

## **DUTCH COURT GIVES STICHTING VOLKSWAGEN CAR CLAIM GREEN LIGHT IN DUTCH CLASS ACTION AGAINST VOLKSWAGEN ET AL.**

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**Yesterday the Amsterdam District Court declared the claims of the Dutch foundation 'Stichting Volkswagen Car Claim' in the Dutch class action against Volkswagen et al. admissible. The court will now assess the merits of the collective claims. This makes the Dutch class action proceedings a frontrunner for other class actions against Volkswagen et al. that are currently pending in Europe. Board member of the foundation Guido van Woerkom said: *"Today's judgment of the Dutch court confirms that the foundation is a sound and respectable organization. The judgment underwrites the continuous efforts of the foundation since October 2015 in the interest of all motorists aggrieved by the Volkswagen emission scandal. The Foundation is committed to reach a solution where affected car owners are reasonably compensated for all negative effects resulting from 'Dieselgate'. It will continue its efforts in order to ensure that aggrieved motorists receive compensation for damages suffered."***

The Dutch foundation initiated class action proceedings against *inter alia* Volkswagen, Audi, Škoda, SEAT, Dutch importer PON, software supplier Bosch and the official Volkswagen dealers on 2 May 2018. The foundation, *inter alia*, has asked the court for multiple declarations to establish that the aforementioned parties have violated the interests of all Dutch motorists affected by Dieselgate. With the help of the class action of the Foundation, Dutch motorists will be able to recover the damage they have suffered from the various defendants. Moreover, it is possible that motorists will soon be able to use a positive final judgment to demand annulment of their purchase agreement against reimbursement of the purchase price.

The Dutch class action proceedings is organized into three separate stages. Earlier this year, it was already established that the Amsterdam Court is authorized to hear the claims against the defendants (stage 1). Yesterday's judgment relates to stage 2 of the proceedings. The court ruled that the foundation is admissible to institute collective claims in the interest of Dutch aggrieved motorists against all defendants. The court has also found that the Foundation thoroughly safeguards the interests of the aggrieved Dutch motorists. Part of the debate was also the question of whether the court considered it plausible that Dutch motorists have suffered damage from Dieselgate. The court has followed the Foundation's position and considers it plausible that such damage could have been suffered.

Today's judgment marks the start of the final stage of the proceedings, which focuses on the merits of the claims against the defendants. The hearing will take place at the beginning of June 2020.

Van Woerkom: *"Now that the court will assess and decide upon the merits of the foundation's claims, Volkswagen and the other defendants can be finally held accountable for their misbehavior. Volkswagen et al. did not yet have to answer for its behavior in other class actions in Europe. That is about to change. Also in other European countries, such as Germany, courts are getting closer to rule on the merits of collective claims against Volkswagen. We are pleased to be at the frontline."*

More information about Stichting Volkswagen Car Claim and the Dutch legal procedure can be found on the website [www.stichtingvolkswagencarclaim.com](http://www.stichtingvolkswagencarclaim.com)

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