

Exhibit A

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION – SANTA ANA

GARY GUTHRIE, ET AL.,)
)
 Plaintiffs,)
)
 vs.)
)
 MAZDA MOTOR OF AMERICA,)
 INC.,)
)
 Defendant.)
 _____)

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

Santa Ana, CA
August 5, 2024

VOLUME 2
HEARING ON MOTIONS
BEFORE THE HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE

APPEARANCES: See Next Page
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TRANSCRIBER: Dorothy Babykin
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PROCEEDINGS RECORDED BY ELECTRONIC SOUND RECORDING.
TRANSCRIPT PRODUCED BY TRANSCRIPTION SERVICE.

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APPEARANCES

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I N D E X

8:22-CV-01055-DOC-DFM

AUGUST 5, 2024

PROCEEDINGS:

MOTION FOR ORDER FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT (139);

MOTION FOR ATTORNEY FEES AND EXPENSES AND SERVICE AWARDS TO THE PLAINTIFFS (121)

1 MR. GRAHAM: YEAH.

2 THE COURT: -- I'M READY TO DO THAT.

3 MR. GRAHAM: YEAH.

4 WELL, RESPECTFULLY COULD WE REQUEST MORE TIME, YOUR
5 HONOR.

6 THE COURT: ABSOLUTELY.

7 MR. GRAHAM: MAYBE BUT --

8 THE COURT: ABSOLUTELY.

9 MR. GRAHAM: WELL, WE COULDN'T RESOLVE --

10 THE COURT: I'D RATHER HAVE YOU WORK THAT OUT.

11 MR. GRAHAM: -- IT TODAY IS WHAT I'M SAYING BECAUSE I DON'T
12 HAVE --

13 THE COURT: NOW --

14 MR. GRAHAM: -- AUTHORITY HERE TODAY --

15 THE COURT: TIME OUT.

16 MR. GRAHAM: -- TO CHANGE THE SETTLEMENT.

17 THE COURT: ABSOLUTELY. LET'S GET THIS FAIR.

18 OKAY. OKAY.

19 I THINK YOU COULD EXPAND THIS A LITTLE BIT FRANKLY. I LIKE
20 SOME OF YOUR SUGGESTIONS IN TERMS OF THE WEB.

21 I LIKE SOME OF THE THOUGHTS THAT I'VE GOT. I THINK THAT
22 WAS REALLY BRILLIANT --

23 OKAY. I WANT TO CATCH THOSE LOW-HANGING FRUIT THAT I
24 THINK WE CAN CATCH. WE MAY NOT HAVE THE PROTECTION BEING
25 AFFORDED.

1 FOR THE INTERVENOR THAT'S GOOD AND BAD NEWS.
2 FOR THE PUBLIC YOU'RE ACHIEVING A GREAT DEAL I THINK.
3 FOR YOURSELF, I DON'T KNOW THAT YOU ARE. YOU'D HAVE ME
4 MAKE A DIFFERENT CALL I THINK. TORPEDO THIS. I DON'T KNOW THAT I'M
5 INCLINED TO DO THAT AS LONG AS MAZDA IS WILLING TO TAKE A SERIOUS
6 LOOK AT THIS AND THE PLAINTIFF.

7 NOW, I'LL TELL YOU WHAT. IF YOU WANT AN ALL OR NOTHING
8 RULING, I CAN MAKE IT RIGHT NOW.

9 BUT I WOULD INVITE YOU TO WORK TOGETHER.

10 NOW, WHEN WOULD YOU FOLKS LIKE TO COME BACK AND SEE
11 ME? I'M HERE ALL THE TIME. I LIVE HERE.

12 MR. GRAHAM: YOUR HONOR, A COUPLE OF THINGS.

13 ONE, I HAVE TO CHECK MY CALENDAR BECAUSE I AM TRAVELING
14 IN THE NEXT COUPLE OF --

15 THE COURT: DON'T WORRY ABOUT IT.

16 MR. GRAHAM: -- WEEKS.

17 THE COURT: CHECK YOUR CALENDAR.

18 MR. GRAHAM: ALL RIGHT.

19 AND THEN, NUMBER TWO, I KNOW THE COURT IS AWARE OF
20 THIS, BUT I JUST WANTED TO MAKE SURE IT'S CLEAR THAT THE PARTIES
21 DID WORK WITH JUDGE -- RETIRED JUDGE TEVRIZIAN TO REACH THE
22 AGREEMENT ON THE TERMS.

23 THE COURT: THAT'S NICE. SAY HI TO HIM.

24 MR. GRAHAM: WILL DO IF WE HAVE TO TALK TO HIM AGAIN.

25 THE COURT: YEAH. I LOVE HIM LIKE A BROTHER.

1 MR. GRAHAM: JUST THAT THERE WAS A LOT OF THOUGHT OVER
2 THE NUMBER OF YEARS --

3 THE COURT: THERE'S A LOT OF THOUGHT.

4 MR. GRAHAM: -- TO COME TO WHERE WE ARE NOW.

5 THE COURT: WE'RE JUST EXPANDING THIS A LITTLE BIT.

6 THIS ISN'T EARTH SHAKING.

7 THE GROUP THAT WE'RE ADDING IS DE MINIMIS. BUT IT GIVES
8 ME THE CONFIDENCE LEVEL THAT WE'RE NOT LEAVING THAT SINGLE
9 HARD-WORKING PERSON OUT THERE WHO HAS PRIOR COMPLAINTS WHO
10 WE CAN MEASURE BY ADMISSIONS.

11 A YEAR IS ULTIMATELY FAIR.

12 I WOULD THINK THAT THE INTERVENOR WOULD BE MOST
13 CONCERNED BECAUSE THEY WANT ALL OR NOTHING. OR THEY WANT ME
14 TO TORPEDO THIS.

15 MR. GRAHAM: AND TO BE CLEAR --

16 THE COURT: AND THEY'RE NEVER GOING TO BE SATISFIED,
17 FRANKLY.

18 MR. GRAHAM: TO BE CLEAR, YOUR HONOR, IN TERMS OF THE
19 EXTRA TIME THAT WE WANT TO FURTHER THINK THROUGH THESE ISSUES
20 AND WORK WITH MAZDA.

21 SO, THE ISSUE THE COURT JUST IDENTIFIED, THAT IS ONE ISSUE
22 THAT I'M WORKING WITH MY CLIENT TO SEE WHAT THE ANSWER WOULD
23 BE IF WE CAN REACH SOME AGREEMENT ON THAT.

24 I CAN'T PROMISE AN AGREEMENT BUT --

25 THE COURT: TELL -- TELL YOU CLIENT TO TEST ME.