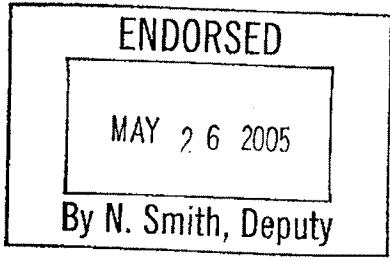


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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO

Coordination Proceeding
Special Title (Rule 1150(b))

Department Number: 29
Case Number: JCCP NOS. 4266 & 4270

FORD EXPLORER CASES

Included Actions:

- Tomplins v. Bridgestone/Firestone, Inc.*
Sacramento County Super. Ct. Case No. 03AS0391
- Katz v. Bridgestone/Firestone, Inc.*
Los Angeles Super. Ct. Case No. BC279458
- Gray v. Ford Motor Co.*
Sacramento Super. Ct. Case No. 03AS04782
- Montoya and McLachaln v. Ford Motor Co.*
Sacramento Super. Ct. Case No 03AS05213

**ORDER CORRECTING CLASS
DEFINITION AND CERTIFYING
CORRECTED CLASS**

On April 27, 2005, having received, considered, and determined to follow the Court of Appeal's April 19, 2005 directive regarding Defendant Ford Motor Company's Petition for Writ of Mandate, and upon conducting proceedings regarding the same, this Court vacated the Class definition set forth in the February 8, 2005 Order granting Plaintiffs' motion for class certification (the "Class Certification Order"). The Court

1 further instructed Plaintiffs to submit a proposed corrected Class definition on or before
2 April 29, 2005, and ordered Ford to submit a response to the same on or before May 13,
3 2005. Both parties have since complied with this Court's instructions.

4 This Court finds that Plaintiffs submitted a corrected Class definition that comports
5 with the Court of Appeal's April 19, 2005 directive, and is consistent with Plaintiffs'
6 theory of recovery and this Court's intent in granting Plaintiffs' motion for class
7 certification and entering the Class Certification Order. Having reconsidered the
8 arguments of the parties as presented in their original moving papers and at the lengthy
9 oral argument held on December 20, 2004; having conducted further proceedings on April
10 27, 2005 in conjunction with a previously scheduled Status Conference; and having
11 considered the additional arguments presented by both parties on the Class definition
12 issue, for the reasons set forth in the Class Certification Order of February 8, 2005, which
13 are adopted herein by reference, this Court again finds that class certification is appropriate
14 here.
15

16
17 Accordingly, the Class Certification Order is hereby REAFFIRMED and
18 REINSTATED, provided however that the Class definition set forth on page sixteen (16),
19 lines six (6) through ten (10) of the Class Certification Order is corrected, and the Class is
20 hereby defined as follows:
21

22 All California residents, including persons and entities, who bought,
23 owned or leased new or used 1991-2001 model year Ford Explorers
24 in California between 1990 and August 9, 2000, and who either (a)
25 currently own, lease or operate the vehicle(s) or (b) sold or whose
26 lease for such vehicle(s) expired or otherwise terminated after
27 August 9, 2000.

28 This order is made without prejudice to defendant to challenge the legal and factual
merit of substantive theories and claims of proposed class members (e.g. those who


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acquired Explorers by lease, gift and who otherwise still own their vehicle) by motions for summary judgment or summary adjudication. (*Linder v. Thrifty Oil Co.*, (2000) 23 Cal 4th 429, 438-43; *Chamberlan v. Ford Motor Co.*, (2005) 402 F.3d 952).

Counsel for the parties shall appear before the Court for a further Status Conference at 10:00 a.m. on June 1, 2005, prepared to discuss the Class notice program and the revised litigation schedule to be included in Case Management Order No. 4.

IT IS SO ORDERED.

Date: 5-26-05


HONORABLE DAVID DE ALBA
Judge of the Superior Court of California,
County of Sacramento



** A Certificate of Mailing is attached**

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SACRAMENTO SUPERIOR AND MUNICIPAL COURTS

IN AND FOR THE COUNTY OF SACRAMENTO

CERTIFICATE OF SERVICE BY MAILING

(C.C.P. Sec. 1013a(3))

I, the Clerk of the Sacramento Superior and Municipal Court District, County of Sacramento, State of California, certify that I am not a party to this cause, and on the date shown below I served the foregoing **ORDER CORRECTING CLASS DEFINITION AND CERTIFYING CORRECTED CLASS** by depositing true copies thereof, enclosed in separate, sealed envelopes with the postage fully prepaid, in the United States Mail at Sacramento, California, each of which envelopes was addressed respectively to the persons and addresses shown below:

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I, the undersigned deputy clerk, declare under penalty of perjury that the foregoing is true and correct.

Dated: MAY 26 2005

Superior Court of California,
County of Sacramento

By: N. SMITH
NITA SMITH, CLERK 