



THE BOOK OF LETTERS:

A PLEA FOR PASSAGE OF PENDING LEGISLATION PROVIDING FOR “JUST COMPENSATION” TO ACCIDENT VICTIMS LEFT BEHIND IN THE GM BAILOUT

Tab 1: Executive Summary

Tab 2: Legislative Summary

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Tab 4: Victim Letters to House Members

Tab 5: Victim Letters to Senators

Presented By:

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I. EXECUTIVE SUMMARY

To save a few hundred million dollars so that its ownership interests in “New GM” would be worth that much more after the bailout of General Motors in 2009, the federal government intentionally left behind \$936 million in projected pre-bankruptcy claims of accident victims with personal injury products liability claims. As a result, these victims collected only pennies on the dollar on their claims in the GM bankruptcy case. Meanwhile, the government simultaneously agreed to assume in full and without discount \$60 billion in pre-bankruptcy claims of GM’s trade vendors, unions, retirees, and senior executives, among others. In so doing, the government targeted the accident victims to bear a disproportionate share of the burden of the bailout, even threatening the bankruptcy court that it would abandon the bailout, declare GM in default, and force it into liquidation if the accident victims’ successor liability claims against New GM were not extinguished in the final bankruptcy court order approving the bailout.

The letters that follow were written by or on behalf of accident victims forsaken by the government in the General Motors bailout. Some tell of the daily struggles of victims and their families in coping with their permanent disabling injuries without adequate resources. Others tell of lives cut short and the uncompensated losses that shattered their families.

This Book of Letters contains the pleas of nearly 100 accident victims across the country for your support of H.R. 7016, a bill introduced by Congressman Troy Carter on March 9, 2022 that affords “just compensation” to the GM accident victims. This bill provides that victims holding “allowed” (*i.e.*, settled) personal injury claims in the General Motors bankruptcy case will be awarded “just compensation” by the government for its having unfairly targeted these claims for extinguishment in the bailout while concurrently assuming \$60 billion in liabilities—including all ordinary course payables—in full.

Notably, the bill provides that this settlement—estimated at \$1 billion—will be funded through the Judgment Fund, a permanent, indefinite appropriation for the satisfaction of judgments, awards, and compromise settlements against the United States, regardless of amount. *See generally* 31 U.S.C. § 1304. H.R. 7016, therefore does not require a separate Congressional appropriation. Further, as noted in the Legislative Summary at Tab 2, this legislative fix is consistent with legislation adopted in the 1999 Omnibus Appropriations Act that enabled a class action settlement of economic discrimination claims against the government by African-American farmers despite the fact that many of these claims were barred by a two-year statute of limitations.

633 accident victims with “allowed” personal injury products liability claims against GM were abandoned by the government in the bailout. They are scattered throughout 45 of the 50 states. As shown at Tab 3, they collectively received at most only \$75 million in the GM bankruptcy, representing just 8% of the \$936 million projected owing. H.R. 7016 rectifies this gross disparity in treatment and rights a wrong the government needlessly created.

The federal government’s treatment of the accident victims in the GM bailout left them and their families broken-hearted and crushed. H.R. 7016 provides the means for their just compensation. We urge your support for inclusion of H.R. 7016 in the Fiscal Year 2023 Appropriations Bill.

For further background, please visit www.forgottenGMbailoutvictims.org.

II. LEGISLATIVE SUMMARY AND ITS PRECEDENT

Congress has the power to pay moral debts of the United States and it “may recognize its obligation to pay a moral debt not only by direct appropriation, but also by waiving an otherwise valid defense to a legal claim against the United States.” *United States v. Sioux Nation of Indians*, 448 U.S. 371, 397 (1980).

To correct the injustice dealt the accident victims in the GM bailout, the victims seek bipartisan support for H.R. 7016, the text of which follows at ATTACHMENT 1. This bill waives the statute of limitations for a Fifth Amendment class action takings case brought on behalf of the accident victims in *Campbell v. United States*, a case filed in the United States Court of Federal Claims on July 9, 2015 but dismissed by the court on statute of limitations grounds. In affirming that dismissal, the Court of Appeals for the Federal Circuit rejected plaintiffs’ argument that the limitations period expired six years after the July 10, 2009 closing date of the bailout (*i.e.*, when plaintiffs’ successor liability claims against New GM were actually extinguished). It held instead that the case should have been filed no later than July 1, 2015, the six-year anniversary of the date the draft sale order authorizing the extinguishment of these claims was purportedly uploaded to the bankruptcy court. *Campbell v. United States*, 932 F.3d 1331 (Fed. Cir. 2019), *cert. denied* 141 S. Ct. 444 (2020).

Precedent for passage of the statute of limitations waiver in H.R. 7016 is found in the Fiscal Year 1999 Omnibus Appropriations Act, which similarly waived the statute of limitations applicable to a class action (captioned *Pigford v. Glickman*) that African-American farmers filed against the government alleging that the U.S. Department of Agriculture (“USDA”) long discriminated against them in connection with various loan and economic support programs. The *Pigford* complaint asserted claims extending as far back as 1981 even though most of the class claims (*i.e.*, those accruing before 1995) were barred by the two-year statute of limitations of the Equal Credit Opportunity Act. Though the government wanted to voluntarily waive the statute of limitations defense and settle the case, the Office of Legal Counsel opined that the statute of limitations implicates sovereign immunity and the statute of limitations defense can only be waived by Congress; it cannot be waived by the Department of Justice or any other agency of the Executive Branch. 22 Op. O.L.C. 127, 128 (1998).

Recognizing the injustice of barring these farmers from asserting discrimination claims older than two years, Congress solved the problem by inserting into the 920-page Fiscal Year 1999 Omnibus Appropriations Act a one-page piece of legislation that waived the applicable two-year statute of limitations for these cases. See ATTACHMENT 2.

Following passage, the government soon settled the *Pigford* class action, thereby allowing the entire class to share in a \$1 billion settlement, nearly \$800 million of which was paid from the Judgment Fund. See generally *Pigford v. Glickman*, 185 F.R.D. 82, 113 (D.D.C. 1999); Tadlock Cowan & Jody Feder, *The Pigford Cases: USDA Settlement of Discrimination by Black Farmers*, Cong. Research Serv., RS20430 at 3 (2013).

In addition to waiving the statute of limitations, H.R. 7016 directs payment of “just compensation” to the accident victims at 2.5 times the “allowed” (*i.e.*, settled) amount of their claims in the GM bankruptcy case, plus interest and court-approved fees and costs, all without offset of any kind. This multiple is necessary so that the aggregate recovery to the GM accident victims roughly equates to the projected \$936 million in pre-bankruptcy personal injury products liability claims at the time of the GM bailout. The legislation further provides that this estimated \$1 billion settlement is to be paid from the Judgment Fund.

ATTACHMENT 1

I

117TH CONGRESS
2D SESSION

H. R. 7016

To waive the statute of limitations for cases against the government related to the General Motors bailout that were filed on or before July 9, 2015, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2022

Mr. CARTER of Louisiana introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To waive the statute of limitations for cases against the government related to the General Motors bailout that were filed on or before July 9, 2015, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “General Motors Bail-
5 out Act of 2022”.

1 **SEC. 2. SETTLEMENT OF ACCIDENT VICTIM LITIGATION RE-**
2 **LATED TO THE GENERAL MOTORS BAILOUT;**
3 **WAIVER OF STATUTE OF LIMITATIONS.**

4 (a) Any eligible civil action arising from the filing of
5 an eligible complaint alleging a violation of the takings
6 clause of amendment V to the United States Constitution
7 is not subject to any statute of limitations.

8 (b) The United States shall pay just compensation
9 to an eligible claimant, consistent with amendment V to
10 the Constitution of the United States, to resolve an eligible
11 claim. Just compensation payments to eligible claimants
12 shall be made pursuant to section 1304 of title 31, United
13 States Code.

14 (c) If a settlement agreement has not been submitted
15 to the court presiding over an eligible complaint within
16 30 days after the date of enactment of this Act, the Attor-
17 ney General shall submit a report to Congress describing
18 the reasons why a settlement agreement was not reached
19 with counsel of record to an eligible complaint.

20 **SEC. 3. DEFINITIONS.**

21 For purposes of this Act, the following definitions
22 shall apply:

23 (1) The term “eligible claim” means a claim as-
24 serted in an eligible complaint on behalf of all eligi-
25 ble claimants.

1 (2) The term “eligible claimant” means a plain-
2 tiff, class member, or putative class member in re-
3 spect of the eligible complaint who holds an eligible
4 claim and who filed a proof of claim in the bank-
5 ruptcy case captioned *In re Motors Liquidation*
6 Company, et al., No. 09–50026 (Bankr. S.D.N.Y),
7 based on death or personal injuries that were caused
8 by or attributable to alleged defects in motor vehi-
9 cles designed for operation on public roadways, or by
10 the component parts of such motor vehicles, and in
11 each case, manufactured, sold, or delivered by Gen-
12 eral Motors Corporation or any of its subsidiaries on
13 or before June 1, 2009.

14 (3) The term “eligible complaint” means the
15 complaint filed with the United States Court of Fed-
16 eral Claims by or on behalf of eligible claimants on
17 July 9, 2015, captioned *Campbell, et al., v. United*
18 States, No. 15–717, alleging violation by the United
19 States of amendment V to the Constitution in con-
20 nection with the acquisition on July 10, 2009, by
21 NGMCO, Inc., a United States Treasury-sponsored
22 entity, of substantially all the assets of General Mo-
23 tors Corporation.

24 (4) The term “just compensation” means pay-
25 ment of a lump-sum amount equal to the sum of—

1 (A) 2.5 times the “allowed amount” listed
2 on the final claims register filed on June 3,
3 2021, in the In re Motors Liquidation Company
4 bankruptcy case in respect of a proof of claim
5 filed by or on behalf of an eligible claimant,
6 plus

7 (B) interest thereon, plus

8 (C) reasonable court-approved fees and
9 costs to counsel of record on the eligible com-
10 plaint, all without offset of any kind.

11 Interest shall accrue on all eligible claims from July
12 10, 2009, to the effective date of settlement at a
13 rate of three and one-half percent (3.5 percent) per
14 annum, compounded quarterly.

○

ATTACHMENT 2

PUBLIC LAW 105-277—OCT. 21, 1998

112 STAT. 2681-30

SEC. 737. Section 512(d)(4)(D)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(d)(4)(D)(iii)) is amended by inserting before the semicolon the following: “, except that for purposes of this clause, antibacterial ingredient or animal drug does not include the ionophore or arsenical classes of animal drugs”.

SEC. 738. (a) None of the funds appropriated or otherwise made available to the Secretary by this Act, any other Act, or any other source may be used to issue the final rule to implement the amendments to Federal milk marketing orders required by subsection (a)(1) of section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253), other than during the period of February 1, 1999, through April 4, 1999, and only if the actual implementation of the amendments as part of Federal milk marketing orders takes effect on October 1, 1999, notwithstanding the penalties that would otherwise be imposed under subsection (c) of such section.

(b) None of such funds may be used to designate the State of California as a separate Federal milk marketing order under subsection (a)(2) of such section, other than during the period beginning on the date of the issuance of the final rule referred to in subsection (a) through September 30, 1999.

(c) For purposes of this section, a rule shall be considered to be a final rule when the rule is submitted to Congress as required by chapter 8 of title 5, United States Code, to permit congressional review of agency rulemaking and before the Secretary of Agriculture conducts the producer referendum required under section 8c(19) of the Agricultural Adjustment Act (7 U.S.C. 608c(19)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

SEC. 739. Whenever the Secretary of Agriculture announces the basic formula price for milk for purposes of Federal milk marketing orders issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, the Secretary shall include in the announcement an estimate, stated on a per hundredweight basis, of the costs incurred by milk producers, including transportation and marketing costs, to produce milk in the different regions of the United States.

SEC. 740. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 335 of Public Law 104-127.

SEC. 741. WAIVER OF STATUTE OF LIMITATIONS. (a) To the extent permitted by the Constitution, any civil action to obtain relief with respect to the discrimination alleged in an eligible complaint, if commenced not later than 2 years after the date of the enactment of this Act, shall not be barred by any statute of limitations.

7 USC 2279 note.

(b) The complainant may, in lieu of filing a civil action, seek a determination on the merits of the eligible complaint by the Department of Agriculture if such complaint was filed not later than 2 years after the date of enactment of this Act. The Department of Agriculture shall—

(1) provide the complainant an opportunity for a hearing on the record before making that determination;

(2) award the complainant such relief as would be afforded under the applicable statute from which the eligible complaint arose notwithstanding any statute of limitations; and

(3) to the maximum extent practicable within 180 days after the date a determination of an eligible complaint is sought under this subsection conduct an investigation, issue a written determination and propose a resolution in accordance with this subsection.

(c) Notwithstanding subsections (a) and (b), if an eligible claim is denied administratively, the claimant shall have at least 180 days to commence a cause of action in a Federal court of competent jurisdiction seeking a review of such denial.

(d) The United States Court of Federal Claims and the United States District Court shall have exclusive original jurisdiction over—

(1) any cause of action arising out of a complaint with respect to which this section waives the statute of limitations; and

(2) any civil action for judicial review of a determination in an administrative proceeding in the Department of Agriculture under this section.

(e) As used in this section, the term “eligible complaint” means a nonemployment related complaint that was filed with the Department of Agriculture before July 1, 1997 and alleges discrimination at any time during the period beginning on January 1, 1981 and ending December 31, 1996—

(1) in violation of the Equal Credit Opportunity Act (15 U.S.C. 1691 et seq.) in administering—

(A) a farm ownership, farm operating, or emergency loan funded from the Agricultural Credit Insurance Program Account; or

(B) a housing program established under title V of the Housing Act of 1949; or

(2) in the administration of a commodity program or a disaster assistance program.

(f) This section shall apply in fiscal year 1999 and thereafter.

(g) The standard of review for judicial review of an agency action with respect to an eligible complaint is de novo review. Chapter 5 of title 5 of the United States Code shall apply with respect to an agency action under this section with respect to an eligible complaint, without regard to section 554(a)(1) of that title.

7 USC 2279d.

SEC. 742. In any claim brought under the Rehabilitation Act of 1973 and filed with the Secretary of Agriculture after January 1994 resulting in a finding that a farmer was subjected to discrimination under any farm loan program or activity conducted by the United States Department of Agriculture in violation of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Secretary of Agriculture shall be liable for compensatory damages. Such liability shall apply to any administrative action brought before the date of enactment of this Act, but only if the action is brought within the applicable statute of limitations and the complainant sought or seeks compensatory damages while the action is pending.

SEC. 743. Public Law 102–237, Title X, Section 1013(a) and (b) (7 U.S.C. 426 note) is amended by striking “, to the extent practicable,” in each instance in which it appears.

SEC. 744. Funds made available for conservation operations by this or any other Act, including prior-year balances, shall be available for financial assistance and technical assistance for the purpose of constructing the Franklin County Lake Project,

KEY STATISTICS

Number of Accident Victims with "Allowed" / Settled Claims in GM BK Case	642
Number of States with Accident Victims Holding "Allowed Claims" in BK Case	45
Aggregate Amount of Filed Proofs of Claim of Accident Victims in GM BK Case	\$ 3,507,355,914
Aggregate Amount of "Allowed" / Settled Claims for Distribution Purposes in GM BK Case	\$ 247,411,130
Aggregate "Allowed" Claims as a % of the Aggregate Filed Proofs of Claim	7.1 %
Maximum Total Distributions to Holders of "Allowed Claims" at 30%	\$ 74,223,339
Maximum Distributions on "Allowed Claims" in BK Case as % of Filed Proofs of Claim	2.1 %
Projected Accident Victim Claims per AON Risk Consulting Analysis at 3/31/2009	\$ 936 Million
Maximum Distributions on "Allowed Claims" in BK Case as % of Projected Accident Claims	7.9%

STATE-BY-STATE ANALYSIS

<u>CLAIMS SUMMARY BY STATE (INCL. CANADA)</u>	<u>NUMBER OF CLAIMANTS</u>	<u>AMOUNT SOUGHT IN FILED PROOFS OF CLAIM IN GM BANKRUPTCY CASE</u>	<u>AMOUNT "ALLOWED" / SETTLED IN GM BANKRUPTCY CASE</u>	<u>MAXIMUM AMOUNT PAID VICTIMS IN GM BANKRUPTCY CASE</u>	<u>MAXIMUM % PAID ON FILED PROOFS OF CLAIM IN GM BANKRUPTCY CASE</u>
Alabama	35	257,800,000	17,812,500	5,343,750	2.1%
Alaska	0	--	--	--	--
Arizona	35	135,237,500	7,825,417	2,347,625	1.7%
Arkansas	5	13,750,000	1,605,000	481,500	3.5%
California	64	394,471,827	25,242,234	7,572,670	1.9%
Colorado	11	121,575,000	6,735,000	2,020,500	1.7%
Connecticut	3	16,657,027	1,525,000	457,500	2.7%
Delaware	0	--	--	--	--
Florida	24	189,134,400	10,456,038	3,136,811	1.7%
Georgia	14	49,394,503	3,000,000	900,000	1.8%
Hawaii	0	--	--	--	--
Idaho	0	--	--	--	--
Illinois	26	153,816,136	9,708,500	2,912,550	1.9%
Indiana	9	5,238,790	964,384	289,315	5.5%
Iowa	3	60,170,000	779,000	233,700	0.4%
Kansas	3	20,250,000	2,250,000	675,000	3.3%
Kentucky	7	8,807,125	1,782,000	534,600	6.1%
Louisiana	21	52,623,404	4,173,300	1,251,990	2.4%
Maine	1	25,000	25,000	7,500	30.0%
Maryland	8	14,600,000	700,000	210,000	1.4%
Massachusetts	11	101,690,408	3,120,000	936,000	0.9%
Michigan	29	137,637,834	12,781,100	3,834,330	2.8%
Minnesota	5	34,081,232	2,950,000	885,000	2.6%
Mississippi	12	60,626,576	1,171,767	351,530	0.6%
Missouri	24	286,100,000	13,465,000	4,039,500	1.4%
Montana	3	8,750,000	1,962,500	588,750	6.7%
Nebraska	1	15,000,000	250,000	75,000	0.5%
Nevada	1	100,000	25,000	7,500	7.5%
New Hampshire	3	11,712,869	245,000	73,500	0.6%
New Jersey	9	84,950,000	2,436,000	730,800	0.9%
New Mexico	3	1,957,325	230,000	69,000	3.5%
New York	26	121,235,000	23,653,750	7,096,125	5.9%
North Carolina	3	5,850,000	135,000	40,500	0.7%
North Dakota	2	250,000	87,500	26,250	10.5%
Ohio	11	55,200,900	10,641,000	3,192,300	5.8%
Oklahoma	3	12,155,000	806,500	241,950	2.0%
Oregon	4	3,863,487	622,500	186,750	4.8%
Pennsylvania	32	165,362,865	20,117,971	6,035,391	3.6%
Rhode Island	2	2,055,000	385,000	115,500	5.6%
South Carolina	10	36,705,975	1,647,732	494,320	1.3%
South Dakota	1	1,500,000	125,000	37,500	2.5%
Tennessee	6	5,609,139	171,639	51,492	0.9%
Texas	136	555,091,085	39,487,798	11,846,339	2.1%
Utah	2	1,533,876	152,000	45,600	3.0%
Vermont	0	--	--	--	--
Virginia	6	37,530,962	650,000	195,000	0.5%
Washington	5	13,262,913	420,000	126,000	1.0%
West Virginia	7	14,537,095	850,000	255,000	1.8%
Wisconsin	6	59,085,000	7,413,000	2,223,900	3.8%
Wyoming	1	145,000,000	3,750,000	1,125,000	0.8%
Canada	9	35,370,660	3,075,000	922,500	2.6%
TOTALS	642	3,507,355,914	247,411,130	74,223,339	2.1%

SELECT VICTIM LETTERS TO U.S. HOUSE MEMBERS

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18 April 2022

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The Honorable Troy Carter
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Dear Congressman Carter,

I write on behalf of residents of your district to thank you for recently introducing legislation to waive the statute of limitations for cases against the government related to the General Motors ("GM") bailout. This legislation not only impacts my clients, but approximately 640 other victims and families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors cars. Justice was denied them when the federal government bailed out GM in 2009. Congress can help right this wrong by providing just compensation to them. The bill you introduced on March 9, 2022 is a critical step towards that end.

The GM Camero that Kathy Hamilton was driving was clipped by a tractor trailer, causing her car to spin out of control. The rear impact to her car, however, also caused the car's defectively designed gas tank to explode. Kathy, her son Joshua, and Joshua's friend Coleton Craft burned to death in the crash. Kathy's daughter was able to crawl from the car and survived. Words cannot adequately convey the anguish and loss felt daily by Kathy's husband and her daughter Brittany. The unfair treatment of them by our own government in the GM bailout only compounded that pain.

Our lawsuit against GM on behalf of the surviving family members was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

The Honorable Troy Carter

18 April 2022

Page 2

Notably, there are 21 accident victims from Louisiana with “allowed” claims in the GM bankruptcy case. These 21 victims filed proofs of claim totaling \$52,623,404. The aggregate “allowed” claims of these 21 victims, however, were squeezed down to only \$4,172,300 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$1.25 million) at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM to liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Your bill puts these claimants more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

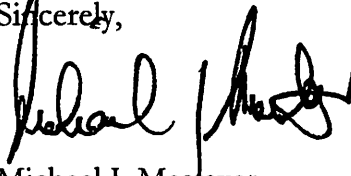
The Honorable Troy Carter

18 April 2022

Page 3

We will forever be appreciative and thankful for your efforts. You have truly shown us the one thing we have been in search for—compassion. Your compassion has made the unimaginable possible. We are certain that your efforts will bring us justice. From all of us--thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Mestayer", written over the word "Sincerely,".

Michael J. Mestayer

Attorney for the Hamilton Family

MJM:ebp

cc: Senator John Kennedy, 416 Russell Senate Office Building, Washington, D.C. 20510
Senator Bill Cassidy, 520 Hart Senate Office Building, Washington, D.C. 20510

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April 22, 2022

By Electronic Mail to:
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The Honorable Troy Carter
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Washington, DC 20515

Dear Congressman Carter,

I represent E-5 Sergeant James Brown, Jr., a resident of your district and want to thank you on behalf of him and his wife Linda for introducing legislation to waive the statute of limitations for cases against the government related to the General Motors ("GM") bailout. As you know, this legislation not only impacts E-5 Sergeant James Brown, Jr., but approximately 630 other victims and families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors cars. Justice was denied to so many of them when the federal government bailed out GM in 2009. Congress can right this wrong by giving them justice. The introduction of your bill is a critical step to that end.

Sergeant Brown is a decorated veteran who, after 23 years of service to our country, had reached the rank of E-5 Sergeant in the United States Army. He was stationed early in his career in Panama and fought in the 1991 Iraq war. On the fateful day of his accident on July 27, 2003, he left his base at Fort Polk, Louisiana and was on his way home for a final visit when a distracted driver on I-49 slammed at full speed into the back of the vehicle in which he was sitting. The force of the impact caused the vehicle to roll the length of two football fields. The defective back seat in which he was sitting snapped from its hinges and projected him through the back windshield while still strapped in. The injuries he sustained were very severe, including breaks at each of cervical vertebrae C2 through C7. The doctors said it was only because he never saw car coming—and so was completely relaxed—that his entire spine didn't snap, rendering him a quadriplegic. To this day he needs his wife's constant daily attention to his needs.

Our lawsuit against GM on behalf of Sergeant Brown was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot adequately convey the anguish and suffering the Browns experience daily since the day of the accident. That anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims. To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers."

The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

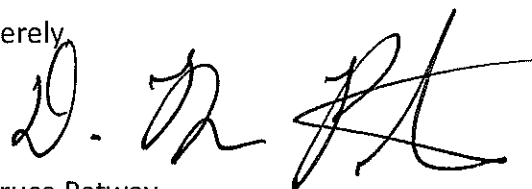
Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

Your legislation corrects the injustice dealt the Browns in the bailout. Words cannot express the appreciation we have for your having introduced this legislation that justly compensates them and the other GM accident victims left behind in the bailout for the government's actions in stripping them of their claims against the government successor to Old GM. You have truly shown us the one thing we have been in search for—compassion. Your compassion has made the

The Honorable Troy Carter
April 22, 2022
Page 3

unimaginable possible. We are certain that your efforts will bring them justice. From all of us--
thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "D. Bruce Petway". The signature is stylized with a large, looped "D" and a long, sweeping horizontal stroke at the end.

D. Bruce Petway,

GALLACHER LAW

MICHAEL G. GALLACHER, ESQ.

110 MARKET STREET

MOSCOW, PA 18444

(570)319-6472

Fax (570)319-6613

mgallacherlaw@gmail.com

www.nepacounsel.com

March 30, 2022

The Honorable Matt Cartwright
2102 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Cartwright,

As a resident of your district, I write to ask for your support of HR 7016. The Bill involves an important matter impacting my client's estate, the family he left behind (also residents of your district), and approximately 630 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") vehicles. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

On November 12, 2007, 36 year old Brian Taft was broadsided by a drunk driver while pulling out of a parking lot in his GM pickup truck. The only injuries Brian sustained were a couple of broken ribs, but he was burned alive in his vehicle after the crash because the defectively designed "side-saddle" gas tank exploded upon impact. He left behind a widow, a two (2) year old son (Brian Jr.) and an eight (8) year old daughter. The other driver had minimal insurance coverage and a claim was filed against GM for the defectively designed vehicle. After suit was filed and extensive discovery took place, General Motors declared bankruptcy as part of the United States government's plan to "bail out" the auto industry. As part of that plan, we submitted a proof of claim for \$10,000,000. Through the process established by the government for resolving such claims, this was squeezed down to \$3,500,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On that "allowed" claim, the payout was only around 30%, which also had to cover our attorney's fees and costs. Since then, the Tafts have struggled greatly. Words cannot

adequately convey the hardships, anguish, and loss they feel daily.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. In fact, I had written to President Obama at the time asking that the accident victims be taken care of. Instead, they were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the Tafts and those of the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result makes no sense to us since the case was filed within six years of the date the GM sale closed and the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed sale order, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know the Tafts are not seeking some windfall; just to be made whole and treated fairly. Their claims, and those of the other accident victims were not the cause of GM's problems. They trusted that their vehicles would run properly and that they would be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on their claims against GM.

Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of HR 7016 to justly compensate the Tafts and others for their losses. They simply seek payment for what's rightfully due them, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016, which directs the federal government to pay just compensation on the

Tafts' claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael G. Gallacher".

Michael G. Gallacher, Esq.
Attorney for the Tafts and
the Estate of Brian Taft

cc: Senator Bob Casey, Jr.
Senator Pat Toomey

Michele A. McDade
102 Ridgeview Drive
Scranton, Pennsylvania 18504
Tel: (570) 343-7009
Email: MicheleMcDade@hotmail.com

March 31, 2022

The Honorable Matt Cartwright
2102 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Cartwright,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, [HR 7016](#), which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

In October 2008, my husband Mark and I were driving down I-80 in our GM car when the passenger side airbag of our car spontaneously detonated and ripped across the side of my head and right arm. The force of the impact was so great that it gave me a whiplash and caused extensive brush burns and bleeding to the right side of my arm. I continue to suffer to this day with chronic neck pain from the nape of my neck all the way down my back. As a result of the injury, I now have chronic rheumatoid arthritis in my neck and have long been forced to use my own resources to cover my physical therapy needs.

In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate. I'll never understand how the government could have acquired GM without making sure that the allowed claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors.

Please know I am not seeking some windfall; just to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted our new vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

The Honorable Matt Cartwright

March 31, 2022

Page 2

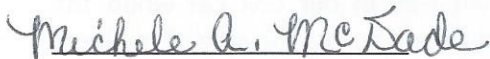
Once the bailout was over, we still hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of HR 7016 to justly compensate us for our losses. We simply seek payment for what's rightfully due us, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016. This legislation directs the federal government to pay "just compensation" to me and the other GM accident victims on account of the government's causing their successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider my plea.

Sincerely,



Michele A. McDade

cc: Senator Bob Casey, Jr., 393 Russell Senate Office Building, Washington, D.C. 20510
Senator Pat Toomey, 455 Dirksen Senate Office Building, Washington, D.C. 20510

JEFF AND RHONDA PARKER

**848 County Road 125
Berry, Alabama 35546**

March 9, 2022

The Honorable Robert Aderholt
266 Cannon House Office Building
Washington, DC 20515

Dear Congressman Aderholt,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

My daughter Brittany was a kind, friendly, beautiful, and loving young woman in the prime of her life when a car in which she was a passenger flipped and rolled off the road. A defective seat belt and attachment, combined with a defective roof design, resulted in massive brain trauma that detached Brittany's skull from her brain and left her unable to talk or control her body. She lives at home, is debilitated for life, and requires constant care.

The \$50,000,000 in personal injury claims we filed in the GM case on account of Brittany's injuries were squeezed down to \$2,750,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On that "allowed" claim, the payout was only around 30%, which also had to cover our attorney's fees and costs. Since then, we have been reliant on our personal resources and Medicaid, but these have proven inadequate to provide any meaningful rehabilitation therapy for Brittany. Words cannot adequately convey the hardships and anguish we face daily in simply attending to Brittany's needs.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

The Honorable Robert Aderholt
March 9, 2022
Page 2

In 2015, a lawsuit was brought against the government for forcing our successor liability claims and those of the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to us since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; we just want to be made whole and treated fairly. Our claims, and those of the other accident victims were not the cause of GM's problems. We trusted our vehicles would run properly and that we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims against GM.

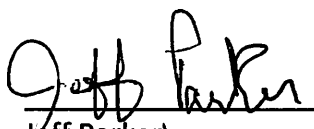
Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

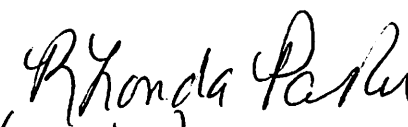
Please show your compassion and lend your support to the attached proposed legislation that is awaiting introduction soon and that directs the federal government to pay just compensation for our claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like Brittany can be viewed at <https://forgottengmbailoutvictims.org>. Attached to this letter is a thumb drive demonstrating not only the liability of General Motors but the very serious nature of Brittney's injury, damages and the effect on her whole family. **WARNING: Parts of this video presentation are graphic and may be disturbing to some viewers.**

Thank you so very much for taking the time to consider our plight.

Sincerely,


(Jeff Parker)
(Father)


(Rhonda Parker)
(Mother)

**Rose Hill
1123 Street Road
Jasper, Alabama 33504
Tel: (205) 300-4505
Email: RoseMHill743@gmail.com**

March 9, 2022

The Honorable Robert Aderholt
266 Cannon House Office Building
Washington, DC 20515

Dear Congressman Aderholt,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to me and hundreds of other GM victims. I humbly request your support to advance such a worthy effort.

My son Michael was a good, smart, and ambitious young man in his second year of college at Bevil State, majoring in nursing with plans to someday become an optometrist, when in 2005 his car spontaneously caught on fire, causing Michael to lose control of the car and crash. Michael burned alive and died at the scene of the accident.

The \$10,000,000 wrongful death claim we filed for him in the GM case was squeezed down to \$800,000 as the lawyers representing GM forced me into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On that "allowed" claim, the payout was only around 30%, which was eaten up by attorneys and others. Not a day goes by where I don't mourn about the loss of my son and the intense suffering he had to endure at the end of his life.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

The Honorable Robert Aderholt
March 9, 2022
Page 2

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of our daughter and the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; I just want to be made whole and treated fairly. The claims of my son and the other accident victims were not the cause of GM's problems. We trusted our vehicles would run properly and that we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims against GM.

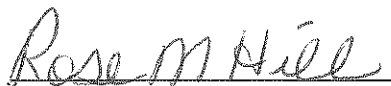
Once the bailout was over, I hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that were paid in full in the bailout.

Please show your compassion and lend your support to the attached proposed legislation that is awaiting introduction soon and that directs the federal government to pay just compensation for our claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like me can be viewed at <https://forgottengmbailoutvictims.org>

Thank you so very much for taking the time to consider our plight.

Sincerely,



Rose M. Hill

cc: United States Senator Richard Shelby
United States Senator Tommy Tuberville

Jamain Antuan Risher
119 Partridge Lane
Varnville, South Carolina 29944
Tel: (803) 942-5235
Email: rachelgrisher29918@gmail.com

April 12, 2022

The Honorable James E. Clyburn
242 Cannon House Office Building
Washington, DC 20515

Dear Congressman Clyburn,

My family and I have been residents of your district for generations. In fact, you knew my grandfather, Mr. James Risher, who was Mayor of Gifford for 40 years. Over 15 years ago, my sister Stacey and I were teenagers driving around when our GMC Tahoe suddenly veered off the road. As it rolled over, the vehicle's faulty roof design and seat belt harness system caused us to be ejected from the vehicle, killing my sister Stacey and leaving me with severe head and back injuries from which I have never fully recovered. Fortunately, my son Jamian LaNorris, who was with us and three at the time suffered only minor injuries. I'm proud to say, he'll be a freshman in the University of South Carolina's Engineering program starting this summer, majoring in Mechanical Engineering.

Our lawsuit against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot adequately convey the anguish and loss my extended family and I feel daily. That pain was only compounded by the miserable treatment our own government reserved for us in the bailout.

We'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 10 accident victims from South Carolina (including myself and my father on behalf of my sister's estate) with "allowed" claims in the GM bankruptcy case. They further tell me that these 10 accident filed proofs of claim totaling \$36,705,975 but their allowed" claims in the case were squeezed down to only \$1,647,732 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 25-30% was paid on that "allowed" amount, which also had to cover attorney's fees and costs, leaving most accident victims with virtually nothing.

The Honorable James E. Clyburn
April 12, 2022
Page 2

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

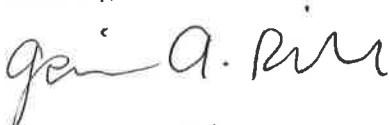
Please know my family and I are not seeking some windfall; just to be treated fairly. Our claims and those of the other accident victims were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider our plea.

Sincerely,



Jamian Antuan Risher

cc: Senator Lindsey Graham, 290 Russell Senate Office Building, Washington, D.C. 20510
Senator Tim Scott, 104 Hart Senate Office Building, Washington, D.C. 20510



CARIMI LAW FIRM

A Law Corporation

March 10, 2022

The Honorable Steve Scalise
2049 Rayburn House Office Building
Washington, DC 20515

Dear Steve,

As an old friend and an attorney practicing in your district, I write to bring to your attention a very important matter impacting my clients, Kevin Chadwick and his parents James and Judith Chadwick, and approximately 650 other victims and the families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied them when the federal government bailed out GM in 2009 but left out these severely injured accident victims, injured due to defects in their GM cars. Congress can right this wrong by restoring justice to the Chadwicks and hundreds of other GM victims. We humbly request your support to advance such a worthy effort.

Kevin was driving his Chevrolet Beretta back to LSU where he was a petroleum engineer in his senior year. A pickup truck ran a stop sign and crashed into his Beretta. Kevin was paralyzed from the neck down. The injury was caused by a defective seat belt and a defectively designed hood latch and hood hinge system that allowed the hood to invade the passenger compartment and strike Kevin in the head, causing permanent traumatic injury to his brain and confining him to a wheelchair. Kevin has limited brain function and is basically a quadriplegic. He is tragically completely aware of his condition and limitations but is trapped in his non-functioning body. He relies primarily on his now aging parents and the generosity of family and friends to perform normal activities of daily life. He suffers from constant pain and his care needs increase with each passing year. With limited financial resources, Kevin is unable to receive necessary assistance with even the most mundane of tasks such as his personal care needs. With each passing year, Kevin's needs increase and with no hope in sight, he faces a dark and uncertain future. Simply put, GM's defective design has devastated his and his parents' life.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The GM accident victims were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while it left behind a few hundred million dollars in claims of accident victims behind. These segregated victims were only paid pennies on the dollar years down the road from the GM bankruptcy estate.

This forced accident victims like my client to rely entirely on substandard coverage through medicaid for ongoing medical care. I'm sure I speak for all the accident victims left behind when I state that these burdens have been horribly overwhelming for them, their families, and those close to them.

CARIMI LAW FIRM

In 2015, a lawsuit was brought against the government for forcing the accident victims' successor liability claims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall, they just want to be made whole. The claims of the accident victims were not the cause of GM's problems. They trusted GM's vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their products liability claims against GM.

Once the bailout was over, we hoped the government would make the Chadwicks whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt the accident victims in the bailout, we seek your support for HR 7016 that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that the Chadwicks and other accident victims left behind in the bailout are justly compensated for their losses.

Please show compassion to the GM accident victims and lend your support to the legislation introduced yesterday by Congressman Troy Carter (HR 7016) that directs the federal government to pay the accident victims the just compensation due them. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like the Chadwicks can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider the plight of my clients.

Sincerely,



Darryl J. Carimi,
Attorney for the Chadwicks
Carimi Law Firm, A Law Corporation
25507 Cardinal Court
Bush, Louisiana 70431
(504) 669-5603

cc: United States Senator John Kennedy
United States Senator Bill Cassidy

Linda Heck
78500 Nettles Road
Covington, Louisiana 70435
Tel: (985) 705-0995
Email: LHeck@stph.org

March 10, 2022

The Honorable Steve Scalise
2049 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Scalise,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

In 2009, I was involved in an accident in which my GM car's airbag failed to deploy, and as a result broke my sternum and left hand. But I only recovered pennies on the dollar on the claim filed by my attorneys on my behalf in the GM bankruptcy case.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing my successor liability claims and those of other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date the victims had no reason to know of since they were not privy to those behind-the-scenes legal proceedings.

The Honorable Steve Scalise
March 10, 2022
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Please know I am not seeking some windfall; I just want to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted our vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected my own government would leave him behind to collect pennies on the dollar on his claims.

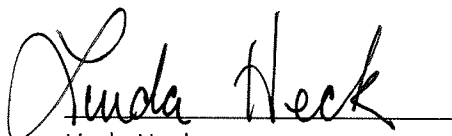
Once the bailout was over, every GM victim hoped to be made whole by the government. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of legislation introduced yesterday by Congressman Troy Carter (HR 7016) that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of the accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plight.

Sincerely,



Linda Heck

cc: United States Senator John Kennedy
United States Senator Bill Cassidy

Denise Cece-York
8 Wildwood Lane
Norwalk, Connecticut 06850
Tel: (203) 286-6247
Email:

dceceyork@aol.com

April 20, 2022

The Honorable Christopher Murphy
136 Hart Senate Office Building
Washington, DC 20510

Dear Senator Murphy,

I am a resident of Connecticut. I was driving a General Motors car that was hit from behind as I was making a left turn. The defective seat in the vehicle broke flinging me backward at impact with such force that my neck broke, rendering me an incomplete quadriplegic. Words cannot adequately convey the pain, anguish, and loss my family and I feel daily as a result of my injury. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and has significantly limited my treatment, care, and rehabilitation options.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions were less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me there are three accident victims from Connecticut with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$16,657,027. The "allowed" claims of these claims, however, were squeezed down to only \$1,525,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$450,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a

The Honorable Christopher Murphy
April 20, 2022
Page 2

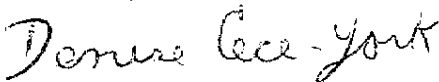
date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall. My claim, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely



Denise Cece-York

cc: Senator Richard Blumenthal, 706 Hart Senate Office Building, Washington, D.C. 20510
Congresswoman Rosa DeLauro, 2413 Rayburn House Office Building, Washington, D.C. 20515
Congressman James Himes, 2137 Rayburn House Office Building, Washington, D.C. 20515

Joseph Strimber, Esquire
6317 Park Heights Avenue, Suite 503
Baltimore, MD 21215
443-838-8486
Joseph.strimber@gmail.com

April 4, 2022

The Honorable C. A. Dutch Ruppersberger
2206 Rayburn House Office Building
Washington, DC 20515-2002

Dear Congressman Ruppersberger,

I represent the estate of Joan A. Vaught, who lived for over 30 years at 505 Old Home Road in your district, and want to bring to your attention an important matter impacting her estate and approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from General Motors vehicles that were either defectively made or negligently operated by General Motors ("GM") employees. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to my client's family and the hundreds of other GM accident victims and their families. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, [HR 7016](#), which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

Ms. Vaught was a registered nurse who was involved in a car accident involving a GM vehicle before the GM bankruptcy filing. She asserted a claim against GM for her injuries and has an allowed claim in the GM bankruptcy that represents a compromised settlement amount. On that "allowed" claim, however, the payout was only around 30% many years later and this amount also had to cover the attorney's fees and costs associated with the case. Mrs. Vaught, has since passed away, leaving the estate with a void because Mrs. Vaught had to pay for continuing treatments on account of her injuries that—but for the bankruptcy—would have been covered by GM.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. They were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit

The Honorable C. A. Dutch Ruppersberger

April 4, 2022

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was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result makes no sense to me since the case was filed within six years of the date the GM sale closed and of the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be made whole and treated fairly. The claims of Ms. Vaught, and those of the other accident victims, were not the cause of GM's problems. They trusted GM vehicles would run properly and, where owned by GM, would be driven safely by their employees and that they'd be made whole by GM where this was not the case. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their claims against GM.

Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of [HR 7016](#) to justly compensate the estate of Ms. Vaught and the other accident victims. We simply seek payment for what was rightfully due, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout without reduction or compromise.

Please show your compassion and lend your support to HR 7016. This legislation directs the federal government to pay "just compensation" to the estate of Ms. Vaught and the other GM accident victims on account of the government's causing their successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Sincerely,

Joseph Strimber, Esq.

Joseph Strimber, Attorney for the Estate of Joan A. Vaught

cc: Senator Ben Cardin, 509 Hart Senate Office Building, Washington, D.C. 20510

Senator Chris Van Hollen, 110 Hart Senate Office Building, Washington, D.C. 20510

The Segars Law Firm



Attorneys & Counselors

April 23, 2022

via FedEx (tracking #814758112308)

The Honorable Brenda L. Lawrence
2463 Rayburn House Office Building
Washington, DC 20515-2214

Re: H.R. 7016 - General Motors Bailout Act of 2022

Dear Congresswoman Lawrence,

As a lawyer with an office in your district, I write to bring to your attention an important matter impacting two decedent estates I represent regarding fatal injuries sustained as a result of a defective GM vehicle; specifically, the Estate of Eloise Jack (“the Jack Estate”) and the Estate of Cherral Horton (“the Horton Estate”). I might add that Arthur V. Jack, Jr., a Ford Motor Co. engineer and Eloise Jack’s son, is the Jack Estate’s Personal Representative, and has resided in your hometown, Southfield, Michigan, going back to when you were Mayor.

Eloise Jack and her sister-in-law, Cherral Horton, who were both residents of Congressman Troy Carter’s district, were returning to Louisiana from a graduation ceremony at Clark Atlanta University in Atlanta, Georgia and sitting in the middle row of a GM minivan, when their vehicle was involved in a rollover accident. The other occupants of their vehicle sustained no significant injuries, but the defectively designed seat belts worn by Mrs. Jack and Ms. Horton in the middle row seats virtually severed them in half upon impact and they both died within days of the accident, leaving stunned family members behind. Words cannot adequately convey the anguish and loss felt daily by their families since the day of the accident. That pain was only compounded by the miserable treatment the government reserved for them in the GM bailout.

Our lawsuits against GM on behalf of the Jack and Horton Estates was primed for settlement when, at the government’s direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We’ll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM’s corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 29 accident victims from Michigan with “allowed” claims in the GM bankruptcy case. These 29 victims filed proofs of claim totaling \$137,637,834. The aggregate “allowed” claims of these 29 victims, however, were squeezed down to only \$12,781,100 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or \$3,834,330) was paid on those “allowed” amounts, which also had to cover attorney’s fees and costs.

To justify the government’s callous disregard of the accident victims’ rights, the government’s so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team’s misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized

their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidation, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [H.R. 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea. As always, should you have any questions or comments, please feel free to contact me, and I remain. . .

Very truly yours,



Darryl K. Segars

Attorney for the Estates of Eloise Jack and Cherral Horton

cc: Senator Debbie Stabenow, 731 Hart Senate Office Building, Washington, DC 20510
Senator Gary C. Peters, 724 Hart Senate Office Building, Washington, DC 20510
Congressman Troy Carter, 506 Cannon House Office Building, Washington, DC 20515
Jacqueline Elliott (via email only jacqueline.elliott@mail.house.gov)
Arthur V. Jack, Jr., Personal Representative for the Jack Estate (via email only)
Heather Horton, Esq., Co-Personal Representative for the Horton Estate (via email only)
Holli Horton Hampton, Co-Personal Representative for the Horton Estate (via email only)

DKS/bt

Karen F. McTavish
8298 Layton Court
Frederick, Maryland 21704
Tel: (202) 494-5267
Email: McTavishKF@gmail.com

March 30, 2022

The Honorable David Trone
1110 Longworth Rayburn House Office Building
Washington, DC 20515

Dear Congressman Trone,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

In 2008, my father was rear-ended at a stop sign by a driver. As a result of a defective seat and seat belt design, my father died in the crash. The \$10,000,000 wrongful death claims filed by on behalf of my father's estate was squeezed down to \$500,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On this "allowed" claim, the payout was only around 30%, which also had to cover the attorney's fees and costs associated with the case. Words cannot adequately convey the anguish and loss felt daily by me and the other members of my family since the day of the accident.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. They were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result makes no

The Honorable David Trone
March 30, 2022
Page 2

makes no sense to us since the case was filed within six years of the date the GM sale closed and of the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not party to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; just to be made whole and treated fairly. The claims of the GM accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected their own government would leave them behind to collect pennies on the dollar on their claims against GM.

Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of HR 7016 to justly compensate us and the other accident victims left behind in the GM bailout. We simply seek payment for what's rightfully due, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016, which directs the federal government to pay just compensation to my father's estate on account of the government's causing his successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider my plea.

Sincerely,



Karen F. McTavish

cc: Senator Ben Cardin, 509 Hart Senate Office Building, Washington, D.C. 20510
Senator Chris Van Hollen, 110 Hart Senate Office Building, Washington, D.C. 20510

**Laura Steinaway
16013 Pear Drive
Biloxi, Mississippi 39532
Tel: (228) 806-2662
Email: kaservices2@gmail.com**

March 31, 2022

The Honorable Steven Palazzo
2349 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Palazzo,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

A defective airbag in my GM vehicle exploded, rendering me unconscious. They found my car in a ditch. I suffered a ripped aortic valve from the explosion. The valve now needs to be replaced and I'm reliant on my own resources to cover surgical and rehabilitation needs.

In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims like me behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate. I'll never understand how the government could have acquired GM without making sure that the allowed claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors.

Please know I am not seeking some windfall; just to be fairly compensated for my losses at the hands of the government in the bailout. The claims of the accident victims were not the cause of GM's problems. We trusted our new vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

The Honorable Steven Palazzo
March 31, 2022
Page 2

Once the bailout was over, we still hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of HR 7016 to justly compensate me and the other accident victims for our losses. We simply seek payment for what's rightfully due us, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016, which directs the federal government to pay just compensation on our claims against GM that were left behind in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Sincerely,


Laura Steinaway

cc: Senator Roger Wicker, 555 Dirksen Senate Office Building, Washington, D.C. 20510
Senator Cindy Hyde-Smith, 702 Hart Senate Office, Washington, D.C. 20510

Dorcas E. Williams
3158 E Avenue H8
Lancaster, California 93535
Tel: (818) 486-1492
Email: WilliamsDorcas@yahoo.com

April 6, 2022

The Honorable Mike Garcia
1535 Longworth House Office Building
Washington, DC 20515

Dear Congressman Garcia,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 630 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

In 2008, my GM car was rear-ended, and instead of the airbag deploying, the steering wheel popped off at such a velocity that it caused significant injuries to my neck, back, head and face. The force of the wheel was so strong that it knocked out one of my teeth, causing it to become lodged in my neck. The pain was so severe in my back that I required several epidural treatments. I continue to suffer to this day with chronic neck and back pain, along with facial and neck scars. I would like to resume rehabilitation treatments, but am unable to do so as I have inadequate personal resources to cover my physical therapy needs.

In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate. I'll never understand how the government could have acquired GM without making sure that the allowed claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors.

Please know I am not seeking some windfall; just to be made whole. The claims of the accident victims were not the cause of GM's problems. I trusted my vehicle would run properly. When it didn't, I expected to be made whole by GM if there were product defects. I never expected to be caught in the middle of a massive government bailout, and certainly never expected our my government would leave the accident victims behind to collect pennies on the dollar.


Once the bailout was over, I still hoped the government would honor its commitment to make me whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of HR 7016 to justly compensate the GM accident victims for their losses. We simply seek payment for what's rightfully due us, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates us for our losses and puts us more on par with the holders of \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,


Dorcas E. Williams

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, D.C. 20510
Senator Alex Padilla, B03 Russell Senate Office Building, Washington, D.C. 20510

AKIN, WEBSTER & MATSON, P.C.

Attorneys At Law
544 Mulberry Street

Danny L. Akin
Joy R. Webster
Robert M. Matson

Suite 400
P.O. Box 1773
Macon, Georgia 31202-1773

Telephone
(478) 742-1889
Fax (478) 742-7101

April 22, 2022

The Honorable Drew Ferguson
1032 Longworth House Office Building
Washington, DC 20515

Dear Congressman Ferguson,

I write to bring to your attention to an important matter impacting my client, Linda Miller, a resident of your district. Mrs. Miller's husband, Johnny Calvin Miller, was involved in an accident that resulted in the front end of his vehicle becoming submerged in a body of water. Three separate safety systems failed and he drowned to death while locked inside his vehicle. Words cannot adequately convey the pain, anguish, and loss felt daily by the Miller family. That pain and anguish was only compounded by the miserable treatment the government reserved for her in the bailout.

Her case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 14 accident victims from Georgia with "allowed" claims in the GM bankruptcy case. These 14 victims filed proofs of claim totaling \$49,394,503. The aggregate "allowed" claims of these 14 victims, however, were squeezed down to only \$3,000,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$900,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the

The Honorable Drew Ferguson

April 22, 2022

Page 2

bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not some windfall on behalf of our client. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Yours truly,



Robert M. Matson
Attorney for Linda Miller

cc: Senator Jon Ossoff, 455 Russell Senate Office Building, Washington, D.C. 20510
Senator Raphael Warnock, 455 Russell Senate Office Building, Washington, D.C. 20510
Congressman Sanford Bishop, 2407 Rayburn House Office Building, Washington, D.C., 20515

R. LEWIS VAN BLOIS

BOARD CERTIFIED CIVIL TRIAL SPECIALIST
NATIONAL BOARD OF TRIAL ADVOCACY

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NANCY HORAN, PARALEGAL
AMY ROSSITTO, PARALEGAL

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Modesto, CA 95354
(209) 478-2400

San Jose Office
2150 North First Street, 4th Floor
San Jose, CA 95131
(408) 943-8820

April 21, 2022

The Honorable Barbara Lee
2470 Rayburn House Office Building
Washington, DC 20510

Dear Congresswoman Lee,

I am a personal injury attorney in Oakland, California and a long time supporter of your efforts to achieve justice for victims caused by negligence and defective products of manufacturers and other defendants in Alameda County. I represent Camille Ravetto, a resident of your district, for the wrongful death of her father Ronald A. Ravetto on October 15, 2008. Her father Ronald Ravetto was driving a 2002 Chevrolet Astro Van westbound on Interstate 580 in the Altamont Pass of Alameda County, California. He was involved in a collision with a tractor-trailer rig. Instantly smoke and flames came out of the van's engine compartment. Mr. Ravetto's legs were pinned in the vehicle. Although he was alive talking to a motorist who stopped to help him, the engine fire burned completely out of control. Although multiple passerbys used multiple portable fire extinguishers to attempt to put out the engine fire, the fire intensified and completely engulfed Mr. Ravetto, causing his painful death.

We engaged the services of Mr. Cam Cope, an Auto Fire and Safety expert, to investigate the cause of the fire, its spread and the circumstances that made it impossible for the rescuers to put out the fire. Mr. Cope prepared a complete investigation and prepared a report documenting a number of deadly deficiencies in the General Motors van. The master cylinder was dangerously located directly over the engine exhaust manifold and in the collision 10 ounces of highly flammable brake fluid came in direct contact with the hottet component of the engine compartment, causing it to ignite and move rapidly into the passenger compartment where highly flammable plastics were used, causing it to burn so hot and rapidly that the fire extinguishers could not put it out.

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April 21, 2022
page 2

This is a strong defective product liability case. The failure to have a containment system to control the spread of the brake fluid, the improper location of dangerous fire causing materials in the engine compartment and passenger compartment were proof of a deadly defective product. In 1972 General Motors admitted the expectation that consumers should be entitled to have fire safety in vehicle crashes and not burn to death in a crash.

Ronald Ravetto died a most horrible and unnecessary death being burned alive. His only child, Camille Ravetto, born July 4, 1998, lost her father and had to live without his financial support, love and affection. Camille was only 10 years old when her father burned to death. Ronald Ravetto was married to Ligia Ravetto and had recently celebrated their anniversary. Ligia has lost the financial support, love, and affection of her husband.

Ronald was a hard working father who earned close to \$100,000 a year. A complete economic damage analysis was prepared, based on the provable losses as of September 2011, as follows:

Past wage loss	\$ 240,000
Future wage loss	1,600,000
Loss of benefits	75,000
Loss of household services	350,000
Funeral expenses	<u>6,000</u>
	\$2,271,000

The non-economic damages for loss of the father of Camille Ravetto is a minimum of \$5,000,000. The total loss Camille Ravetto suffered was \$7,271,000.

For this devastating loss, Camille received \$473.80 in checks from the General Motors bankruptcy. She may have received a few dollars more that I was not informed about.

Unfortunately Camille Ravetto did not receive much of anything for the wrongful death of her father. Also as her attorney we received nothing for our years of work. We incurred legal expenses of \$27,811.23 for investigation, expert services, records, vehicle storage, and the mediator charges. We never received one cent for reimbursement of our legal costs. Thus, for all of the work to bring this case to a position for a reasonable multi-million settlement, we as her attorneys received nothing and lost \$27,811.23 in unreimbursed costs.

Her case against General Motor was ready for settlement when, at the government's direction, General Motors filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. The governmental agreed to pay \$60 billion of claims of General

Hon. Barbara Lee
re: HR 7016
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page 3

Motor's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. I have been informed that total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 64 accident victims from California with "allowed" claims in the General Motors bankruptcy case. I have been informed that these 64 victims filed proofs of claim totaling \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing General Motors forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$7.6 million) at most was paid on those "allowed" amounts.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the General Motors bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of General Motors in default, thereby forcing General Motors into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the General Motors accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our client Camille Ravetto. Her claims and those of the other accident victims were not the cause of General Motor's

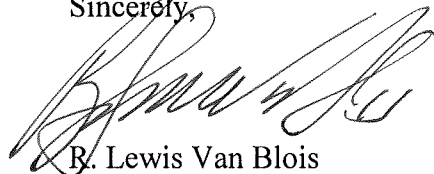
Hon. Barbara Lee
re: HR 7016
April 21, 2022
page 4

financial problems. They trusted General Motors vehicles would run properly and that they'd be made whole by General Motors if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

I have been informed that there are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors cars. Justice was denied to them when the federal government bailed out General Motors in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the General Motors bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against General Motors that were paid in full without reduction or compromise after the government took control of General Motors in bailout.

Thank you very much for taking the time to consider our plea. I am available to answer any questions you may have.

Sincerely,



R. Lewis Van Blois
Attorney for Camille Ravetto

RLVB/res

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, DC 20510
Senator Alex Padilla, B03 Russell Senate Office Building, Washington, DC 20510

April 24, 2022

Larry A. Nothwehr
9704 Iron Horse Rd.
Woodbury MN 55129
Ph 651-683-2525
Email: lanothwehr@hotmail.com

The Honorable Betty McCollum
2256 Rayburn House Office Building
Washington DC 20515

Re: Justice for accident victims left behind after General Motors Bankruptcy and Bailout

Dear Congresswoman McCollum,

On March 27, 2006, my daughter, Meaghan Nothwehr, who was just fifteen years old at the time, was on a spring-break trip with a friend and her mother. The mother who was driving, lost control of the GM Yukon SUV. It spun off the highway and rolled over 6 – 7 times before colliding with great force into an abutment. My daughter was a passenger in the rear seat of the vehicle. The seat belt she was wearing did not properly restrain her, and, as a result, she was thrown upward into the roof of the vehicle and then partially ejected through the side window. As a result of this violent trauma she suffered a complete/displaced injury to her spinal cord at C7 – T1, and an extremely violent rotational traumatic brain injury. The left side of her face was totally degloved, and half of her left ear was torn off.

Meaghan was airlifted via helicopter to a level one trauma center in Memphis, TN where she underwent emergency surgery to repair two separate fractures to her spine. They also sutured the left side of her face back in place. She remained in intensive care there for nearly six weeks, and was then transported by ground ambulance back to IL where we resided at time. She then received continued intensive treatment at Marianjoy Rehabilitation Institute in Wheaton, IL where she remained a patient for the entire summer. She was finally discharged to home in September.

Meaghan is considered a 'high paraplegic' or tetraplegic, and has no voluntary control of her body below the lower edge of her sternum. She has no voluntary control of her bowel or bladder, cannot perspire below this level, and has decreased ability to take a deep breath due to partial enervation of the muscles that control her diaphragm. She takes over fifteen medications on a daily basis to compensate for this lack of voluntary function below her injury site. She receives a botox injection every six months to her bladder in order to control spasticity and associated urinary incontinence.

Most recently, this past August, 2021, Meaghan underwent very high risk surgery on her spinal cord, just below the brain stem, to reduce a syrinx or cyst that had developed at the C2 – C3 level. Approximately 3% of individuals who suffer a complete spinal cord injury have cysts like this later develop even years after the original spinal cord injury. If this syrinx or cyst had not been diagnosed in a timely matter, and had we not been so very fortunate to have her undergo surgery by a nationally renowned neurosurgeon who, luckily, practices here at Abbott Northwestern Hospital, she may well have lost neurological function at this higher level. This would have cost her her ability to breath on her own, and likely her ability to hear and speak, and the use of her upper extremities. Fortunately, this surgery was successful, and Meaghan maintains her current impaired baseline of function.

Our product liability case against General Motors was primed for settlement when, at the government's direction, GM filed for bankruptcy. They had the option, at the time of the bailout, provided by the President's Automobile Task Force, to purchase a liability policy that would have indemnified us as well as the other many 'victims' injured by unsafe GM vehicles. However, GM refused to purchase such a liability policy, and thereby refused to assume the claims of the various accident victims in the bailout. We will never understand how the government could have acquired GM without making sure that the claims of the accident victims were paid in full, or that they could at least have continued to have access to the courts to litigate their product liability cases in order that their damages could have been established by a jury or trier of fact.

The government agreed to pay \$60 Billion of claims of GM's corporate vendors, unions, and senior executives in full by the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 Million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 Million, or 7.1% of the projected claims of the various accident victims.

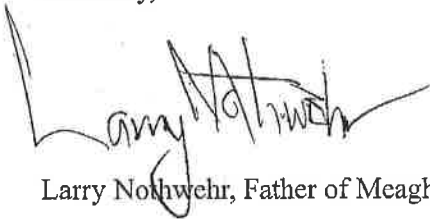
My lawyers tell me that there are five accident victims who now reside in Minnesota with "allowed" claims in the GM bankruptcy case. These persons filed proofs of claim with an aggregated total of \$34,081,232. The "allowed" amount of these claims in these cases, however, were squeezed down to only \$2,950,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30%, or approximately \$885,000 total, was paid on these allowed amounts. After deducting attorneys fees and expert witness fees incurred during the preparation of Meaghan's case, we were left with virtually nothing.

Please know we are not seeking some windfall. Meaghan's claims, and those of the other accident victims were not the cause of GM's financial problems. We trusted GM vehicles would run properly, and expected we would be made whole by if GM if there were provable product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected the government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 States who were injured, disabled, or killed before June 1, 2009 from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to the accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in the bailout.

Thank you very much for taking time to consider my plea.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Nothwehr", with a stylized flourish at the end.

Larry Nothwehr, Father of Meaghan Nothwehr

CC: Senator Amy Klobuchar, 425 Dirksen Senate Office Building, Washington, DC 20510
Senator Tina Smith, 720 Hart Senate Office Building, Washington, DC 20510

AUDREY MORALES
4656 Beech Ct.
Canfield, Ohio 44406
Tel: (330) 559-3008
Email: amyogaweightloss@yahoo.com

April 20, 2022

The Honorable Tim Ryan
2207 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Ryan,

I write to bring to your attention an important matter impacting the estate of my mother, Juanita Davis. The electronics and ignition on her car malfunctioned and shut down. My mother lost control of her General Motors vehicle. The car skidded into the wall of the exit ramp. My mom suffered severe head trauma, neck and back injury. The injuries sustained from the accident caused memory loss and lessened her ability to function with 100% clarity and judgement. My mom lost a significant amount of physical mobility due to her physical injuries and severe pain, leaving her physically disabled, not being able to drive or move about to carry out physical and daily activities. My Mom's injuries and multiple problems caused a steady decline in her health. My Mom passed in 2019 fighting until her death with GM to take responsibility and compensate her fully. Prior to her passing GM used their big giant attorneys to bully and manipulate, forcing her to agree to a very small unsecured claim threatening that GM filed Bankruptcy and she would not receive anything.

My mother due to her inability to make sound decisions after the accident and head injury did not hire an attorney but believed and trusted GM to negotiate honestly with her and compensate her due to their vehicle malfunctioning. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We understand that the government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout and that while the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale, total distributions to these claimants from the bankruptcy were only approximately \$74 million, or 7.1% of the projected accident victim claims.

I have learned that there are 11 accident victims from Ohio with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these 11 accident victims in the amount of \$55,200,900 in the aggregate. I also have learned that the aggregate "allowed" claims were squeezed down to only \$10,641,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the settlement amounts offered. My mother received nothing on her "allowed" claim.

Please know we are not seeking some windfall. My mother's claim, and those of the other accident victims, were not the cause of GM's Bankruptcy and financial problems. My mom and others had faith and trusted GM vehicles would run properly and that they would be made whole

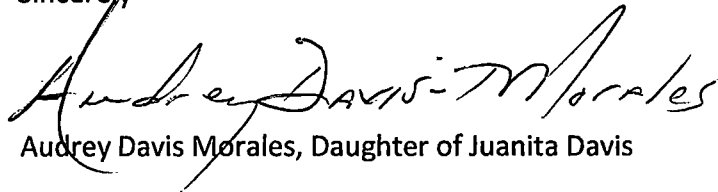
The Honorable Tim Ryan
April 19, 2022
Page 2

by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely

A handwritten signature in black ink that reads "Audrey Davis Morales". The signature is written in a cursive style with some capital letters. Below the signature, the name "Audrey Davis Morales" is printed in a standard font.

cc: Senator Sherrod Brown, 503 Hart Senate Office Building, Washington, D.C. 20510
Senator Rob Portman, 448 Russell Senate Office Building, Washington, D.C. 20510

**Ricardo Montelango
Edith Ortiz Montelango
13121 Parkside Terrace
Cooper City, Florida 33330
Tel: (954) 319-0327
Email: montelongo@riccedi.com**

March 9, 2022

The Honorable Debbie Wasserman Schultz
1114 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Wasserman Schultz,

As a resident of your district, we write to bring to your attention to an important matter impacting us and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to me and hundreds of other GM victims. We humbly request your support to advance such a worthy effort.

Our daughter Nicolette was a beautiful, sweet, smart, and ambitious girl, two weeks shy of starting college at FIU in 2004 when she was involved in a car accident. The defective exploding airbag in her GM car at impact threw her backwards at a speed of around 300 mph, breaking the seat back and seat belt restraint and propelling her through the back windshield. The brain injury she suffered has debilitated her for life. She lives at home with us and requires constant care. She can't even shower herself.

The \$10,000,000 claim we filed for her in the GM case was squeezed down to \$800,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments to us for years if we would not agree to this settlement amount. On that "allowed" claim, we received only around 30%, which was eaten up by our attorneys and by insurance companies who demanded recoupment of medical expenses. Since then, Medicaid has been totally inadequate to provide any meaningful rehabilitation therapy for Nicolette. Words cannot adequately convey the hardships and anguish we and Nicolette face daily in simply attending to her needs.

We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate. This forced accident victims like our daughter to rely entirely on substandard coverage through Medicaid for ongoing medical care. We're sure we speak for all the accident victims left behind when we state that these burdens have been horribly overwhelming for us, our family, and those close to us.

The Honorable Debbie Wasserman Schultz

March 9, 2022

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In 2015, a lawsuit was brought against the government for forcing the successor liability claims of our daughter and the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; we just want to be made whole. The claims of our daughter and the other accident victims were not the cause of GM's problems. We trusted our vehicles would run properly and that we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims against GM.

Once the bailout was over, we hoped the government would make us whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we seek your support for legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment of the full amount of our allowed claim in the GM bankruptcy, just like the \$60 billion in other allowed claims that were paid in full in the bailout.

Please show your compassion to our daughter and the other GM accident victims and lend your support to the attached proposed legislation that is awaiting introduction soon and that directs the federal government to pay us just compensation for our claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

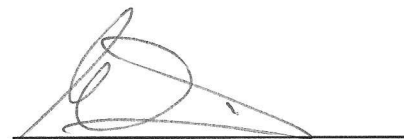
Additional background and a short video that details the of plight of people like me can be viewed at <https://forgottengmbailoutvictims.org>

Thank you so very much for taking the time to consider our plight.

Sincerely,



Ricardo Montelongo



Edith Ortiz Montelongo

cc: United States Senator Marco Rubio
United States Senator Rick Scott

March 9, 2022

The Honorable Debbie Wasserman Schultz
1114 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Wasserman Schultz,

As a resident of and attorney practicing in your district, I write to bring to your attention to an important matter impacting my client, Ms. Gail Rockwell and approximately 650 other victims and the families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied them when the federal government bailed out GM in 2009. Congress can right this wrong by restoring justice to Ms. Rockwell and hundreds of other GM victims. We humbly request your support to advance such a worthy effort.

As a result of a defective seatbelt in Ms. Rockwell's GM vehicle, Ms. Rockwell was ejected from her car and suffered a broken neck. Ms. Rockwell was rendered an incomplete quadriplegic. Ms. Rockwell has limited mobility and relies on the generosity of family and friends to perform normal activities of daily life. She suffers from constant pain and her care needs increase with each passing year. With limited financial resources, Ms. Rockwell is unable to receive necessary assistance with even the most mundane of tasks such as her personal care needs. Ms. Rockwell not only lives in constant pain, but also suffers from depression and anxiety. With each passing year Ms. Rockwell's needs increase and with no hope in sight, she faces a dark and uncertain future. Simply put, GM's defective seatbelt has devastated Ms. Rockwell's life.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The GM accident victims were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate. This forced accident victims like my client to rely entirely on substandard coverage through Medicaid for ongoing medical care. I'm sure I speak for all the accident victims left behind when I state that these burdens have been horribly overwhelming for them, their families, and those close to them.

The Honorable Debbie Wasserman Schultz
Page Two
March 9, 2022

In 2015, a lawsuit was brought against the government for forcing the accident victims' successor liability claims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall, she just wants to be made whole. The claims of the accident victims were not the cause of GM's problems. They trusted GM's vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their products liability claims against GM.

Once the bailout was over, we hoped the government would make her whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt the accident victims in the bailout, we seek your support for legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment of the full amount of my client's allowed claim in the GM bankruptcy, just like the \$60 billion in other allowed claims that were paid in full in the bailout.

Please show compassion to the GM accident victims and lend your support to the attached proposed legislation that has just been introduced by Congressman Troy Carter and directs the federal government to pay the accident victims their due. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like Ms. Rockwell can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider the plight of my client.

Sincerely,



Cam Justice, attorney for C. Gail Rockwell

cc: United States Senator Marco Rubio
United States Senator Rick Scott

Larry A. Brietzke
9286 Crow Lane
Adkins, Texas 78101
Tel: (210) 844-1607
Email: LarryABrietzke@gmail.com

April 15, 2022

The Honorable Henry Cuellar
2372 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Cuellar,

I am a resident of your district. My wife, my daughter, my son, and I were traveling back from a vacation in California when the General Motors SUV in which we our car skidded off the highway and rolled over. The well-documented defective roof design of the vehicle caused it to collapse, ejecting my wife and son from the vehicle during the rollover. My wife died as a result of the accident. I was declared dead at the scene, but miraculously survived, though with permanent severe neck, spine, and brain injuries. Words cannot adequately convey the pain and anguish my family and I feel daily. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and greatly limited my treatment and rehabilitation options.

We'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 136 accident victims from Texas (including me) with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$564,591,085. The "allowed" amount of these claims in the case, however, were squeezed down to only \$39,775,298 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$11.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late.

The Honorable Henry Cuellar

April 15, 2022

Page 2

late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

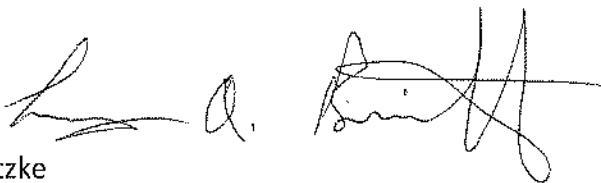
Please know I am not seeking some windfall; just to be treated fairly. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates us for our loss and puts us more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,

A handwritten signature in black ink, appearing to read 'Larry A. Brietzke', with a stylized flourish at the end.

Larry A. Brietzke

cc: Senator John Cornyn, 517 Hart Senate Office Building, Washington, D.C. 20510
Senator Ted Cruz, 127A Russell Senate Office Building, Washington, D.C. 20510

**Nicole Corcoran Allen
5 Dresden Court
Portland, Maine 04103
Tel: (207) 595-2832
Email: Nicole1818C@aol.com**

April 14, 2022

The Honorable Chellie Pingree
2162 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Pingree,

I am a resident of your district. I was putting my children into their cars seats in a General Motors minivan when the sliding door began to close shut. To stop my young child from getting caught in the door, I extended my arm into the vehicle. But instead of the door's reversing course when it touched my arm, it closed tightly on my arm and shoulder, causing considerable pain. Since then, my shoulder and arm have never been the same and I feel constant numbness in my shoulder and pain in my arm. Lacking meaningful compensation for the injury from GM, I have opted out of therapy for financial reasons. The miserable treatment of my claim by our government in the GM bailout only compounded my pain and limited my treatment options.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout. I personally only received 10 cents on the dollar on my claim.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; just to be treated fairly. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

The Honorable Chellie Pingree
April 14, 2022
Page 2

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,



Nicole Corcoran Allen

cc: Senator Susan Collins, 413 Dirksen Senate Office Building, Washington, D.C. 20510
Senator Angus King, 133 Hart Senate Office Building, Washington, D.C. 20510

ROBERTSON & WALL 670 N Clark St, Chicago, IL 60654-3483
Telephone (312) 943-7866 Fax (312) 469-1148
David H. Robertson, Jr. dave@robertsonwall.com

April 26, 2022

The Honorable Mike Quigley
2458 Longworth House Office Building
Washington, DC 20515

Dear Congressman Quigley,

I write to bring to your attention to an important matter involving my client, Tammy M. Cichy. Tammy is a 47-year old resident of River Grove in your Fifth Congressional District. I have known, represented, and worked with Tammy and members of her family for many years. On March 19, 2009, Tammy was injured, when driving on I-90, The Kennedy Expressway in Chicago. An axle of her General Motors car broke, sending her car spinning across the highway, where it crashed into the concrete retaining wall. She suffered multiple serious injuries, including compression fractures to four vertebra in her spine and a condition which led to tissue necrosis in her left hip. She developed cervical radiculopathy, post-traumatic depression and incontinence. Tammy continues to experience pain and limitations in her activities on a daily basis. She recently underwent facet epidural injections into her spine. The neurosurgeon is evaluating her for spinal fusion. Tammy and her family continue to experience pain, anguish, and other losses. But then, Tammy's pain and anguish then were compounded by the contemptible treatment the government accorded to victims of GM's negligence through the bankruptcy bailout process.

Tammy's case against GM was approved for settlement when, at the government's direction, GM filed for bankruptcy. GM and its insurers refused to assume the claims of the many accident victims. It is difficult to understand how the government could acquire GM without providing that the claims of accident victims would be paid in full. The government agreed to pay \$60 billion to satisfy the claims of GM's corporate vendors, unions, and the senior executives whose conduct led to GM's failure. By comparison, the aggregate claims of the accident victims, GM's own customers, were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there were 26 accident victims in Illinois with "allowed" claims in the GM bankruptcy case. These 26 victims filed proofs of claim totaling \$153,816,136. The aggregate "allowed" claims of these 26 victims, however, were squeezed down to only \$9,708,500 as GM's lawyers forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to accept the paltry settlement. Still worse, only around 30% (or approximately \$2.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs. Tammy received less than \$7,500 in GM stock as "compensation".

To justify the government's callous disregard of the many accident victims' rights, the government's so-called "Auto Team" justified their decision, because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble." The human cost clearly was ignored by GM's lawyers and the court.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished, as a violation of the Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that the order became effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date claimants had no reason to know of, as they were not privy to those behind-the-scenes legal proceedings.

The Honorable Mike Quigley
April 26, 2022
Page 3

Please know we do not seek some undue windfall for Tammy. She already has suffered for 13 years. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles were built properly and that they would be made whole by GM in cases of product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected that their own government would force them to collect pennies on the dollar.

There are at least 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, due to defective GM cars. Justice was denied to them in 2009, when the federal government bailed out GM and its management. Congress can correct this injustice by enacting the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). His bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It seeks compensation for their loss and puts them more on par with the \$60 billion in other allowed economic claims against GM that were paid in full without reduction or compromise after the government took control of GM. Parties with power and influence were paid, GM's customers and victims were not.

Thank you very much for taking the time to consider our plea. Tammy hopes you will pursue this legislation on behalf of herself and the many other victims of GM. Feel free to contact the undersigned should you have questions.

Sincerely yours,

ROBERTSON & WALL

David H. Robertson, Jr.

David H. Robertson, Jr.

cc: Senator Richard Durbin, 711 Hart Senate Office Building,
Washington, D.C. 20510
Senator Tammy Duckworth, 524 Hart Senate Office
Building, Washington, D.C. 20510

Douglas A. Scott
Matthew D. A. Scott

**LAW OFFICE OF
DOUGLAS A. SCOTT**

ATTORNEYS AT LAW

Lisa Fortier Scott, Office Manager

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(909) 980-9199
FAX (909) 980-9216

April 18, 2022

The Honorable Pete Aguilar
109 Cannon House Office Building
Washington, DC 20515

Dear Congressman Aguilar,

I write to bring to your attention to an important matter impacting my client, Jeanette Miksik. She was a passenger in a car that was involved in an accident. As of result of the defective seat belt in her General Motors Saturn car, the seat belt spooled out with no retraction and Ms. Miksik suffered severe traumatic brain injury. She was forced as a result to retire from her job as auditor for the County of San Bernardino. She currently has a special needs trust as a result of the accident. She has a great deal of difficulty in going about her daily life. Words cannot adequately convey the pain and anguish this tragic incident has been felt by her and her family. That pain and anguish was only compounded by the miserable treatment the federal government reserved for her in the bailout.

Our lawsuit against GM on behalf of my client was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 64 accident victims from California with "allowed" claims in the GM bankruptcy case. These 64 victims filed proofs of claim totaling \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$7.6 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team ~~repealed~~

bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be treated fairly. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely



Douglas A. Scott, Attorney for Jeanette Miksik

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, D.C. 20510
Senator Alex Padilla, 112 Hart Senate Office Building, Washington, D.C. 20510

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DARLA L. KEEN*
LAKE LYTAL, JR., P.A.
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JASON A. McINTOSH
KARI A. PETERSON
JACLYN REITER
JOSEPH J. REITER, P.A.°**
KEVIN C. SMITH, P.A.°
TRENT J. SWIFT**
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JORDAN C. EVERT (1981-2008)
° Board Certified Civil Trial Attorney
* Also admitted in Kentucky
** Also admitted in New York



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April 25, 2022

PARALEGALS
ROBERT BRADSHAW
KATHRYN B. CONNOR
LESLIE T. COOPER
TROY L. FLEMING
LISA D. FRENCH
MINDIE M. FUSCA
EMILIA HUNERBERG
TERESA KRELLNER
AMARYS REYES
IVETTE SANCHEZ
STEVEN SANCHEZ
DAVID SCHULTZ
KIMBERLY SIMPSON
JAMES E. WILLIAMS
CHIEF INVESTIGATOR
MARTY KERNER, M.S.
NURSE PARALEGALS
CYNTHIA MAZZUTO, R.N.

The Honorable Lois Frankel
2407 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Frankel,

I write to bring to your attention to an important matter impacting my client, Avelardo Vicente, a resident of your district. On July 11, 2006, Avelardo Vicente was operating a 2004 GMC Envoy northbound on the Turnpike, in Broward County, Florida. At approximately 8:06 p.m., Mr. Vicente came upon a traffic jam and attempted to brake to avoid colliding with other vehicles. However, as the asphalt was wet, his vehicle hydroplanned and he rear-ended a semi-tractor trailer.

At the time of the collision Mr. Vicente was traveling below the posted speed limit of 65 mph and the tractor trailer was traveling at approximately 35 mph. Mr. Vicente was not belted and unfortunately his airbag failed to deploy in this direct frontal collision.

Given the extent of the damage to the front end of the 2004 Envoy, it is absolutely clear the airbag should have deployed preventing Mr. Vicente from contacting the steering column resulting in quadriplegia. A download of the vehicle's black box confirmed the forces involved and the directions of force should have caused the airbag to fire.

Mr. Vicente's total medical bills were \$506,901.32. Mr. Vicente also had a Medicaid lien in the amount of \$200,777.65 and a lien in the amount of \$40,427.71 with The Brain and Spinal Institute. His future economics including wage loss and medical expenses were well over \$8,000,000.00. A copy of Mr. Vicente's Lifecare plan prepared by Sharon K. Kawai, MD, is attached hereto.

Also attached please find photographs depicting damage to the vehicle and steering column as a result of the airbag not deploying.

Words cannot adequately convey the pain, anguish, and loss felt daily by the Avelardo family. That pain and anguish was only compounded by the miserable treatment the government reserved for him in the bailout.

His case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout.



We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 24 accident victims from Florida with "allowed" claims in the GM bankruptcy case. These 24 victims filed proofs of claim totaling \$189,134,000. The aggregate "allowed" claims of these 24 victims, however, were squeezed down to only \$10,456,038 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$3.1 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not some windfall on behalf of our client. His claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never

The Honorable Lois Frankel
April 25, 2022
Page 3

expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely

A handwritten signature in black ink, appearing to be 'Lance C. Ivey', with a stylized, flowing script.

Lance C. Ivey, Attorney for Avelardo Vicente

cc: Senator Marco Rubio, 284 Russell Senate Office Building, Washington, D.C. 20510
Senator Raphael Warnock, 502 Hart Senate Office Building, Washington, D.C. 20510



LAW OFFICES

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Legal-Assistant: Christine Zak-Edmonds

April 4, 2022

The Honorable Cheri Bustos
1233 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Bustos:

I represent Timothy Montis, a resident of your district, to bring to your attention an important matter impacting him and approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to Tim, his family, and the hundreds of other GM accident victims and their families. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

By way of background to Tim's accident, it was the day after Christmas and he was driving a GM car when the steering wheel suddenly popped off, his car veered off the road, rolling multiple times and ejecting him through the sunroof. He was in a coma for 6 months, has only one-half normal lung capacity, and is in need of 24-hour care as he can't take care of himself at all. Since then, the Montis family has been reliant on their own personal resources and Medicaid to care for Tim, but these have proven inadequate to provide meaningful rehabilitation therapy and treatment. Words cannot adequately convey the hardships and anguish Tim and his family face daily in simply attending to his basic needs. His recovery in the bankruptcy case from Old GM was only about \$120,000, which also had to cover attorney's fees and costs.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. They were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to pay pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit

was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result makes no sense to me since the case was filed within six years of the date the GM sale closed and of the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be made whole and treated fairly. Their claims, and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their claims against GM.

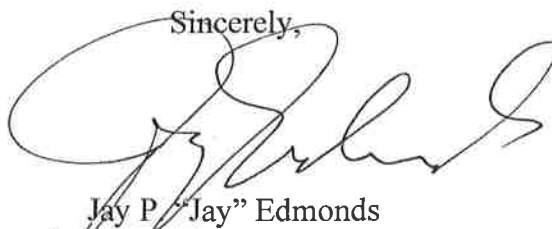
Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of HR 7016 to justly compensate Tim and the other accident victims. We simply seek payment for what was rightfully due, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout without reduction or compromise.

Please show your compassion and lend your support to HR 7016. This legislation directs the federal government to pay "just compensation" to Tim and the other GM accident victims on account of the government's causing their successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay P. Edmonds". The signature is fluid and cursive, with a large initial "J" and "E".

Jay P. "Jay" Edmonds
Attorney for Timothy Montis

cc: Senator Richard Durbin, 711 Hart Senate Office Building, Washington, D.C. 20510
Senator Tammy Duckworth, 524 Hart Senate Office Building, Washington, D.C. 20510

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Chris Cowan, Esq.

Chris@swcolaw.com

Licensed in Colorado and Texas

Meg Foley, Esq.

Meg@swcolaw.com

Licensed in Colorado and New Mexico

April 25, 2022

The Honorable Ann Kirkpatrick
309 Cannon House Office Building
Washington, DC 20515

RE: HR 7016 -- General Motors Bankruptcy

Dear Congresswoman Kirkpatrick:

My clients are residents of your district and I write to bring to your attention to an important matter impacting the Chaira and Gastelum families. Abigay Chaira was driving her brother Brandon and their friend Eva Gastelum in a General Motor's Chevy pickup truck in July 2006. The vehicle veered off the highway and -- because GM omitted an elementary stability control system -- overturned and rolled over. Abigay and Eva died in the crash, and Brandon was severely injured. Words cannot adequately convey the pain, anguish, and loss the Chaira and Gastelum families feel daily as a result of this tragic accident. The miserable treatment of their claims by our government in the GM bailout only compounded their anguish and has significantly limited Brandon's treatment, care, and rehabilitation options. That pain was only compounded by the miserable treatment the federal government reserved for him in the bailout.

Their cases against GM were primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 35 accident victims from Arizona with “allowed” claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these 35 accident victims in the amount of \$135,237,500

in the aggregate. The aggregate “allowed” claims, however, were squeezed down to only \$7,825,417 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$2,347,625) at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government’s callous disregard of the accident victims rights, the government’s so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team’s misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company’s shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout’s entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims’ successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment’s Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our clients. Their claims, and those of the other accident victims, were not the cause of GM's problems. They trusted GM vehicles would perform properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for “just compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It

The Honorable Ann Kirkpatrick

April 25, 2022

Page 3 of 3

compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Very truly yours,

DOWNS, McDONOUGH, COWAN & FOLEY, LLC

Chris Cowan

Chris Cowan

cc: Senator Kyrsten Sinema, 317 Hart Senate Office Building, Washington, D.C. 20510
Senator Mark Kelly, 516 Hart Senate Office Building, Washington D.C., 20510



T H E L A W O F F I C E S O F
FREDERICK W. SMITH, JR.

FREDERICK W. SMITH, JR., ATTORNEY

TINA GLOW, OFFICE MANAGER

April 18, 2022

The Honorable Josh Harder
709 Hart Senate Office Building
Washington, DC 20510

Dear Congressman Harder,

I write to bring to your attention to an important matter impacting my clients, Daniel and Danielle Hendrix. They were involved in a crash involving their Oldsmobile Bravada that had numerous product defects. Because of these defects, Daniel's lung was punctured, his thoracic artery torn, and his hip blown out. As a result of the car's defects, he is now a paraplegic and has no use of his legs and requires round-the-clock care. Words cannot adequately convey the pain, anguish, and loss felt daily by the Hendrix family. That pain and anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of my clients was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 64 accident victims from California with "allowed" claims in the GM bankruptcy case. These 64 victims filed proofs of claim totaling \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$11.9 million)

1032 Jean Drive, San Luis Obispo, CA 93405
Telephone (209) 595-6722
Email: rsmith@oakdalelaw.com

at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for “just

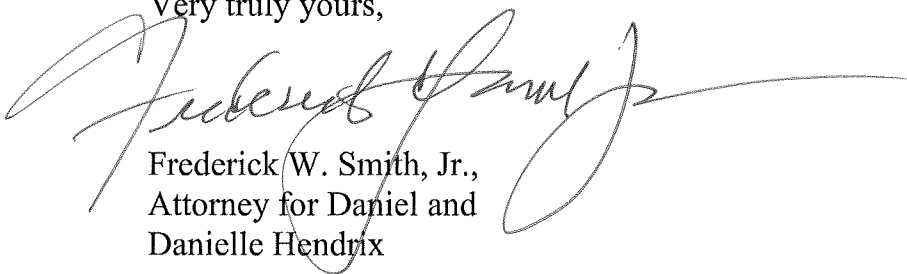
April 18, 2022

Page 3

compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Frederick W. Smith, Jr.", written in dark ink. The signature is fluid and extends across the width of the text block below it.

Frederick W. Smith, Jr.,
Attorney for Daniel and
Danielle Hendrix

cc: Senator Diane Feinstein
331 Hart Senate Office Building
Washington, D.C. 20510

Senator Alex Padilla
112 Hart Senate Office Building
Washington, D.C. 20510

Maria Mercado
204 N. 6th Street
Patterson, California 95363
Tel: (209) 605-5065
Email: 1MercadoMari@gmail.com

April 18, 2022

The Honorable Josh Harder
709 Hart Senate Office Building
Washington, DC 20510

Dear Congressman Harder,

My family and I are residents of your district. I was a 20 year old college student driving with my friend when the General Motors SUV in which we were driving car skidded off the highway and rolled over. The well-documented defective roof design of the vehicle caused it to collapse, ejecting us all from the vehicle during the rollover. As a result, my spine was broken and I have no feeling below my chest. I require round-the-clock care. Words cannot adequately convey the pain and anguish my family and I feel daily. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and greatly limited my treatment and rehabilitation options as I am wholly reliant on Medicare.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 64 accident victims from California (including me) with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$11.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went

The Honorable Josh Harder

April 18, 2022

Page 2

effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; just to be treated fairly. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates us for our loss and puts us more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,



Maria Mercado

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, D.C. 20510
Senator Alex Padilla, 112 Hart Senate Office Building, Washington, D.C. 20510



ANGELINA & HERRICK^{PC}
ATTORNEYS AT LAW

MICHAEL J. ANGELINA
MARK A. HERRICK
JOSEPH F. DELANEY

JAMES A. GENTILE
PETER J. FITZGERALD

LOCATIONS IN:
ROLLING MEADOWS
NAPERVILLE
BARRINGTON

April 18, 2022

The Honorable Lauren Underwood
1130 Longworth House Office Building
Washington, DC 20515

Dear Congressman Underwood,

I write to bring to your attention to an important matter impacting my client, James Lopresto. The defective design of the car in which he was driving at the time of his accident severed his hand from his wrist. He underwent multiple surgeries in an effort to reattach his hand, but the hand never properly reattached and he lived in constant pain. That pain was only compounded by the miserable treatment the federal government reserved for him in the bailout. His case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 26 accident victims from Illinois with "allowed" claims in the GM bankruptcy case. These 26 victims filed proofs of claim totaling \$153,816,136. The aggregate "allowed" claims of these 26 victims, however, were squeezed down to only \$9,708,500 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$2.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble." In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral

argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not some windfall on behalf of our client. His claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar. There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout. Thank you very much for taking the time to consider our plea.
Sincerely

Sincerely,



Michael J. Angelina
Angelina & Herrick, P.C.

cc: Senator Richard Durbin, 711 Hart Senate Office Building, Washington, D.C. 20510
Senator Tammy Duckworth, 524 Hart Senate Office Building, Washington, D.C. 20510



Hay & Knight

PERSONAL INJURY | MALPRACTICE | PRODUCT LIABILITY

April 22, 2022

The Honorable Harold Rogers
2406 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Rogers,

I write to bring to your attention to an important matter impacting my firm's client, Donna Bunch, a resident of your district [whose husband was involved in a two vehicle accident nearly 15 years ago. Due to a defective gas tank, the vehicle caught fire and burned, resulting in the death of Mr. Bunch. He was survived by a 10 year old son.

Words cannot adequately convey the pain, anguish, and loss felt daily by the Bunch family. That pain and anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of my client was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 7 accident victims from Kentucky with "allowed" claims in the GM bankruptcy case. Three of these victims, including Ms. Bunch, reside in your district. These 7 victims in Kentucky filed proofs of claim totaling \$8,807,125. The aggregate "allowed" claims of these 7 victims, however, were squeezed down to only \$1,782,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$500,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be treated fairly. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Hon. Harold Rogers
April 22, 2022
Page 3

Thank you very much for taking the time to consider our plea.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Hay', with a stylized flourish at the end.

Richard Hay, Attorney for Donna Bunch

cc: Senator Mitch McConnell, 317 Russell Senate Office Building, Washington, D.C. 20510
Senator Rand Paul, 167 Russell Senate Office Building, Washington, D.C. 20510

BROWN, BROWN & YOUNG

Augustus F. Brown
Albert J. A. Young
Jacqueline A. M. Delisle†

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A. Freeborn Brown 1915-1998
T. Carroll Brown 1916-2010

†Admitted in Maryland and Virginia

Email

info@lawbrown.com

www.lawbrown.com Website

April 25, 2022

The Honorable Andy Harris
2334 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Harris,

I write to bring to your attention to an important matter impacting my client, Brenda Blackburn, a resident of your district. As a result of a defectively installed interior passenger side grab handle in her new General Motors pickup truck, the handle broke off as Ms. Blackburn was pulling herself into the vehicle. As a result, Ms. Blackburn wrenched her shoulder and tore her rotator cuff and associated tendons. After multiple MRIs it was determined that the injury could not be surgically repaired. As a result, Ms. Blackburn lives in constant pain. That pain was only compounded by the miserable treatment the federal government reserved for her in the bailout.

Their case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are eight accident victims from Maryland with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these eight accident victims in the amount of \$14,600,000 in the aggregate. The aggregate "allowed" claims, however, were squeezed down to only \$700,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$200,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in

the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our client. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely

Augustus Brown

Augustus Brown
Attorney for Brenda Blackburn

cc: Senator Ben Cardin, 509 Hart Senate Office Building, Washington, D.C. 20510
Senator Chris Van Hollen, 110 Hart Senate Office Building, Washington, D.C. 20510

LAW OFFICES OF
PREDILETTO, HALPIN, SCHARNIKOW & NELSON, P.S.

WILLIAM L. HALPIN
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DEREK L. SUTTON
BRETT N. GOODMAN

April 20, 2022

The Honorable Dan Newhouse
1318 Longworth House Office Building
Washington, DC 20515

Dear Congressman Newhouse:

I write to bring to your attention to an important matter impacting my clients, Michael and Evelyn Haxton, who were residents of your district at the time they were injured but currently live on the western side of the state. As a result of a defective trailer mount, their recreational trailer separated from their brand new General Motors vehicle when their trailer tipped over on Interstate 82 while driving over the elevated bridge overlooking a canyon just north of Selah, Washington. Needless to say, the Haxtons were injured as a result of this incident. To this day, they suffer from lingering orthopedic-related injuries and have been reliant upon their own resources for rehabilitation and therapy. The pain associated with their injuries was only compounded by the miserable treatment the federal government reserved for them in the bailout of General Motors.

Their case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay in full \$60 billion of claims to GM's corporate vendors, unions, and senior executives in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are five accident victims from Washington with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these five accident victims in the amount of \$13,262,913 in the aggregate. The aggregate "allowed" claims, however, were squeezed down to only \$420,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$125,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

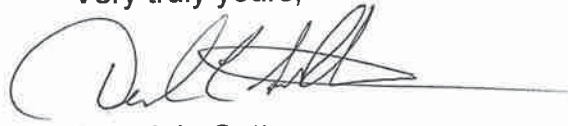
Please know we are not seeking some windfall on behalf of our clients. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM vehicles. Justice was denied to them when the federal government bailed out GM in 2009. **Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016.** This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Re: HR 7016
April 20, 2022
Page 3 of 3

Thank you very much for taking the time to consider our plea. Please consider supporting HR 7016 to right this wrong.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Derek L. Sutton', with a long horizontal line extending to the right.

Derek L. Sutton

cc: Senator Patty Murray, 134 Russell Senate Office Building, Washington, D.C.
20510
Senator Maria Cantwell, 511 Hart Senate Office Building, Washington, D.C.
20510
Michael and Evelyn Haxton

**MEARS, SMITH,
HOUSER & BOYLE, P.C.**

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RICHARD F. BOYLE, JR.
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April 26, 2022

The Honorable Robert P. Casey, Jr.
393 Russell Senate Office Bldg.
Washington, DC 20002

Dear Senator Casey:

I write to bring to your attention to an important matter impacting my client, Lorrie Kison, a resident of your district. As a result of a defective airbag in her General Motors vehicle, Ms. Kison suffered severe head trauma in an accident. To this day, Ms. Kison suffers from chronic head and neck pain and has been reliant upon her own resources for rehabilitation and therapy. That pain was only compounded by the miserable treatment the federal government reserved for her in the bailout.

Her case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 32 accident victims from Pennsylvania with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these 32 accident victims in the amount of \$165,362,865 in the aggregate. The aggregate "allowed" claims, however, were squeezed down to only \$20,117,971 as the lawyers' representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$3,192,300) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and

April 26, 2022

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foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our client. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely,

Jon M. Lewis

Attorney for Lorrie Kison

cc: Congressman Guy Reschenthaler, 409 Cannon House Office Bldg., Washington, DC 20510
Senator Patrick Toomey, 455 Dirksen Senate Office Building, Washington, D.C. 20510
Lorrie Kison

Charles F. Kayser
1427 Jackson Avenue
Hazleton, Iowa 50641
Tel: (319) 238-1247
Email: ctkayser@yahoo.com

March 14, 2022

The Honorable Ashley Hinson
1429 Longworth House Office Building
Washington, DC 20515-1501

Dear Congresswoman Hinson,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 640 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the federal government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and the hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

By way of background to my accident, I was driving my GM pickup truck in 2005 when it was sideswiped by a driver who ran a stop signal. The high-speed impact sheared off the back of my truck, causing flaming gas to pour into the cab of the truck because of GM negligently failed to install a flapper valve that would cut off gas streams in the event of an accident. I had third-degree burns from my waist up to the top of my head. They had to pull skin from my legs and buttocks multiple times just to cover my head and face. I was in an induced coma for two weeks after the accident because of the pain and extent of the injuries. To date, I've had over 100 surgeries. Among other things, I lost both my ears, my fingertips, and use of my left hand. Since then, we have been reliant on our personal resources and Medicaid, but these have proven inadequate to provide meaningful rehabilitation therapy and treatment. Words cannot adequately convey the hardships and anguish my family and I face daily in simply attending to my basic needs. My recovery in the bankruptcy case from Old GM was only about \$225,000, which also had to cover my attorney's fees and costs.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing my successor liability claims and those of other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the United States Federal Circuit Court of Appeals

The Honorable Ashley Hinson

March 14, 2022

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affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed and our successor liability claims were extinguished. Yet the court held the complaint should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date the victims had no reason to know of since they were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; I just want to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted our vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected my own government would leave him behind to collect pennies on the dollar on his claims.

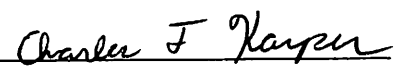
Once the bailout was over, every GM victim hoped to be made whole by the government. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of legislation introduced on March 9, 2022 by Congressman Troy Carter (H.R. 7016). This bill would waive the statute of limitations defense in the takings case mentioned above and direct the Department of Justice to settle the claims of the accident victims and justly compensate them for their losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to H.R. 7016. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of the accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plight.

Sincerely,


Charles F. Kayser

cc: United States Senator Charles Grassley
United States Senator Joni Ernst

Ronald Bohmfalk
350 Country Road 366
Hondo, Texas 78861
Norwalk, Connecticut 06850
Tel: (203) [286-6247](tel:286-6247)
Email: WMB55@hotmail.com

April 21, 2022

The Honorable Tony Gonzales
1009 Longworth House Office Building
Washington, DC 20515

Dear Senator Gonzales,

I am a resident of your district. I was driving a General Motors Chevy Suburban involved in a rollover accident in which the roof collapsed and my seat belt failed. The combination of these defects snapped my spine, rendering me a paraplegic. Words cannot adequately convey the pain, anguish, and loss my family and I feel daily as a result of my injury. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and has significantly limited my treatment, care, and rehabilitation options.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions were less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 136 accident victims from Texas (including me) with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$564,591,085. The "allowed" amount of these claims in the case, however, were squeezed down to only \$39,775,298 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$11.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

Please know I am not seeking some windfall. My claim, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [H.R. 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely

Ronald Bohmfalk

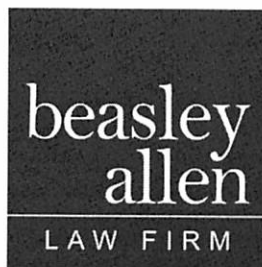
Ronald Bohmfalk

cc: Senator John Cornyn, 517 Hart Senate Office Building, Washington, D.C. 20510
Senator Ted Cruz, 127A Russell Senate Office Building, Washington, D.C. 20510

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Jere Locke Beasley
Founder
jere.beasley@beasleyallen.com

April 22, 2022

The Honorable Richard C. Shelby
304 Russell Senate Office Building
Washington, DC 20510

Dear Senator Shelby,

I am writing relating to an extremely important matter impacting 25 of my law firm's clients who were involved in accidents that resulted in horrific personal injuries because of product defects in the General Motors vehicles in which they were driving. The most common defects cited resulted in rollovers, collapsing roofs and panels, exploding or non-functioning airbags, exploding gas tanks and fuel-fed fires, and malfunctioning seats and seat belts. It's fair to say that if an accident victim's claim was "allowed" in Old GM's bankruptcy case, the injury suffered was extensive and often deadly.

The many pending lawsuits filed against GM on behalf of my clients were ready for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. I can never understand how the government could have acquired GM without making sure that the existing claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 35 accident victims from Alabama with "allowed" claims in the GM bankruptcy case. These 35 victims filed proofs of claim totaling \$257,800,000. The aggregate "allowed" claims of these 35 victims, however, were reduced down to only \$17,812,5000. The lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$5.3 million) at most was paid on those 35 "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because as they stated "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty and morality. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's

shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidation, if the accident victims' successor liability claims were not extinguished in the final sale order. Shockingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was filed against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date on which that order was effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date my firm had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

My clients are not seeking some windfall. All they want is just to be treated fairly. Their claims and those of the other accident victims did not cause GM's problems. They trusted GM vehicles would run properly and that they would be made whole by GM if there were product defects causing their injuries and disabilities. They never expected to be caught in the middle of a massive government bailout, and certainly never expected their own government would leave them behind to collect pennies on the dollar on their claims.

There are approximately 630 other victims in 45 of the 50 states who were injured, disabled, or killed before June 1, 2009, because of defective GM cars. Justice was denied to those victims and their families when the federal government bailed out GM in 2009.

Congress can right this wrong by passing the legislation recently introduced by Rep. Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout. Only the victims of GM's wrongdoing were left behind.

I need your help on this matter. Based on our long relationship, and knowing the type person you are, I know you will do the right thing and support the pending legislation. I am asking for your support.

Sincerely,

BEASLEY, ALLEN, CROW
METHVIN, PORTIS & MILES, P.C.



JERE L. BEASLEY

JEFF AND RHONDA PARKER

**848 County Road 125
Berry, Alabama 35546**

March 9, 2022

The Honorable Robert Aderholt
266 Cannon House Office Building
Washington, DC 20515

Dear Congressman Aderholt,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

My daughter Brittany was a kind, friendly, beautiful, and loving young woman in the prime of her life when a car in which she was a passenger flipped and rolled off the road. A defective seat belt and attachment, combined with a defective roof design, resulted in massive brain trauma that detached Brittany's skull from her brain and left her unable to talk or control her body. She lives at home, is debilitated for life, and requires constant care.

The \$50,000,000 in personal injury claims we filed in the GM case on account of Brittany's injuries were squeezed down to \$2,750,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On that "allowed" claim, the payout was only around 30%, which also had to cover our attorney's fees and costs. Since then, we have been reliant on our personal resources and Medicaid, but these have proven inadequate to provide any meaningful rehabilitation therapy for Brittany. Words cannot adequately convey the hardships and anguish we face daily in simply attending to Brittany's needs.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

The Honorable Robert Aderholt
March 9, 2022
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In 2015, a lawsuit was brought against the government for forcing our successor liability claims and those of the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to us since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; we just want to be made whole and treated fairly. Our claims, and those of the other accident victims were not the cause of GM's problems. We trusted our vehicles would run properly and that we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims against GM.

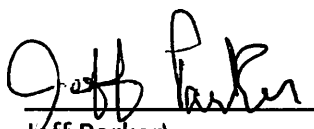
Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

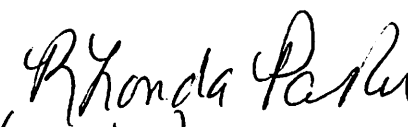
Please show your compassion and lend your support to the attached proposed legislation that is awaiting introduction soon and that directs the federal government to pay just compensation for our claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like Brittany can be viewed at <https://forgottengmbailoutvictims.org>. Attached to this letter is a thumb drive demonstrating not only the liability of General Motors but the very serious nature of Brittney's injury, damages and the effect on her whole family. **WARNING: Parts of this video presentation are graphic and may be disturbing to some viewers.**

Thank you so very much for taking the time to consider our plight.

Sincerely,


(Jeff Parker)
(Father)


(Rhonda Parker)
(Mother)

**Rose Hill
1123 Street Road
Jasper, Alabama 33504
Tel: (205) 300-4505
Email: RoseMHill743@gmail.com**

March 9, 2022

The Honorable Robert Aderholt
266 Cannon House Office Building
Washington, DC 20515

Dear Congressman Aderholt,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to me and hundreds of other GM victims. I humbly request your support to advance such a worthy effort.

My son Michael was a good, smart, and ambitious young man in his second year of college at Bevil State, majoring in nursing with plans to someday become an optometrist, when in 2005 his car spontaneously caught on fire, causing Michael to lose control of the car and crash. Michael burned alive and died at the scene of the accident.

The \$10,000,000 wrongful death claim we filed for him in the GM case was squeezed down to \$800,000 as the lawyers representing GM forced me into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On that "allowed" claim, the payout was only around 30%, which was eaten up by attorneys and others. Not a day goes by where I don't mourn about the loss of my son and the intense suffering he had to endure at the end of his life.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

The Honorable Robert Aderholt
March 9, 2022
Page 2

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of our daughter and the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; I just want to be made whole and treated fairly. The claims of my son and the other accident victims were not the cause of GM's problems. We trusted our vehicles would run properly and that we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims against GM.

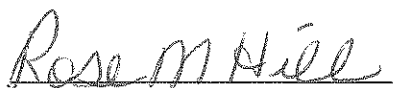
Once the bailout was over, I hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that were paid in full in the bailout.

Please show your compassion and lend your support to the attached proposed legislation that is awaiting introduction soon and that directs the federal government to pay just compensation for our claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like me can be viewed at <https://forgottengmbailoutvictims.org>

Thank you so very much for taking the time to consider our plight.

Sincerely,



Rose M. Hill

cc: United States Senator Richard Shelby
United States Senator Tommy Tuberville

Bob Dinnigan
266 Lincoln Avenue
St. James, New York 11780
Tel: (631) 807-9451
Email: upeez@aol.com

April 20, 2022

The Honorable Charles Schumer
322 Hart Senate Office Building
Washington, DC 20510

Dear Senator Schumer,

My daughter Amanda Dinnigan was only 8 years old when a General Motors GMC Envoy in which she was driving crashed into a tree along the side of the road. The faulty seat belt harnesses snapped tight on Amanda's neck upon impact, virtually taking her head off and paralyzing her from the neck down. She needs a breathing tube to survive and needs round-the-clock care. Words cannot adequately convey the pain, anguish, and loss my family and I feel daily as a result of this tragedy. The miserable treatment of our claims by our government in the GM bailout only compounded our anguish and has significantly limited my treatment, care, and rehabilitation options. A video highlighting the plight of Amanda and our family can be viewed at www.forgottengmbailoutvictims.org.

Our case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

My lawyers tell me that there are 26 accident victims from New York with "allowed" claims in the GM bankruptcy case. These filed proofs of claim aggregated \$121,235,000. The "allowed" amount of these claims in the case, however, were squeezed down to only \$23,653,750 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$7 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

Please know we are not seeking some windfall. Our claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely

A handwritten signature in black ink, appearing to read 'Bob Dinnigan', with a long horizontal flourish extending to the right.

Bob Dinnigan, Father of Amanda Dinnigan

cc: Senator Kirsten Gillibrand, 478 Russell Senate Office Building, Washington, D.C. 20510

Congressman Lee Zeldin, 2441 Rayburn House Office Building, Washington, D.C. 20515

Dan Coll
69 Center Street
Ronkonkoma, New York 11779
Tel: (516) 3307821
Email: DanColl1166@gmail.com

April 20, 2022

The Honorable Charles Schumer
322 Hart Senate Office Building
Washington, DC 20510

Dear Senator Schumer,

My daughter Emma Coll was only 9 years old when a General Motors GMC Envoy in which *she* was driving crashed into a tree along the side of the road. The faulty seat belt harnesses snapped tight on Emma's neck upon impact. Emma's neck broke in the accident and she had multiple surgeries to insert plates and screws all over. Her medical and rehabilitation needs are significant. Words cannot adequately convey the pain, anguish, and loss Emma, my family, and I feel daily as a result of this tragedy. The miserable treatment of our claims by our government in the GM bailout only compounded our anguish and has significantly limited our treatment, care, and rehabilitation options.

Our case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. According to my lawyers, total distributions to these claimants from the bankruptcy, however, were only \$74 million, or 7.1% of the projected claims of accident victims at most.

My lawyers tell me that there are 26 accident victims from New York with "allowed" claims in the GM bankruptcy case. These filed proofs of claim aggregated \$121,235,000. The "allowed" amount of these claims in the case, however, were squeezed down to only \$23,653,750 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$7 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving all of us with virtually nothing.

The Honorable Charles Schumer
April 20, 2022
Page 2

Please know we are not seeking some windfall. Emma's claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely

A handwritten signature in dark ink, appearing to read 'Daniel Coll', with a large, stylized initial 'D'.

Daniel Coll, Father of Emma Coll

cc: Senator Kirsten Gillibrand, 478 Russell Senate Office Building, Washington, D.C.
20510
Congressman Lee Zeldin, 2441 Rayburn House Office Building, Washington, D.C.
20515



LAW OFFICES

John H. Edmonds Ltd.

John P. "Jay" Edmonds
Attorney at Law
jay@jayedmondslaw.com

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Suite 410
Peoria, Illinois 61602-1247
(309) 674-3900 ♦ Fax (309) 674-2644

Paralegal: Kiersten Eades
Legal-Assistant: Kris Petermeyer
Legal-Assistant: Christine Zak-Edmonds

April 4, 2022

The Honorable Cheri Bustos
1233 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Bustos:

I represent Timothy Montis, a resident of your district, to bring to your attention an important matter impacting him and approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to Tim, his family, and the hundreds of other GM accident victims and their families. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

By way of background to Tim's accident, it was the day after Christmas and he was driving a GM car when the steering wheel suddenly popped off, his car veered off the road, rolling multiple times and ejecting him through the sunroof. He was in a coma for 6 months, has only one-half normal lung capacity, and is in need of 24-hour care as he can't take care of himself at all. Since then, the Montis family has been reliant on their own personal resources and Medicaid to care for Tim, but these have proven inadequate to provide meaningful rehabilitation therapy and treatment. Words cannot adequately convey the hardships and anguish Tim and his family face daily in simply attending to his basic needs. His recovery in the bankruptcy case from Old GM was only about \$120,000, which also had to cover attorney's fees and costs.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. They were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to pay pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit

was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result makes no sense to me since the case was filed within six years of the date the GM sale closed and of the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be made whole and treated fairly. Their claims, and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their claims against GM.

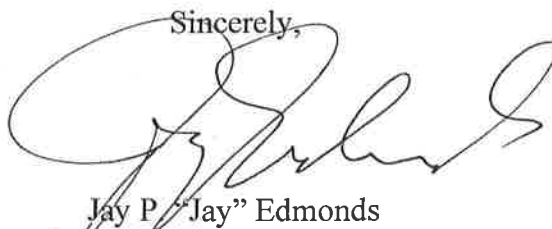
Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of HR 7016 to justly compensate Tim and the other accident victims. We simply seek payment for what was rightfully due, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout without reduction or compromise.

Please show your compassion and lend your support to HR 7016. This legislation directs the federal government to pay "just compensation" to Tim and the other GM accident victims on account of the government's causing their successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay P. Edmonds", written over a large, loopy "J".

Jay P. "Jay" Edmonds
Attorney for Timothy Montis

cc: Senator Richard Durbin, 711 Hart Senate Office Building, Washington, D.C. 20510
Senator Tammy Duckworth, 524 Hart Senate Office Building, Washington, D.C. 20510

**Liam O'Neill
Mary O'Neill
6352 Windmill Lane
Grant Park, Illinois 60940
Email: Lpdugan002@yahoo.com**

March 17, 2022

The Honorable Robin Kelly
2416 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Kelly,

We write to bring to your attention to an important matter impacting us, residents of your district, and approximately 640 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the federal government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and the hundreds of other GM accident victims. We humbly request your support to advance such a worthy effort.

By way of background to our accident, our new GMC Jimmy broke down on the road and was rear-ended, causing such severe injury to Mary's legs that they both had to be amputated above the knee. As of result of these permanent disabilities, Mary requires extraordinary care to enable her to attend to her and our family's needs. To date, we have been reliant on our personal resources to pay for her continuing care. Words cannot adequately convey the hardships we face daily in simply attending to Mary's basic needs.

We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing our successor liability claims and those of other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the United States Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed and our successor liability claims were extinguished. Yet the court held the complaint should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date the victims had no reason to know of since they were not privy to those behind-the-scenes legal proceedings.

The Honorable Robin Kelly
March 17, 2022
Page 2

Please know we are not seeking some windfall; we just want to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted that a new car manufactured by GM would run properly and not break down soon after purchase. When it didn't, we expected that we'd be made whole by GM for product defects and resultant injuries to people. Like other GM accident victims, we never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims.

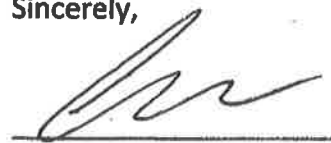
Once the bailout was over, every GM victim hoped to be made whole by the government. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of legislation introduced on March 9, 2022 by Congressman Troy Carter (H.R. 7016). This bill would waive the statute of limitations defense in the takings case mentioned above and direct the Department of Justice to settle the claims of the accident victims and justly compensate them for their losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to H.R. 7016. Your support will surely help immensely in advancing that legislation through Congress and into law.

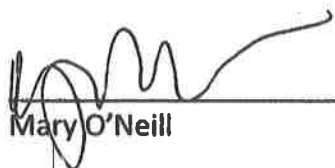
Additional background and a short video that details the plight of the accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plight.

Sincerely,



Liam O'Neill



Mary O'Neill

cc: United States Senator Richard Durbin
United States Senator Tammy Duckworth



ANGELINA & HERRICK^{PC}
ATTORNEYS AT LAW

MICHAEL J. ANGELINA
MARK A. HERRICK
JOSEPH F. DELANEY

JAMES A. GENTILE
PETER J. FITZGERALD

LOCATIONS IN:
ROLLING MEADOWS
NAPERVILLE
BARRINGTON

April 18, 2022

The Honorable Lauren Underwood
1130 Longworth House Office Building
Washington, DC 20515

Dear Congressman Underwood,

I write to bring to your attention to an important matter impacting my client, James Lopresto. The defective design of the car in which he was driving at the time of his accident severed his hand from his wrist. He underwent multiple surgeries in an effort to reattach his hand, but the hand never properly reattached and he lived in constant pain. That pain was only compounded by the miserable treatment the federal government reserved for him in the bailout. His case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 26 accident victims from Illinois with "allowed" claims in the GM bankruptcy case. These 26 victims filed proofs of claim totaling \$153,816,136. The aggregate "allowed" claims of these 26 victims, however, were squeezed down to only \$9,708,500 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$2.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble." In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral

argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not some windfall on behalf of our client. His claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar. There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout. Thank you very much for taking the time to consider our plea.
Sincerely

Sincerely,



Michael J. Angelina
Angelina & Herrick, P.C.

cc: Senator Richard Durbin, 711 Hart Senate Office Building, Washington, D.C. 20510
Senator Tammy Duckworth, 524 Hart Senate Office Building, Washington, D.C. 20510

ROBERTSON & WALL 670 N Clark St, Chicago, IL 60654-3483
Telephone (312) 943-7866 Fax (312) 469-1148
David H. Robertson, Jr. dave@robertsonwall.com

April 26, 2022

The Honorable Mike Quigley
2458 Longworth House Office Building
Washington, DC 20515

Dear Congressman Quigley,

I write to bring to your attention to an important matter involving my client, Tammy M. Cichy. Tammy is a 47-year old resident of River Grove in your Fifth Congressional District. I have known, represented, and worked with Tammy and members of her family for many years. On March 19, 2009, Tammy was injured, when driving on I-90, The Kennedy Expressway in Chicago. An axle of her General Motors car broke, sending her car spinning across the highway, where it crashed into the concrete retaining wall. She suffered multiple serious injuries, including compression fractures to four vertebra in her spine and a condition which led to tissue necrosis in her left hip. She developed cervical radiculopathy, post-traumatic depression and incontinence. Tammy continues to experience pain and limitations in her activities on a daily basis. She recently underwent facet epidural injections into her spine. The neurosurgeon is evaluating her for spinal fusion. Tammy and her family continue to experience pain, anguish, and other losses. But then, Tammy's pain and anguish then were compounded by the contemptible treatment the government accorded to victims of GM's negligence through the bankruptcy bailout process.

Tammy's case against GM was approved for settlement when, at the government's direction, GM filed for bankruptcy. GM and its insurers refused to assume the claims of the many accident victims. It is difficult to understand how the government could acquire GM without providing that the claims of accident victims would be paid in full. The government agreed to pay \$60 billion to satisfy the claims of GM's corporate vendors, unions, and the senior executives whose conduct led to GM's failure. By comparison, the aggregate claims of the accident victims, GM's own customers, were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there were 26 accident victims in Illinois with "allowed" claims in the GM bankruptcy case. These 26 victims filed proofs of claim totaling \$153,816,136. The aggregate "allowed" claims of these 26 victims, however, were squeezed down to only \$9,708,500 as GM's lawyers forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to accept the paltry settlement. Still worse, only around 30% (or approximately \$2.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs. Tammy received less than \$7,500 in GM stock as "compensation".

To justify the government's callous disregard of the many accident victims' rights, the government's so-called "Auto Team" justified their decision, because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble." The human cost clearly was ignored by GM's lawyers and the court.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished, as a violation of the Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that the order became effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date claimants had no reason to know of, as they were not privy to those behind-the-scenes legal proceedings.

The Honorable Mike Quigley
April 26, 2022
Page 3

Please know we do not seek some undue windfall for Tammy. She already has suffered for 13 years. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles were built properly and that they would be made whole by GM in cases of product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected that their own government would force them to collect pennies on the dollar.

There are at least 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, due to defective GM cars. Justice was denied to them in 2009, when the federal government bailed out GM and its management. Congress can correct this injustice by enacting the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). His bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It seeks compensation for their loss and puts them more on par with the \$60 billion in other allowed economic claims against GM that were paid in full without reduction or compromise after the government took control of GM. Parties with power and influence were paid, GM's customers and victims were not.

Thank you very much for taking the time to consider our plea. Tammy hopes you will pursue this legislation on behalf of herself and the many other victims of GM. Feel free to contact the undersigned should you have questions.

Sincerely yours,

ROBERTSON & WALL

David H. Robertson, Jr.

David H. Robertson, Jr.

cc: Senator Richard Durbin, 711 Hart Senate Office Building,
Washington, D.C. 20510
Senator Tammy Duckworth, 524 Hart Senate Office
Building, Washington, D.C. 20510



Hay & Knight

PERSONAL INJURY | MALPRACTICE | PRODUCT LIABILITY

April 22, 2022

The Honorable Harold Rogers
2406 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Rogers,

I write to bring to your attention to an important matter impacting my firm's client, Donna Bunch, a resident of your district [whose husband was involved in a two vehicle accident nearly 15 years ago. Due to a defective gas tank, the vehicle caught fire and burned, resulting in the death of Mr. Bunch. He was survived by a 10 year old son.

Words cannot adequately convey the pain, anguish, and loss felt daily by the Bunch family. That pain and anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of my client was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 7 accident victims from Kentucky with "allowed" claims in the GM bankruptcy case. Three of these victims, including Ms. Bunch, reside in your district. These 7 victims in Kentucky filed proofs of claim totaling \$8,807,125. The aggregate "allowed" claims of these 7 victims, however, were squeezed down to only \$1,782,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$500,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be treated fairly. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Hon. Harold Rogers
April 22, 2022
Page 3

Thank you very much for taking the time to consider our plea.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Hay', with a stylized, flowing script.

Richard Hay, Attorney for Donna Bunch

cc: Senator Mitch McConnell, 317 Russell Senate Office Building, Washington, D.C. 20510
Senator Rand Paul, 167 Russell Senate Office Building, Washington, D.C. 20510

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April 21, 2022

Senator John Thune
United States Senate SD-511
Washington, DC 20510

Senator Mike Rounds
Hart Senate Office Bldg., Suite 716
Washington, DC 20510

Representative Dusty Johnson
1714 Longworth HOB
Washington, DC 20515

Re: 2022 HR 7016
Introduced March 9, 2022
Congressman Troy Carter

Greetings:

I write to urge your support of this bill as it works its way through the House and Senate. The objective of the bill is to provide just compensation – finally – for victims of personal injury, disability and death caused by defective GM vehicles.

Senator John Thune
Senator Mike Rounds
Representative Dusty Johnson
Page 2
April 21, 2022

In the GM bankruptcy bailout a little more than a decade ago, the government agreed to pay \$60 billion of claims asserted by the old GM's corporate vendors, unions and senior executives, while leaving a relative pittance for those suffering from injuries.

My client, Jessica Fontenille, is a prime example. A few months after leasing their Cadillac in 2004, one morning, November 30, 2004, Jess leaned into the car to start it for the purpose of warming it up. As soon as she inserted the key into the ignition, the air bags exploded. She sustained substantial and serious neck and back injuries, temporary loss of hearing, bad headaches, loss of sleep, pain and limitations in motion. She requires ongoing therapy to this date. Because she is simply a tough person, she has been able to continue a semblance of normal life with plenty of teeth gritting.

Unlike the legion of lawyers paid massive amounts and the rest of creditors who otherwise would have sustained financial loss, Jess has received less than \$500 from the bankruptcy. In past decades, Congress has passed reparations bills. There are many, many sadder stories than Jess's and all these sad victims are no less deserving of reparation than those who have been beneficiaries of prior Acts.

Additional background and a short video that details the plight of defect victims can be viewed at <https://forgottengmbailoutvictims.org>.

Accordingly, I would be most grateful for your support. As always, thanks so much for all you do for South Dakota and the Nation. Best wishes in all good things.

Sincerely,

CADWELL SANFORD DEIBERT & GARRY LLP

Steven W. Sanford

SWS/gl

c: Senator John Thune
5015 South Bur Oak Place
Sioux Falls, SD 57108

Senator John Thune
Senator Mike Rounds
Representative Dusty Johnson
Page 3
April 21, 2022

Senator Mike Rounds
320 N Main Ave., Suite A
Sioux Falls, SD 57104

Representative Dusty Johnson
230 S Phillips Avenue
Suite 307
Sioux Falls, SD 57104



John G. Cronin
Admitted in NH and MA

April 26, 2022

The Honorable Jeanne Shaheen
506 Hart Senate Office Building
Washington, DC 20510

Dear Senator Shaheen,

I write to bring to your attention to an important matter impacting my clients, Michele and Frank Bauer, residents of New Hampshire. Nearly 15 years ago, they were involved in a near head-on collision in which the airbag of their General Motors vehicle failed to deploy. Michele Bauer—then nearing 60—suffered multiple orthopedic injuries including a broken hip from which she has never fully recovered. Her pain is constant and her rehabilitation needs continue. But that pain was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of the Bauers was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

There are three accident victims from this state with "allowed" claims in the GM bankruptcy case. These three victims filed proofs of claim totaling \$11,712,869. The aggregate "allowed" claims of these three victims, however, was squeezed down to only \$245,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement

amounts offered. Still worse, only around 30% (or approximately \$73,000) at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government’s callous disregard of the accident victims rights, the government’s so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team’s misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company’s shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout’s entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims’ successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment’s Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for “just compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

The Honorable Jeanne Shaheen

April 26, 2022

Page 3

Thank you very much for taking the time to consider our plea.

Sincerely yours,

CRONIN BISSON & ZALINSKY, P.C.

By: *John G. Cronin*

John G. Cronin, Attorney for Michele and Frank Bauer

cc: Senator Margaret Hassan, 324 Hart Senate Office Building, Washington, D.C. 20510
Congresswoman Ann Kuster, 320 Cannon House Office Building, Washington, D.C. 20510

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Office Tax I.D. # 48-0966751

April 18, 2022

The Honorable Jerry Moran
521 Dirksen Senate Office Building
Washington, DC 20510

Re: H.R. 7016

Dear Senator Moran,

I write to bring to your attention to an important matter impacting my clients, the estate of Chad Kier, and fellow Kansas residents Amy (Chad's wife) and Mickie Kier (Chad's father). On February 10, 2008, Chad Kier parked his 1998 Buick Regal outside of his home located in Clayton, Kansas. Within minutes, Chad noticed a fire coming from under the hood of his Buick Regal. He attempted to put the fire out and suffered severe smoke inhalation. He was later transferred to The Nebraska Medical Center University Hospital in Omaha, Nebraska, where he died on account of the smoke inhalation. On April 15, 2009, GM recalled all Buick Regals from that year on account of the exact defect that caused Chad's death. Chad's father Mickie tried to help and also suffered smoke inhalation. Chad left behind his wife Amy and their three minor children. Words cannot adequately convey the anguish and loss felt daily by the Kier family since the day of the accident. That pain was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of the Kiers was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

The claims of the Kiers are the only ones from Kansas residents that were "allowed" in the GM bankruptcy case. These "allowed" claims, however, were squeezed down to only \$2,250,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Only around 25% (or approximately \$562,500) was paid

collectively for two cases on those “allowed” claims, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

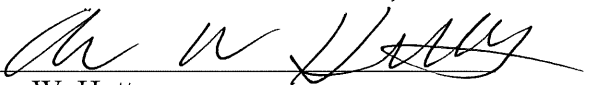
There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for “just compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

The Honorable Jerry Moran, United States Senator
April 18, 2022
Page 3

Thank you very much for taking the time to consider our plea. It is our hope that you will agree to a short remote (e.g., Zoom) conference so that I can discuss the matter further with you and answer any questions or concerns you might have. Please feel free to have your staff contact me at (316) 688-1166 or by e-mail to Andy.Hutton@huttonlaw.com to set an appointment.

Very truly yours,

HUTTON & HUTTON LAW FIRM, L.L.C.



Andrew W. Hutton



Blake A. Shuart

*Attorneys for the Kier Family/
Estate of Chad Kier*

cc: Senator Roger Marshall, 479A Russell Senate Office Building, Washington, D.C. 20510
Congressman Tracey Mann, 522 Cannon House Office Building, Washington, D.C.
20515

Charles F. Kayser
1427 Jackson Avenue
Hazleton, Iowa 50641
Tel: (319) 238-1247
Email: ctkayser@yahoo.com

March 14, 2022

The Honorable Charles Grassley
135 Hart Senate Office Building
Washington, DC 20510

Dear Senator Grassley,

As a resident of your state, I write to bring to your attention to an important matter impacting me and approximately 640 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the federal government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and the hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

By way of background to my accident, I was driving my GM pickup truck in 2005 when it was sideswiped by a driver who ran a stop signal. The high-speed impact sheared off the back of my truck, causing flaming gas to pour into the cab of the truck because of GM negligently failed to install a flapper valve that would cut off gas streams in the event of an accident. I had third-degree burns from my waist up to the top of my head. They had to pull skin from my legs and buttocks multiple times just to cover my head and face. I was in an induced coma for two weeks after the accident because of the pain and extent of the injuries. To date, I've had over 100 surgeries. Among other things, I lost both my ears, my fingertips, and use of my left hand. Since then, we have been reliant on our personal resources and Medicaid, but these have proven inadequate to provide meaningful rehabilitation therapy and treatment. Words cannot adequately convey the hardships and anguish my family and I face daily in simply attending to my basic needs. My recovery in the bankruptcy case from Old GM was only about \$225,000, which also had to cover my attorney's fees and costs.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing my successor liability claims and those of other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the United States Federal Circuit Court of Appeals

The Honorable Charles Grassley
March 14, 2022
Page 2

affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed and our successor liability claims were extinguished. Yet the court held the complaint should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date the victims had no reason to know of since they were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; I just want to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted our vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected my own government would leave him behind to collect pennies on the dollar on his claims.

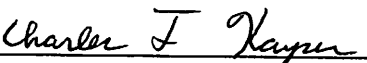
Once the bailout was over, every GM victim hoped to be made whole by the government. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of legislation introduced on March 9, 2022 by Congressman Troy Carter (H.R. 7016). This bill would waive the statute of limitations defense in the takings case mentioned above and direct the Department of Justice to settle the claims of the accident victims and justly compensate them for their losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to H.R. 7016. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of the accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plight.

Sincerely,


Charles F. Kayser

cc: United States Senator Joni Ernst

Karen F. McTavish
8298 Layton Court
Frederick, Maryland 21704
Tel: (202) 494-5267
Email: McTavishKF@gmail.com

March 30, 2022

The Honorable David Trone
1110 Longworth Rayburn House Office Building
Washington, DC 20515

Dear Congressman Trone,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

In 2008, my father was rear-ended at a stop sign by a driver. As a result of a defective seat and seat belt design, my father died in the crash. The \$10,000,000 wrongful death claims filed by on behalf of my father's estate was squeezed down to \$500,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments for years if we would not agree to this settlement amount. On this "allowed" claim, the payout was only around 30%, which also had to cover the attorney's fees and costs associated with the case. Words cannot adequately convey the anguish and loss felt daily by me and the other members of my family since the day of the accident.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. They were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed to the argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result

The Honorable David Trone
March 30, 2022
Page 2

makes no sense to us since the case was filed within six years of the date the GM sale closed and of the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not party to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; just to be made whole and treated fairly. The claims of the GM accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected their own government would leave them behind to collect pennies on the dollar on their claims against GM.

Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of HR 7016 to justly compensate us and the other accident victims left behind in the GM bailout. We simply seek payment for what's rightfully due, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016, which directs the federal government to pay just compensation to my father's estate on account of the government's causing his successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider my plea.

Sincerely,


Karen F. McTavish

cc: Senator Ben Cardin, 509 Hart Senate Office Building, Washington, D.C. 20510
Senator Chris Van Hollen, 110 Hart Senate Office Building, Washington, D.C. 20510

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Augustus F. Brown
Albert J. A. Young
Jacqueline A. M. Delisle†

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info@lawbrown.com

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April 25, 2022

The Honorable Andy Harris
2334 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Harris,

I write to bring to your attention to an important matter impacting my client, Brenda Blackburn, a resident of your district. As a result of a defectively installed interior passenger side grab handle in her new General Motors pickup truck, the handle broke off as Ms. Blackburn was pulling herself into the vehicle. As a result, Ms. Blackburn wrenched her shoulder and tore her rotator cuff and associated tendons. After multiple MRIs it was determined that the injury could not be surgically repaired. As a result, Ms. Blackburn lives in constant pain. That pain was only compounded by the miserable treatment the federal government reserved for her in the bailout.

Their case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are eight accident victims from Maryland with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these eight accident victims in the amount of \$14,600,000 in the aggregate. The aggregate "allowed" claims, however, were squeezed down to only \$700,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$200,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in

the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our client. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely

Augustus Brown

Augustus Brown
Attorney for Brenda Blackburn

cc: Senator Ben Cardin, 509 Hart Senate Office Building, Washington, D.C. 20510
Senator Chris Van Hollen, 110 Hart Senate Office Building, Washington, D.C. 20510

Joseph Strimber, Esquire
6317 Park Heights Avenue, Suite 503
Baltimore, MD 21215
443-838-8486
Joseph.strimber@gmail.com

April 4, 2022

The Honorable C. A. Dutch Ruppersberger
2206 Rayburn House Office Building
Washington, DC 20515-2002

Dear Congressman Ruppersberger,

I represent the estate of Joan A. Vaught, who lived for over 30 years at 505 Old Home Road in your district, and want to bring to your attention an important matter impacting her estate and approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from General Motors vehicles that were either defectively made or negligently operated by General Motors ("GM") employees. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to my client's family and the hundreds of other GM accident victims and their families. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, [HR 7016](#), which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

Ms. Vaught was a registered nurse who was involved in a car accident involving a GM vehicle before the GM bankruptcy filing. She asserted a claim against GM for her injuries and has an allowed claim in the GM bankruptcy that represents a compromised settlement amount. On that "allowed" claim, however, the payout was only around 30% many years later and this amount also had to cover the attorney's fees and costs associated with the case. Mrs. Vaught, has since passed away, leaving the estate with a void because Mrs. Vaught had to pay for continuing treatments on account of her injuries that—but for the bankruptcy—would have been covered by GM.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. They were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit

The Honorable C. A. Dutch Ruppersberger
April 4, 2022
Page 2

was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result makes no sense to me since the case was filed within six years of the date the GM sale closed and of the date the order approving the sale went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be made whole and treated fairly. The claims of Ms. Vaught, and those of the other accident victims, were not the cause of GM's problems. They trusted GM vehicles would run properly and, where owned by GM, would be driven safely by their employees and that they'd be made whole by GM where this was not the case. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their claims against GM.

Once the bailout was over, we hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of [HR 7016](#) to justly compensate the estate of Ms. Vaught and the other accident victims. We simply seek payment for what was rightfully due, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout without reduction or compromise.

Please show your compassion and lend your support to HR 7016. This legislation directs the federal government to pay "just compensation" to the estate of Ms. Vaught and the other GM accident victims on account of the government's causing their successor liability claims against "New GM" to be extinguished in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Sincerely,

Joseph Strimber, Esq.

Joseph Strimber, Attorney for the Estate of Joan A. Vaught

cc: Senator Ben Cardin, 509 Hart Senate Office Building, Washington, D.C. 20510
Senator Chris Van Hollen, 110 Hart Senate Office Building, Washington, D.C. 20510

LAW OFFICE OF
MICHAEL J. MESTAYER

MICHAEL J. MESTAYER*

A PROFESSIONAL LAW CORPORATION
1100 POYDRAS STREET
SUITE 2785
NEW ORLEANS, LOUISIANA 70163

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18 April 2022

NEW IBERIA OFFICE
110 EAST PERSHING
P. O. BOX 12340
NEW IBERIA, LOUISIANA 70562-2340

TELEPHONE 337.365.8181
FACSIMILE 337.367.8811

The Honorable Troy Carter
506 Cannon House Office Building
Washington, DC 20515

Dear Congressman Carter,

I write on behalf of residents of your district to thank you for recently introducing legislation to waive the statute of limitations for cases against the government related to the General Motors ("GM") bailout. This legislation not only impacts my clients, but approximately 640 other victims and families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors cars. Justice was denied them when the federal government bailed out GM in 2009. Congress can help right this wrong by providing just compensation to them. The bill you introduced on March 9, 2022 is a critical step towards that end.

The GM Camero that Kathy Hamilton was driving was clipped by a tractor trailer, causing her car to spin out of control. The rear impact to her car, however, also caused the car's defectively designed gas tank to explode. Kathy, her son Joshua, and Joshua's friend Coleton Craft burned to death in the crash. Kathy's daughter was able to crawl from the car and survived. Words cannot adequately convey the anguish and loss felt daily by Kathy's husband and her daughter Brittany. The unfair treatment of them by our own government in the GM bailout only compounded that pain.

Our lawsuit against GM on behalf of the surviving family members was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

The Honorable Troy Carter

18 April 2022

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Notably, there are 21 accident victims from Louisiana with “allowed” claims in the GM bankruptcy case. These 21 victims filed proofs of claim totaling \$52,623,404. The aggregate “allowed” claims of these 21 victims, however, were squeezed down to only \$4,172,300 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$1.25 million) at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM to liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Your bill puts these claimants more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

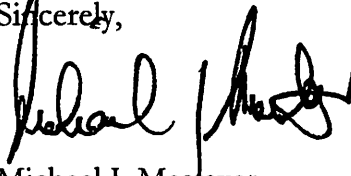
The Honorable Troy Carter

18 April 2022

Page 3

We will forever be appreciative and thankful for your efforts. You have truly shown us the one thing we have been in search for—compassion. Your compassion has made the unimaginable possible. We are certain that your efforts will bring us justice. From all of us--thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Mestayer", written over the word "Sincerely,".

Michael J. Mestayer

Attorney for the Hamilton Family

MJM:ebp

cc: Senator John Kennedy, 416 Russell Senate Office Building, Washington, D.C. 20510
Senator Bill Cassidy, 520 Hart Senate Office Building, Washington, D.C. 20510

PETWAY ♦ OLSEN
LLC
ATTORNEYS AT LAW

THE SHELBY BUILDING
600 VESTAVIA PARKWAY ♦ SUITE 220
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205-733-1595 ♦ FAX 205-581-9773
TOLL FREE 800-365-1631

D. BRUCE PETWAY
BPETWAY@LAWPC.COM

April 22, 2022

By Electronic Mail to:
Troycarter.house.gov

The Honorable Troy Carter
506 Cannon House Office Building
Washington, DC 20515

Dear Congressman Carter,

I represent E-5 Sergeant James Brown, Jr., a resident of your district and want to thank you on behalf of him and his wife Linda for introducing legislation to waive the statute of limitations for cases against the government related to the General Motors ("GM") bailout. As you know, this legislation not only impacts E-5 Sergeant James Brown, Jr., but approximately 630 other victims and families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors cars. Justice was denied to so many of them when the federal government bailed out GM in 2009. Congress can right this wrong by giving them justice. The introduction of your bill is a critical step to that end.

Sergeant Brown is a decorated veteran who, after 23 years of service to our country, had reached the rank of E-5 Sergeant in the United States Army. He was stationed early in his career in Panama and fought in the 1991 Iraq war. On the fateful day of his accident on July 27, 2003, he left his base at Fort Polk, Louisiana and was on his way home for a final visit when a distracted driver on I-49 slammed at full speed into the back of the vehicle in which he was sitting. The force of the impact caused the vehicle to roll the length of two football fields. The defective back seat in which he was sitting snapped from its hinges and projected him through the back windshield while still strapped in. The injuries he sustained were very severe, including breaks at each of cervical vertebrae C2 through C7. The doctors said it was only because he never saw car coming—and so was completely relaxed—that his entire spine didn't snap, rendering him a quadriplegic. To this day he needs his wife's constant daily attention to his needs.

Our lawsuit against GM on behalf of Sergeant Brown was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot adequately convey the anguish and suffering the Browns experience daily since the day of the accident. That anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims. To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers."

The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

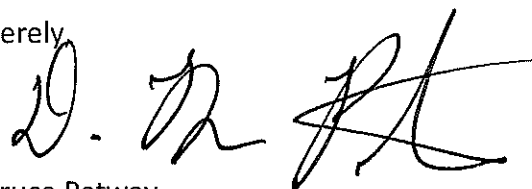
Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

Your legislation corrects the injustice dealt the Browns in the bailout. Words cannot express the appreciation we have for your having introduced this legislation that justly compensates them and the other GM accident victims left behind in the bailout for the government's actions in stripping them of their claims against the government successor to Old GM. You have truly shown us the one thing we have been in search for—compassion. Your compassion has made the

The Honorable Troy Carter
April 22, 2022
Page 3

unimaginable possible. We are certain that your efforts will bring them justice. From all of us--
thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "D. Bruce Petway". The signature is stylized with a large, looped "D" and a long, sweeping horizontal line extending to the right.

D. Bruce Petway,



CARIMI LAW FIRM

A Law Corporation

March 10, 2022

The Honorable Steve Scalise
2049 Rayburn House Office Building
Washington, DC 20515

Dear Steve,

As an old friend and an attorney practicing in your district, I write to bring to your attention a very important matter impacting my clients, Kevin Chadwick and his parents James and Judith Chadwick, and approximately 650 other victims and the families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied them when the federal government bailed out GM in 2009 but left out these severely injured accident victims, injured due to defects in their GM cars. Congress can right this wrong by restoring justice to the Chadwicks and hundreds of other GM victims. We humbly request your support to advance such a worthy effort.

Kevin was driving his Chevrolet Beretta back to LSU where he was a petroleum engineer in his senior year. A pickup truck ran a stop sign and crashed into his Beretta. Kevin was paralyzed from the neck down. The injury was caused by a defective seat belt and a defectively designed hood latch and hood hinge system that allowed the hood to invade the passenger compartment and strike Kevin in the head, causing permanent traumatic injury to his brain and confining him to a wheelchair. Kevin has limited brain function and is basically a quadriplegic. He is tragically completely aware of his condition and limitations but is trapped in his non-functioning body. He relies primarily on his now aging parents and the generosity of family and friends to perform normal activities of daily life. He suffers from constant pain and his care needs increase with each passing year. With limited financial resources, Kevin is unable to receive necessary assistance with even the most mundane of tasks such as his personal care needs. With each passing year, Kevin's needs increase and with no hope in sight, he faces a dark and uncertain future. Simply put, GM's defective design has devastated his and his parents' life.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The GM accident victims were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while it left behind a few hundred million dollars in claims of accident victims behind. These segregated victims were only paid pennies on the dollar years down the road from the GM bankruptcy estate.

This forced accident victims like my client to rely entirely on substandard coverage through medicaid for ongoing medical care. I'm sure I speak for all the accident victims left behind when I state that these burdens have been horribly overwhelming for them, their families, and those close to them.

CARIMI LAW FIRM

In 2015, a lawsuit was brought against the government for forcing the accident victims' successor liability claims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall, they just want to be made whole. The claims of the accident victims were not the cause of GM's problems. They trusted GM's vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their products liability claims against GM.

Once the bailout was over, we hoped the government would make the Chadwicks whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt the accident victims in the bailout, we seek your support for HR 7016 that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that the Chadwicks and other accident victims left behind in the bailout are justly compensated for their losses.

Please show compassion to the GM accident victims and lend your support to the legislation introduced yesterday by Congressman Troy Carter (HR 7016) that directs the federal government to pay the accident victims the just compensation due them. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like the Chadwicks can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider the plight of my clients.

Sincerely,



Darryl J. Carimi,
Attorney for the Chadwicks
Carimi Law Firm, A Law Corporation
25507 Cardinal Court
Bush, Louisiana 70431
(504) 669-5603

cc: United States Senator John Kennedy
United States Senator Bill Cassidy

Linda Heck
78500 Nettles Road
Covington, Louisiana 70435
Tel: (985) 705-0995
Email: LHeck@stph.org

March 10, 2022

The Honorable Steve Scalise
2049 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Scalise,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort.

In 2009, I was involved in an accident in which my GM car's airbag failed to deploy, and as a result broke my sternum and left hand. But I only recovered pennies on the dollar on the claim filed by my attorneys on my behalf in the GM bankruptcy case.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the government for forcing my successor liability claims and those of other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date the victims had no reason to know of since they were not privy to those behind-the-scenes legal proceedings.

The Honorable Steve Scalise
March 10, 2022
Page 2

Please know I am not seeking some windfall; I just want to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted our vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected my own government would leave him behind to collect pennies on the dollar on his claims.

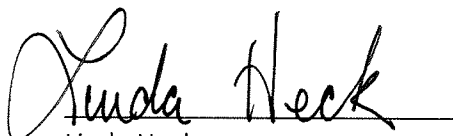
Once the bailout was over, every GM victim hoped to be made whole by the government. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of legislation introduced yesterday by Congressman Troy Carter (HR 7016) that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of the accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plight.

Sincerely,



Linda Heck

cc: United States Senator John Kennedy
United States Senator Bill Cassidy

**Laura Steinaway
16013 Pear Drive
Biloxi, Mississippi 39532
Tel: (228) 806-2662
Email: kaservices2@gmail.com**

March 31, 2022

The Honorable Steven Palazzo
2349 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Palazzo,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

A defective airbag in my GM vehicle exploded, rendering me unconscious. They found my car in a ditch. I suffered a ripped aortic valve from the explosion. The valve now needs to be replaced and I'm reliant on my own resources to cover surgical and rehabilitation needs.

In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims like me behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate. I'll never understand how the government could have acquired GM without making sure that the allowed claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors.

Please know I am not seeking some windfall; just to be fairly compensated for my losses at the hands of the government in the bailout. The claims of the accident victims were not the cause of GM's problems. We trusted our new vehicle would run properly. When it didn't, we expected that we'd be made whole by GM if there were product defects. Like other GM accident victims, I never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

The Honorable Steven Palazzo
March 31, 2022
Page 2

Once the bailout was over, we still hoped the government would honor its commitment to make victims whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of HR 7016 to justly compensate me and the other accident victims for our losses. We simply seek payment for what's rightfully due us, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to HR 7016, which directs the federal government to pay just compensation on our claims against GM that were left behind in the bailout. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the GM accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider our plea.

Sincerely,


Laura Steinaway

cc: Senator Roger Wicker, 555 Dirksen Senate Office Building, Washington, D.C. 20510
Senator Cindy Hyde-Smith, 702 Hart Senate Office, Washington, D.C. 20510

**Ricardo Montelango
Edith Ortiz Montelango
13121 Parkside Terrace
Cooper City, Florida 33330
Tel: (954) 319-0327
Email: montelongo@riccedi.com**

March 9, 2022

The Honorable Debbie Wasserman Schultz
1114 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Wasserman Schultz,

As a resident of your district, we write to bring to your attention to an important matter impacting us and approximately 650 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to me and hundreds of other GM victims. We humbly request your support to advance such a worthy effort.

Our daughter Nicolette was a beautiful, sweet, smart, and ambitious girl, two weeks shy of starting college at FIU in 2004 when she was involved in a car accident. The defective exploding airbag in her GM car at impact threw her backwards at a speed of around 300 mph, breaking the seat back and seat belt restraint and propelling her through the back windshield. The brain injury she suffered has debilitated her for life. She lives at home with us and requires constant care. She can't even shower herself.

The \$10,000,000 claim we filed for her in the GM case was squeezed down to \$800,000 as the lawyers representing GM forced us into mediation and threatened to withhold payments to us for years if we would not agree to this settlement amount. On that "allowed" claim, we received only around 30%, which was eaten up by our attorneys and by insurance companies who demanded recoupment of medical expenses. Since then, Medicaid has been totally inadequate to provide any meaningful rehabilitation therapy for Nicolette. Words cannot adequately convey the hardships and anguish we and Nicolette face daily in simply attending to her needs.

We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate. This forced accident victims like our daughter to rely entirely on substandard coverage through Medicaid for ongoing medical care. We're sure we speak for all the accident victims left behind when we state that these burdens have been horribly overwhelming for us, our family, and those close to us.

The Honorable Debbie Wasserman Schultz

March 9, 2022

Page 2

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of our daughter and the other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; we just want to be made whole. The claims of our daughter and the other accident victims were not the cause of GM's problems. We trusted our vehicles would run properly and that we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar on our claims against GM.

Once the bailout was over, we hoped the government would make us whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we seek your support for legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment of the full amount of our allowed claim in the GM bankruptcy, just like the \$60 billion in other allowed claims that were paid in full in the bailout.

Please show your compassion to our daughter and the other GM accident victims and lend your support to the attached proposed legislation that is awaiting introduction soon and that directs the federal government to pay us just compensation for our claims against GM. Your support will surely help immensely in advancing that legislation through Congress and into law.

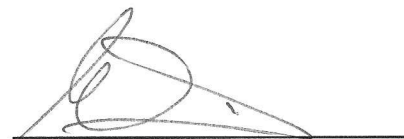
Additional background and a short video that details the of plight of people like me can be viewed at <https://forgottengmbailoutvictims.org>

Thank you so very much for taking the time to consider our plight.

Sincerely,



Ricardo Montelongo



Edith Ortiz Montelongo

cc: United States Senator Marco Rubio
United States Senator Rick Scott

March 9, 2022

The Honorable Debbie Wasserman Schultz
1114 Longworth House Office Building
Washington, DC 20515

Dear Congresswoman Wasserman Schultz,

As a resident of and attorney practicing in your district, I write to bring to your attention to an important matter impacting my client, Ms. Gail Rockwell and approximately 650 other victims and the families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied them when the federal government bailed out GM in 2009. Congress can right this wrong by restoring justice to Ms. Rockwell and hundreds of other GM victims. We humbly request your support to advance such a worthy effort.

As a result of a defective seatbelt in Ms. Rockwell's GM vehicle, Ms. Rockwell was ejected from her car and suffered a broken neck. Ms. Rockwell was rendered an incomplete quadriplegic. Ms. Rockwell has limited mobility and relies on the generosity of family and friends to perform normal activities of daily life. She suffers from constant pain and her care needs increase with each passing year. With limited financial resources, Ms. Rockwell is unable to receive necessary assistance with even the most mundane of tasks such as her personal care needs. Ms. Rockwell not only lives in constant pain, but also suffers from depression and anxiety. With each passing year Ms. Rockwell's needs increase and with no hope in sight, she faces a dark and uncertain future. Simply put, GM's defective seatbelt has devastated Ms. Rockwell's life.

I'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The GM accident victims were treated far worse by the federal government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to paid pennies on the dollar years down the road from the GM bankruptcy estate. This forced accident victims like my client to rely entirely on substandard coverage through Medicaid for ongoing medical care. I'm sure I speak for all the accident victims left behind when I state that these burdens have been horribly overwhelming for them, their families, and those close to them.

The Honorable Debbie Wasserman Schultz
Page Two
March 9, 2022

In 2015, a lawsuit was brought against the government for forcing the accident victims' successor liability claims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still doesn't make sense to me since the case was filed within six years of the date the GM sale closed. Yet the court held it should have been filed within six years of the date the government uploaded to the bankruptcy court its proposed order approving the sale, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall, she just wants to be made whole. The claims of the accident victims were not the cause of GM's problems. They trusted GM's vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar on their products liability claims against GM.

Once the bailout was over, we hoped the government would make her whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt the accident victims in the bailout, we seek your support for legislative language that waives the statute of limitations defense in the takings case mentioned above and directs the Department of Justice to settle the claims of the accident victims so that we are justly compensated for our losses. We simply seek payment of the full amount of my client's allowed claim in the GM bankruptcy, just like the \$60 billion in other allowed claims that were paid in full in the bailout.

Please show compassion to the GM accident victims and lend your support to the attached proposed legislation that has just been introduced by Congressman Troy Carter and directs the federal government to pay the accident victims their due. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the of plight of people like Ms. Rockwell can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you so very much for taking the time to consider the plight of my client.

Sincerely,



Cam Justice, attorney for C. Gail Rockwell

cc: United States Senator Marco Rubio
United States Senator Rick Scott

ATTORNEYS
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KARI A. PETERSON
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JOSEPH J. REITER, P.A.°**
KEVIN C. SMITH, P.A.°
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WILLIAM S. WILLIAMS, P.A.°
JORDAN C. EVERT (1981-2008)
° Board Certified Civil Trial Attorney
* Also admitted in Kentucky
** Also admitted in New York



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April 25, 2022

PARALEGALS
ROBERT BRADSHAW
KATHRYN B. CONNOR
LESLIE T. COOPER
TROY L. FLEMING
LISA D. FRENCH
MINDIE M. FUSCA
EMILIA HUNERBERG
TERESA KRELLNER
AMARYS REYES
IVETTE SANCHEZ
STEVEN SANCHEZ
DAVID SCHULTZ
KIMBERLY SIMPSON
JAMES E. WILLIAMS
CHIEF INVESTIGATOR
MARTY KERNER, M.S.
NURSE PARALEGALS
CYNTHIA MAZZUTO, R.N.

The Honorable Lois Frankel
2407 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Frankel,

I write to bring to your attention to an important matter impacting my client, Avelardo Vicente, a resident of your district. On July 11, 2006, Avelardo Vicente was operating a 2004 GMC Envoy northbound on the Turnpike, in Broward County, Florida. At approximately 8:06 p.m., Mr. Vicente came upon a traffic jam and attempted to brake to avoid colliding with other vehicles. However, as the asphalt was wet, his vehicle hydroplanned and he rear-ended a semi-tractor trailer.

At the time of the collision Mr. Vicente was traveling below the posted speed limit of 65 mph and the tractor trailer was traveling at approximately 35 mph. Mr. Vicente was not belted and unfortunately his airbag failed to deploy in this direct frontal collision.

Given the extent of the damage to the front end of the 2004 Envoy, it is absolutely clear the airbag should have deployed preventing Mr. Vicente from contacting the steering column resulting in quadriplegia. A download of the vehicle's black box confirmed the forces involved and the directions of force should have caused the airbag to fire.

Mr. Vicente's total medical bills were \$506,901.32. Mr. Vicente also had a Medicaid lien in the amount of \$200,777.65 and a lien in the amount of \$40,427.71 with The Brain and Spinal Institute. His future economics including wage loss and medical expenses were well over \$8,000,000.00. A copy of Mr. Vicente's Lifecare plan prepared by Sharon K. Kawai, MD, is attached hereto.

Also attached please find photographs depicting damage to the vehicle and steering column as a result of the airbag not deploying.

Words cannot adequately convey the pain, anguish, and loss felt daily by the Avelardo family. That pain and anguish was only compounded by the miserable treatment the government reserved for him in the bailout.

His case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout.



We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 24 accident victims from Florida with "allowed" claims in the GM bankruptcy case. These 24 victims filed proofs of claim totaling \$189,134,000. The aggregate "allowed" claims of these 24 victims, however, were squeezed down to only \$10,456,038 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$3.1 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not some windfall on behalf of our client. His claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never

The Honorable Lois Frankel
April 25, 2022
Page 3

expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely

A handwritten signature in black ink, appearing to be 'Lance C. Ivey', with a stylized, flowing script.

Lance C. Ivey, Attorney for Avelardo Vicente

cc: Senator Marco Rubio, 284 Russell Senate Office Building, Washington, D.C. 20510
Senator Raphael Warnock, 502 Hart Senate Office Building, Washington, D.C. 20510

BRIAN P. CONATY
ATTORNEY AT LAW
320 SOUTH ENGLEWOOD
HUNTINGTON, WV 25701
(304) 634-7095

Brian P. Conaty, Esq.
E-Mail: bconaty.law@live.com

April 8, 2022

The Honorable Joe Manchin
306 Hart Senate Office Building
Washington, DC 20510

Dear Senator Manchin:

I represent Bob Gleason, a fellow West Virginian. He is the father of Bobby Gleason. You might recall that Bobby tragically died in a rollover accident in 2007 while driving home in a General Motors (“GM”) van at the conclusion of a high school senior class trip to Panama City, Florida. Bobby’s death was even more tragic because it was caused by a faulty roof design that caused severe brain trauma. Our lawsuit against GM on behalf of the Gleasons was primed for settlement when, at the government’s direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot convey the anguish and loss felt daily by the Gleason family since the day of the accident. That pain was only compounded by the miserable treatment the government reserved for them in the bailout.

We will never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims. To justify the government’s callous disregard of the accident victims’ rights, the government’s so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.”

The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team’s misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company’s shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout’s entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims’ successor liability claims were not extinguished in the final sale order. Not

Honorable Joe Manchin
April 8, 2022
Page 2

surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment’s Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for “just compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider our plea.

Very truly yours,

Brian P. Conaty, Esq.

BPC/tb

BRIAN P. CONATY
ATTORNEY AT LAW
320 SOUTH ENGLEWOOD
HUNTINGTON, WV 25701
(304) 634-7095

Brian P. Conaty, Esq.
E-Mail: bconaty.law@live.com

April 8, 2022

The Honorable Shelley Moore Capito
172 Russell Senate Office Building
Washington, DC 20510

Dear Senator Capito:

I represent Bob Gleason, a fellow West Virginian. He is the father of Bobby Gleason. You might recall that Bobby tragically died in a rollover accident in 2007 while driving home in a General Motors (“GM”) van at the conclusion of a high school senior class trip to Panama City, Florida. Bobby’s death was even more tragic because it was caused by a faulty roof design that caused severe brain trauma. Our lawsuit against GM on behalf of the Gleasons was primed for settlement when, at the government’s direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot convey the anguish and loss felt daily by the Gleason family since the day of the accident. That pain was only compounded by the miserable treatment the government reserved for them in the bailout.

We will never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims. To justify the government’s callous disregard of the accident victims’ rights, the government’s so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.”

The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team’s misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company’s shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout’s entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims’ successor liability claims were not extinguished in the final sale order. Not

Shelley Moore Capito
April 8, 2022
Page 2

surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment’s Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for “just compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider our plea.

Very truly yours,

Brian P. Conaty, Esq.

BPC/tb

Sergeant Lester Farnsworth
131 Dorr Avenue
Riverside, Rhode Island 02915
Tel: (401) 301-5540
Email: Lester@FarnsworthCafe.com

April 14, 2022

The Honorable Jack Reed
728 Hart Senate Office Building
Washington, DC 20510

Dear Senator Reed,

I am a Rhode Island resident and Army veteran. I served in Vietnam as a "Scout Dog Handler" from November 1966 through December 1968. A few days after the steering wheel was replaced on my wife Joyce's car, her car unexpectedly veered off the road and smashed into a pole. Her defective seat belt so compressed her intestines from the crash that she was admitted to the ICU and sections of her GI tract was removed. Gradually over the nine years, more and more of her intestines had to be removed until her body could take it no longer and she passed away in 2015. She suffered a great deal of anguish and felt punished because her claim was denied. Our lawsuit against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot adequately convey the pain my wife suffered from daily and the loss I now mourn daily. The miserable treatment of my wife by our own government in the bailout only compounded her pain and limited her treatment options. She consistently received inferior treatment because she was forced to rely on Medicaid for treatment.

We'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 2 accident victims from Rhode Island (including my wife) with "allowed" claims in the GM bankruptcy case. They further tell me that these allowed filed proofs of claim totaled \$2,055,000. The "allowed" amount of these claims in the case, however, were squeezed down to only \$385,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 25% was paid on that "allowed" amount, which also had to cover attorney's fees and costs, leaving us with virtually nothing. Their tactics in the mediation were also repugnant, telling me that the injuries were my wife's fault, and that even if we won in state court the bankruptcy court would never recognize the verdict. If we didn't take their

The Honorable Jack Reed
April 14, 2022
Page 2

"last and final offer"—which was their opening offer in the mediation—we'd never get paid they warned.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall; just to be treated fairly. My wife's claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider our plea.

Sincerely,



Sergeant Lester H. Farnsworth

cc: Senator Sheldon Whitehouse, 530 Hart Senate Office Building, Washington, D.C. 20510

The Honorable Jack Reed

April 14, 2022

Page 3

Congressman Jim Langevin, 2077 Rayburn House Office Building, Washington, D.C.
20515

Dorcas E. Williams
3158 E Avenue H8
Lancaster, California 93535
Tel: (818) 486-1492
Email: WilliamsDorcas@yahoo.com

April 6, 2022

The Honorable Mike Garcia
1535 Longworth House Office Building
Washington, DC 20515

Dear Congressman Garcia,

As a resident of your district, I write to bring to your attention to an important matter impacting me and approximately 630 other victims and their families throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and hundreds of other GM accident victims. I humbly request your support to advance such a worthy effort and support the legislation introduced by Congressman Troy Carter of Louisiana on March 9, 2022, HR 7016, which calls for just compensation to be paid to the accident victims left behind in the GM bailout.

In 2008, my GM car was rear-ended, and instead of the airbag deploying, the steering wheel popped off at such a velocity that it caused significant injuries to my neck, back, head and face. The force of the wheel was so strong that it knocked out one of my teeth, causing it to become lodged in my neck. The pain was so severe in my back that I required several epidural treatments. I continue to suffer to this day with chronic neck and back pain, along with facial and neck scars. I would like to resume rehabilitation treatments, but am unable to do so as I have inadequate personal resources to cover my physical therapy needs.

In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions, and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate. I'll never understand how the government could have acquired GM without making sure that the allowed claims of accident victims were paid in full. We were treated far worse by the federal government than most of GM's other creditors.

Please know I am not seeking some windfall; just to be made whole. The claims of the accident victims were not the cause of GM's problems. I trusted my vehicle would run properly. When it didn't, I expected to be made whole by GM if there were product defects. I never expected to be caught in the middle of a massive government bailout, and certainly never expected our my government would leave the accident victims behind to collect pennies on the dollar.


Once the bailout was over, I still hoped the government would honor its commitment to make me whole. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, I plead for your support of HR 7016 to justly compensate the GM accident victims for their losses. We simply seek payment for what's rightfully due us, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates us for our losses and puts us more on par with the holders of \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,


Dorcas E. Williams

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, D.C. 20510
Senator Alex Padilla, B03 Russell Senate Office Building, Washington, D.C. 20510

R. LEWIS VAN BLOIS

BOARD CERTIFIED CIVIL TRIAL SPECIALIST
NATIONAL BOARD OF TRIAL ADVOCACY

THOMAS C. KNOWLES

DARREN VAN BLOIS

NANCY HORAN, PARALEGAL
AMY ROSSITTO, PARALEGAL

Of Counsel

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*Licensed in Arizona

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San Jose Office
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San Jose, CA 95131
(408) 943-8820

April 21, 2022

The Honorable Barbara Lee
2470 Rayburn House Office Building
Washington, DC 20510

Dear Congresswoman Lee,

I am a personal injury attorney in Oakland, California and a long time supporter of your efforts to achieve justice for victims caused by negligence and defective products of manufacturers and other defendants in Alameda County. I represent Camille Ravetto, a resident of your district, for the wrongful death of her father Ronald A. Ravetto on October 15, 2008. Her father Ronald Ravetto was driving a 2002 Chevrolet Astro Van westbound on Interstate 580 in the Altamont Pass of Alameda County, California. He was involved in a collision with a tractor-trailer rig. Instantly smoke and flames came out of the van's engine compartment. Mr. Ravetto's legs were pinned in the vehicle. Although he was alive talking to a motorist who stopped to help him, the engine fire burned completely out of control. Although multiple passerbys used multiple portable fire extinguishers to attempt to put out the engine fire, the fire intensified and completely engulfed Mr. Ravetto, causing his painful death.

We engaged the services of Mr. Cam Cope, an Auto Fire and Safety expert, to investigate the cause of the fire, its spread and the circumstances that made it impossible for the rescuers to put out the fire. Mr. Cope prepared a complete investigation and prepared a report documenting a number of deadly deficiencies in the General Motors van. The master cylinder was dangerously located directly over the engine exhaust manifold and in the collision 10 ounces of highly flammable brake fluid came in direct contact with the hottet component of the engine compartment, causing it to ignite and move rapidly into the passenger compartment where highly flammable plastics were used, causing it to burn so hot and rapidly that the fire extinguishers could not put it out.

Hon. Barbara Lee
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April 21, 2022
page 2

This is a strong defective product liability case. The failure to have a containment system to control the spread of the brake fluid, the improper location of dangerous fire causing materials in the engine compartment and passenger compartment were proof of a deadly defective product. In 1972 General Motors admitted the expectation that consumers should be entitled to have fire safety in vehicle crashes and not burn to death in a crash.

Ronald Ravetto died a most horrible and unnecessary death being burned alive. His only child, Camille Ravetto, born July 4, 1998, lost her father and had to live without his financial support, love and affection. Camille was only 10 years old when her father burned to death. Ronald Ravetto was married to Ligia Ravetto and had recently celebrated their anniversary. Ligia has lost the financial support, love, and affection of her husband.

Ronald was a hard working father who earned close to \$100,000 a year. A complete economic damage analysis was prepared, based on the provable losses as of September 2011, as follows:

Past wage loss	\$ 240,000
Future wage loss	1,600,000
Loss of benefits	75,000
Loss of household services	350,000
Funeral expenses	<u>6,000</u>
	\$2,271,000

The non-economic damages for loss of the father of Camille Ravetto is a minimum of \$5,000,000. The total loss Camille Ravetto suffered was \$7,271,000.

For this devastating loss, Camille received \$473.80 in checks from the General Motors bankruptcy. She may have received a few dollars more that I was not informed about.

Unfortunately Camille Ravetto did not receive much of anything for the wrongful death of her father. Also as her attorney we received nothing for our years of work. We incurred legal expenses of \$27,811.23 for investigation, expert services, records, vehicle storage, and the mediator charges. We never received one cent for reimbursement of our legal costs. Thus, for all of the work to bring this case to a position for a reasonable multi-million settlement, we as her attorneys received nothing and lost \$27,811.23 in unreimbursed costs.

Her case against General Motor was ready for settlement when, at the government's direction, General Motors filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. The governmental agreed to pay \$60 billion of claims of General

Hon. Barbara Lee
re: HR 7016
April 21, 2022
page 3

Motor's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. I have been informed that total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 64 accident victims from California with "allowed" claims in the General Motors bankruptcy case. I have been informed that these 64 victims filed proofs of claim totaling \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing General Motors forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$7.6 million) at most was paid on those "allowed" amounts.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the General Motors bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of General Motors in default, thereby forcing General Motors into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the General Motors accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our client Camille Ravetto. Her claims and those of the other accident victims were not the cause of General Motor's

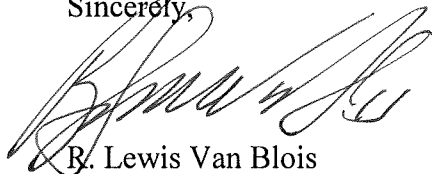
Hon. Barbara Lee
re: HR 7016
April 21, 2022
page 4

financial problems. They trusted General Motors vehicles would run properly and that they'd be made whole by General Motors if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

I have been informed that there are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective General Motors cars. Justice was denied to them when the federal government bailed out General Motors in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the General Motors bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against General Motors that were paid in full without reduction or compromise after the government took control of General Motors in bailout.

Thank you very much for taking the time to consider our plea. I am available to answer any questions you may have.

Sincerely,



R. Lewis Van Blois
Attorney for Camille Ravetto

RLVB/res

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, DC 20510
Senator Alex Padilla, B03 Russell Senate Office Building, Washington, DC 20510

Douglas A. Scott
Matthew D. A. Scott

**LAW OFFICE OF
DOUGLAS A. SCOTT**

ATTORNEYS AT LAW

Lisa Fortier Scott, Office Manager

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SUITE 110
RANCHO CUCAMONGA, CALIFORNIA 91730
(909) 980-9199
FAX (909) 980-9216

April 18, 2022

The Honorable Pete Aguilar
109 Cannon House Office Building
Washington, DC 20515

Dear Congressman Aguilar,

I write to bring to your attention to an important matter impacting my client, Jeanette Miksik. She was a passenger in a car that was involved in an accident. As of result of the defective seat belt in her General Motors Saturn car, the seat belt spooled out with no retraction and Ms. Miksik suffered severe traumatic brain injury. She was forced as a result to retire from her job as auditor for the County of San Bernardino. She currently has a special needs trust as a result of the accident. She has a great deal of difficulty in going about her daily life. Words cannot adequately convey the pain and anguish this tragic incident has been felt by her and her family. That pain and anguish was only compounded by the miserable treatment the federal government reserved for her in the bailout.

Our lawsuit against GM on behalf of my client was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 64 accident victims from California with "allowed" claims in the GM bankruptcy case. These 64 victims filed proofs of claim totaling \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$7.6 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team ~~Page 12~~

bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be treated fairly. Her claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

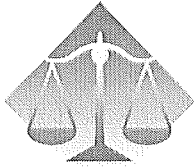
Thank you very much for taking the time to consider our plea.

Sincerely



Douglas A. Scott, Attorney for Jeanette Miksik

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, D.C. 20510
Senator Alex Padilla, 112 Hart Senate Office Building, Washington, D.C. 20510



T H E L A W O F F I C E S O F
FREDERICK W. SMITH, JR.

FREDERICK W. SMITH, JR., ATTORNEY

TINA GLOW, OFFICE MANAGER

April 18, 2022

The Honorable Josh Harder
709 Hart Senate Office Building
Washington, DC 20510

Dear Congressman Harder,

I write to bring to your attention to an important matter impacting my clients, Daniel and Danielle Hendrix. They were involved in a crash involving their Oldsmobile Bravada that had numerous product defects. Because of these defects, Daniel's lung was punctured, his thoracic artery torn, and his hip blown out. As a result of the car's defects, he is now a paraplegic and has no use of his legs and requires round-the-clock care. Words cannot adequately convey the pain, anguish, and loss felt daily by the Hendrix family. That pain and anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of my clients was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 64 accident victims from California with "allowed" claims in the GM bankruptcy case. These 64 victims filed proofs of claim totaling \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$11.9 million)

1032 Jean Drive, San Luis Obispo, CA 93405
Telephone (209) 595-6722
Email: rsmith@oakdalelaw.com

at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

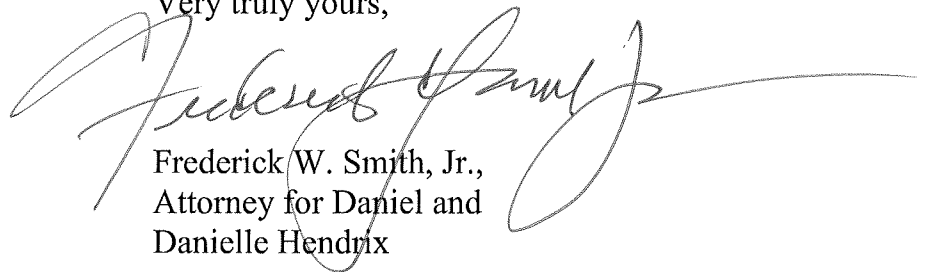
Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for “just

compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Frederick W. Smith, Jr.', with a long horizontal flourish extending to the right.

Frederick W. Smith, Jr.,
Attorney for Daniel and
Danielle Hendrix

cc: Senator Diane Feinstein
331 Hart Senate Office Building
Washington, D.C. 20510

Senator Alex Padilla
112 Hart Senate Office Building
Washington, D.C. 20510

Maria Mercado
204 N. 6th Street
Patterson, California 95363
Tel: (209) 605-5065
Email: 1MercadoMari@gmail.com

April 18, 2022

The Honorable Josh Harder
709 Hart Senate Office Building
Washington, DC 20510

Dear Congressman Harder,

My family and I are residents of your district. I was a 20 year old college student driving with my friend when the General Motors SUV in which we were driving car skidded off the highway and rolled over. The well-documented defective roof design of the vehicle caused it to collapse, ejecting us all from the vehicle during the rollover. As a result, my spine was broken and I have no feeling below my chest. I require round-the-clock care. Words cannot adequately convey the pain and anguish my family and I feel daily. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and greatly limited my treatment and rehabilitation options as I am wholly reliant on Medicare.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 64 accident victims from California (including me) with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$394,471,827. The aggregate "allowed" claims of these 64 victims, however, were squeezed down to only \$25,242,234 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$11.9 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went

The Honorable Josh Harder

April 18, 2022

Page 2

effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; just to be treated fairly. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates us for our loss and puts us more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,



Maria Mercado

cc: Senator Diane Feinstein, 331 Hart Senate Office Building, Washington, D.C. 20510
Senator Alex Padilla, 112 Hart Senate Office Building, Washington, D.C. 20510

JOHNSON JOHNSON LUCAS & MIDDLETON, P.C.

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* Also Member California and Washington Bars
** Also Member California and New York Bars

April 21, 2022

The Honorable Jeff Merkley
531 Hart Senate Office Building
Washington, DC 20510

Dear Senator Merkley:

I write to bring to your attention to an important matter impacting my client, Ron Hyde, resident of Oregon. Mr. Hyde is a paraplegic, with the loss of sensation in his legs and lower body since 1983. Nearly 14 years ago, as a passenger in a 2008 GMC Arcadia, he was burned by the seat heater. He sustained serious third degree burns on his left buttock requiring hospitalization, reconstructive surgery and forced immobilization and bed rest. He suffered permanent damage to the skin and deeper tissues making him more vulnerable to further complications. His rehabilitation needs were significant. But the discomfort and inconvenience he sustained was only compounded by the miserable treatment the government reserved for the GM accident victims in the bailout.

Our lawsuit against GM on behalf of Mr. Hyde was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

There are four accident victims from this State with "allowed" claims in the GM bankruptcy case. These three victims filed proofs of claim totaling \$11,712,869. The aggregate "allowed" claims of these three victims, however, was squeezed down to only \$245,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$73,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

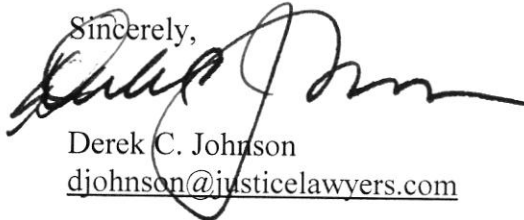
In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know our client is not seeking some windfall; just to be treated fairly. His claim and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely,



Derek C. Johnson

djohnson@justicelawyers.com

cc: Senator Ron Wyden, 221 Dirksen Senate Office Building, Washington, D.C. 20510
Congressman Peter Defazio, 21345 Rayburn Office Building, Washington, D.C. 20515

**Nicole Corcoran Allen
5 Dresden Court
Portland, Maine 04103
Tel: (207) 595-2832
Email: Nicole1818C@aol.com**

April 14, 2022

The Honorable Chellie Pingree
2162 Rayburn House Office Building
Washington, DC 20515

Dear Congresswoman Pingree,

I am a resident of your district. I was putting my children into their cars seats in a General Motors minivan when the sliding door began to close shut. To stop my young child from getting caught in the door, I extended my arm into the vehicle. But instead of the door's reversing course when it touched my arm, it closed tightly on my arm and shoulder, causing considerable pain. Since then, my shoulder and arm have never been the same and I feel constant numbness in my shoulder and pain in my arm. Lacking meaningful compensation for the injury from GM, I have opted out of therapy for financial reasons. The miserable treatment of my claim by our government in the GM bailout only compounded my pain and limited my treatment options.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout. I personally only received 10 cents on the dollar on my claim.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; just to be treated fairly. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

The Honorable Chellie Pingree
April 14, 2022
Page 2

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,



Nicole Corcoran Allen

cc: Senator Susan Collins, 413 Dirksen Senate Office Building, Washington, D.C. 20510
Senator Angus King, 133 Hart Senate Office Building, Washington, D.C. 20510

Jamain Antuan Risher
119 Partridge Lane
Varnville, South Carolina 29944
Tel: (803) 942-5235
Email: rachelgrisher29918@gmail.com

April 12, 2022

The Honorable James E. Clyburn
242 Cannon House Office Building
Washington, DC 20515

Dear Congressman Clyburn,

My family and I have been residents of your district for generations. In fact, you knew my grandfather, Mr. James Risher, who was Mayor of Gifford for 40 years. Over 15 years ago, my sister Stacey and I were teenagers driving around when our GMC Tahoe suddenly veered off the road. As it rolled over, the vehicle's faulty roof design and seat belt harness system caused us to be ejected from the vehicle, killing my sister Stacey and leaving me with severe head and back injuries from which I have never fully recovered. Fortunately, my son Jamian LaNorris, who was with us and three at the time suffered only minor injuries. I'm proud to say, he'll be a freshman in the University of South Carolina's Engineering program starting this summer, majoring in Mechanical Engineering.

Our lawsuit against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. Words cannot adequately convey the anguish and loss my extended family and I feel daily. That pain was only compounded by the miserable treatment our own government reserved for us in the bailout.

We'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are 10 accident victims from South Carolina (including myself and my father on behalf of my sister's estate) with "allowed" claims in the GM bankruptcy case. They further tell me that these 10 accident filed proofs of claim totaling \$36,705,975 but their allowed" claims in the case were squeezed down to only \$1,647,732 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 25-30% was paid on that "allowed" amount, which also had to cover attorney's fees and costs, leaving most accident victims with virtually nothing.

The Honorable James E. Clyburn
April 12, 2022
Page 2

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

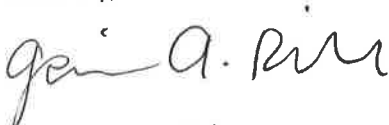
Please know my family and I are not seeking some windfall; just to be treated fairly. Our claims and those of the other accident victims were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider our plea.

Sincerely,



Jamian Antuan Risher

cc: Senator Lindsey Graham, 290 Russell Senate Office Building, Washington, D.C. 20510
Senator Tim Scott, 104 Hart Senate Office Building, Washington, D.C. 20510

DENNIS J. DAVIS

Attorney at Law
P.O. Box 798
Bryant, AR 72089-0798

(501) 840-2355
Fax (501) 213-0173
djdavis@boswellaw.com

April 14, 2022

The Honorable John Boozman
141 Hart Senate Office Building
Washington, DC 20510

Dear Senator Boozman,

I write to bring to your attention to an important matter impacting my clients, who were killed or badly injured after being rear-ended in their 1991 Chevy Cavalier. The patent lack of crashworthiness of the car caused Brandi Kent to be killed while buckled into her car seat. Her friend Haley Christy Nash suffered significant and permanent brain injury from the accident. Haley is now in her 20's but functions on the level of a young child. Words cannot adequately convey the anguish and loss felt daily by their families since the day of the accident. That pain was only compounded by the miserable treatment the government reserved for them in the bailout.

I also represented a gentleman name George Deimel who suffered an injury to his neck and spinal cord rendering him a quadriplegic when the seat back to his Chevrolet Monte Carlo broke during a crash propelling his body backwards into the rear seat. Mr. Deimel lived for many years but sadly lost his battle and died from complications caused by the quadriplegia. His family now mourns the death of this fine man.

Our lawsuits against GM on behalf of my clients was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are five accident victims from Arkansas with “allowed” claims in the GM bankruptcy case. These five victims filed proofs of claim totaling \$13,750,000. The aggregate “allowed” claims of these five victims, however, were squeezed down to only \$1,605,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$494,320) was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date the claimants' attorneys had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the Federal Government bailed out GM in 2009. Congress can right this wrong by passing

The Honorable John Boozman
April 14, 2022
Page 3

the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for “just compensation” to be paid to accident victims holding “allowed” claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely,

Dennis J. Davis,
Attorney for the Estate of George Deimel, the Estate of
Brandi Kret, and Teresa Nash as Legal Guardian of Haley Christy Nash

cc: Senator Tom Cotton, 326 Russell Senate Office Building, Washington, D.C. 20510

WOLFF ARDIS, P.C.

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www.woffardis.com

5810 SHELBY OAKS DRIVE
MEMPHIS, TENNESSEE 38134

Mary Lee Wolff
January 4, 1950 – December 24, 2015

April 21, 2022

The Honorable Bill Hagerty
709 Hart Senate Office Building
Washington, DC 20510

Dear Senator Hagerty,

I write to bring to your attention an important matter impacting my client, Addison Williams. Addison was involved in a side impact crash in which the defective side panel of a GMC Tahoe caused extensive damage to Mr. Williams' left forearm, wrist, and hand. He continues to require rehabilitation, though because of his limited resources, he has not been able to afford the services needed. The pain he feels daily was only compounded by the miserable treatment the government reserved for them in the bailout.

Our lawsuit against GM on behalf of my client was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are six accident victims from Tennessee with "allowed" claims in the GM bankruptcy case. These six victims filed proofs of claim totaling \$5,609,139. The aggregate "allowed" claims of these six victims, however, were squeezed down to only \$171,639 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$51,492) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidation, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

The Honorable Bill Hagerty

April 21, 2022

Page 2

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my client is not seeking some windfall; just to be treated fairly. His claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely



Patrick M. Ardis, attorney for Addison Williams

cc: Senator Marsha Blackburn, 357 Dirksen Senate Office Building, Washington, D.C. 20510
Cong. Steve Cohen, 2104 Rayburn House Office Bldg., Washington, D.C. 20515

Brittany Nicole LaCosse
536 East Walnut Street
Rensselaer, Indiana 47978
Tel: (219) 863-4384
Email: BrittanyNicoleLaCosse86@gmail.com

April 14, 2022

The Honorable Mike Braun
374 Russell Senate Office Building
Washington, DC 20510

Dear Senator Braun,

I am a resident of Indiana. I was in the front passenger seat when the General Motors car in which I was riding got into an accident. The defective passenger airbag deployed with such force that it severed my aorta and my spinal cord. I survived the accident, but am a paraplegic and am confined to a wheelchair for life. Words cannot adequately convey the pain and anguish I feel daily. The miserable treatment of my claim by our government in the GM bailout only compounded my anguish and limited my treatment and rehabilitation options.

We'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions to them was less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me that there are nine accident victims from Indiana (including me) with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$5,238,790. The "allowed" amount of these claims in the case, however, were squeezed down to only \$964,384 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$290,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date

The Honorable Mike Braun

April 14, 2022

Page 2

the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall; just to be treated fairly. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave the accident victims behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates us for our loss and puts us more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Additional background and a short video that details the plight of the GM accident victims and background to the proposed legislation can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider my plea.

Sincerely,

Brittany Nicole LaCrosse

Brittany Nicole LaCrosse

cc: Senator Todd Young, 185 Dirksen Senate Office Building, Washington, D.C. 20510
Cong. Trey Hollingsworth, 1641 Longworth House Office Building, Washington, D.C. 20510

LAW OFFICES OF
PREDILETTO, HALPIN, SCHARNIKOW & NELSON, P.S.

WILLIAM L. HALPIN
GREG S. NELSON

302 NORTH THIRD STREET
P.O. Box 2129
YAKIMA, WA 98907
TELEPHONE (509) 248-1900
FAX (509) 457-6345

DEREK L. SUTTON
BRETT N. GOODMAN

April 20, 2022

The Honorable Dan Newhouse
1318 Longworth House Office Building
Washington, DC 20515

Dear Congressman Newhouse:

I write to bring to your attention to an important matter impacting my clients, Michael and Evelyn Haxton, who were residents of your district at the time they were injured but currently live on the western side of the state. As a result of a defective trailer mount, their recreational trailer separated from their brand new General Motors vehicle when their trailer tipped over on Interstate 82 while driving over the elevated bridge overlooking a canyon just north of Selah, Washington. Needless to say, the Haxtons were injured as a result of this incident. To this day, they suffer from lingering orthopedic-related injuries and have been reliant upon their own resources for rehabilitation and therapy. The pain associated with their injuries was only compounded by the miserable treatment the federal government reserved for them in the bailout of General Motors.

Their case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay in full \$60 billion of claims to GM's corporate vendors, unions, and senior executives in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are five accident victims from Washington with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these five accident victims in the amount of \$13,262,913 in the aggregate. The aggregate "allowed" claims, however, were squeezed down to only \$420,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$125,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

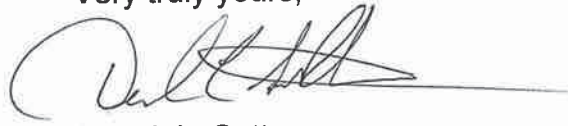
Please know we are not seeking some windfall on behalf of our clients. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM vehicles. Justice was denied to them when the federal government bailed out GM in 2009. **Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016.** This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Re: HR 7016
April 20, 2022
Page 3 of 3

Thank you very much for taking the time to consider our plea. Please consider supporting HR 7016 to right this wrong.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Derek L. Sutton', with a long horizontal line extending to the right.

Derek L. Sutton

cc: Senator Patty Murray, 134 Russell Senate Office Building, Washington, D.C.
20510
Senator Maria Cantwell, 511 Hart Senate Office Building, Washington, D.C.
20510
Michael and Evelyn Haxton

Kevin Junso and The Tyler Junso Estate
107 Lakers Drive
Baker, MT 59313
Tel: (406) 891-6403
Email: KJunso50@gmail.com

April 20, 2022

The Honorable Jon Tester
311 Hart Senate Office Building
Washington, DC 20510

Dear Senator Tester,

I was driving a General Motors GMC Envoy with my 17 year old son Tyler, we were involved in a rollover accident near our home in Montana. The roof of the vehicle along with the windshield and side windows collapsed and our seat belts failed. We were both partially ejected from the vehicle during the roll over. Tyler sustained massive skull and neck injuries and died in the accident. I suffered severe injuries to both of my knees and lower legs, eventually leading to the amputation of my right leg below the knee and multiple surgeries to address the severe ligament damage sustained in my knees. Words cannot adequately convey the pain, anguish, and loss my family and I feel daily as a result of this tragedy. The miserable treatment of our claims by our government in the GM bailout only compounded our anguish and has significantly limited my treatment, care, and rehabilitation options.

Our case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

My lawyers tell me that there are three accident victims (including me and my son) from Montana with "allowed" claims in the GM bankruptcy case. These filed proofs of claim aggregated \$8,750,000 and filed proofs of claim on our behalf in that amount. The "allowed" amount of these claims in the case, however, were squeezed down to only \$1,962,500 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$588,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving us with virtually nothing.

Please know we are not seeking some windfall. These claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and

The Honorable Jon Tester
April 20, 2022
Page 2

expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely



Kevin Junso, Individually and as Personal Representative of The Tyler Junso Estate

cc: Senator Steve Daines, 320 Hart Senate Office Building, Washington, D.C. 20510
Congressman Matt Rosendale, 1037 Longworth House Office Building, Washington, D.C.
20515

April 21, 2022

The Honorable Tammy Baldwin
709 Hart Senate Office Building
Washington, DC 20510

Dear Senator Baldwin:

As a resident of the State of Wisconsin, we write to bring to your attention to an important matter impacting our son, Benjamin, and approximately 640 other victims and their families throughout the 50 states who were injured, disabled or killed before June 1, 2009, from defective General Motors ("GM") cars. Justice was denied to us when the Federal Government bailed out GM in 2009. Congress can right this wrong by restoring justice to us and the hundreds of other GM accident victims. We humbly request your support to advance such a worthy effort.

By way of background, on September 23, 2007, our son, Ben, was 12 years old, and a properly seat-belted left rear occupant in a 2000 Chevrolet Silverado Extended Cab pick-up truck. The vehicle rolled and during the rollover, the defective roof system collapsed into the occupant survival space, striking Ben on the head, causing skull fractures and a severe brain injury.

Ben, who is now 27 years old, continues to require skilled nursing support 24-hours a day. He is not able to walk. He is not able to talk. He is not able to do any of his own activities of daily living. Ben is tracheostomy dependent and is gastrostomy tube dependent. Ben is totally dependent in all life activities.

We will never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. We were treated far worse by the Federal Government than most of GM's other creditors. In the GM bailout, the government agreed to pay \$60 billion of claims asserted by Old GM's corporate vendors, unions and senior executives in full while leaving a few hundred million in claims of accident victims behind to be paid pennies on the dollar years down the road from the GM bankruptcy estate.

In 2015, a lawsuit was brought against the Government for forcing our son's successor liability claims and those of other accident victims to be extinguished in the bailout in violation of the Constitution's Fifth Amendment Takings Clause. Even though the Government agreed at oral argument that the suit was timely filed, the United States Federal Circuit Court of Appeals affirmed dismissal of the case on a motion to dismiss, holding that the lawsuit was filed a mere eight days too late. This result still does not make sense to me since the case was filed within six (6) years of the date the GM sale closed and our successor liability claims were extinguished. Yet the court held the complaint should have been filed within six years of the date the Government uploaded to the Bankruptcy Court its proposed order approving the sale, a date the victims had no reason to know of since they were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall for our son, Ben. We just want him to be made whole. The claims of the accident victims were not the cause of GM's problems. We trusted our vehicle would run properly. When it did not, we expected that we would be made whole by GM if there were product defects. Like other GM accident victims, we never expected our son to be caught in the middle of a massive Government bailout, and certainly never expected our own Government would leave him behind to collect pennies on the dollar on his claims.

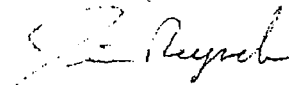
Once the bailout was over, every GM victim hoped to be made whole by the Government. While that never happened, that does not mean it cannot happen. To correct the injustice dealt us in the bailout, we plead for your support of legislation introduced on March 9, 2022 by Congressman Troy Carter (H.R. 7016.) This bill would waive the statute of limitations defense in the *Takings* case mentioned above and direct the Department of Justice to settle the claims of the accident victims and justly compensate them for their losses. We simply seek payment for what's rightfully due us in the GM bankruptcy, just like the \$60 billion in other allowed claims that the government authorized to be paid in full in the bailout.

Please show your compassion and lend your support to H.R. 7016. Your support will surely help immensely in advancing that legislation through Congress and into law.

Additional background and a short video that details the plight of the accident victims can be viewed at <https://forgottengmbailoutvictims.org>.

Thank you for taking the time to consider our plight.

Very truly yours,

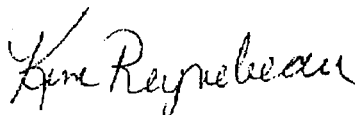


Jim Reynebeau

2641 Zak Lane

Green Bay, WI 54304

reynebeauj@gmail.com



Kim Reynebeau

2641 Zak Lane

Green Bay, WI 54304

cc Senator Ron Johnson, 328 Russell Senate Office Bldg., Washington, DC 20510
Cong Gwen Moore, 2262 Rayburn House Office Bldg., Washington, DC 20515

James J. Murphy
(1959 - 2007)

April 25, 2022

Don C. Prachthauser
Keith R. Stachowiak
Thadd J. Llaurodo
Michelle M. Hockers
Kathryn C. Llaurodo*
*also licensed in California,
New York, and Minnesota

The Honorable Tammy Baldwin
709 Hart Senate Office Building
Washington DC 20510

Offices in:
Milwaukee Downtown
Milwaukee Southside
Mequon
Waukesha
West Bend

Dear Senator Baldwin:

I am writing to you to bring to your attention to an important matter impacting my clients, Jim and Kim Reynebeau, and their minor son, Benjamin Reynebeau.

On September 23, 2007, Ben Reynebeau was 12 years old, and a properly seat-belted left-rear occupant in a 2000 Chevrolet Silverado Extended Cab pick-up truck. The vehicle rolled and during the rollover, the defective roof system collapsed into the occupant survival space, striking Ben on the head, causing skull fractures and a severe brain injury. Attached are two photographs of the accident truck taken at the accident scene,

Ben, who is now 27 years old, continues to require skilled nursing support 24-hours a day. He is not able to walk. He is not able to talk. He is not able to do any of his own activities of daily living. Ben is tracheostomy dependent and is gastrostomy tube dependent. Ben is totally dependent in all life activities.

Words cannot adequately convey the pain, anguish, and loss felt daily by the Reynebeaus since the day of the accident. That pain was only compounded by the miserable treatment the government reserved for them in the bailout.

A lawsuit filed against GM on behalf of my clients was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are six accident victims from Wisconsin with “allowed” claims in the GM bankruptcy case. These six victims filed proofs of claim totaling \$59,085,000. The aggregate “allowed” claims of these six victims, however, were squeezed down to only \$7,413,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$2.2 million) at most was paid on those “allowed” amounts, which also had to cover attorney's fees and costs.

To justify the government’s callous disregard of the accident victims’ rights, the government’s so-called “Auto Team” claimed their decision was justified because “we owed a fiduciary duty to taxpayers.” The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team’s misplaced sense of duty. Their duty was first and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company’s shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout’s entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims’ successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that “[it] declines to take that gamble.”

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment’s Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know my clients are not seeking some windfall; just to be treated fairly. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they'd be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely

MURPHY & PRACHTHAUSER, sc

Thadd J. Llaurodo
Attorney for the Reynebeau Family

TJL/Ilk

cc: Senator Ron Johnson, 328 Russell Senate Office Building, Washington,
D.C. 20510

Cong. Gwen Moore, 2252 Rayburn House Office Bldg., Washington, D.C.
20515

Denise Cece-York
8 Wildwood Lane
Norwalk, Connecticut 06850
Tel: (203) 286-6247
Email:

dceceyork@aol.com

April 20, 2022

The Honorable Christopher Murphy
136 Hart Senate Office Building
Washington, DC 20510

Dear Senator Murphy,

I am a resident of Connecticut. I was driving a General Motors car that was hit from behind as I was making a left turn. The defective seat in the vehicle broke flinging me backward at impact with such force that my neck broke, rendering me an incomplete quadriplegic. Words cannot adequately convey the pain, anguish, and loss my family and I feel daily as a result of my injury. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and has significantly limited my treatment, care, and rehabilitation options.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions were less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me there are three accident victims from Connecticut with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$16,657,027. The "allowed" claims of these claims, however, were squeezed down to only \$1,525,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$450,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a

The Honorable Christopher Murphy
April 20, 2022
Page 2

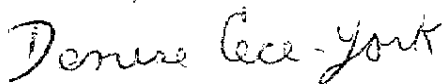
date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall. My claim, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely



Denise Cece-York

cc: Senator Richard Blumenthal, 706 Hart Senate Office Building, Washington, D.C. 20510
Congresswoman Rosa DeLauro, 2413 Rayburn House Office Building, Washington, D.C. 20515
Congressman James Himes, 2137 Rayburn House Office Building, Washington, D.C. 20515

STRONG — GARNER — BAUER P.C.

TRIAL ATTORNEYS

LAWYERS

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NEIL CHANTER
STEVE GARNER ***
CHANDLER GREGG ***
AMANDA JOHNSON
JACOB LEWIS
NICK SMART
THOMAS STRONG *

*** Licensed Also in Arkansas
** Licensed Also in Kansas
* Retired

PARALEGALS

NICOLE BARTH
AMANDA BIRD
JAN BLACKINGTON
HOLLY BROWN
BRAD HOLT
KEVIN HULBERT
JIM PHILLIPS

NURSES

FRANCES COLOGNA, BSN, RN
JILL DOWNING, MS, RN

April 19, 2022

The Honorable Roy Blunt
260 Russell Senate Office Building
Washington, DC 20510

Dear Senator Blunt,

I write to bring to your attention to an important matter impacting my clients, Brooke Fletcher and Chastity Moore, residents of Missouri. Brooke Fletcher was the driver of GM car that spun off the road, hit a fence post and rolled twice. As result of the defective roof design, the roof of her car collapsed with such force that it broke her neck, rendering her a quadriplegic and confining her to a wheelchair for life. Chasity Moore was a passenger in a GM pick-up that was involved in a collision and caught on fire due to a faulty side-saddle gas tank. Chasity sustained serious burn injuries and the loss of her left leg. Words cannot adequately convey the pain, anguish, and loss felt daily by both Brooke and Chastity as well as their families. That pain and anguish was only compounded by the miserable treatment the government reserved for them in the bailout.

Their cases against GM were primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We will never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

Notably, there are 24 accident victims from Missouri with "allowed" claims in the GM bankruptcy case. Proofs of claim were filed on behalf of these 24 accident victims in the amount of \$286,100,000 in the aggregate. The aggregate "allowed" claims, however, were squeezed down to only \$13,465,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$4 million) at most was paid on that "allowed" amount, which also had to cover attorney's fees and costs.

To justify the government's callous disregard of the accident victims' rights, the government's so-called "Auto Team" claimed their decision was justified because "we owed a fiduciary duty to taxpayers." The injustice heaped on the accident victims by the government in the GM bailout, therefore, was rooted in the Auto Team's misplaced sense of duty. Their duty was first

April 19, 2022
Page 2

and foremost to the Constitution. Instead, they analogized their Constitutional duty to the duty a corporate director owes a company's shareholders. Even worse, to make sure the claims of the accident victims would not be forced upon them by the bankruptcy court, the Auto Team told the bankruptcy court at the sale hearing that even though the claims of the accident victims represented only one percent of the bailout's entire imputed value, the government would abandon the bailout and declare its financing of GM in default, thereby forcing GM into liquidate, if the accident victims' successor liability claims were not extinguished in the final sale order. Not surprisingly, the bankruptcy court conceded the point, stating in its written opinion that "[it] declines to take that gamble."

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know we are not seeking some windfall on behalf of our clients. Their claims and those of the other accident victims were not the cause of GM's problems. They trusted GM vehicles would run properly and that they would be made whole by GM if there were product defects. They never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave them behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider our plea.

Sincerely



Neil Chanter

Attorney for Brooke Fletcher and Chastity Moore

cc: Senator Josh Hawley, 115 Russell Senate Office Building, Washington, D.C. 20510
Congressman Billy Long, 2454 Rayburn House Office Building, Washington, D.C. 20515

Brooke Fletcher
6276 North Farm Road 127
Springfield, Missouri 65803
Tel: (219) 863-4384
Email: BDFletcher14@gmail.com

April 18, 2022

The Honorable Roy Blunt
260 Russell Senate Office Building
Washington, DC 20510

Dear Senator Blunt,

I am a resident of Springfield, Missouri. I was driving a General Motors car that spun off the road, hit a fence post, and rolled over twice. As a result of a defective roof design, the roof of my car collapsed with such force that it broke my neck, rendering me a quadriplegic and confining me to a wheelchair for life. Words cannot adequately convey the pain, anguish, and loss my husband and I feel daily. The miserable treatment of my claim by our government in the GM bailout only compounded our anguish and has significantly limited my treatment, care, and rehabilitation options.

I'll never understand how our government could have bought GM without making sure that accident victims were paid in full. The government paid \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. But for the accident victims, my lawyers tell me, total distributions were less than 7% of what these claims were projected to be at the time of the bailout.

My lawyers tell me there are 24 accident victims from Missouri with "allowed" claims in the GM bankruptcy case. They further tell me that the amounts sought from GM in these filed proofs of claim totaled \$286,100,000. The "allowed" claims of these claims, however, were squeezed down to only \$13,465,000 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$4 million) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs.

In 2015, a lawsuit was brought against the government for forcing the successor liability claims of the GM accident victims to be extinguished in violation of Fifth Amendment's Takings Clause. Even though the government agreed at oral argument that the suit was timely filed, the Federal Circuit Court of Appeals dismissed the case, holding that the lawsuit was filed eight days too late. This result makes no sense since the case was filed within six years of the date that order went effective. Yet the Federal Circuit held the case should have been filed within six years of the date

The Honorable Roy Blunt
April 18, 2022
Page 2

the government uploaded the proposed form of sale order to the bankruptcy court, a date we had no reason to know of since we were not privy to those behind-the-scenes legal proceedings.

Please know I am not seeking some windfall. My claims, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, [HR 7016](#). This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely

A handwritten signature in black ink, reading "Brooke Fletcher". The signature is written in a cursive, flowing style. The first name "Brooke" is written in a larger, more prominent script, and the last name "Fletcher" follows it in a similar but slightly smaller script.

Brooke Fletcher

cc: Senator Josh Hawley, 115 Russell Senate Office Building, Washington, D.C. 20510
Congressman Billy Long, 2454 Rayburn House Office Building, Washington, D.C. 20515

Niki Junso
405 8th Street, N.W.
Watford City, North Dakota 58854
Email: NJunso@gmail.com

April 20, 2022

The Honorable John Hoeven
338 Russell Senate Office Building
Washington, DC 20510

Dear Senator Hoeven,

My husband and 17 year old son were involved in a rollover accident in their General Motors GMC Envoy. As a result of the defective roof design and defective seat belt harnesses, the roof of the vehicle collapsed and their seat belts failed and both were partially ejected from the vehicle during the roll over. My son sustained massive skull and neck injuries and died in the accident. My husband's right leg was amputated below the knee and he required multiple surgeries to address the severe ligament damage sustained in his knees. Words cannot adequately convey the pain, anguish, and loss my family and I feel daily as a result of this tragedy. The miserable treatment of our claims by our government in the GM bailout only compounded our anguish and has significantly limited treatment, care, and rehabilitation options.

Our case against GM was primed for settlement when, at the government's direction, GM filed for bankruptcy while refusing to assume the claims of the accident victims in the bailout. We'll never understand how the government could have acquired GM without making sure that the claims of accident victims were paid in full. The government agreed to pay \$60 billion of claims of GM's corporate vendors, unions, and senior executives in full in the bailout. By comparison, the aggregate claims of the accident victims were projected at only \$936 million at the time of the sale. Total distributions to these claimants from the bankruptcy, however, were only approximately \$74 million, or 7.1% of the projected claims of accident victims.

My lawyers tell me that I am only accident victim from North Dakota with an "allowed" claim in the GM bankruptcy case. I filed a proof of claim in that case seeking damages of \$250,000. The "allowed" amount of my claim in the case, however, was squeezed down to only \$87,500 as the lawyers representing GM forced all accident victims into mandatory mediation and threatened to withhold payments for years if the claimants would not agree to the paltry settlement amounts offered. Still worse, only around 30% (or approximately \$26,000) at most was paid on those "allowed" amounts, which also had to cover attorney's fees and costs, leaving me with virtually nothing.

Please know I am not seeking some windfall. My claim, and those of the other accident victims, were not the cause of GM's problems. We trusted GM vehicles would run properly and expected we'd be made whole by GM if there were product defects. We never expected to be caught in

The Honorable John Hoeven

April 20, 2022

Page 2

the middle of a massive government bailout, and certainly never expected our own government would leave us behind to collect pennies on the dollar.

There are approximately 630 other victims throughout the 50 states who were injured, disabled, or killed before June 1, 2009, from defective GM cars. Justice was denied to them when the federal government bailed out GM in 2009. Congress can right this wrong by passing the legislation recently introduced by Congressman Troy Carter of Louisiana, HR 7016. This bill calls for "just compensation" to be paid to accident victims holding "allowed" claims in the GM bankruptcy. It compensates them for their loss and puts them more on par with the \$60 billion in other allowed claims against GM that were paid in full without reduction or compromise after the government took control of GM in bailout.

Thank you very much for taking the time to consider my plea.

Sincerely



Niki Junso

cc: Senator Kevin Cramer, 330 Hart Senate Office Building, Washington, D.C. 20510
Congressman Kelly Armstrong, 1740 Longworth House Office Building, Washington, D.C.
20515