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APR 11 2018

At 1:00 P.M.  
Velva L. Price, District Clerk

Master File No. D-1-GN-16-000370

IN RE VOLKSWAGEN CLEAN  
DIESEL LITIGATION: TCAA  
ENFORCEMENT CASE

§  
§  
§  
§

IN THE DISTRICT COURT OF  
TRAVIS COUNTY, TEXAS  
353<sup>RD</sup> JUDICIAL DISTRICT

ALL ACTIONS

**ORDER GRANTING IN PART AND DENYING IN PART  
VOLKSWAGEN AND PORSCHE DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT AND SPECIAL EXCEPTIONS**


On this day, came to be considered, Defendants, Volkswagen Group of America, Inc., Volkswagen Group of America Chattanooga Operations, LLC, Audi of America, LLC, and Porsche Cars North America, Inc., Motion for Summary Judgment and Special Exceptions, filed December 8, 2017, and after consideration of the responses, replies, evidence, authorities, and arguments of counsel, the Court rules as follows:

1. The Court GRANTS the Motion with regard to the Plaintiffs' "Original" Tampering claims under 42 U.S.C. § 7543.
2. The Court GRANTS the Motion with regard to claims under 30 T.A.C. § 114.20 (a) and (c).
3. The Court GRANTS the Motion with regard to the claims under Texas Health and Safety Code § 382.085.
4. The Court DENIES the Motion with regard to the Plaintiff's "Recall" Tampering claims under 42 U.S.C. § 7543.

5. The Court DENIES the Motion with regard to claims under 30 T.A.C.

§ 114.20 (b) and (e).

SIGNED this 11<sup>th</sup> day of April, 2018.

  
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HONORABLE TIM SULA K