

**IN RE: FORD MOTOR CO. SPARK PLUG AND
THREE VALVE ENGINE PRODUCTS LIABILITY LITIGATION**
EXHIBIT D – SETTLEMENT ADMINISTRATION: APPELLATE PROCEDURES

I. TIMING AND CONTENT OF APPEALS

Under the settlement agreement, if a Settlement Class Member disputes the rejection of a claim or the amount to be paid pursuant to the claim (except a claim made pursuant to Section II.E(3) of the Settlement Agreement, as to which the Claims Administrator has sole discretion), “the Settlement Class Member may appeal the decision by submitting his/her/its claim and an explanation of the alleged error or dispute to Kurtzman Carson Consultants within one month after the Claims Administrator mailed its final notice of the decision to the Settlement Class Member. Kurtzman Carson Consultants shall make a final, binding determination following receipt of any response to or joinder in the appeal from Ford or Class Counsel.” Stipulation and Agreement of Settlement § II.E.5.

A. Timing

A Settlement Class Member may submit an appeal to Kurtzman Carson Consultants (“KCC”) only after Renkim, the Claims Administrator, has issued a final decision rejecting (in whole or in part) the claim(s) submitted by the Settlement Class Member (hereinafter “Claimant”). If Renkim rejects a claim due to insufficient information, such rejection constitutes a final decision only if and when the Claimant fails to resubmit the claim to Renkim within the allotted the 30-day period. By failing to resubmit the claim to Renkim, the Claimant has waived his/her/its right to attempt to cure the deficiency, and may not attempt to cure the deficiency through appeal to KCC. If the Claimant resubmits the claim, and Renkim subsequently rejects it, such decision constitutes a final decision that may be appealed by the Claimant. Likewise, if Renkim rejects a claim and does not provide the Claimant an opportunity to resubmit the claim with further information, such a rejection constitutes a final decision.

To timely submit an appeal, a Claimant must postmark his or her appeal of Renkim’s decision within thirty days of the postmark date on the rejection letter. A Claimant’s claim forms and all supporting documents (either provided initially, or in response to a notice of insufficiency from Renkin) is referred to as a “Claim File.”

B. Contents

To submit an appeal, a Claimant will be required to submit:

- any rejection letter(s) received from Renkim; and
- a short (no more than two pages) statement of the basis of its appeal, including an explanation of Renkim’s alleged error.

Any material not previously submitted to Renkim—with the exception of the statement of the basis of the appeal—will not be considered by KCC.

II. PROCESS FOR REVIEWING APPEALS

A. Initial Review and Summary Rejection

Upon receipt of an appeal, KCC will perform an initial review limited to the short statement explaining the basis of the appeal, and, if necessary, the claim form and the denial letter(s). If the grounds for the appeal fall into a category that Ford and Class Counsel agree is baseless, the appeal will be summarily rejected. Categories of appeals subject to summary rejection include:

- claims denied because they were submitted more than seven months after the Fairness Hearing, for Spark Plug Replacements performed before the Notice Date, or more than thirteen months after the Fairness Hearing, for Spark Plug Replacements performed after the Notice Date;
- claims denied because they were not resubmitted within the 30-day deadline for resubmission of claims denied for insufficient documentation;
- claims denied because the Spark Plug Replacement for which reimbursement was sought was performed when the Class Vehicle had more than 120,000 miles at the time of replacement AND (1) the Spark Plug Replacement was performed more than 60 days after the Notice Date OR (2) the Claimant failed to submit a declaration under penalty of perjury identifying the Ford dealership which instructed him/her/it to wait to have the spark plugs in the Class Vehicle replaced AND dealership service records establishing that the Claimant took the Class Vehicle to the authorized Ford dealership between 90,000 and 120,000 miles;
- claims denied because the Spark Plug Replacement for which reimbursement was sought was performed after the Notice Date AND was not performed by an authorized Ford dealership;
- appeals submitted after the 1-month appeal deadline;
- claims denied because they involved a vehicle that is not Class Vehicle as defined in the Settlement Agreement;
- claims denied because the Spark Plug Replacement for which reimbursement was sought cost less than \$37.50 per replaced plug;
- any appeal that KCC can determine is meritless based on its initial review.

B. Detailed Review

1. Opportunity to Respond

For any appeals that are not summarily dismissed during the initial review, Renkim will make the entire Claim File available to KCC, and KCC will forward the appeals and Claim Files to Ford and Class Counsel on a monthly basis.

Ford and Class Counsel may (but are not required) to submit an omnibus response to each batch of appeals forwarded by KCC. The response may respond to individual appeals and/or may address issues that arise in multiple appeals. During this stage, Ford will identify any appeals that it will agree not to contest.

2. Review and Decision

Upon receiving any responses from Ford and Class Counsel, KCC shall review the remaining appeals and associated Claim Files, and decide whether the claim was improperly denied by Renkim, and if so, the amount which Claimant should have received. KCC will provide notice of its decision to all parties.

All appeals will be decided on the papers. No hearings will be conducted.