

VW lawyer: Consolidate lawsuits against carmaker in Michigan

December 3 2015, by Cain Burdeau

A Volkswagen lawyer on Thursday said the company would like hundreds of federal civil lawsuits filed against the carmaker over its emissions cheating scandal to be consolidated in Michigan.

Volkswagen's attorneys were among hundreds of lawyers at a hearing in [federal court](#) in New Orleans to look at consolidating more than 460 [lawsuits](#) against the German carmaker.

The five judges of the Judicial Panel on Multidistrict Litigation heard from the string of lawyers making their cases for consolidation in the federal districts of their liking. The panel—which happened to be meeting in New Orleans—did not rule Thursday on where the lawsuits should be consolidated.

Volkswagen lawyer Jeffrey L. Chase asked the panel to choose Michigan, where VW is working with the U.S. Environmental Protection Agency's branch there on its investigation into the emissions cheating scandal.

Chase said it would be efficient to let the federal court in Detroit take the lead in consolidating lawsuits from around the country. He also argued that U.S. District Chief Judge Gerald E. Rosen in Detroit already is handling cases there and that he has experience with multidistrict litigation. Chase added that VW was in settlement talks with plaintiffs in Michigan.

The panel's job is to determine whether lawsuits in different federal districts should be amassed under one court to prevent duplication and inconsistent rulings and to make it easier for lawyers.

At the hearing, lawyers made their pitches for bringing the cases to California, Tennessee, Louisiana, Florida, Massachusetts, Arizona, New York and New Jersey, among other places.

Lawyers used a variety of arguments in seeking to convince the judges of a particular court's benefits—including the ease of travel, the experience particular judges had with complex multidistrict litigation, and a state's commitment to high emissions standards. One lawyer from Tennessee argued for his state not only because VW has a major manufacturing plant there but also because he said Elvis Presley owned a Volkswagen Beetle early in his career.

VW has admitted that 482,000 2-liter diesel vehicles in the U.S. contained software that turned pollution controls on for government tests and off for real-world driving. The government says another 85,000 six-cylinder diesels also had cheating software.

VW says the software in the six-cylinder diesels is different and is legal in Europe, but it has halted sales of those vehicles while it explains its case to the government.

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