

Mercedes Emissions Claim Client Update November 27th 2020



UPDATE ON THE MERCEDES EMISSIONS CLAIM

We write to provide you with an update about the recent developments in this claim.

Claim progress

As set out in our previous update, we have begun to issue High Court proceedings on behalf of those claimants who we have identified purchased their vehicles in 2014, in order to protect claims at risk of expiry under the applicable time limits. We will continue to add claims to the existing claim form on a rolling basis. You will be notified if we issue proceedings in respect of your claim. Given the volume of claimants it is likely multiple claim forms will be issued as the case progresses.

Please note that if you have not provided us with your VIN or VRN we are unable to check whether your vehicle is affected by the emissions recall, and so cannot issue proceedings on your behalf. We are also unable to determine what time limits apply to your claim if you have not provided us with the date that you purchased your vehicle.

We will be obliged to serve the current claim form on the defendants by 19 February 2021, unless an extension of time is agreed. We have recently been in correspondence with the lawyers acting on behalf of Mercedes-Benz (Herbert Smith Freehills). They are aware that we have begun to issue protective proceedings.

We are also in correspondence with several other law firms who are acting for other claimants in this matter. We can confirm that significant progress has been made in respect of setting up a steering committee to ensure that there is a coordinated approach to the litigation across all the firms that act on behalf of affected Mercedes vehicles owners.

Questionnaire

As mentioned in our previous update, we have been putting together an online questionnaire so that we can collect further details about your claim. This questionnaire will form the basis of a schedule of information which will be provided to the defendants and the Court. It is thus important that the online questionnaire is easy to complete accurately.

This questionnaire is now in the final stages of testing and once we are confident that it works well and gathers all the information required without us having to return to you for further information, we will send it out to all our clients. We do apologise for the delay in getting this questionnaire to you. It will be sent out to clients in tranches, based on the vehicle purchase dates we have on your file.

Thank you for your patience whilst you await this next stage.

Please note that as part of the questionnaire you will need to provide us with the following:

1. A complete copy of any finance agreement you used to finance the purchase of the vehicle. If you have not kept a copy, please contact the finance company to ask for one.
2. A legible copy of your vehicle purchase invoice to include the terms and conditions (often printed on the reverse). It should be headed "invoice". Note that the vehicle order form is not the same as the invoice, but please also provide the order form if you have it. You should be able to obtain a copy from the dealership where you purchased your vehicle. If you cannot obtain a copy, we will need some other evidence of purchase (such as a bank statement).
3. Confirmation of whether, when you purchased your vehicle, it was intended to be used mainly for business purposes.

Establishment of the Claimant Committee

As mentioned in our previous update, we have now constituted a Claimant Committee for this group action. This Committee is made up of 5 representatives whose role it is to make decisions and provide instructions on behalf of all the claimants. A Committee meeting has been scheduled for 8 December 2020.

If you have any queries please do not hesitate to contact the team

