

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

**In re Navistar MaxxForce Engines
Marketing, Sales Practices and Products
Liability Litigation**

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Case No. 1:14-cv-10318

**This filing applies to:
All Class Cases**

Judge Joan B. Gottschall

**DECLARATION OF JOHN D. GREEN IN SUPPORT OF MOTION FOR ATTORNEYS’
FEES AND COSTS AND INCENTIVE AWARDS**

I, JOHN D. GREEN, declare as follows:

1. I am co-counsel of record for the proposed Plaintiff Class and make this declaration based on my own personal knowledge. I submit this declaration in support of class counsel’s applications for attorneys’ fees. If called upon to testify, I could and would testify competently to the truth of the matters stated herein.

CLASS ACTION EXPERIENCE

2. I have practiced law in the area of insurance coverage for over thirty years. In addition to an insurance coverage practice, I have practiced in the area of products liability and consumer fraud class action litigation for the past 20 years. I have knowledge of the substantive and procedural law, as well as the practical aspects, relevant to litigating claims of the type asserted in this action. I have served as class counsel in at least 18 other class action cases.

FBM LODESTAR

3. Our firm undertook this litigation on a contingent fee basis with no guarantee of receiving anything in return, and have advanced all costs without reimbursement. The litigation required counsel to assume a significant risk of an adverse outcome because of the uncertainty of recovery from the defendants. Any fees and reimbursement of expenses will be limited to such amounts as may be awarded by the Court.

4. I maintain contemporaneous time records reflecting the time I have spent on this and other matters. Since March 5, 2015, I have personally **contributed 169.8** hours of my time to this matter. My usual 2015-2019 hourly rates are shown on **Exhibit A**. Much of my practice is billed based on an hourly rate, and I have regularly billed and collected the rates shown for each year for a number of hourly engagements for other clients. Using my usual historical rates, FBM has **\$150,958.50** in unreimbursed attorney time.

5. All of the services performed by my firm were reasonable and necessary to the prosecution of this action. The work I performed related primarily to the review of Navistar insurance policies, evaluation of insurance coverage arguments to assist in obtaining contribution from Navistar's insurers, and attendance at a number of mediation sessions as part of the settlement team and to address insurance issues in that context.

6. I performed a line-by-line review of my time, and in the exercise of billing judgment, determined that the time submitted was reasonable and necessary for the prosecution of the case. It does not reflect all of the time my firm incurred during this matter, nor does it reflect the time of others in my firm who also spent productive time on the matter.

7. My firm advanced a total of **\$22,975.40** in unreimbursed expenses, attached hereto as **Exhibit B**, all of which were reasonable and necessary to the prosecution of this action, and for which reimbursement is requested.

8. The foregoing expenses were incurred solely in connection with this litigation and are reflected on the books and records of my firm which are maintained in the ordinary course of business. This cost summary has been prepared from accounting records maintained in the ordinary course of business , and constitutes an accurate record of the time and expenses incurred in this case.

Executed this 4th day of September, 2019, at San Francisco, California.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John D. Green", written over a horizontal line.

JOHN D. GREEN

Farella Braun + Martel LLP
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San Francisco, California 94104
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EXHIBIT A

FARELLA BRAUN & MARTEL TIME				
NAME	TITLE	HOURS	RATE(S)	TOTAL
Green, John D.	Partner	169.8	\$825 - \$975	\$150,958.50
TOTAL		169.8		\$150,958.50

EXHIBIT B

FARELLA BRAUN & MARTEL COSTS	
CATEGORY	AMOUNT
COST FUND	\$ 17,500.00
FEDEX	\$ 14.55
IN-HOUSE COPY	\$ 53.55
HOTELS	\$ 2,050.59
MEALS	\$ 887.99
AIR TRAVEL	\$ 1,853.80
LEGAL RESEARCH	\$ 74.25
GROUND TRANSPORTATION	\$ 436.68
MISC	\$ 103.99
TOTAL	\$ 22,975.40