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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re: KIA HYUNDAI VEHICLE  
THEFT MARKETING, SALES  
PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION

Case No. 8:22-ML-3052-JVS(KESx)  
The Honorable James V. Selna

**SCHEDULING CONFERENCE  
ORDER FOR SUBROGATION CASES**

This document relates to:  
ALL SUBROGATION CASES

1 Pursuant to this Court’s Order of November 27, 2023, counsel for the  
2 Subrogation Plaintiffs<sup>1</sup> and Defendants Kia America, Inc. (“KA”), Hyundai Motor  
3 America (“HMA”), Kia Corporation (“KC”), and Hyundai Motor Company (HMC”)  
4 (collectively, “Defendants”)<sup>2</sup> met and conferred on January 8, 2024, and submit the  
5 following Proposed Scheduling Conference Order.

6 **A. Initial Disclosures**

7 1. The Subrogation Plaintiffs and Defendants KA and HMA shall  
8 exchange initial disclosures as provided for under Rule 26(a)(1) on or before  
9 February 15, 2024.

10 **B. Pleadings**

11 2. Defendants KA and HMA shall answer the Subrogation Plaintiffs’  
12 Amended Consolidated Complaint (the “ACC”) on or before February 15, 2024.

13 3. In light of the Subrogation Plaintiffs’ 805-page and 4079-paragraph  
14 ACC, the parties have agreed that it is reasonable and judicially efficient for  
15 Defendants KA and HMA to generally deny all material allegations in the ACC in  
16 lieu of specifically denying and admitting the allegations paragraph-by-paragraph.  
17 Defendants KA and HMA may also allege their defenses in their answer.

18 4. Defendants KC and HMC either shall answer the ACC or move to  
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20 <sup>1</sup> “Subrogation Plaintiffs” refers to the Subrogation Plaintiffs named in the following  
21 subrogation complaints currently part of the above-captioned multidistrict litigation:  
22 (1) *State Automobile Mutual Insurance Company v. Hyundai Motor America*, No.  
23 8:23-cv-00443 (C.D. Cal., filed March 10, 2023); (2) *The Standard Fire Insurance*  
24 *Company v. Hyundai Motor America*, No. 8:23-cv-00792 (C.D. Cal., filed May 5,  
25 2023); (3) *21st Century Centennial Insurance Company v. Hyundai Motor America*,  
26 No. 2:23-cv-04288 (C.D. Cal., filed June 1, 2023); (4) *State Farm Automobile*  
27 *Insurance Company v. Hyundai Motor America*, No. 8:23-cv-00981 (C.D. Cal., filed  
28 June 5, 2023); (5) *Zurich American Insurance Company v. Kia America, Inc.*, No.  
8:23-cv-01051 (C.D. Cal., filed June 14, 2023); (6) *American National Property &*  
*Casualty Company v. Hyundai Motor America*, No. 8:23-cv-01225 (C.D. Cal., filed  
July 10, 2023); (7) *Grange Insurance Association v. Hyundai Motor America*, No.  
8:23-cv-01354 (C.D. Cal., filed July 27, 2023); and (8) *Westfield Insurance Company*  
*v. Hyundai Motor America*, No. 2:23-cv-06212 (C.D. Cal., filed Aug. 1, 2023).

<sup>2</sup> Defendants do not waive any defenses, including the right to challenge personal jurisdiction, through the filing of this Proposed Scheduling Conference Order. The Subrogation Plaintiffs agree that they will not argue that the filing of this Proposed Scheduling Conference Order supports personal jurisdiction over any Defendant.

1 dismiss the ACC on personal jurisdiction grounds on or before February 23, 2024.  
2 The deadline for the Subrogation Plaintiffs to respond to KC and HMC’s motion to  
3 dismiss is March 22, 2024. The deadline for KC and HMC to reply in support of  
4 their motion to dismiss is April 5, 2024. At the Court’s election, oral argument may  
5 be scheduled thereafter.

6 5. Any subrogation action filed after the ACC and subsequently related to  
7 this MDL will be deemed to be automatically incorporated into the ACC and will  
8 require no additional response from Defendants. Claim spreadsheets for new  
9 Subrogation Plaintiffs will be served within 45 days of the filing of each subrogation  
10 action filed after the ACC.

11 6. If counsel for any existing Subrogation Plaintiffs wish to add new  
12 Subrogation Plaintiffs to any existing subrogation actions,<sup>3</sup> they shall file (1) a notice  
13 of additional Subrogation Plaintiff(s) in the underlying action; and (2) a notice of  
14 additional Subrogation Plaintiff(s) in the above-captioned matter.<sup>4</sup> Each notice shall  
15 (a) identify the newly-added Subrogation Plaintiff(s), and (b) state: “The  
16 Subrogation Plaintiff(s) identified herein are hereby incorporated into the complaint  
17 filed in [*underlying action case name, case number, and complaint docket number*]  
18 and the Subrogation Plaintiffs’ Amended Consolidated Complaint filed in *In re: Kia*  
19 *Hyundai Vehicle Theft Marketing, Sales Practices, And Products Liability*  
20 *Litigation*, Case No. 8:22-ML-3052-JVS(KESx) (C.D. Cal.), ECF No. 283.” In  
21 addition, claim spreadsheets for new Subrogation Plaintiffs will be served within 45  
22 days of the date of filing of such notices. Such notices will require no additional  
23 response from Defendants.

24 **C. Class Certification**

26 <sup>3</sup> For the avoidance of doubt, any insurers that are not currently and specifically  
27 named in an existing subrogation action’s underlying complaint are “new  
Subrogation Plaintiffs” and are not “existing Subrogation Plaintiffs.”

28 <sup>4</sup> For the avoidance of doubt, the above-captioned matter refers to *In re: Kia Hyundai*  
*Vehicle Theft Marketing, Sales Practices, And Products Liability Litigation*, Case  
No. 8:22-ML-3052-JVS(KESx) (C.D. Cal.).

1           7.     Class Plaintiffs<sup>5</sup> shall move for class certification and provide any  
2 expert reports related to class certification on or before June 30, 2025.

3           8.     The deadline for Defendants to respond to the motion for class  
4 certification and provide any expert reports related to class certification is August  
5 15, 2025.

6           9.     The deadline for the Subrogation Plaintiffs to reply in support of their  
7 motion for class certification and provide any rebuttal expert reports related to class  
8 certification is September 15, 2025. After conferring with defendants, the  
9 Subrogation Plaintiffs shall propose a hearing date at the same they file the reply.

10           **D.     Discovery**

11           10.    Fact discovery shall be completed on or before February 3, 2025.

12           11.    Subrogation Plaintiffs shall provide expert reports unrelated to class  
13 certification on or before April 1, 2025.

14           12.    Defendants shall provide any expert reports unrelated to class  
15 certification on or before June 2, 2025.

16           13.    Subrogation Plaintiffs shall provide any rebuttal expert reports  
17 unrelated to class certification on or before August 1, 2025.

18           14.    Depositions of the Subrogation Plaintiffs' experts will be completed on  
19 or before October 1, 2025.

20           15.    Depositions of Defendants' experts will be completed on or before  
21 December 1, 2025.

22           **E.     Dispositive Motions**

23           16.    Dispositive motions shall be filed on or before February 12, 2026. The  
24 Parties will file by November 1, 2025 written proposals for how to best and most  
25 efficiently proceed with dispositive motions given the number of claims at issue in  
26 this matter.

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28 \_\_\_\_\_  
<sup>5</sup> "Class Plaintiffs" refers to the group of Subrogation Plaintiffs who seek certification of a class, as referenced in paragraph 6 of the ACC.

1 17. Briefs in opposition to dispositive motions shall be filed on or before  
2 March 26, 2026.

3 18. Reply briefs in support of dispositive motions shall be filed on or before  
4 April 23, 2026.

5 **F. Trial**

6 19. Trial(s) will commence after the Court rules on all pending dispositive  
7 motions. Before setting the trial date(s), the Court will entertain proposals for how  
8 to best and most efficiently proceed with trial(s) on any issues and/or claims that are  
9 not resolved by dispositive motions.

10 **G. Proposed Timetable Schedule**

<b>Event</b>	<b>Deadline</b>
<b>Initial Disclosures (for Subrogation Plaintiffs, KA, and HMA)</b>	<b>February 15, 2024</b>
<b>KA and HMA's Answer to Amended Consolidated Complaint</b>	<b>February 15, 2024</b>
<b>KC and HMC's Motion to Dismiss Amended Consolidated Complaint on Personal Jurisdiction Grounds</b>	<b>February 23, 2024</b>
<b>Opposition to Motion to Dismiss</b>	<b>March 22, 2024</b>
<b>Reply in Support of Motion to Dismiss</b>	<b>April 5, 2024</b>
<b>Fact Discovery Completion</b>	<b>February 3, 2025</b>
<b>Production of Subrogation Plaintiffs' Expert Reports (unrelated to class certification)</b>	<b>April 1, 2025</b>
<b>Production of Defendants' Expert Reports (unrelated to class certification)</b>	<b>June 2, 2025</b>
<b>Motion for Class Certification</b>	<b>June 30, 2025</b>
<b>Production of Subrogation Plaintiffs' Rebuttal Expert Reports (unrelated to class certification)</b>	<b>August 1, 2025</b>

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<b>Opposition to Motion for Class Certification</b>	<b>August 15, 2025</b>
<b>Reply in Support of Motion for Class Certification</b>	<b>September 15, 2025</b>
<b>Depositions of Plaintiffs' Experts</b>	<b>October 1, 2025</b>
<b>Dispositive Motion Proposals</b>	<b>November 1, 2025</b>
<b>Depositions of Defendants' Experts</b>	<b>December 1, 2025</b>
<b>Dispositive Motions</b>	<b>February 12, 2026</b>
<b>Oppositions to Dispositive Motions</b>	<b>March 26, 2026</b>
<b>Replies in Support of Dispositive Motions</b>	<b>April 23, 2026</b>
<b>Trial</b>	<b>Trial(s) will commence after the Court rules on all pending dispositive motions. Before setting the trial date(s), the Court will entertain proposals for how to best and most efficiently proceed with trial(s) on any issues and/or claims that are not resolved by dispositive motions.</b>

1 The Court intends to hold regular in-person status conferences. The Court  
2 sets the first conference for March 4, 2024 at 3:00 p.m. Two weeks in advance, the  
3 Court will issue a tentative agenda. One week in advance, any party may submit  
4 additional topics. The Court finds it helpful to discuss informally upcoming issues  
5 before moving to motions practice or other formal steps. The Court has found that  
6 non-binding directional guidance from the Court is of assistance to all.

7  
8 **IT IS SO ORDERED.**

9  
10 Dated: January 31, 2024



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The Honorable James V. Selna  
United States District Judge