

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**EMILY PINON, GARY C. KLEIN,  
KIM BROWN, JOSHUA  
FRANKUM, DINEZ WEBSTER,  
and TODD BRYAN, on behalf of  
themselves and all others similarly  
situated,**

**Plaintiffs,**

**v.**

**DAIMLER AG and  
MERCEDES BENZ USA, LLC,**

**Defendants.**

**CIVIL ACTION FILE**

**NO. 1:18-CV-3984-MHC**

**FINAL ORDER AND JUDGMENT**

**WHEREAS** the Court has granted Final Approval of the Class Action Settlement Agreement and Release on November 30, 2021 [Doc. 125],

**IT IS HEREBY ORDERED:**

1.

All capitalized terms shall have the same meaning ascribed to them as referenced in the Class Action Settlement Agreement and Release (the “Settlement Agreement”) [Doc. 70-1].

2.

The Settlement Class consists of all current owners, former owners, current lessees, and former lessees of who purchased or leased the following Mercedes-Benz vehicles purchased or leased in the United States that were painted using 590 Mars Red paint: C-Class (model years 2004-2015), GLK Class (model years 2010-2015), CLS-Class (model years 2006-2007, 2009, 2014), CLK-Class (model years 2004-2009), S-Class (model years 2008, 2015, 2017), SL-Class (model years 2004-2009, 2011-2017), CL-Class (model years 2005-2006, 2013-2014), SLS-Class (model years 2014-2015), E-Class (model years 2005-2006, 2010-2017), G-Class (model years 2005, 2011-2017), GT-Class (model years 2016-2018), SLC-Class (model year 2017), SLK-Class (model years 2005-2016), and Maybach 57 (model year 2008).

3.

The Settlement Class are bound by the Settlement Agreement, the Release contained therein, and this Final Judgment.

4.

Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, the Court confirms the appointment of W. Lewis Garrison, Jr., James F. McDonough, III,

Taylor C. Bartlett, and Travis Lynch of Heninger Garrison Davis, LLC, and K. Stephen Jackson of Jackson & Tucker PC, as Class Counsel.

5.

The Court confirms its earlier designation of JND Class Action Administration as the Settlement Administrator.

6.

The Releasing Parties are forever discharged and released from all Released Claims.

7.

The Court dismisses on the merits and with prejudice the Litigation Claims asserted against Defendants, with each party to bear its own costs and attorneys' fees, except as provided in the Court's Order Granting Final Approval of Settlement, Certifying Settlement Class, and Awarding Attorney's Fees and Expenses, as provided in the Settlement Agreement.

8.

Without affecting the finality of the judgment, the Court retains continuing and exclusive jurisdiction over all matters relating to the administration, enforcement, and interpretation of the Settlement Agreement, the payment of attorney's fee and expenses, and of the Final Order and Judgment.

9.

Plaintiffs, the Settlement Class, and Defendants irrevocably submit to the exclusive jurisdiction of this Court for the resolution of any matter arising out of or relating to the Settlement Agreement, the Order Granting Final Approval of Settlement, Certifying Settlement Class, and Awarding Attorney's Fees and Expenses, or this Final Order and Judgment.

10.

The Settlement Class are permanently barred and enjoined from instituting or continuing the prosecution of any action asserting Released Claims against the Releasing Parties.

11.

There is no just reason to delay entry of this Order and Final Judgment and immediate entry by the Clerk of the Court is directed pursuant to Rule 54(b) of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED** this 30th day of November, 2021.



---

MARK H. COHEN  
United States District Judge