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## Fla. Better Than Calif. For Auto Antitrust MDL, Drivers Say

By **Rachel Graf**

Law360, New York (August 23, 2017, 5:53 PM EDT) -- A group of drivers alleging German automakers illegally shared sensitive information with each other asked the Judicial Panel on Multidistrict Litigation on Tuesday to centralize the proposed class actions in Florida federal court rather than in California.

Drivers in a separate proposed class action **had sought** to consolidate at least nine related suits in California federal court, but the group on Tuesday argued the Southern District of Florida is preferable. The Florida federal court is currently handling just four multidistrict litigations, is accessible to the lawyers and witnesses, and the district judge is "a competent and experienced jurist," according to the filing.

"Given the proven ability and resources of the Southern District of Florida, the panel should transfer the cases pending in other districts there," the drivers said.

The proposed class actions should be consolidated because they each concern allegations that German automakers including Audi, BMW, Daimler, Porsche and Volkswagen exchanged competitive information about the design and manufacture of their vehicles in violation of federal and state antitrust laws, the drivers said in the filing.

The Southern District of Florida is an appropriate venue because the court's docket provides "an ideal balance of both the resources and experience necessary to manage this litigation," the drivers said. The court is among the most efficient in the country and has the necessary resources to handle pretrial matters, according to the filing.

With three international airports nearby, the court is "readily accessible" to the people involved with the litigation, including the foreign automakers, the drivers said.

"The Southern District of Florida provides an ideal location allowing easy access for all litigants and witnesses, including potential foreign witnesses, because it contains three major international airports," the drivers said in the filing.

Additionally, U.S. District Judge Darrin P. Gayles has presided over more than 57 proposed class actions, but is not currently overseeing any pending multidistrict litigation, according to the filing.

Counsel for the drivers didn't immediately respond Wednesday to a request for comment.

The drivers are represented by Joshua H. Eggnatz and Michael J. Pascucci of Eggnatz Lopatin & Pascucci LLP and Melissa Emert of Stull Stull & Brody.

Counsel information for the automakers was not available Wednesday.

The MDL is In re German Automotive Antitrust Litigation, docket number 2796 before the United States Judicial Panel on Multidistrict Litigation.

--Editing by Alanna Weissman.

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