

# **Simmons Hanly Conroy files Class Action Lawsuits against Volkswagen over Air Pollution Emissions Scandal**

September 28 2015 11:18 AM



**SIMMONS HANLY CONROY**

A NATIONAL LAW FIRM



**ALTON** – [Simmons Hanly Conroy](#), one of the nation’s largest mass torts firms, has filed two class action lawsuits on behalf of its clients throughout the country against Volkswagen Group of America (Volkswagen) for intentionally installing software that allowed its vehicles to circumvent federal air pollution emissions standards.

The Simmons Hanly Conroy class actions specifically allege that **Volkswagen** purposefully and intentionally breached U.S. laws and Environmental Protection Agency (EPA) rules and regulations by selling in the United States vehicles manufactured by its affiliates Volkswagen AG and Audi AG that purposefully evaded federal and state laws.

The action follows Volkswagen’s Sept. 20 admission that it installed so-called “defeat device” software in 11 million diesel vehicles worldwide, with an estimated \$7.2 billion service price tag to remove the devices from the vehicles. The week prior, the EPA issued a Notice of Violation (NOV), accusing the German automaker of using the “defeat device” to deliberately circumvent air-pollution laws. According to the Simmons Hanly Conroy complaints and the EPA’s NOV, the “defeat device” detects when the vehicle is undergoing official emissions testing and turns full emissions controls on only during the test. But during normal operations the vehicles emit nitrogen oxides at up to

40 times the standard allowed by U.S. laws and regulations. According to the EPA, the affected vehicles include various model years, ranging from 2009 to 2015, of Volkswagen Jettas, Golfs, Passats, Beetles and the Audi A3.

In a statement, Volkswagen Group CEO Martin Winterkorn, who resigned from his post Sept. 23 in the wake of the scandal, said, “I personally am deeply sorry that we have broken the trust of our customers and the public.”

“Volkswagen has made serious errors with far-reaching consequences in defrauding and deceiving the public through its actions,” said [Paul Hanly](#), a named shareholder of Simmons Hanly Conroy and lead counsel for the plaintiffs in the firm’s class actions against Volkswagen. “Our clients have suffered significant losses by purchasing these affected Volkswagen vehicles. Had they known that their vehicles emit 40 times the federally allowed levels of pollution, they would not have bought them or certainly would have paid much less. In addition, when the issues are addressed through recalls, these vehicles will lose even more value due to the expected decrease in their performance and efficiency.”

The Simmons Hanly Conroy cases are: Matthew Smith, on behalf of himself and all others similarly situated, v. Volkswagen Group of America, Inc., a New Jersey Corporation, in the U.S. District Court for the Southern District of Illinois, 3:15-cv-01053; and Bryce Zucker v. Volkswagen Group of America, Inc., a New Jersey Corporation, in the U.S. District Court for the Eastern District of Missouri, 4:15-cv-01466.

Other class actions against Volkswagen over the emissions standards cheating scandal have been filed in federal courts in states including California, Florida, Oregon and Utah.

### ***About Simmons Hanly Conroy, LLC***

*Simmons Hanly Conroy LLC is one of the nation’s largest mass tort law firms and has recovered more than \$5 billion in verdicts and settlements for plaintiffs. Primary areas of litigation include asbestos and mesothelioma, pharmaceutical, consumer protection, environmental and personal injury. The firm’s attorneys have been appointed to leadership in numerous national multidistrict litigations, including Vioxx, Yaz and Toyota Unintended Acceleration. The firm also represents small and mid-size corporations, inventors and entrepreneurs in matters involving business litigation. Offices are located in New York City, Chicago, San Francisco, Los Angeles, St. Louis, and Alton, Ill. Read more at [www.simmonsfirm.com](http://www.simmonsfirm.com).*