

SUPERIOR COURT OF NEW JERSEY – LAW DIVISION  
UNION COUNTY

	X	
REGINA LITTLE, on behalf of herself and others similarly situated,	:	
	:	
Plaintiff,	:	DOCKET No. UNN-L-0800-01
	:	
v.	:	
	:	
KIA MOTORS AMERICA, INC.,	:	CLASS ACTION
	:	
Defendant.	:	
	X	

**NOTICE OF PENDENCY OF CLASS ACTION**

**To: All residents of the State of New Jersey who purchased or leased a Kia Sephia within the six year period preceding February 16, 2001, excluding: (i) all persons who have previously or are currently engaged in litigation and/or arbitration with Defendant concerning defects in the Sephia model automobile; (ii) all persons who have executed valid releases in connection with claims related to defects in the Sephia model automobile; (iii) all Judges, judicial officers and members of their immediate families; (iv) all persons who were employed by Kia Motors America, Inc. at the time of their purchase or lease; and (v) all persons who have or may have claims for personal injuries arising out of or in any way related to alleged defects in the Sephia model automobiles.**

**PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.**

**THIS NOTICE IS NOT A NOTIFICATION  
THAT YOU HAVE BEEN SUED.**

This is a notification that you are a member of a plaintiff class (the "Class") in the above-captioned civil action against Kia Motors America, Inc. ("Defendant" or "Kia") now pending in the Superior Court of New Jersey – Law Division, Union County (the "Lawsuit").

The purpose of this Notice is to explain to you:

1. What the Lawsuit is About.
2. Your Rights as a Class Member and How to Assert Those Rights.
3. Further Court Proceedings.
4. How to Get More Information.

**1. WHAT THE LAWSUIT IS ABOUT**

In the Lawsuit, Plaintiff alleges that Sephia model automobiles contain defects in the brake system, resulting in excessive wear of the front brake rotors and pads, brake pulsation or vibration, and brake noises. Kia denies these allegations. The claims asserted in the lawsuit are for breach of warranty, violation of the Magnuson-Moss Warranty Improvement Act, and for violation of the New Jersey Consumer Fraud Act. Plaintiff seeks to recover money damages from Defendant, including out-of-pocket costs for repairs and an alleged reduction in value of the vehicles that plaintiff contends resulted from the alleged defect.

The Court has not ruled on the merits of Plaintiff's claims in the lawsuit, or Defendant's defenses thereto. Defendant denies any wrongdoing and will vigorously defend the lawsuit on the merits.

**2. YOUR RIGHTS AS A CLASS MEMBER AND HOW TO ASSERT THOSE RIGHTS**

The Court has defined and certified the "Class" as follows:

All residents of the State of New Jersey who purchased or leased a Kia Sephia within the six year period preceding February 16, 2001, excluding: (i) all persons who have previously or are currently engaged in litigation and/or arbitration with Defendant concerning defects in the Sephia model automobile; (ii) all persons who have executed valid releases in connection with claims related to defects in the Sephia model automobiles; (iii) all Judges, judicial officers and members of their immediate families; (iv) all persons who were employed by Kia Motors America, Inc. at the time of their purchase or lease; and (v) all persons who have or may have claims for personal injuries arising out of or in any way related to alleged defects in the Sephia model automobiles.

It is estimated that the number of Class members may be 8,477 consumers. If you fall within the foregoing Class definition, you will be a Class member and **will be bound by any Judgment, favorable or not, that is obtained in this matter.**

**YOU DO NOT NEED TO TAKE ANY ACTION IN ORDER TO REMAIN IN THE CLASS.**

The Court has certified as Class Representative the Plaintiff, Regina Little. The Court has certified as Class Counsel the firms of Trujillo Rodriguez & Richards, LLC, 8 Kings Highway West, Haddonfield, NJ 08033 and Donovan Searles, LLC, 1845 Walnut Street, Suite 1100, Philadelphia, PA 19103. Unless you retain your own counsel to enter an appearance on your behalf, you will be represented, at no charge to you, by Class Counsel. In the event of a judgment in favor of the Class in this case, Class Counsel will apply to the Court for payment of reasonable attorneys' fees and costs, to be paid separately by Defendant and then deducted from the funds recovered before net proceeds are distributed to class members. You have the right to hire your own attorney. If you do so, you will be responsible for paying that attorney's fees and costs.

You have the right not to participate, and exclude yourself ("opt-out") from the Class described herein. This is called "opting out." **If you do not wish to remain in the Class, then you must timely request in writing to "opt out" of the Class.** If you exclude yourself from the Class by "opting out," you will not be entitled to participate in any recovery by the Class, and you will not be bound by any settlement or favorable or unfavorable judgment in the Lawsuit. Any request for exclusion must legibly set forth your name and address and a statement that you wish to be excluded from the Class in Little v. Kia Motors America, Inc. and must be sent by first-class mail, postmarked not later than **April 15, 2004**, addressed to Class Counsel as follows:

**Class Counsel:**

Donna Siegel Moffa, Esquire  
Trujillo Rodriguez & Richards, LLC  
8 Kings Highway West  
Haddonfield, NJ 08033

If you request exclusion on behalf of any entity or any individual other than yourself (such as, for example, a trust, a minor or a relative), you are requested to set forth your legal authority to execute the request on behalf of that entity or other individual.

**3. FURTHER COURT PROCEEDINGS**

The Court will proceed to decide the merits of Plaintiff's claims as asserted in the Lawsuit. Either party could prevail on the merits and either party may file an appeal of any decision made by the Court.

**4. HOW TO GET MORE INFORMATION**

The pleadings and other records in this litigation, including copies of the Amended Class Action Complaint and the Class Certification Order, may be examined any time during regular office hours at the Office of the Clerk, 2 Broad Street, Tower, 15th Floor, Elizabeth, New Jersey 07207. If you need additional information, you should call or write to Class Counsel at the address set forth above.

**PLEASE DO NOT CALL THE COURT, THE COURT CLERK OR THE DEFENDANT.**

BY THE COURT:

The Honorable William L'E. Wertheimer

Date: February 9, 2004

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PLEASE FORWARD—IMPORTANT LEGAL INFORMATION

# FIRST CLASS MAIL

Kia Motors America, Inc.  
Notice Administrator  
P.O. Box 1387  
Blue Bell, PA 19422-1387

FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID  
PEARL PRESSMAN LIBERTY  
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