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13  
14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN FRANCISCO DIVISION**  
17

18 In re:  
19 MYFORD TOUCH CONSUMER  
20 LITIGATION

Case No. 3:13-CV-3072-EMC  
**AFFIDAVIT OF SCOTT M.  
HAMMACK**

Judge: Hon. Edward M. Chen

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1 I, Scott M. Hammack, states as follows:

2 1. I am counsel at the law firm O'Melveny & Myers LLP, counsel for Defendant  
3 Ford Motor Company ("Ford") in this litigation. I am over 21 years of age, and I have personal  
4 knowledge of the facts set forth herein.

5 2. Attached hereto as Exhibit A is a true and correct copy of a June 28, 2013 letter to  
6 Ford Motor Company from Matthew D. Schelkopf of Chimicles & Tikellis LLP, counsel for  
7 William Creed. This letter asserts that Ford has violated Massachusetts General Laws Ch. 93A, §  
8 9 and demands certain specified relief.

9 3. Attached hereto as Exhibit B is a true and correct copy of a July 26, 2013 letter to  
10 Matthew Schelkopf from myself on behalf of Ford. This letter responds to the June 28, 2013  
11 letter, and sets forth Ford's written tender of settlement.

12 4. On November 12, 2013, Mr. Creed was added as a named plaintiff in the First  
13 Amended Class Action Complaint filed in the above-captioned matter.

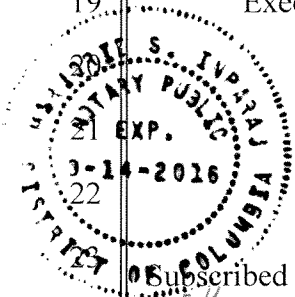
14 5. At no point prior to becoming a named plaintiff in the above-captioned action, or  
15 at any point since, has Mr. Creed or his counsel accepted Ford's written tender of settlement.

16  
17 I declare under penalty of perjury under the laws of the United States that the foregoing is  
18 true and correct to the best of my knowledge, information, and belief.

19 Executed on July 18, 2014 in Washington, D.C.

By:   
Scott M. Hammack

Attorney for Defendant Ford Motor Company



20  
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23 Subscribed and sworn before me on this  
24 18<sup>th</sup> day of July, 2014  
25 CITY of Washington  
26 DISTRICT of Columbia

26 Mayra S. Inparaj  
27 Notary Public

28 My Commission expires: Sept. 14, 2016