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13 MAZDA MOTOR OF AMERICA, INC. d/b/a  
14 MAZDA NORTH AMERICAN OPERATIONS

15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA  
17 SOUTHERN DIVISION

18 Gary Guthrie, Stephanie Crain, Chad  
19 Hinton, Julio Zelaya, Anna Gilinets,  
20 Marcy Knysz, Lester Woo, and Amy  
21 Bradshaw, *on behalf of themselves and all*  
22 *others similarly situated,*

23 Plaintiffs,

24 v.

25 Mazda Motor of America, Inc.,

26 Defendants.

Case No.: 8:22-cv-01055-DOC-DFM

[Assigned to Judge David O. Carter]

**DECLARATION OF MARI  
ISHIKAWA IN SUPPORT OF  
DEFENDANT MAZDA MOTOR  
OF AMERICA, INC.'S RESPONSE  
TO OBJECTION OF FRANCIS J.  
FARINA**

Date: September 16, 2024  
Time: 8:30 a.m.  
Courtroom: 10A

Complaint Filed: April 19, 2022  
SAC Filed: October 31, 2022

1 **DECLARATION OF MARI ISHIKAWA**

2 I, Mari Ishikawa, hereby declare as follows:

3 1. I am over the age of eighteen and competent to sign this Declaration. I  
4 submit this Declaration in support of Defendant Mazda Motor of America, Inc. d/b/a  
5 Mazda North American Operations (“MNAO”)’s response to the Objections of  
6 Francis J. Farina.

7 2. I am a Manager in the Legal Affairs Dept., Corporate Services Division  
8 of Mazda Motor Corporation (“Mazda”) and have held this position since April 1,  
9 2019. MNAO is a wholly owned subsidiary of Mazda. In my role, I have been and  
10 am familiar with Mazda’s regulatory obligations for certifying vehicles for sale,  
11 Mazda’s internal compliance governance related to certifying vehicles for sale, and  
12 Mazda’s involvement in and response to related investigations. Based on my prior  
13 and current job responsibilities and my review of Mazda’s corporate documents and  
14 records kept in the ordinary court of business, including information obtained by other  
15 Mazda personnel in the course of their duties, I am personally familiar with the  
16 information discussed in this declaration. In particular, I am familiar with the  
17 information discussed in the objections to the *Guthrie v. Mazda Motor America, Inc.*  
18 class action settlement referenced below, specifically the scope and results of a recent  
19 investigation Mazda completed into its compliance with Japan’s standards for vehicle  
20 certification as discussed below.

21 3. Except as to those matters stated upon information and belief—for which  
22 matters I have a good faith basis to believe are true and correct—I make this  
23 declaration based on personal knowledge and my review of corporate documents and  
24 records kept in the ordinary course of business, including information obtained by  
25 other Mazda personnel in the course of their duties. If called as a witness, I could and  
26 would testify competently as to the matters set forth in this Declaration.

27 4. I have been informed that Francis J. Farina (“Farina”) is the plaintiff in a  
28 proposed class action currently pending in the Western District of North Carolina,

1 *Farina v. Mazda Motor of America, Inc. et al.*, No. 3:23-cv-50 (the “*Farina* action”).  
2 I have been informed that the *Farina* action was originally filed on January 28, 2023,  
3 and Farina later amended his complaint on May 2, 2023, to bring claims under the  
4 Clean Air Act related to the valve stem seals in 2021 Mazda CX-30, CX-5, CX-9,  
5 Mazda3, and Mazda6 vehicles offered for lease or sale in the United States (the  
6 “*Farina* Putative Class Vehicles”).

7 5. I have further been informed that there is a proposed settlement in the  
8 instant action that would settle claims related to the valve stems seals in the following  
9 vehicles: MY2021 Mazda2 (Japan built); MY 2021 and 2022 Mazda3 (Mexico built);  
10 MY 2021 and 2022 CX-30 (Mexico built); MY 2021 Mazda6; MY 2021 CX5; MY  
11 2021 CX9 (the “*Guthrie* Settlement Class Vehicles”).

12 6. As part of preparing this declaration, I reviewed a declaration styled  
13 “Supplemental Declaration of Francis J. Farina in Support of Objection to the  
14 Settlement and Fee Petition,” dated June 20, 2024 (the “*June* Declaration”). I have  
15 been informed that Farina filed the *June* Declaration in the instant action as document  
16 number 129-1.

17 7. In the *June* Declaration, Farina references three news articles that discuss  
18 the alleged falsification or manipulation of vehicle testing by Mazda (the “*June*  
19 *Declaration* News Articles”). I am personally familiar with these three news articles  
20 and the information and statements contained in them.

21 8. In Japan, new vehicle models manufactured for sale in Japan must be  
22 certified under Japan’s “Type Designation” certification system, a certification  
23 system that ensures all new vehicles comply with the safety, environmental, and other  
24 regulations set by the Japanese government for that vehicle type.

25 9. In January 2024, pursuant to a request from Japan’s Ministry of Land,  
26 Infrastructure, Transport and Tourism (the “*Ministry*”), Mazda began investigating  
27 its historical compliance with the Type Designation application requirements (the  
28 “*Investigation*”).

1 10. The facts and circumstances surrounding the Investigation and the results  
2 thereof have been the subject of many news stories, including the June Declaration  
3 News Articles.

4 11. The Investigations consisted of reviewing all 2,403 tests used for Type  
5 Designation applications for the period covering January 2014 through January 2024  
6 to determine whether there were any irregularities in the application process.

7 12. The investigation found two irregularities affecting the implementation  
8 of five tests in vehicles produced in Japan for sale in Japan. These results were  
9 reported to the Ministry on May 30, 2024.

10 13. The first irregularity found was an irregularity in the vehicle crash tests  
11 for three models designed and manufactured for sale in Japan and that are no longer  
12 in production: the Atenza (production period November 2014 through April 2018),  
13 the Axela (production period August 2016 to February 2019), and the Atenza/Mazda6  
14 (production period April 2018 to April 2024). The irregularity was found in the  
15 certification test for occupant protection in the event of a front collision. Mazda has  
16 since re-run all tests in compliance with applicable testing procedures and confirmed  
17 that all affected vehicles' safety performance meets the legal standard for occupant  
18 protection performance in the event of a frontal collision. In other words, despite the  
19 irregularities in the certification application procedures, the vehicles are fully  
20 compliant with Japan's safety standards.

21 14. The second irregularity found was in the certification testing of two  
22 models currently in production for sale in Japan, the Mazda2 (production period  
23 beginning in June 2021) and the Roadster RF (production period beginning in June  
24 2018). The irregularity was found in certification testing relating to engine gasoline  
25 output, where it was found that engine control software was rewritten to partially  
26 disable the ignition timing adjust function and the testing was therefore not performed  
27 using engine control software in the same condition as a mass-production vehicle  
28 would perform. Mazda has since completed re-tests to reapply for type designation

1 certification for the affected vehicles and confirmed that the affected vehicles'  
2 performance complies with applicable Japanese standards.

3 15. After finding and reporting these irregularities, Mazda suspended  
4 Japanese domestic production and shipment of the affected models still in production  
5 (namely, the Mazda2 and the Roadster FR) within Japan. Since then, the Ministry has  
6 confirmed Mazda's finding that all five affected vehicle models complied with  
7 applicable standards despite the testing irregularities in the type-designation  
8 application process. Accordingly, shipment and production of the affected vehicles  
9 still in production has resumed effective July 1, 2024.

10 16. Mazda has undertaken measures to prevent any recurrence of these  
11 limited irregularities, efforts that are reported to and monitored by the Ministry.

12 17. Importantly, all irregularities as discussed above and that were mentioned  
13 in the news articles and in Farina's declarations pertained to vehicles produced for  
14 distribution in Japan only, following tests performed in Japan with respect to  
15 compliance with Japan's certifications standards.

16 18. None of the testing irregularities that were found pertained to vehicles  
17 that were sold in the United States, and none of the testing irregularities that were  
18 found pertained to testing done for certification of vehicles for distribution in the  
19 United States.

20 19. Finally, **none of the irregularities in testing procedures that were**  
21 **found pertained to the *Farina Putative Class Vehicles* or the *Guthrie Settlement***  
22 **Class Vehicles.** Although the Mazda6 as manufactured and tested for sale in Japan  
23 was found to be an affected vehicle, the testing irregularity found related to testing  
24 for certification in Japan, not for certification in the United States. Moreover, the  
25 testing irregularity found with respect to the Mazda6 dealt with vehicle safety crash  
26 testing, *not* testing related to the valve stem seal, vehicle engine performance, vehicle  
27 emissions performance, or anything else related to Farina's claims or the *Guthrie*  
28 action.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 11<sup>th</sup> day of September 2024, at Hiroshima, Japan.

石川 真理  
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Mari Ishikawa

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system and I served a copy of the foregoing pleading on all counsel for all parties, via the CM/ECF system and/or mailing same by United States Mail, properly addressed, and first class postage prepaid, to all counsel of record in this matter.

By: /s/ Jahmy S. Graham  
Jahmy S. Graham