, battery booster, battery maintainer, Ctek, etc....period.

My Jag never suffered from a slow hot starting issue because it wasn't delivered with a poorly engineered alternator to battery cable.

If your car will not turn over when hot with the same enthusiasum as it does when cold I suggest you have it tested for a deffective alternator to starter wiring harness. Slow starting shouldn't be explained away as a unique Porsche design characteristic requiring constant battery charging intervention to overcome.

QUOTE

08-12-2013, 09:53 AM

#23

Gpjli

Registered User

Join Date: Apr 2007
Location: long island
Posts: 1,303
Rep Power: 74
★★★★★

[QUOTE=Dadio;3914443]

Quote:

Originally Posted by **Gpjli** ☺

Whatever you do, do NOT use a trickle charger ☺

"My car starts cold after 4 or more weeks w/o charger also. What it does not do with charger is exhibit slow hot restart issue which was original topic."

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If your car will not turn over when hot with the same enthusiasum as it does when cold I suggest you have it tested for a deffective alternator to starter wiring harness. Slow starting shouldn't be explained away as a unique Porsche design characteristic requiring constant battery charging intervention to overcome.

Oh here we are again. I see now. Here's my advice to you: Read my posts. If you still would like to pursue what you think I should do and why I should do it PM me. Until then I will continue to enjoy my Porsche as I have for the past 7.5 years and 36K miles and trickle charge the battery when I am not driving it. By now neone still wasting their time on this thread knows what the problem is and what the choices are. And use spellcheck. I'm outta here.

Last edited by Gpjli; 08-12-2013 at 09:57 AM.

QUOTE

03-20-2014, 02:37 PM

#24

pvanosta

Registered User

Join Date: Jun 2006
Location: Daly City, CA
Posts: 472
Rep Power: 32
★★★★★

subscribing



4/15/2016

05-06 Alternator/Battery Cable Issue - Page 2 - 6SpeedOnline - Porsche Forum and Luxury Car Resource

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'07 997 TT Cpe Atlas Grey (Gone)
 '06 997 C2S Cab Linen/Cocoa (Gone)
 '02 996 TT X50 Seal Grey/Black (Gone)
 '01 996 TT Black / Tan(Gone)
 '01 996 C4 Cpe Tip silver/Metropole Blue (Gone)
 SF Bay Area

QUOTE

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Tags
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All times are GMT -6. The time now is 11:37 AM.

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I. (a) PLAINTIFFS

PAUL B. BUTLER, On Behalf Of Himself And All Others Similary Situated,

(b) County of Residence of First Listed Plaintiff Santa Clara
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

THE KATRIEL LAW FIRM, P.C., 4225 Executive Square Suite 600, La Jolla, CA 92037; 858-242-5642

DEFENDANTS

PORSCHE CARS NORTH AMERICA, INC.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

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Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

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IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input checked="" type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1332(d)

Brief description of cause:

Class action on behalf of California owners of Porsche vehicles equipped with allegedly defective charging wire

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
5,000,001.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

04/19/2016

SIGNATURE OF ATTORNEY OF RECORD

/s/ Roy A. Katriel

IX. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)

(Place an "X" in One Box Only)



SAN FRANCISCO/OAKLAND



SAN JOSE



EUREKA

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.