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16 UNITED STATES DISTRICT COURT
 17 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 18 WESTERN DIVISION
 19

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 TOYOTA MOTOR CREDIT
 CORPORATION,

24 Defendant.
 25

No. 2:16-cv-00725-CBM

JOINT STIPULATION AND
 [PROPOSED] ORDER FOR EARLY
 TERMINATION OF CONSENT ORDER

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1 1. On April 25, 2013, the United States Department of Justice (the
2 “Department”) and the Consumer Financial Protection Bureau (“CFPB,” together with
3 the Department, the “Agencies”) initiated a joint investigation under the Equal Credit
4 Opportunity Act (“ECOA”), 15 U.S.C. §§ 1691-1691f, of Toyota Motor Credit
5 Corporation’s (“Toyota”) pricing of automobile loans or retail installment contracts.

6 2. To resolve allegations that arose out of this investigation, Toyota entered
7 into a Consent Order with the Department, which the Court approved on February 11,
8 2016 (Dkt. 7).¹ In settlement of the United States’ claims, and in addition to the
9 injunctive relief described in Section V of the Consent Order, Toyota agreed to create a
10 Settlement Fund for the purpose of providing redress to Affected Consumers who were
11 overcharged during the Relevant Period, as such terms are defined in the Consent Order.
12 *See* Consent Order ¶ 7.

13 3. In accordance with paragraph 9 of the Consent Order, Toyota engaged Epiq
14 Class Action and Claims Solutions (“Epiq”) as the Settlement Administrator, and
15 executed a Statement of Work with Epiq, dated June 30, 2016, (the “SOW”), which
16 outlines the procedures to be followed by Epiq to conduct the activities set forth in
17 paragraphs 11 through 19 of the Consent Order.

18 4. The Consent Order is scheduled to terminate “three (3) years from the
19 Effective Date, unless Toyota conducts a portfolio-wide analysis, as described in this
20 paragraph, that yields dealer markup disparities based on race or national origin below
21 the agreed upon target for both African-American and Asian and/or Pacific Islander
22 borrowers, in which case the Consent Order shall terminate two (2) years after the
23 Effective Date.” *Id.* ¶ 43.

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25 ¹ The Consent Order entered by this Court provides for parallel relief as the
26 CFPB’s Consent Order, *In the Matter of Toyota Motor Credit Corporation*, 2016-CFPB-
27 0002, entered administratively by that agency on February 2, 2016.

1 5. On December 19, 2017, Toyota submitted a letter to the Agencies in which
2 Toyota requested the Agencies' non-objection to Toyota's methodology for conducting
3 the portfolio-wide analysis, and, on March 7, 2018, Toyota and the Agencies met in
4 Washington, D.C., to discuss the request.

5 6. Toyota's portfolio-wide analysis yields dealer markup disparities based on
6 race or national origin below the agreed-upon target for both African-American and
7 Asian and/or Pacific Islander borrowers.

8 7. In a letter dated April 26, 2018, the Department provided its non-objection
9 to Toyota's methodology for conducting the portfolio-wide analysis, subject to the
10 condition that the consumer remuneration process reflected in Section VII of the Consent
11 Order and in the SOW "will continue unaltered to completion, even though this
12 remuneration process extends past the term of the Department's Consent Order."
13 According to the Department's letter, "the trigger provision for the early termination of
14 the Department's Consent Order, which the parties had negotiated in paragraph 43 of the
15 Consent Order, is satisfied."

16 8. On May 8, 2018, Toyota provided the Department with a statement signed
17 by Michael R. Groff, President and CEO of Toyota, effective May 1, 2018, certifying
18 Toyota's acceptance of the consumer remediation process condition.

19 9. As a result, the parties have agreed to terminate the Consent Order as of
20 May 1, 2018, provided, however, that the consumer remuneration process reflected in
21 Section VII of the Consent Order and in the SOW will continue unaltered to completion,
22 even though this remuneration process extends past the term of the Consent Order.

1 Respectfully submitted this 11th day of May, 2018.

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3 For the United States of America:

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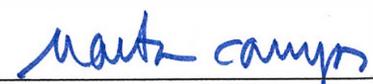
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