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## Volkswagen, Audi to pay \$80M to settle suits over leaks, faulty drainage

**Tuesday, August 3, 2010**

BY PETER J. SAMPSON  
THE RECORD  
STAFF WRITER

NEWARK – Volkswagen and Audi will pay out more than \$80 million to settle a pair of class action lawsuits over leaky sunroofs and faulty drainage systems involving 3 million automobiles built between 1997 and 2009, lawyers for the plaintiffs said Tuesday.

The settlement, which caps more than three years of litigation, provides about \$70 million in reimbursements and vehicle modifications, maintenance instructions to prevent future water damage, and nearly \$10 million in fees and expenses to the attorneys representing the class.

U.S. Magistrate Judge Patty Shwartz approved the final settlement on Monday.

The two class action suits were filed in May 2007 and later consolidated. They alleged design defects in the sun roof and fresh air plenum drainage systems that led to clogging of drains and drain valves, resulting in damage to vehicle interiors and to certain electronic components.

"For years, they would basically tell people it's your fault, and blame them for failing to keep their cars clear of leaves, pine needles and debris," said class counsel Adam M. Slater of Roseland. "They called it outside influences."

Slater, along with Samuel P. Sporn of New York City, represented 5.5 million owners and lessees of the defective VW and Audi models manufactured over a 13-year period.

"We turned the tables through many depositions of people working for Audi and Volkswagen [who] admitted the reason this was happening was because of the design" and construction of the drain systems and valves, Slater said.

"One of the key parts of the settlement is they've now told all these millions of people here's how to keep these drains clean," he said. "But the reason they weren't doing that, according to the depositions, was because if they admit it's a maintenance issue, it also makes it a warranty issue [and] they would have had to pay a lot of warranty claims they weren't paying."

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1. Tuesday August 3, 2010, 8:45 PM - **Rule 91** says:  
Long history of this with Audi. In the mid-70's many of their 4-cylinder engines needed valve jobs after less than 40,000 miles due to defective valve guides. It took 4 years to get them to fess up and repay owners who had laid out \$900 or more for repairs.
2. Tuesday August 3, 2010, 7:53 PM - **Evelyn\_\_102** says:  
We leased a 2002 A6 - and the entire time we had it, every time it rained heavily, the front passenger seat foot well would fill ankle-deep with rain water. The dealer must have cleaned and dried the carpets several times - and no matter what we did, the car always smelled like spoiled milk or food. We turned it in when the lease was up, instead of keeping it. Now I am glad we did!

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