UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ARTEM V. GELIS, BHAWAR PATEL, ROBERT MCDONALD, JAMES V. OLSON, GREGORY HEYMAN, SUSAN HEYMAN, DEBRA P. WARD, DARRIAN STOVALL, ALEX MARTINEZ, AMANDA GOREY, CHRIS WILLIAMS, ASHOK PATEL, KENNETH GAGNON, MICHAEL CERNY, MARIA MEZA, ANDRE MALSKE, NICOLE GUY, DAVID RICHARDSON, STACEY TURNER and ERIC T. ZINN, individually and on behalf of all others similarly situated, Plaintiffs, v. BMW OF NORTH AMERICA, LLC, Defendant.	Civil Action No. 2:17-cv-7386- (SDW) (CLW)

DECLARATION OF GARY S. GRAIFMAN IN SUPPORT OF THE MOTION TO APPROVE SETTLEMENT

GARY S. GRAIFMAN, being duly sworn, declares under the penalties of perjury as follows:

1. I am a partner with Kantrowitz, Goldhamer & Graifman, P.C., co-lead counsel in this class action litigated in the court below by Plaintiffs[1], which received Final Approval of the class action settlement on February 16, 2021 (ECF 159), and make this Declaration in support of

[1] The Plaintiffs are Artem V. Gelis, Bhawar Patel, Robert McDonald, James V. Olson, Gregory Heyman, Susan Heyman, Debra P. Ward, Darrian Stovall, Alex Martinez, Amanda Gorey, Chris Williams, Ashok Patel, Kenneth Gagnon, Michael Cerny, Maria Meza, Andre Malske, Nicole Guy, David Richardson, Stacey Turner And Eric T. Zinn (collectively, "Plaintiffs").

the unopposed motion for approval of the settlement agreement entered into with the objector-appellant, Charles H. Federman ("Objector").

2. This Court granted the motion for an Indicative Ruling indicating that the Court would grant the motion for approval of the settlement with Objector if the Third Circuit remanded the case on appeal. See order of district court dated May 12, 2021, (ECF 175).

3. On June 30, 2021, the Third Circuit, granted the unopposed motion of class counsel for partial remand of this matter for the purposes of the district court approving the settlement with the Objector (ECF Doc. 16).

4. As a result, class counsel respectfully request the Court now approve the proposed settlement with the Objector. This Court is aware of the issues, as a final approval was granted on February 16, 2021 following extensive briefing and a fairness hearing. Class Counsel do not believe another hearing is necessary given the Court's familiarity with the underlying objection. In the event the Court has any questions, Counsel are available for a telephonic or in-person conference. A proposed form of Order is enclosed herewith.

WHEREFORE, Plaintiffs respectfully request that this unopposed motion for approval of the settlement with the Objector which resolves this objection/appeal be granted.

Declarant swears this 12th day of July at Montvale, New Jersey, that the foregoing is true and correct under penalty of perjury.

GARY S. GRAIFMAN