

C A N A D A

PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL
LOCALITY OF MONTRÉAL

(CLASS ACTION)
SUPERIOR COURT

No: 500-06-000915-187

ZULLY LILIANA SALAZAR PASAJE

Applicant

-vs-

BMW CANADA INC.,

-and-

BAYERISCHE MOTOREN WERKE AG,

-and-

BMW OF NORTH AMERICA, LLC,

-and

BMW MANUFACTURING CO., LLC,

Defendants

**APPLICATION FOR AUTHORIZATION TO EXAMINE THE APPLICANT ZULLY
LILIANA SALAZAR PASAJE AND TO SUBMIT RELEVANT EVIDENCE**
(Article 574 CCP)

TO THE HONOURABLE CHANTAL TREMBLAY, J.S.C., THE DEFENDANTS
RESPECTFULLY SUBMIT THE FOLLOWING:

1. The Defendants BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC and BMW Manufacturing Co., LLC (collectively hereinafter referred to as "**BMW**") hereby seek the authorization of this Honorable Court to examine the Applicant Zully Liliana Salazar Pasaje (the "**Applicant**") and to adduce relevant evidence pursuant to article 574, *para.* 3 of the *Code of Civil Procedure*, CQLR, c. C-25.01 ("**CCP**").
2. More specifically, BMW seeks this Honourable Court's authorization to adduce as relevant evidence the following:
 - a) The transcript, answers to undertakings and exhibits used during the examination of the Applicant, if any;
 - b) A Sworn Statement of BMW Canada Inc. representative, Gordon Farrish, dated September 20, 2018, and the annexes in support thereof, a copy of which is filed herewith as **Exhibit BMW-1** namely:

- i) A copy of the Questions & Answers relating to the Recall Campaign No. 2017-470: Engine PCV Blow-by Heater (Annex A);
 - ii) Follow-up owner notification letter relating to the Blow-By Heater Recall Campaign (Annex B);
 - iii) A copy of the Questions & Answers relating to the Recall Campaign No. 2017-588: Blower Motor Wiring Recall (Annex C); and
 - iv) A copy of the service records and estimates relating to the Applicants vehicle dated March 8 and 9, 2018 respectively (Annex D).
- c) A Sworn Statement of BMW North America, LLC representative, Karen Aulbach, dated September 20, 2018, a copy of which is filed herewith as **Exhibit BMW-2**.

I. The Application to Authorize the Bringing of a Class Action And to Appoint the Status of Representative Plaintiff

3. On or about March 23, 2018, Applicant filed an Application to Authorize the Bringing of a Class Action and to Appoint the Status of Representative Plaintiff on behalf of the following proposed class:

“All natural persons, legal persons established for a private interest, partnerships and associations or other groups not endowed with juridical personality, resident in Canada (subsidiarily Quebec), who purchased and/or leased a BMW that was recalled by Transport Canada under Recall #2017-470 and Recall #2017-588, including the BMW 1 Series (2008 to 2011), BMW 3 Series (2006 to 2011), BMW 5 Series (2007 to 2011), BMW X3 (2007 to 2011), BMW X5 (2007 to 2010), BMW Z4 (2007 to 2011) (the “**Class**”).

4. On or about September 14, 2018, Applicant filed an *Amended Application to Authorize the Bringing of a Class Action and to Appoint the Status of Representative Plaintiff* (“**Application for Authorization**”) adding numerous allegations and a total of 18 new Exhibits in support thereof, as appears from the Court record.
5. In the Application for Authorization, the Applicant claims notably that BMW negligently performed its duties to properly design, manufacture, test, distribute, deliver, supply, inspect, market, sell and/or lease non-defective vehicles.
6. The Applicant alleges that BMW misrepresented that the vehicles identified in the proposed Class (the “**Vehicles**”) were safe or failed to adequately disclose the defective nature of the Vehicles. As a result, the Applicant (and the proposed class members) claims that she overpaid for her vehicle, lost the use of her vehicle, that the resale value of the vehicle was reduced, that she suffered moral

damages and other troubles and inconveniences and that she would likely not have purchased her vehicle had she been aware of the alleged safety defect.

II. The Relevance and Scope of the Examination of the Applicant

7. The examination of the Applicant before the hearing of the Application for Authorization is relevant to provide this Honorable Court with facts relating to:
 - a) The circumstances surrounding the purchase by the Applicant and subsequent servicing of the her vehicle, including, but not limited to, whom the Applicant purchased the vehicle from, the steps she took prior to the purchase and the Applicant's reasons for purchasing her vehicle in the first place;
 - b) The circumstances regarding when the Applicant learned of the Recall Notice and the allegations that her vehicle was "suffering from a serious defect";
 - c) The allegations that BMW misrepresented the Vehicles were safe or failed to adequately disclose the defective nature of the Vehicles and, more specifically, that the allegedly defective Vehicles caused supposed "injury and/or damage to property";
 - d) The Applicant's allegations that she was "concerned for the safety of her family and herself", "afraid to die" and the interactions she had with BMW dealerships in Arkansas and in Quebec;
 - e) The Applicant's allegations that she has suffered ascertainable loss, as a result of the alleged omission or misrepresentation associated with the Vehicles, including expenses, a reduced resale value, increased insurance premiums, moral damages and other troubles and inconveniences; and
 - f) The facts regarding the Applicant's ability to properly represent the members of the proposed class, including, but not limited to, the nature of the steps taken by her leading up to and culminating in the filing of the Application.
8. The Applicant's examination regarding these subjects will help this Honorable Court in its analysis of the criteria for authorization of the Class Action pursuant to article 575 CCP, and more particularly with regard to the appearance of right requirement (article 575 (2) CCP) and the Applicant's ability to properly represent the members of the proposed Class (article 575 (4) CCP).
9. The undersigned attorneys estimate that the Applicant's examination should not exceed three hours.

10. BMW suggests that the examination be held out of court, and before the hearing of the Application for Authorization.

III. The Relevance of the Sworn Statements of BMW Representatives

11. BMW seeks this Honourable Court's permission to file the Sworn Statements of Gordon Farrish, Senior Safety & Environmental Compliance Manager at BMW Canada Inc. (Exhibit BMW-1) and the Sworn Statement of Karen Aulbach (Exhibit BMW-2) in order to correct and supplement certain allegations and evidence already produced by the Applicant and to clarify the facts surrounding the recall of the Vehicles, the facts specific to the Applicant's vehicle and its servicing, as well as the role and implication (or absence thereof) of Defendant BMW of North America, LLC.
12. Indeed, the Sworn Statement of Gordon Farrish (Exhibit BMW-1) corrects certain erroneous information contained in the Application for Authorization regarding the Vehicles affected by the recalls and provides further relevant information regarding the number and percentage of potentially affected Vehicles.
13. In this regard, the Sworn Statement (Exhibit BMW-1) refers to Annexes containing Questions & Answers (Annexes A and C) provided to customers who inquired about the recalls as well as a recent follow-up owner notification letter relating to one of the two identified recall campaigns, (Annex B) which will provide the Court with a true and complete factual matrix relating to the allegations of the Application for Authorization.
14. Moreover, the Sworn Statement (Exhibit BMW-1) clarifies that the Applicant's vehicle was not subject to Recall #2017-588, which is identified in the proposed class, and which is relied upon by the Applicant in support of the alleged damages. The Sworn Statement also provides relevant facts specific to the Applicant's vehicle, including its servicing and refers to the relevant service records in this regard (Annex D).
15. Lastly, the Sworn Statement of Karen Aulbach (Exhibit BMW-2) corrects and explains the erroneous allegations in paragraph 8 of Application for Authorization to the effect that BMW NA either directly or through a wholly-owned subsidiary agent or affiliate, manufactured and/or sold automobiles through Canada, including in the province of Quebec, which is false.
16. It is thus in the interest of justice and the parties that BMW be authorized to examine the Applicant and to adduce relevant evidence, including the transcript of the examination, the answers to the undertakings and the exhibits used during the examinations, if any, as well as the Sworn Statement of Gordon Farrish (Exhibit BMW-1) and supporting annexes and the Sworn Statement of Karen Aulbach (Exhibit BMW-2), in order to correct, clarify and explain the allegations in the Application for Authorization and to assist this Honourable Court in its analysis of the criteria for authorization pursuant to article 575 CCP.

17. The present Application is well founded in fact and in law.

FOR THESE REASONS, MAY IT PLEASE THIS COURT TO:

GRANT the present Application;

AUTHORIZE the Defendants BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC and BMW Manufacturing Co., LLC to examine the Applicant Zully Liliana Salazar Pasaje out of court before the hearing of the Application to Authorize the Bringing of a Class Action regarding the following subjects:

- a) The circumstances surrounding the purchase by the Applicant and subsequent servicing of the her vehicle, including, but not limited to, whom the Applicant purchased the vehicle from, the steps she took prior to the purchase and the Applicant's reasons for purchasing her vehicle in the first place;
- b) The circumstances regarding when the Applicant learned of the Recall Notice and the allegations that her vehicle was "suffering from a serious defect";
- c) The allegations that BMW misrepresented the Vehicles were safe or failed to adequately disclose the defective nature of the Vehicles and, more specifically, that the allegedly defective Vehicles caused supposed "injury and/or damage to property";
- d) The Applicant's allegations that she was "concerned for the safety of her family and herself", "afraid to die" and the interactions she had with BMW dealerships in Arkansas and in Quebec;
- e) The Applicant's allegations that she has suffered ascertainable loss, as a result of the alleged omission or misrepresentation associated with the Vehicles, including expenses, a reduced resale value, increased insurance premiums, moral damages and other troubles and inconveniences; and
- f) The facts regarding the Applicant's ability to properly represent the members of the proposed class, including, but not limited to, the nature of the steps taken by her leading up to and culminating in the filing of the Application.

AUTHORIZE the Defendants BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC and BMW Manufacturing Co., LLC to file the transcripts of the examination, the answers to the undertakings as well as the exhibits used during the examination, if any.

AUTHORIZE the Defendants BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC and BMW Manufacturing Co., LLC to file the sworn statement of Gordon Farrish, dated September 20, 2018 (Exhibit BMW-1), and the documents in support thereof, namely:

- i) A copy of the Questions & Answers relating to the Recall Campaign No. 2017-470: Engine PCV Blow-by Heater (Annex A);
- ii) Follow-up owner notification letter relating to the Blow-By Heater Recall Campaign (Annex B);
- iii) A copy of the Questions & Answers relating to the Recall Campaign No. 2017-588: Blower Motor Wiring Recall (Annex C); and
- iv) A copy of the service records and estimates relating to the Applicants vehicle dated March 8 and 9, 2018 respectively(Annex D)

AUTHORIZE the Defendants BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC and BMW Manufacturing Co., LLC to file the sworn statement of Karen Aulbach dated September 20, 2018, (Exhibit BMW-2).

THE WHOLE without legal costs, unless the present Application is contested.

Montréal, September 21, 2018

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CANADA

PROVINCE OF QUEBEC
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No: 500-06-000915-187

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LIST OF EXHIBITS

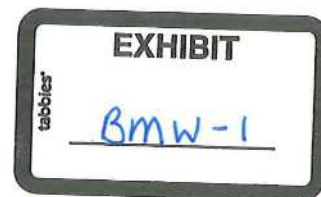
EXHIBIT BMW-1: Sworn Statement of BMW Canada Inc. representative, Gordon Farrish, dated September 20, 2018, and attached annexes.

EXHIBIT BMW-2: Sworn Statement of BMW of North America , LLC. representative, Karen Aulbach, dated September 20, 2018

Montréal, September 21, 2018

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Me Martin Sheehan and Me Noah Boudreau
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EXHIBIT BMW-1



CANADA

PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL
LOCALITY OF MONTRÉAL

(CLASS ACTION)
SUPERIOR COURT

No: 500-06-000915-187

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BMW CANADA INC.,

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BMW OF NORTH AMERICA, LLC,

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BMW MANUFACTURING CO., LLC,

Defendants

**SWORN STATEMENT OF GORDON FARRISH,
SWORN ON SEPTEMBER 20, 2018**

I, Gordon Farrish, Senior Safety & Environmental Compliance Manager at BMW Canada Inc., having its principal place of business at 50 Ultimate Drive, Richmond Hill, Ontario being duly sworn, make oath and say:

1. I make this Affidavit in support of the Defendants', BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC and BMW Manufacturing Co., LLC *Application for Authorization to Examine the Applicant and to Adduce Relevant Evidence* at the Authorization Hearing.
2. I have reviewed the *Amended Application to Authorize the Bringing of a Class Action and to Appoint the Status of Representative Plaintiff* ("**Application for Authorization**"), and its supporting exhibits, which were filed in this matter.

THE RECALL NOTICES

- 1) **Recall Campaign No. 2017-470: Engine PCV Blow-by Heater**
3. In September 2017, BMW Canada Inc. ("**BMW Canada**") voluntarily issued *Recall Campaign No. 2017-470: Engine PCV Blow-by Heater* (the "**Blow-by Heater Recall**").

4. The Blow-by Heater Recall notice advised that, due to manufacturing irregularities, certain BMW vehicles may be affected by a defect in that the Positive Crankcase Ventilation (“PCV”) blow-by heater component could overheat, as appears from a copy of the Blow-by Heater Recall initial owner notification letter filed by Applicant as **Exhibit P-3**.
5. The Blow-by Heater Recall notice specifies that the issue may exist in certain 2008-2011 Model Year BMW 1 Series, 2007-2011 Model Year BMW 3 Series, 5 Series, Z4, X3 Sports Activity Vehicles (SAVs); and certain 2007-2010 Model Year BMW X5 SAVs vehicles equipped with an N52K or N52T 6 cylinder engine (the “**Vehicles**”), as appears from Exhibit P-3.
6. The class proposed in the Authorization Application erroneously indicates that 2006 Model Year BMW 3 Series were recalled pursuant to the Blow-by Heater Recall Notice. In fact, 2006 Model Year BMW 3 Series were not subject to the Blow-by Heater Recall and are not affected.
7. Prior to the Blow-by Heater Recall, vehicle manufacturing and supplier production records were examined in order to determine the number and production dates, of potentially affected vehicles.
8. The number of potentially affected Vehicles was determined to be approximately 79,616 Vehicles in Canada.
9. However, the percentage of the 79,616 Vehicles in Canada which likely present the condition described in the Blow-By Heater Recall is less than 1 per cent i.e. fewer than 800 vehicles.
10. There was no interdiction on driving the Vehicles in the Blow-by Heater Recall notice or otherwise, and BMW Canada indicated to customers, who inquired, that they could continue to drive the Vehicles, as appears from a copy of the Questions & Answers relating to the Blow-by Heater Recall Campaign attached hereto as **Annex A** to this Sworn Statement.
11. At the time the Applicant alleges to have learned of the Blow-by Heater Recall notice at the end of December 2017, and until the spring of 2018, there were two other recalls which were still open on the Applicant’s vehicle, namely:
 - Recall Campaign No. 2016-142: Driver’s Front Airbag Module; and,
 - Recall Campaign No. 2017-471 Front Passenger Seat Occupant Detection Mat.
12. All of the recalls on Applicant’s vehicle, including the Blow-by Heater Recall, were completed in the spring of 2018.
13. In August 2018, BMW Canada advised all owners that replacement parts for the blow-by heater were now available in the follow-up owner notification letter relating to the Blow-by Heater Recall Campaign attached hereto as **Annex B** to this Sworn Statement.

2) Recall Campaign No. 2017-588

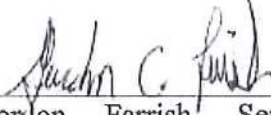
14. In November 2017, BMW Canada voluntarily issued *Recall Campaign No. 2017-588: Blower Motor Wiring Recall* (the "**Wiring Recall**").
15. Applicant's vehicle is not affected by the Wiring Recall.
16. In August 2018, BMW Canada advised all owners that replacement parts for the Wiring Recall were now available.
17. There was no interdiction on driving the Vehicles in the Wiring Recall notice or otherwise, and BMW Canada indicated to customers, who inquired, that they could continue to drive the Vehicles, as appears from a copy of the Questions & Answers relating to the Wiring Recall Campaign attached hereto as **Annex C** to this Sworn Statement.

FACTS SPECIFIC TO APPLICANT, MS. ZULLY LILIANA SALAZAR PASAJE

18. Ms. Salazar Pasaje is the customer who is now making the complaint as the proposed class representative in this matter.
19. Applicant did not purchase her vehicle from any of the BMW Defendants and she is at least the third owner of the vehicle in question.
20. Prior to filing her Application for Authorization, Applicant had issues with BMW Ville de Quebec ("VDQ"), an authorized BMW-brand retailer, regarding repairs performed by VDQ for which she refused to pay.
21. Furthermore, Applicant also refused to proceed with other repairs which had been recommended by VDQ.
22. In March 2018, Applicant brought her vehicle in for inspection at VDQ relating to a flat tire.
23. An inspection performed by VDQ on Applicant's vehicle revealed that it was unstable and that there were issues with tire pressure, the transmission and oil leaks.
24. VDQ advised Applicant of several maintenance issues regarding her vehicle which required urgent attention on her part. The value of repairs required of Applicant's vehicle exceeded \$6,500 as appears from a copy of the service records and estimates attached hereto as **Annex D** to this Sworn Statement.
25. To BMW Canada's knowledge, Applicant has not had that repair work done.
26. On April 9, 2018, Applicant was advised that parts were available to proceed with the Blow-by Heater Recall on her vehicle.
27. On April 10, 2018, VDQ performed the work related to the Blow-by Heater Recall.

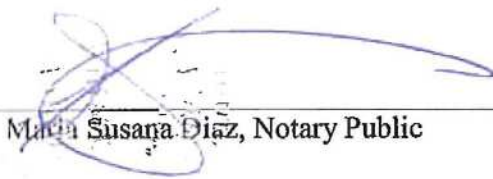
28. Applicant picked up her vehicle on April 20, 2018 but brought it back to VDQ after noticing smoke coming out of the vehicle's hood while she was driving.
29. On April 23, 2018, Applicant's vehicle was inspected again by VDQ.
30. It was determined by VDQ that the issue Applicant experienced with her vehicle was not related to the recall service work performed on April 10, 2018 but rather to her failure to attend to the oil leaks brought to her attention in March 2018.
31. All the facts alleged in this Sworn Statement are true to my knowledge.

AND I HAVE SIGNED:



Gordon Farrish, Senior Safety &
Environmental Compliance Manager at
BMW Canada Inc.

SOLEMNLY SWORN BEFORE ME THIS
20th day of September 2018, in Richmond
Hill, Ontario.



Maria Susana Diaz, Notary Public

ANNEX A

**Model Year 2010 / 5 Series - 2011 / 5 Series - 2009 / 1 Series - 2011 / 1 Series - 2009 / 3 Series - 2011 / 3 Series - 2009 / Z4 - 2011 / Z4 - 2009 / X3 SAV - 2010 / X3 SAV - 2009 / X5 SAV - 2010 / X5 SAV
N52 Engine Blow by Heater (PCV Valve)
Safety Recall 2017-470**

Q1. Which BMW models are affected by this Safety Recall?

Year / Model	Produced from – Produced to
2008 – 2011 / 1 Series	November 15, 2007 – February 26, 2011
2007 – 2011 / 3 Series	June 26, 2006 – December 5, 2011
2007 – 2011 / 5 Series	February 27, 2006 – July 26, 2011
2007 – 2011 / X3 SAV	July 28, 2006 – September 14, 2011
2007 – 2010 / X5 SAV	October 3, 2006 – March 3, 2010
2007 – 2011 / Z4	September 28, 2006 – July 20, 2011

Q2. How many BMW vehicles in Canada are affected by this Safety Recall?

Approximately 79,616 BMW vehicles in Canada are affected.

Q3. What is the specific issue?

This safety recall involves the Blow by Heater (PCV Valve) which is mounted on the engine intake manifold of the N52 6-cylinder engine.

The Blow by Heater incorporates a heating element, which is designed to prevent the Blow by Heater from freezing in cold ambient temperatures, due to condensation that can form in the Blow by Heater system during engine operation.

Within the Blow by Heater, the crankcase blow-by gases are guided through a copper tube, which is constantly supplied with electrical current during engine operation, and controls its heat output by a Positive Temperature Coefficient (PTC) element. The electrical contacts at the copper tube and the copper tube itself are coated with a plastic material.

Irregularities in the manufacturing process at the supplier could lead to cavities in the areas of the electrical contacts, and the PTC element at the copper tube, potentially leading to a build-up of moisture.

Q4. What can happen as a result of this issue?

If a build-up of moisture occurred, it may cause a short-circuit, and consequently, the surrounding plastic coating would become overheated. This potential overheating typically occurs while the vehicle is being driven, however it is possible that this could also occur after the vehicle has been parked, with the engine turned off.

In an extreme case, overheating of the plastic material can lead to smoldering. If smoldering occurs, it cannot be excluded that this may also lead to an engine compartment or vehicle fire, and could result in property damage and/or personal injury.

**Model Year 2010 / 5 Series - 2011 / 5 Series - 2009 / 1 Series - 2011 / 1 Series - 2009 / 3 Series - 2011 / 3 Series - 2009 / Z4 - 2011 / Z4 - 2009 / X3 SAV - 2010 / X3 SAV - 2009 / X5 SAV - 2010 / X5 SAV
N52 Engine Blow by Heater (PCV Valve)
Safety Recall 2017-470**

If the Blow by Heater fails the driver will, in most cases, be informed by illumination of a warning telltale in the instrument cluster.

Q5. How did BMW become aware of this issue?

BMW became aware of this issue through its quality control procedures.

Q6. Why are other models of the different years not included in this Safety Recall?

Vehicle manufacturing and supplier production records were examined in order to determine the number, and production dates, of potentially affected vehicles.

Q7. Can I determine if this issue exists in my vehicle?

If you notice a check engine light, or see smoke coming from the engine compartment, your vehicle may be affected by this condition.

Should you need BMW Roadside Assistance, they can be reached at 1-800-267-8269.

Please contact an authorized BMW Retailer to have your vehicle inspected and, if necessary, repaired.

Q8. Can I continue to drive my vehicle?

Yes. However, when you receive a letter asking you to have this service performed by an authorized BMW Retailer, please do so as soon as possible. If you are not the only driver of this vehicle, please advise all other drivers of this important information.

Q8a. Should I park my car in the garage, because this condition can occur when the engine is off?

BMW recommends parking your vehicle outdoors until repairs have been performed.

Q9. How will my vehicle be repaired?

A new Blow by Heater will be installed.

Q10. Is BMW aware of any injuries involving the vehicles associated with this issue?

No.

Q11. How will I be informed of this Safety Recall?

Model Year 2010 / 5 Series - 2011 / 5 Series - 2009 / 1 Series - 2011 / 1 Series - 2009 / 3 Series - 2011 / 3 Series - 2009 / Z4 - 2011 / Z4 - 2009 / X3 SAV - 2010 / X3 SAV - 2009 / X5 SAV - 2010 / X5 SAV
N52 Engine Blow by Heater (PCV Valve)
Safety Recall 2017-470

If your vehicle is affected, you will receive a letter in November or December via First Class mail advising you of this recall and requesting that you schedule an appointment with an authorized BMW Retailer for service and repair.

Q12. How long will the repair take?

This repair may take approximately two hours; however, additional time may be required depending upon your BMW Retailer's schedule and the vehicle condition. The repair will be performed free of charge by your authorized BMW Retailer.

Q13. Do I have to wait for my letter in order to have my vehicle serviced?

Yes. BMW is in the process of implementing this program to ensure that the necessary parts, tools and procedures are available at its authorized BMW Retailers, prior to instructing you to take your vehicle in for repair.

ANNEX B

August 2018

Recall Campaign No. 2017-470: Engine PCV Blow-by Heater

Dear BMW Owner / Lessee:

This notice is sent to you in accordance with the requirements of the Canadian Motor Vehicle Safety Act. BMW AG has determined that a defect, which relates to motor vehicle safety, may exist in certain 2007 - 2011 Model Year BMW 3 Series, BMW 5 Series, Z4 and X3 vehicles; certain 2008 – 2011 Model Year BMW 1 Series and certain 2007 – 2010 Model year BMW X5 vehicles equipped with an N52K or N52T 6 cylinder engine. Our records indicate that you are the owner or lessee of a potentially affected vehicle.

IMPORTANT NOTICE

Please note that we had informed you of this matter by letter in November / December 2017, and indicated that the necessary parts for your vehicle were not yet available. In our November / December letter, we stated that we would inform you when parts were available, and to schedule a visit with your authorized BMW Retailer at that time.

With this letter, we are pleased to inform you that the necessary parts are now available. If you have not already had this recall performed, then please contact any authorized BMW Retailer immediately to schedule an appointment. To locate the nearest BMW Retailer, visit www.BMW.ca.

What could happen?

The PCV blow-by heater incorporates a heating element, which is designed to prevent the PCV valve from freezing in cold ambient temperatures, due to condensation that can form in the PCV system during engine operation. The subject PCV blow-by heater could overheat due to component production inconsistencies, which could result in a short circuit in the heating element, caused by a build-up of moisture in the associated electrical components.

If the PCV blow-by heater overheats, the surrounding plastics could melt and potentially cause a fire, which could increase the risk of injury and/or damage to property.

This potential overheating of the PCV blow-by heater typically occurs while the vehicle is being driven, however it is possible that this could also occur after the vehicle has been parked, with the engine turned off. For this reason, BMW recommends parking your vehicle outdoors until the recall repair has been performed.

If the PCV blow-by heater fails the driver will, in most cases, be informed by illumination of a warning telltale in the instrument cluster.

If you are not the only driver of this vehicle, please advise all other drivers and passengers of this important information.

What will BMW do?

The PCV blow-by heater will be replaced free of charge. This **free repair** will take approximately two (2) hours; however, additional vehicle processing time may be required. When you contact your authorized BMW Retailer to schedule an appointment to have this recall performed, the Retailer staff will be able to provide you with a more accurate time estimate.

What if I am not the current owner / lessee of this vehicle?

If you are no longer the vehicle owner / lessee, and have knowledge of the name and address of the new owner, we would appreciate you furnishing this information to BMW Canada Inc. by calling the toll-free telephone number noted below.

If you are a lessor of this vehicle, please forward this notice to your lessee.

What if I have questions or experience problems?

Should you have any questions about this Recall Campaign, please contact your Authorized BMW Retailer. Visit www.BMW.ca to find an authorized BMW Retailer near to you. Should you need additional assistance, you may contact BMW Customer Service at the following phone number or email address:

Phone: 1-855-217-3002

Email: customer.service@bmw.ca

Please be assured that your safety is important to us and we sincerely apologize if this recall causes any inconvenience. We recommend that you and your passengers wear your seat belt at all times.

*To ensure BMW Canada Inc. has your most recent contact and vehicle information, please register your vehicle at **myBMW.ca**. Registration is free of charge, and will give you access to factory initiated campaigns, offers and other information specific to your BMW vehicle.*

Very truly yours,

BMW Canada Inc.

ANNEX C

Safety Recall 2017-588
Blower-Motor-Wiring
Model Year 2006-2011
BMW 3 Series (including M3)
Last Update: 12/21/17

Q1. Which BMW models in Canada are potentially affected by this Safety Recall?

Approximately 75,744 3 Series BMW vehicles in Canada, including M3 vehicles produced from February 7, 2005 to December 5, 2011 are potentially affected.

Q2. What is the specific issue?

This issue involves the wiring for the system – known as the “blower-motor” – that controls air flow for the heating and air conditioning system. Over time, and due to a number of contributing factors, the connection between the wiring and this system can degrade.

Q3. What can happen as a result of this issue?

Degradation of the wiring connection over time, due to long-term exposure to vehicle vibrations and climatic conditions, could lead to corrosion and possibly to an increase in electrical resistance at the connection. In rare cases, this could further lead to overheating, the possibility of melting at the connection point, and potentially to a short circuit. In extremely rare cases, the melting could propagate and lead to a fire.

Q4. Why are other vehicles not included in this Safety Recall?

Other models have different designs for the blower-motor wiring, and for the blower-motor which controls air flow for the heating and air conditioning system.

Q5. Do I need to stop driving my vehicle?

No. The possibility of this issue occurring is extremely rare.

However, you should stop driving your vehicle if any of the following warning signs occur:

- You see smoke entering the interior through the heating and cooling air vents.
- You smell smoke, or a plastic burning odor, in the interior.

If any of these warning signs occur, then as soon as possible, carefully move away from traffic, pull over to a safe location, and shut off the engine. All occupants should carefully exit the vehicle and move to a safe location away from traffic. Do not continue to drive your vehicle.

Should you need BMW Roadside Assistance, they can be reached at 1-800-267-8269.

Please contact an authorized BMW Retailer to have your vehicle inspected and, if necessary, repaired. BMW recommends parking your vehicle outdoors until repairs have been performed.

Q6. I saw this recall posted by NHTSA in the US on November 3, 2017. Why did Transport Canada publish it on a later date?

A Worldwide evaluation, including Canada was conducted by BMW and was still under investigation for the Canadian market at time of posting by NHTSA. BMW Canada advised Transport Canada in writing of the recall on November 30, 2017.

Safety Recall 2017-588
Blower-Motor-Wiring
Model Year 2006-2011
BMW 3 Series (including M3)
Last Update: 12/21/17

Q7. Can I determine if this issue exists in my vehicle?

No. This can only be determined through proper inspection at an authorized BMW Retailer.

Q8. How did BMW become aware of the problem?

BMW became aware of the problem through our quality control procedures.

Q9. How will I be informed of this Safety Recall?

All affected owners will receive an initial letter in January 2018 via First Class mail advising them of this recall. Due to the large vehicle population, sufficient parts are not immediately available to repair all vehicles. Therefore, affected owners will receive a second letter as parts become available. When owners receive the second letter, they should promptly schedule an appointment with an authorized BMW Retailer to have this recall performed.

You can locate your preferred BMW Retailer at www.BMW.ca. To ensure BMW Canada Inc. has your most recent contact and vehicle information, please register your vehicle at **myBMW.ca**. Registration is free of charge, and will give you access to factory initiated campaigns, offers and other information specific to your BMW vehicle.

You may also contact BMW Customer Service at 1-855-217-3002 to have your information changed and receive additional information for your vehicle.

Q10. How will my vehicle be repaired?

The wiring leading to the system that controls the heating and air conditioning system (the blower-motor) will be inspected and a new part will be installed. In some cases, additional components may need to be replaced which will be determined at the time of repair.

Q11. How long will the repair take?

This repair should take approximately one to two hours, depending upon the specific repair necessary; however, additional time may be required depending upon your BMW Retailer's schedule. The repair will be performed **free of charge** by your authorized BMW Retailer.

Q12. Do I have to wait for my letter to have my vehicle serviced?

Yes. Due to the large vehicle volume, a sufficient quantity of parts may not be immediately available for all potentially affected vehicles. Therefore, potentially affected owners will receive a second letter. When you receive the second letter, you should promptly schedule an appointment with an authorized BMW Retailer to have this recall performed. You can locate your nearest authorized BMW Retailer at www.BMW.ca.

ANNEX D

BMW VILLE DE QUEBEC
ESTIMATION REPARATION GPS

#ESTIMATION CU19466*1

DATE ESTIM. : 03/08/2018

VEH : E83 X3 SAV NIV:
#CONSEIL 106 STEPHANE BROUSSEAU
#CLIENT 19466 ZULLY LILIANA PASAJE
ADRESSE: 909 RUE LAUDANCE (M) 418-657-3115
APT 101 (T) (EXT)
QUEBEC, QC G1X 5H7

ESTIM. CLIENT

OPERATION: 1112601 Couvercle des Soupapes [Valve Cover], r&r 07/10

NOTES: (ADD for additional seals as needed)

TEMPS M-D'O: 3.70

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
1	BM11-12-7-552-281	COUVRE CULASSE	720.50	720.50

CD DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1	*MATERIAL ATELIER			30.00

M-D'O \$: 540.02
PCES \$: 720.50
EHG \$: 0.00
DIV. \$: 30.00

S-TOTAL \$: 1290.52

OPERATION: 1142021G Joint Torique Boitier Filtre Huile,r&r (AJ HUILE&FILTRE)
07/10

TEMPS M-D'O: 3.00

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
1	BM11-42-8-637-821	JOINT	67.60	67.60
1	BM11-42-8-637-820	JOINT	67.60	67.60
1	BM11-42-7-953-129	KIT CARTOUCHE DE FILTRE A	30.00	30.00
40	BM83-51-9-415-964	ANTIGEL	0.57	22.80
10	BM83-21-2-296-489	BMW LL01 5W-30 ENGINE OIL	1.00	10.00

QTE	E.H.F. & MAT.ATEL	PRIX UNIT.	PRIX TOT.
2.0	SHAMPOING MOTEUR	1.000	2.00

CD DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1	*MATERIAL ATELIER			30.00

M-D'O \$: 437.85
PCES \$: 198.00
EHG \$: 2.00
DIV. \$: 30.00

S-TOTAL \$: 667.85

OPERATION: 3160000 DRIVESHAFT AVANT 2007 Jusqu A 12-12-06 RH

TEMPS M-D'O: 1.00

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
1	BM26-20-7-525-969	ARBRE DE TRANSMISSION AVA	1298.00	1298.00
8	BM26-11-7-571-956	VIS TORX AVEC AILETTES	14.64	117.12

CD DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1	*MATERIAL ATELIER			30.00

BMW VILLE DE QUEBEC
ESTIMATION REPARATION GPS

#ESTIMATION CUI9466*1

DATE ESTIM. : 03/08/2018

VEH : E83 X3 SAV NIV:
#CONSEIL 106 STEPHANE BROUSSEAU
#CLIENT 19466 ZULLY LILIANA PASAJE
ADRESSE: 909 RUE LAUDANCE (M) 418-657-3115
APT 101 (T) (EXT)
QUEBEC, QC G1X 5H7

ESTIM. CLIENT

M-D'O \$: 145.95
PCES \$: 1415.12
EHG \$: 0.00
DIV. \$: 30.00

S-TOTAL \$: 1591.07

OPERATION: STC Vidange Boite de Transfert [Service Transfer Case] 04/10

TEMPS M-D'O: 1.00

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
1	BM83-22-2-409-710	DTF 1	50.00	50.00

CD	DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1		*MATERIAL ATELIER			9.80

M-D'O \$: 145.95
PCES \$: 50.00
EHG \$: 0.00
DIV. \$: 9.80

S-TOTAL \$: 205.75

OPERATION: EATR D REPLACEMENT HUILE ET INSTALLATION PLUG GAUCHE
Toutes les Annees

TEMPS M-D'O: 3.00

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
1	BM24-15-2-357-284	KIT FILTRE A HUILE, BVA	298.86	298.86
50	BM83-22-0-406-590	HUILE DE BOITE AUTOM	1.80	90.00
1	BM24-50-7-633-598	COUVERCLE DETANCHEITE	29.39	29.39

CD	DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1		*MATERIAL ATELIER			30.00

M-D'O \$: 437.85
PCES \$: 418.25
EHG \$: 0.00
DIV. \$: 30.00

S-TOTAL \$: 886.10

OPERATION: SPR6 Bougies d Allumage [Spark Plugs], r&r 07/09

TEMPS M-D'O: 1.00

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
6	BM12-12-2-158-253	BOUGIE HIGH POWER	32.26	193.56
1	BM12-13-8-647-689	BOBINE DALLUMAGE	138.00	138.00

CD	DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1		*MATERIAL ATELIER			23.88

BMW VILLE DE QUEBEC
ESTIMATION REPARATION GPS

#ESTIMATION CU19466*1

DATE ESTIM. : 03/08/2018

VEH : E83 X3 SAV NIV:
 #CONSEIL 106 STEPHANE BROUSSEAU
 #CLIENT 19466 ZULLY LILIANA PASAJE
 ADRESSE: 909 RUE LAUDANCE (M) 418-657-3115
 APT 101 (T) (EXT)
 QUEBEC, QC G1X 5H7

ESTIM. CLIENT

M-D'O \$: 145.95
 PCES \$: 331.56
 EHG \$: 0.00
 DIV. \$: 23.88

 S-TOTAL \$: 501.39

OPERATION: LBD AMPOULES DE FREINS ARRIERE G ET D Toutes les Annees

TEMPS M-D'O: 0.30

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
2	BM63-21-7-160-935	AMPOULE LONGLIFE	20.94	41.88

CD DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1	*MATERIAL ATELIER			4.28

M-D'O \$: 43.79
 PCES \$: 41.88
 EHG \$: 0.00
 DIV. \$: 4.28

 S-TOTAL \$: 89.95

OPERATION: AIMHB FEU HAYON ARG Toutes les Annees

TEMPS M-D'O: 0.70

QTE	#PIECE	DESCRIPTION PCE	PRIX PIECE	PRIX TOT.
1	BM63-21-7-162-213	FEU ARRIERE COUVERCLE DE	373.75	373.75

CD DIVERS	DESCRIPTION DIV.	ESTIM.MIN	ESTIM.MAX	PRIX
1	*MATERIAL ATELIER			23.80

M-D'O \$: 102.17
 PCES \$: 373.75
 EHG \$: 0.00
 DIV. \$: 23.80

 S-TOTAL \$: 499.72

BMW VILLE DE QUEBEC
ESTIMATION REPARATION GPS

#ESTIMATION CU19466*1

DATE ESTIM. : 03/08/2018

VEH : E83 X3 SAV
#CONSEIL 106 STEPHANE BROUSSEAU
#CLIENT 19466 ZULLY LILIANA PASAJE
ADRESSE: 909 RUE LAUDANCE
APT 101
QUEBEC, QC G1X 5H7

NIV:
(M) 418-657-3115
(T) (EXT)

ESTIM. CLIENT

TOTAL M-D`O \$:	1999.53
TOTAL PCES \$:	3549.06
TOTAL BHG \$:	2.00
TOTAL DIV. \$:	181.76
TOTAL TPS \$:	286.62
TOTAL TVP \$:	571.80

TOTAL ESTIM. \$:	6590.77

SIGNATURE DU CLIENT

Merci de laisser BMW & MINI Ville de Quebec
le soin de preparer votre evaluation.

***** CECI EST UNE EVALUATION PRELIMINAIRE *****

Cette evaluation est basee sur notre inspection ou sur une demande de
votre part. Cette evaluation ne couvre pas les pieces additionnelles ou
les travaux qui peuvent etre exigés apres que les composantes aient ete
demontees. Une fois le travail commence, il arrive que des pieces usees
ou endommagees qui n'avaient pas ete decelees a la premiere inspection
soient decouvertes. Pour cette raison, les prix ci-dessus ne sont pas
garantis et sont en vigueur pour 30 jours apres la date de creation.

Veuillez communiquer avec nous au (418) 681-5000 ou visiter notre
site web @ www.bmwvilledequebec.com pour prendre un rendez-vous.

Concessionnaire
autorisé BMW
An authorized
BMW Retailer

BMW Ville de Québec

215, rue Étienne-Dubreuil
Québec, Qc. G1M 4A6
Tél.: (418) 681-5000 Fax: (418) 780-4694
http://villedequebecbmw.ca



CELL: 418-380-4517

SO
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E

LA SOMME DE \$ _____ OU MONTANT DE LA DETTE EST RECONNUE PAR LES PRÉSENTES À TITRE DE MONTANT TOTAL OU SOLDE DÙ POUR RÉPARATIONS, PIÈCES ET ACCESSOIRES, SUIVANT CE BON DE RÉPARATIONS. INTEREST/ISS IS HEREBY ACKNOWLEDGED IN THE SUM OF \$ _____ BEING ALL OF THE BALANCE OWING FOR REPAIRS, PARTS & ACCESSORIES DESCRIBED IN THIS WORK ORDER.

DATE _____ SIGNATURE _____

TOUS LES ITEMS SONT ASSUJETTIS À LA T.P.S. ET T.V.Q. ALL ITEMS ARE SUBJECT TO G.S.T. AND Q.S.T.

NO. CLIENT - CUSTOMER NO 19466		CONSEILLER - ADVISOR STEPHANE BROUSSEAU		NO. DETAIL - TAG NO 106	DATE FACT. - INVOICE DATE 03/09/18	NO. FACT. - INVOICE NO BFCS168422
ZULLY LILIANA PASAJE 909 RUE LAUDANCE APT 101 QUEBEC, QC G1X 5H7		Taux hor. - Labour rate 149.95	NO. DT/MMA - LICENSE NO 154,057	COULEUR - COLOUR /		NO. STOCK NO
magica56@hotmail.com		ANNEE/MARQUE/MODELE - YEAR/MAKE/MODEL 07/BMW SAV/SERIE X3/X3 3.0i		DATE LIV. - DELIVERY DATE 05/03/07		KM. LIV. - DEL. KM
TEL. RES. - RESIDENCE PHONE 418-657-3115		NO. SÉRIE - VEHICLE ID. NO. W B X P C 9 3 4 3 7 W F 0 0 4 2 0		NO. CON. VEND. - SELL. DEAL. NO.		DATE PRODUCTION DATE 05/03/07
TEL. AFF. - BUSINESS PHONE		NO. E.T.E. - FILE NO.		NO. COMMANDE - PO. NO.		DATE EN SERVICE - IN SERVICE DATE 05/03/07
COMMENTAIRES - COMMENTS				DATE S.R. - P.O. DATE 03/05/18		DATE EN SERVICE - IN SERVICE DATE 05/03/07
						KM: 154057 #REIMPR. 1

#ACT 1 FRAIS -----
M-D'O-----
#A 1 09BMZ ** BMW ENTRETIEN ** UNITES: 0.70 TECH(S):521 84.40
PLAINTE: CHANGEMENT D'HUILE ET FILTRE
CORRECTION: HUILE FILTRE RESET

PIECES	QTE	PD-NUMERO	DESCRIPTION	PRIX LISTE	PRIX UNITE	
	1	11-42-7-953-129	KIT CARTOUCHE DE FI	30.00	17.00	17.00
	70	83-21-2-296-489	BMW LLO1 5W-30 ENGI	1.00	0.78	54.60
				TOTAL - PCES		71.60

#ACT 1 TOTAL -----
M-D'O 84.40
PCES 71.60

#ACT 1 PREFIXE JOURNAL BFCS #ACT 1 TOTAL 156.00

#ACT 2 FRAIS -----
M-D'O-----
#A 2 36BMZ-A006 VERIFIER CREVAISON UNITES: 1.50 TECH(S):514 224.93
PLAINTE: VERIFIER CREVAISON ET VEHICULE TIRE DE TOUS LES COTES
CORRECTION: VERIFIER POUR VEHICULE EST INSTABLE SUR LA ROUTE SELON CLIENTE

- FAIT ESSAIE ROUTIER, CONSTATE QUE LA TRANSMISSION GLISSE BEAUCOUP ET VEHICULE EST INSTABLE
- FAIT VERIFICATION EN ATELIER:
PNEUS ARRIERE HIVER, AVANT ETE ET PRESSION FAIBLE
FAIT AJUSTEMENT DES PRESSIONS, NON CONFORME POUR LES PNEUS

FUITE D'HUILE MAJEUR SOUS LE VEHICULE CONSTATE, MOTEUR ET TRANSMISSION
- FAIT APOINT D'HUILE LA TRANSMISSION AUTOMATIQUE, AJOUT DE 3L SUR TOTAL DE 5L
- FUIITE PROVIENT DU BOUCHON COTE GAUCHE DE LA TRANSMISSION QUI NE TIENT PLUS EN PLACE
VOIR ESTIME POUR INSTALLATION DU BOUCHON + REMPLACEMENT HUILE ET FILTRE + RESET ADAPTATIONS A FAIRE

TRAVAUX A PREVOIR:
- COUVERT DE VALVE EST CASSE AVD, FUIITE HUILE MAJEUR
- GASKET PIED DE FILTRE A HUILE, FUIITE HUILE MAJEUR

#ACT 2 TOTAL -----
M-D'O 224.93

#ACT 2 PREFIXE JOURNAL BFCS #ACT 2 TOTAL 224.93

#ACT 3 FRAIS -----
M-D'O-----
#A 3 32BMZ CONDUITE UNITES: 0.30 TECH(S):521 GARANTIE
PLAINTE: E7x E8x E9x (Canada) Remplacer l'airbag conducteur ou le generateur de gaz
CORRECTION: NEW 117B2860P0430
OLD 06B2260P0119JE

IMPORTANT

Cher(e) client(e) de BMW/MINI. Dans le cadre de notre programme de la satisfaction à la clientèle, il est possible que vous receviez, par courriel, un sondage sur la qualité de nos services. Nous vous prions donc de prendre quelques minutes pour y répondre car ce sondage est primordial pour notre évaluation. Nous vous remercions à l'avance pour vos commentaires.

Cordialement
L'équipe de BMW
Ville de Québec

Toutes pièces d'origine BMW sont garanties pour une période de 24 mois contre tous défauts de fabrication

*Merci
d'avoir choisi
BMW
Ville de Québec*

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T.V.Q./Q.S.T. NO : 121310217 TPS/G.S.T. NO : 844805184

Concessionnaire
autorisé BMW
An authorized
BMW Retailer

BMW Ville de Québec

215, rue Étienne-Dubreuil
Québec, Qc. G1M 4A6
Tél.: (418) 681-5000 Fax: (418) 780-4694
http://villedequebecbmw.ca



CELL: 418-380-4517

S O U S T R I E	LA SOMME DE \$ _____ DU MONTANT DE LA DETTE EST RECONNUE PAR LES PRÉSENTES À TITRE DE MONTANT TOTAL, OU SOLDE DE FOUR
	REPARATIONS, PIÈCES ET ACCESSOIRES, SUR CE BON DE RÉPARATIONS. INDEBTEDNESS IS HEREBY ACKNOWLEDGED IN THE SUM OF \$ _____ BEING ALL OF THE BALANCE OWING FOR REPAIRS, PARTS, & ACCESSORIES DESCRIBED IN THIS WORK ORDER.
DATE _____	SIGNATURE _____

TOUS LES ITEMS SONT ASSUJETIS À LA T.P.S. ET T.V.Q. ALL ITEMS ARE SUBJECT TO G.S.T. AND Q.S.T.		NO. CLIENT - CUSTOMER NO. 19466	CONSEILLER - ADVISOR STEPHANE BROUSSEAU	NO. DETRO. - TAG NO. 106	DATE FACT. - INVOICE DATE 03/09/18	NO. FACT. - INVOICE NO. BFCS168422
ZULLY LILIANA PASAJE 909 RUE LAUDANCE APT 101 QUEBEC, QC G1X 5H7		TAUX HOR. - LABOUR RATE 149.95	NO. CHASS. - LICENSE NO. 154,057	KM 154,057	COULEUR - COLOUR /	NO. STOCK NO.
magica56@hotmail.com		ANNÉE/MARQUE/MODÈLE - YEAR/MAKE/MODEL 07/BMW SAV/SERIE X3/X3 3.0i		DATE LIV. - DELIVERY DATE 05/03/07	K.M. LIV. - DEL. KM.	
418-657-3115		NO. SÉRIE - VEHICLE ID. NO. W B X P C 9 3 4 3 7 W F 0 0 4 2 0		NO. COM. VEND. - SELL. DEAL. NO.	DATE PRODUCTION DATE 05/03/07	
418-657-3115		NO. E.T.F. - RTE. NO.		NO. COMMANDE - P.O. NO.	DATE EN SERVICE - IN SERVICE DATE 05/03/07	
418-657-3115		COMMENTAIRES - COMMENTS		KM: 154057 #REIMPR. 1		

PIECES-----QTE---PD-NUMERO-----	DESCRIPTION-----	PRIX LISTE-PRIX UNITE-			GARANTIE
1 32-30-6-884-660	MODULE DAIRBAG COND		TOTAL - PCES		0.00
#ACT 3 TOTAL -----					
				#ACT 3 PREFIXE JOURNAL BFCS	#ACT 3 TOTAL 0.00
#ACT 4 FRAIS -----					
M-D'O-----					
#A 4 77BMZ02	VEH. COURTOISIE BMW	UNITES: 0.01	TECH(S):605	INTERNE	
PLAINTE: VEHICULE DE COURTOISIE					
CAUSE: VEHICULE DE COURTOISIE					
CORRECTION: VEHICULE DE COURTOISIE					
CODE-DIVERS-----DESCRIPTION-----# CONTROLE-----					
COBM	FRAIS ADMINISTRATION BMW		TOTAL - DIV.		19.95
#ACT 4 TOTAL -----					
				DIV.	19.95
				#ACT 4 PREFIXE JOURNAL BFCS	#ACT 4 TOTAL 19.95
#ACT 5 FRAIS -----					
M-D'O-----					
#A 5 17BMZ	SYST REFROIDISSEMENT	UNITES: 0.01	TECH(S):521	INTERNE	
PLAINTE: TEMOIN ALLUME A L'OCCASION					
CORRECTION: MANQUE ANTIGEL AJOUT 1LITRE DIFFICILE DE VOIR SIL YA FUIITE BEAUCOUP D'HUILE COULE SOUS LE MOTEUR ET PARTOUT					
PIECES-----QTE---PD-NUMERO-----DESCRIPTION-----PRIX LISTE-PRIX UNITE-					
30 83-22-0-406-590	HUILE DE BOITE AUTO	1.80	1.80		54.00
#ACT 5 TOTAL -----					
				PCES	54.00
				#ACT 5 PREFIXE JOURNAL BFCS	#ACT 5 TOTAL 54.00
#ACT 6 FRAIS -----					
M-D'O-----					
#A 6 77BMZ1	MOBILITY PROGRAM	UNITES: 0.00	TECH(S):605	GARANTIE	
PLAINTE: PROGRAMME MOBILITE					
CAUSE: CODE DE DEFAUT					
CORRECTION: PROGRAMME MOBILITE					
LOANER 88889014CR					
OTHER 11120332CR					
#ACT 6 TOTAL -----					
				#ACT 6 PREFIXE JOURNAL BFCS	#ACT 6 TOTAL 0.00
CODE-DIVERS-----DESCRIPTION-----#CONTROLE-----					
# ACT A	ENV FRAIS ENVIRONNEMENTAUX				4.95

IMPORTANT

Cher(e) client(e) de BMW/MINI. Dans le cadre de notre programme de la satisfaction à la clientèle, il est possible que vous receviez, par courriel, un sondage sur la qualité de nos services. Nous vous prions donc de prendre quelques minutes pour y répondre car ce sondage est primordial pour notre évaluation. Nous vous remercions à l'avance pour vos commentaires.

Cordialement
L'équipe de BMW
Ville de Québec

Toutes pièces d'origine BMW sont garanties pour une période de 24 mois contre tous défauts de fabrication.

*Merci
d'avoir choisi
BMW
Ville de Québec*

LIC: 2018-01-01 © 2018 Reynolds and Reynolds, Company (Canada) LTD. CH22881 Q (12/16)

T.V.Q. S.T. NO. : 1213102717 T.P.S./G.S.T. NO. : 844805184

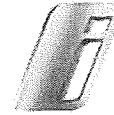
ZULLY LILIANA PASAJE

BFCS168422

Concessionnaire autorisé BMW An authorized BMW Retailer

BMW Ville de Québec

215, rue Étienne-Dubreuil Québec, Qc. G1M 4A6 Tél.: (418) 681-5000 Fax: (418) 780-4694 http://villedequebecbmw.ca



CELL: 418-380-4517

LA SOMME DE \$ DU MONTANT DE LA DETTE EST RECONNUE PAR LES PRÉSENTES À TITRE DE MONTANT TOTAL, OU SOLDE DÙ POUR RÉPARATIONS, PIÈCES ET ACCESSOIRES, SUR CE BON DE RÉPARATIONS. INDENTEDNESS IS HEREBY ACKNOWLEDGED IN THE SUM OF \$ BEING ALL OF THE BALANCE OWING FOR REPAIRS, PARTS, & ACCESSORIES DESCRIBED IN THIS WORK ORDER.

DATE SIGNATURE

TOUS LES ITEMS SONT ASSUJETIS À LA T.P.S. ET T.V.Q. ALL ITEMS ARE SUBJECT TO G.S.T. AND Q.S.T.

Table with customer and vehicle details: NO. CLIENT - CUSTOMER NO. 19466, ZULLY LILIANA PASAJE, 909 RUE LAUDANCE, APT 101, QUEBEC, QC G1X 5H7. Includes vehicle model 07/BMW SAV/SERIE X3/X3 3.0i and date 05/03/07.

KM: 154057 #REIMPR. 1

TOTAL - DIV. 4.95

IMPORTANT

SOMMAIRE TX: TPS 22.99, TVQ 45.87

Cher(e) client(e) BMW/MINI. Dans le cadre de notre programme de la satisfaction a la clientele, il est possible que vous receviez, par courriel, un sondage sur la qualite de nos services. Nous vous prions donc de prendre quelques minutes pour y repondre car ce sondage est primordial pour notre evaluation. Nous vous remercions a l'avance pour vos commentaires.

TOTAL M-D'O... 309.33, TOTAL PIECES... 125.60, TOTAL S-TRAIT.. 0.00, TOTAL E.H.G... 0.00, TOTAL FRs DIV.. 24.90, TOTAL ESC. DIV. 0.00, TOTAL TAXES.... 68.86

Cher(e) client(e) de BMW/MINI. Dans le cadre de notre programme de la satisfaction à la clientèle, il est possible que vous receviez, par courriel, un sondage sur la qualité de nos services. Nous vous prions donc de prendre quelques minutes pour y répondre car ce sondage est primordial pour notre évaluation. Nous vous remercions à l'avance pour vos commentaires.

cordialement

TOTAL FACTURE \$ 528.69

Cordialement L'équipe de BMW Ville de Québec

L'équipe de BMW Ville de Québec

Mode de payment: Comptant(), Interac(), Cheque(), Visa(), M/Card(), Amex(), Compte #:.....Autre:.....

Toutes pièces d'origine BMW sont garanties pour une période de 24 mois contre tous défauts de fabrication

CLIENT SIGNATURE

Le lavage extérieur de votre véhicule est une gracieuseté.

Le plaisir de conduire

Merci d'avoir choisi BMW Ville de Québec

EXHIBIT BMW-2



CANADA

PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL
LOCALITY OF MONTRÉAL

(CLASS ACTION)
SUPERIOR COURT

No: 500-06-000915-187

ZULLY LILIANA SALAZAR PASAJE

Applicant

-vs-

BMW CANADA INC.,

-and-

BAYERISCHE MOTOREN WERKE AG,

-and-

BMW OF NORTH AMERICA, LLC,

-and

BMW MANUFACTURING CO., LLC,

Defendants

**SWORN STATEMENT OF KAREN AULBACH,
SWORN ON SEPTEMBER 20, 2018**

I, Karen Aulbach, Customs Compliance and Planning Manager at BMW of North America, LLC, having its principal place of business at 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey, being duly sworn, make oath and say:

1. I make this Affidavit in support of the Defendants', BMW Canada Inc., Bayerische Motoren Werke AG, BMW of North America, LLC ("BMW NA") and BMW Manufacturing Co., LLC *Application for Authorization to Examine the Applicant and to Adduce Relevant Evidence* at the Authorization Hearing.
2. I have reviewed the *Amended Application to Authorize the Bringing of a Class Action and to Appoint the Status of Representative Plaintiff* ("**Application for Authorization**"), and its supporting exhibits, which were filed in this matter.
3. BMW NA conducts business as a distributor of motor vehicles in the United States of America. Contrary to what is indicated in paragraph 8 of Application for Authorization, BMW NA neither directly nor through a wholly-owned subsidiary agent or affiliate, manufactured and/or sold automobiles in Canada, including in the province of Quebec.
4. In fact, BMW NA did not design any of the vehicles falling within the definition of "Class" or "Vehicle" (as these terms are defined in paragraphs 1 and 2 of the Application for authorization), it did not manufacture or assemble any of the referenced vehicles, it

did not export any of the referenced vehicles to Canada or to the province of Quebec and it did not sell any of the Class Vehicles in Canada or in the province of Quebec.

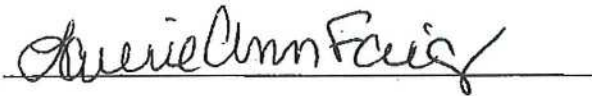
5. All the facts alleged in this Sworn Statement are true to the best of my knowledge.

AND I HAVE SIGNED:



Karen Aulbach

SOLEMNLY SWORN BEFORE ME THIS
20th day of September 2018 in
Woodcliff Lake, New Jersey



LAURIE ANN FAIG
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES APR. 16, 2020

N° : 500-06-000915-187

PROVINCE OF QUEBEC
SUPERIOR COURT (CLASS ACTION)
DISTRICT OF MONTRÉAL
LOCALITY OF MONTRÉAL

ZULLY LILIANA SALAZAR PASAJE

Applicant

-vs-

BMW CANADA INC.

-and-

BAYERISCHE MOTOREN WERKE AG

-and-

BMW OF NORTH AMERICA, LLC

-and

BMW MANUFACTURING CO., LLC

Defendants

10813/268052.00004

BF1339

**APPLICATION FOR AUTHORIZATION TO EXAMINE
THE APPLICANT ZULLY LILIANA SALAZAR
PASAJE AND TO SUBMIT RELEVANT EVIDENCE
(ARTICLE 574 CCP), LIST OF EXHIBITS
AND EXHIBITS BMW-1 AND BMW-2**

ORIGINAL

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CANADA, PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL
COUR SUPÉRIEURE, RECOURS COLLECTIF
CAUSE : 500-06-000915187

HONORAIRES POUR SERVICE(S) DE COUR

v/d : 10813/268052.00004

ZULLY LILIANA SALAZAR PASAJE

APPLICANT(S)

VS

BMW CANADA INC. ET AL

DEFENDANT(S)

L'étude **Paquette & Associés, Huissiers de justice**, ayant son principal établissement d'entreprise situé au 511 PLACE D'ARMES, bureau 800, MONTRÉAL, QC, CANADA, H2Y 2W7, vous avise, par la présente, que dans ce dossier, un débit a été porté à votre compte pour la(les) raison(s) suivante(s) :

Nous avons procédé, le 24 septembre 2018 à 14:00, à la **PRODUCTION au GREFFE de CETTE COUR**

de la présente "APPLICATION FOR AUTHORIZATION TO EXAMINE THE APPLICANT ZULLY LILIANA SALAZAR PASAJE AND TO SUBMIT RELEVANT EVIDENCE (ART. 574 CCP), LIST OF EXHIBITS AND EXHIBITS BMW-1 AND BMW-2".

Vacation cour	13,25 \$ (1)
SOUS-TOTAL	13,25 \$
TPS	0,66 \$
TVQ	1,32 \$
TOTAL	15,23 \$

(606)

Pour toutes informations supplémentaires, veuillez communiquer avec votre responsable à la clientèle, **BRIGITTE LEFEBVRE**.

MONTRÉAL, le 24 septembre 2018



PAQUETTE ET ASSOCIES (CPMTL), huissier de justice

a/s : ME MARTIN F. SHEEHAN
FASKEN MARTINEAU DUMOULIN, AVOCATS
(2248)

(HE GIRMA) CPMTL 4 R71 E0924 I0924-14:09 REF:2017124-1-1-1 ()
NB:1 FRAIS:

No Engr. T.P.S. : R122687056

No Engr. T.V.Q. : 1013245793

PAQUETTE
HUISSIERS DE JUSTICE