

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF  
ILLINOIS EASTERN DIVISION**

	)	
	)	<b>Case No. 1:14-cv-10318</b>
	)	
<b>In re Navistar MaxxForce Engines</b>	)	
<b>Marketing, Sales Practices and</b>	)	
<b>Products Liability Litigation</b>	)	<b>Judge Joan B. Gottschall</b>
	)	

**DECLARATION OF JOEL BELLOWS**

I, Joel Bellows, declare as follows:

1. This Declaration is submitted in support of Bellows and Bellows P.C.'s request for fees in the captioned case.
2. I am an attorney in good standing duly admitted to practice in the States of Illinois and California and the sole Principal of the Bellows and Bellows, P.C. I have personal knowledge of the facts herein, and if called to do so, could and would testify competently thereto.
3. The work that I performed for the Class was primarily devoted to a behavioral economic review and analysis of the activities of Defendant and its key officers to determine and exploit their vulnerabilities in the event the case did not settle. I also analyzed the warranty reserve accounts to determine corporate knowledge of defects at various stages of engine development for notice.
4. My Associate Schuyler Geller was engaged in document review, discovery disputes and depositions. In particular, Mr. Geller took the depositions of five Navistar employees, defended the depositions of five Named Plaintiffs (including the two largest then-

Named-Plaintiffs) and served as the liaison with Navistar on scheduling Plaintiff depositions.

5. My billing rate in this action was \$675/hr. Since 2014, my rate for all my clients and for all matters has been \$675/hr. Mr. Geller's billing rate of \$415/hr. has been so since 2014. These rates have been regularly billed to and paid by clients in the last several years, including businesses involved in/ alleged to be involved in malfeasance and improper practices against other businesses. These rates are also similar or lower than rates that have been approved by Courts in this District. *See, e.g., In re Sears, Roebuck & Co. Front-Loading Washer Prods. Liab. Litig.*, No. 06-7023, 2016 WL 4765679, at \*13 (N.D. Ill. Sept. 13, 2016) (approving of \$800 hourly rate for attorney with 23 years of experience, and \$515 hourly rate for attorney with nine years of experience), *reversed and remanded on other grounds*, 867 F.3d 791 (7th Cir. 2017).

6. I have performed a line-by-line review of my time and that of Mr. Geller's when they were billed and declare that the time submitted was reasonable and necessary for the prosecution of the case. The time submitted does not reflect all of the time that B&B incurred during this matter. Our work was at all times completely contingent on the outcome. Mr. Geller incurred costs for travel to depositions and Class leadership meetings. Those costs were reasonably and necessarily incurred in the course of his work in this matter.

7. The time and costs submitted for Bellows and Bellows are set out in the following tables:

<b>8. BELLOWS &amp; BELLOWS TIME</b>				
<b>NAME</b>	<b>TITLE</b>	<b>HOURS</b>	<b>RATE(S)</b>	<b>TOTAL</b>
Bellows, Joel	Partner	66.9	\$350 - \$675	\$38,657.50
Geller, Schuyler	Associate	1377.3	\$350 - \$415	\$563,795.50
<b>TOTAL</b>		<b>1444.2</b>		<b>\$602,453.00</b>

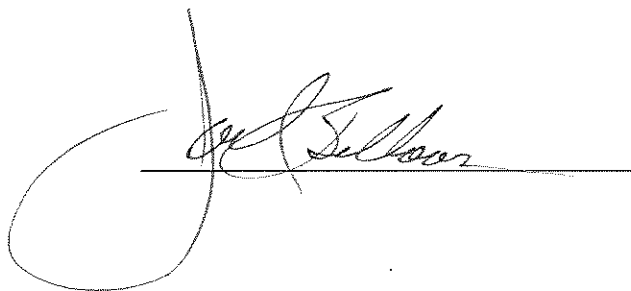
<b>BELLOWS &amp; BELLOWS COSTS</b>	
<b>CATEGORY</b>	<b>AMOUNT</b>
COST FUND	\$ 130,000.00
IN-HOUSE COPY	\$ 369.30
OUTSIDE COPY	\$ 2,831.75
HOTELS	\$ 2,022.26
MEALS	\$ 65.96
AIR TRAVEL	\$ 3,425.96
GROUND TRANSPORTATION	\$ 561.00
MISC	\$ 950.18
<b>TOTAL</b>	<b>\$ 140,226.41</b>

8. A true and correct copy of Mr. Geller's and my resumes are attached as Exhibit A.

9. I believe that the requested fees are fair and reasonable in the context of the result obtained for the Class.

I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct.

Executed on this 3rd day of September, 2019, in Chicago, Illinois.

A handwritten signature in black ink, appearing to read "Joel Bellows", is written over a horizontal line. The signature is stylized with a large, looping initial "J".

Joel Bellows  
jbellows@bellowspc.com  
BELLOWS & BELLOWS, P.C.  
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209 South LaSalle Street, Suite 800  
Chicago, Illinois 60604  
Phone: (312) 332-3340

# Exhibit A

**Joel J. Bellows**

Joel J. Bellows practices in the areas of business litigation, commercial transactions, and securities and commodity futures litigation. He was admitted to the California and Illinois Bars in 1965 and 1968 and has been admitted to practice before the United States Courts of Appeal for the Second, Seventh and Ninth Circuits, and federal District Courts and State courts across the country.

Mr. Bellows received his J.D (Tax) from the graduate division of John Marshal Law School of Chicago and Masters Degrees in Business Administration and Public Policy from the University of Chicago. He is ABD for his PhD degree in Behavioral Economics from Harris School of Public Policy at the University of Chicago. He has passed the CPA examination.

Mr. Bellows has tried more than 40 cases from the trial through appellate decision, including two cases that reached the United States Supreme Court and two cases that reached the Illinois Supreme Court. He testified before the U.S. House of Representatives Committee on Agriculture on behalf of the 1974 Commodity Futures Trading Commission Act. He was court appointed to represent 960 grammar school children for suspected blood lead poisoning against the City of Chicago, and to investigate the circumstances surrounding four Circuit Court judges who returned a three-year-old to his mother, leading to the child's death. Mr. Bellows was lead counsel for all female faculty in a state university gender pay discrimination case. He also obtained a directed verdict against the SEC in a case in which the Commodity Futures Trading Commission Act was held to pre-empt the Exchange Act.

## **Schuyler D. Geller**

Schuyler D. Geller practices in the areas of business litigation, business consultation, estate planning and administration, employment law, commercial transactions, and securities litigation. He was admitted to the Illinois Bar in 2008 and has been admitted to practice before the United States District Court for the Northern District of Illinois.

Mr. Geller received his J.D., with Highest Honors, from Chicago-Kent College of Law, earning induction into the Order of the Coif. Throughout law school, Mr. Geller earned numerous awards for excellence in academics and trial and appellate advocacy. Currently, Mr. Geller is working towards his LL.M in Taxation, and has acquired advance training in areas of estate planning and asset protection. Mr. Geller assists clients by suggesting and implementing strategies to reduce or eliminate state and federal taxes on both the accumulation and transfer of wealth. Mr. Geller also represents Trustees and Executors in the administration of Trust and Estates.

Mr. Geller represents businesses ranging from individual entrepreneurs to multi-national corporations in business counseling, commercial transactions, and contract negotiations. As an aggressive litigator, Mr. Geller also represents businesses in complex commercial litigation and individuals in a wide variety of matters, including: employment discrimination, personal injury, contract disputes, and securities litigation involving the victims of Bernard L. Madoff.

Mr. Geller received his Bachelors Degree in Public Affairs from Indiana University in Bloomington, Indiana. Prior to law school, Mr. Geller worked in Casino Management as a Floor Supervisor in the Poker Room of the Trump Casino & Hotel in Northwest Indiana.

### **Areas of Practice:**

- Business Litigation
- Business Consultation
- Estate Planning
- Estate Administration
- Employment Law
- Commercial Transactions
- Securities Litigation

**Education:**

Chicago-Kent College of Law, Illinois Institute of Technology

J.D. High Honors

*Honors:* Order of the Coif

*Honors:* CALI Awards for Academic Excellence

Indiana University

B.S. Public Affairs 2003

**Professional Associations and Memberships:**

American Bar Association

Illinois State Bar Association

Chicago Bar Association