



MARK BRNOVICH  
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL

**WRITTEN DETERMINATION PURSUANT TO A.R.S. § 41-4802**

This written determination is made by the Arizona Attorney General in accordance with A.R.S. § 41-4802. The Arizona Attorney General has determined the contingency fee representation by Larson O'Brien LLP, a private attorney/law firm is both cost effective and in the public interest. Larson O'Brien LLP will assist the Attorney General's Office with the commencement of litigation against the Volkswagen Group for the multitude of violations that occurred during many years in the sale, leasing, and repair of cars that contained the emissions-related fraudulent software designed to mask the amount of noxious emissions emitted by Volkswagen's diesel engines violating the Arizona Consumer Fraud Act. The following reasons are provided to justify this case assignment:

1. There currently does not exist sufficient and appropriate legal and financial resources within the Attorney General's Office to handle the matter;
2. The time and labor required to perform the necessary legal tasks exceeds the current capacity of the Attorney General's Office.
3. Individual attorneys within the Attorney General's Office possess the skill necessary to properly oversee this matter and perform the attorney services necessary to address the novelty, complexity and difficulty of the questions involved and will do so as co-counsel of record with the private attorney/law firm;
3. The geographic area where the private attorney services are to be provided is primarily in Arizona, although out-of-state depositions and international discovery will likely be involved;
4. The Attorney General has determined the attorneys of Larson O'Brien LLP have substantial consumer fraud litigation experience in similar contexts involving the automotive industry, as well as extensive international experience and familiarity with the German legal system.
5. The primary purpose of this agreement will be to enforce all statutory penalties available to the State, restitution to the consumers, punitive damages, costs of suit and investigation, attorney's fees, and any other available remedies and relief based on the evidence.

Mark Brnovich  
Attorney General

19 Feb 16

Date