

SHOOK
HARDY & BACON

Michael B. Gallub

August 18, 2023

Via ECF Filing

Hon. Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Granted. Class notice to additional class members
to be mailed by 9/8/23.
SO ORDERED: 8/18/23

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Brian M. Cogan

USDJ

Re: *Gjonbalaj et al v. Volkswagen Group of America, Inc., et al.*
2:19-cv-07165-BMC

Dear Judge Cogan:

On behalf of all parties, we respectfully submit this joint letter requesting a brief extension, until September 8, 2023, of the date for mailing the class notice in this matter to some additional settlement class members whose vehicles were recently identified as also being in the settlement class. As preliminarily approved by Your Honor, the existing Class Notice Date is August 22, 2023. The claim administrator is prepared to, and will, mail the class notices on that date to approximately 960,000 identified class members who comprise the overwhelming majority (more than 98%) of the settlement class. However, we recently learned that there are approximately 14,900 additional vehicles in the settlement class whose present/former owners and/or lessees still need to be identified in order for class notice to be mailed to them. The claim administrator has advised that this process can be completed, and class notice can be mailed to those additionally identified class members, by September 8, 2023.

The parties therefore respectfully request that Your Honor, by endorsing this joint letter, grant this brief extension until September 8, 2023 for the claim administrator to mail class notice to these additional class members who will soon be identified, and that the preliminary approval order (ECF 76) be deemed amended, *nunc pro tunc*, accordingly to reflect this, and, for these particular additional class members only, a deadline of October 9, 2023 for filing any objections to or requests for exclusion from the settlement (30-days from their September 8, 2023 Notice Date).

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No prejudice will result, nor will this necessitate a change in the existing November 14, 2023 final fairness hearing date.

Thank you for your consideration.

Respectfully submitted,

/s/ Michael B. Gallub
Michael B. Gallub

cc: All Counsel