

EXHIBIT 3

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5 *Local Counsel for Plaintiffs*
6 *and the Putative Class*

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8
9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11

12
13 GREGORY COFFENG, MARK GLASER and
14 JORDAN WILSON, individually and on behalf
of all others similarly situated,

15 Plaintiffs,

16 v.

17 VOLKSWAGEN GROUP OF AMERICA,
18 INC.,

19 Defendant.
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Case No. 17-cv-01825-JD

**DECLARATION OF THOMAS P.
SOBRAN IN SUPPORT OF
ATTORNEYS' FEES AND EXPENSES**

DATE: March 26, 2020
TIME: 10:00 a.m.
JUDGE: Hon. James Donato
CRTRM: 11, 19th Floor

1 I, Thomas P. Sobran, declare and say that:

2 1. I am the sole proprietor of Thomas P. Sobran, P.C. and concentrate in automotive
3 products liability and class actions. Together with co-counsel Gary S. Graifman, I represented
4 plaintiffs Coffeng, Glasser and Wilson in this proceeding. The affirmations in this declaration are
5 based upon personal knowledge and contemporaneous records kept in the ordinary course of
6 business. This declaration is in support of my application for an award of attorney fees in this class
7 action proceeding (the "VW/Audi Class Action") as well as expense reimbursement incurred in
8 furtherance of the VW/Audi Class Action.

9 2. I was involved in pre-litigation investigation of the underlying facts, drafting and
10 redrafting of the initial complaint, the subsequent amended complaint; vetting of, and
11 communications with clients, prospective class members and class members; researching and
12 drafting portions of the memorandum of law in opposition to motion to dismiss; procuring an
13 exemplar EA-888 engine and component parts including engine coolant (water) pumps and other
14 cooling system components, examination of alternative and updated VW/Audi coolant pump
15 systems; contacting and reviewing the matter with automotive experts including technical analysis
16 of multiple exemplar coolant pump assemblies; conferring with co-counsel as to litigation and
17 settlement strategies; reviewing and revising settlement documents including class communications
18 and class notices and forms for claims and deficiency notices; reviewing and revising final approval
19 documents; convened numerous conversations and/or email responses to class members as to case
20 status and settlement. The schedule accompanying this declaration as Exhibit A is a summary
21 indicating the amount of time spent by me with respect to the VW/Audi Class Action and the
22 lodestar calculation based on my current billing rates. The schedule was prepared from
23 contemporaneous daily time records regularly prepared and maintained as part of my record keeping
24 and are available to the Court upon request. Time expended in preparing this application for fees
25 and reimbursement of expenses has not been included in this fee request.

26 3. The hourly rate for Thomas P. Sobran is \$750.00. The total time expended on
27 VW/Audi Class Action by me during the relevant time period prior to settlement of the VW/Audi
28 Class Action is 408.2 hours. The total lodestar for the period is \$306,150.00.

1 4. My lodestar calculations are based upon my billing rates that do not include charges
2 for expenses incurred in prosecuting the VW/Audi Class Action. Case related expenses items are
3 invoiced separately and are not duplicated in hourly or loadstar calculations.

4 5. As detailed in the schedule accompanying this declaration as Exhibit B, I incurred a
5 total of \$12,925.00 in unreimbursed expenses in connection with the prosecution of the VW/Audi
6 Class Action.

7 6. The expenses outlined in Exhibit B are derived from contemporaneous business
8 records including receipts, check records and other source materials and are an accurate record of
9 expenses incurred.

10 7. Attached as Exhibit C is a brief biography of Thomas P. Sobran, P.C.
11 I declare under penalty of perjury under the laws of the State of Massachusetts and the United
12 States of America that the above is true and correct.

13 Executed this 16th day of December, 2019, at Hingham, Massachusetts.


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16 _____
17 Thomas P. Sobran
18 Declarant
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EXHIBIT A

GREGORY COFFENG, et al. v. VOLKSWAGEN GROUP OF AMERICA, INC.
 Civil Action No. 17-cv-01825-JD

TIME / LODESTAR CHART (by category)
FIRM NAME: Thomas P. Sobran, P.C.
PERIOD: Inception to December 15, 2019

Name/Position	1	2	3	4	5	6	7	8	9	10	11	Total Hours	Hourly Rate	Lodestar
Thomas P. Sobran / Partner	86.3	84.6	61.6	42.1	27.8	0	9.6	10.1	76.7	9.4	0	408.2	\$750.00	\$306,150.00

CATEGORIES

- | | |
|--|---|
| 1. Pre-Litigation Investigation | 7. Communications with Consultants / Experts |
| 2. Drafting Complaints (original / amended) | 8. Negotiation / Settlement Process |
| 3. Case Development / Administration | 9. Settlement Documentation, Motions / Briefing (preliminary / final approval) |
| 4. Post Filing Investigation / Communications with Class Members | 10. Discovery |
| 5. Motion Practice / Memoranda Drafting / Legal Research | 11. Class Claims Administration Issues / Communications with Class Members/Witnesses re: Settlement |
| 6. Court Hearings / Appearances | |

EXHIBIT B

**EXPENSE REPORT FOR
THOMAS P. SOBRAN, P.C.
Gregory Coffeng, et al. v. Volkswagen Group of America, Inc.
Civil Action No. 17-cv-01825 JD**

<u>Category</u>	<u>Amount</u>
Travel, Hotel, Meals and Related Expenses	\$43.00
Exemplar engine and coolant pumps	\$750.00
Postage and Overnight Delivery (Fed Ex, UPS)	\$22.00
PHV Filing Fees	\$310.00
Experts/Consultants	<u>\$11,800.00</u>
TOTAL EXPENSES	\$12,925.00

EXHIBIT C

THOMAS P. SOBRAN
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EDUCATION

University of Miami School of Law
Coral Gables, Florida
Juris Doctor, June 1983

Boston University
Boston, Massachusetts
Bachelor of Arts, May 1978

LEGAL EXPERIENCE

Class action experience includes:

- Executive committee *Salcedo v. Subaru of America, Inc., et al.*, United States District Court, District of New Jersey Civil Action No. 1:17-cv-08173 JHR
- Executive committee *In Re Volkswagen Timing Chain Product Liability Litigation*, United States District Court, District of New Jersey Civil Action No. 2:16-cv-2765 JLL
- Lead counsel *Fisher, et al. v. Mitsubishi Electric Corporation, et al.*, United States District Court, District of Connecticut Civil Action No. 3:09-CV-1899 RNC
- Lead counsel *Diveroli, et al. v. Volkswagenwerk Aktiengesellschaft, et al.*, United States District Court, District of Massachusetts Civil Action No. 07-cv-10196 JLT later consolidated into *In re Volkswagen*, MDL 1790
- Other class action proceedings involve defective consumer products including automobiles, automotive products and electronic goods

Non-class action experience includes:

- Thirty-five years of experience involving complex products liability litigation with an emphasis on automotive defects and crashworthiness proceedings
- In excess of fifteen (15) personal injury cases resulting in verdicts or settlements of more than one million dollars
- Representation of gas turbine helicopter engine manufacturer in aviation accidents involving loss of aircraft and personal injury
- Expert witness in subject matter area of automotive products liability in legal malpractice proceedings

- Qualified and testified at trial as an expert witness in the subject matter area of Porsche 911 engine design and repair procedures in Massachusetts District Court
- Co-authored papers presented at Massachusetts Continuing Legal Education products liability seminars
- Prepared course materials presented by past American Association of Justice (formerly ATLA) President at the 34th Annual Advocacy Institute

Automotive experience

- Factory-trained Volvo, Honda, BMW, Mercedes-Benz and Porsche automotive technician and service manager
- Extensive knowledge of vehicle-component design and manufacture together with assembly, test and repair procedures
- Extensive experience in automotive engine blueprinting and race preparation including designing, machining / fabricating automotive components
- Extensive motor vehicle modification and race preparation experience including turbo charging, internal engine components as well as other components including transmissions and suspension systems
- Ability to read and interpret design drawings, schematics and test protocols employing SAE and DIN standards
- Crew member of NASCAR Craftsman Truck Series and NASCAR Busch Series race teams; crew chief for SCCA Porsche 916 race team responsible for engine build and crew member on SCCA Trans-Am Pro Series team

Miscellaneous

- Professional memberships include Society of Automotive Engineers, Association for the Advancement of Automotive Medicine, Center for Auto Safety and Insurance Institute for Highway Safety
- Familiarity with National Highway Traffic Safety Administration investigation procedures, testing protocol and data bases