EXHIBIT 3

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, ERHAN ARAT, ANDRE MALSKE, CRAIG LASH, NICOLE GUY, DAVID RICHARDSON, KAREN HENDERSON and ERIC T. ZINN, individually and on behalf of all others similarly situated, Plaintiffs, v. BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT AND BMW OF NORTH AMERICA, LLC., Defendants.	Civil Action No. 17-cv-7386 WHW-CLW

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

Thomas P. Sobran ("Sobran") declares on personal knowledge pursuant to 28 U.S.C. § 1746 as follows:

1. The affirmations in this declaration are based upon personal knowledge and contemporaneous records kept in the ordinary course of business. This declaration is in support of my application for an award of attorney fees in this class action proceeding (hereinafter "BMW Timing Chain class action") as well as expense reimbursement incurred in furtherance of the BMW Timing Chain class action.

2. I am the sole proprietor of Thomas P. Sobran, P.C. and concentrate in automotive products liability and class actions. Together with co-counsel Gary S. Graifman and Bruce H. Nagel, I represent the plaintiffs in the above-captioned matter as co-lead class counsel.

3. I undertook the following activities in the BMW Timing Chain class action: pre-litigation investigation of the underlying facts, drafting and revisions of the initial complaint; drafting of pre-litigation demand letters; vetting of, and communications with clients, class representatives, prospective class members and class members; procuring exemplar engines and timing chain/oil pump drive chain components; exemplar engine teardowns, examination of alternative and updated BMW timing chain/oil pump drive chain components; contacting and reviewing the case with automotive experts including technical analysis of multiple exemplar chain assemblies; reviewing workshop and repair manuals for class vehicles; reviewing class vehicle maintenance and service materials; researching automotive defect databases including the National Highway Traffic Safety Administration; researching and drafting portions of the memorandum of law in opposition to the motion to dismiss; drafting formal and informal discovery; gathering and organizing class representative vehicle information and documents; conferring with co-counsel as to litigation and settlement strategies; preparation of settlement memoranda and participation in two settlement mediations convened before United States District Judge Stephen Orlofsky (ret.) and a subsequent mediation before Magistrate Judge Cathy L. Waldor; reviewing and revising settlement documents including the term sheet, settlement agreement and exhibits; preparing and editing class communications, class notices and forms for claims and deficiency notices; and, drafting, reviewing and revising preliminary approval documents and resolution of related tangential issues. I also engaged in numerous telephone conferences and emails with class representatives and class members as to case specifics, eligible

class vehicles and repairs, case status and settlement. Other activities include numerous telephone conferences and emails with BMW's counsel and coordinating with the third party administrator Rust Consulting.

4. Additional anticipated future activities include preparing final approval papers; responding to additional class member inquires via telephone and email, including reviewing claim denials and engaging in curing claim deficiencies; and, addressing objections and opt outs of class members and appeals, if any, together with related procedures.

5. The schedule accompanying this declaration as **Exhibit 1** is a summary of time expended by me on the BMW Timing Chain class action and the lodestar calculation based on my current billing rates. The schedule was prepared from contemporaneous daily time records regularly maintained as part of my record keeping and are available to the Court upon request. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this fee request.

6. The hourly rate for Thomas P. Sobran is $750.00. Lodestar calculations are based upon my billing rates that do not include charges for expenses incurred in prosecuting the BMW Timing Chain class action. Case related expenses items are invoiced separately and are not duplicated in hourly or loadstar calculations. The total time expended on the BMW Timing Chain class action during the relevant time period prior (inception to November 30, 2020) and additional anticipated future time of 85 hours results in a total of 889.9 hours. The total lodestar for work performed by me to date together with future anticipated work is $667,425.00. The 85 hours of estimated future time is based on past experience on other similar automotive class actions where class administration activities extend well beyond the effective date of the settlement. These future hours are accounted for in **Exhibit 1**, column 12 captioned "Future Anticipated Work Hours

including Final Approval Process, Final Approval Motion and Objection Replies, Communications with Class Members through Conclusion (NOTE: currently estimated))."

7. The hourly rates for Sobran included in **Exhibit 1** are the same rates accepted in other consumer class action litigation I successfully litigated.

8. As detailed in the case expense schedule attached hereto as **Exhibit 2,** I incurred a total of $9,400.27 in unreimbursed expenses in connection with the prosecution of BMW Timing Chain class action. The expenses incurred in BMW Timing Chain class action are reflected in the contemporaneous records of my firm. These records are prepared from expense vouchers/receipts, check records and other source materials and are an accurate record of the expenses incurred.

9. Attached as **Exhibit 3** is a brief biography of Thomas P. Sobran, P.C.

I declare under penalty of perjury under the laws of the Commonwealth of Massachusetts and the United States of America that the above is true and correct.

Executed this 7th day of December 2020.

Thomas P. Sobran

EXHIBIT 1

ARTEM V. GELIS, et al. v. BMW NORTH AMERICA, LLC
Civil Action No. 17-cv-07386-WHW-CLW

THOMAS P. SOBRAN, P.C. TIME / LODESTAR CHART
PERIOD: Inception to October 31, 2020

Name/Position	1	2	3	4	5	6	7	8	9	10	11	12	Total Hours	Hourly Rate	Lodestar
Thomas P. Sobran / Partner	60.4	115.6	118.8	158	70.8	1.5	17.4	80.1	38.4	140.5	2.4	86	889.9	$750.00	$667,425.00

CATEGORIES

1. Pre-Litigation Investigation
2. Drafting Complaints (original / amended)
3. Case Development / Administration
4. Post Filing Investigation / Communications with Class Members
5. Motion Practice / Memoranda Drafting / Legal Research
6. Court Hearings / Appearances
7. Communications with Consultants / Experts
8. Negotiation / Settlement Process
9. Settlement Documentation, Motions / Briefing (preliminary / final approval)
10. Discovery Activities
11. Class Claims Administration Issues / Communications with Class Members
12. Future Anticipated Work Hours including Final Approval Process, Final Approval Motion and Objection Replies, Communications with Class Members through Conclusion (NOTE: currently estimated).

EXHIBIT 2

THOMAS P. SOBRAN, P.C. CASE EXPENSES

ARTEM V. GELIS, et al. v. BMW NORTH AMERICA, LLC
Civil Action No. 17-cv-07386-WHW-CLW

Category	**Amount**
Travel, lodging, meals and related expenses	$829.30
Postage, overnight delivery (Fed Ex, USPS) and freight charges	$226.31
Exemplar engines, chains, tensioners, etc.	$285.00
BMW engine stand & special tools	$228.00
PHV filing fee/N.J. client fund installments	$350.00
Expert witness fees	$3,000.00
Mediation fees	$4,390.66
Copying	$63.00
Legal research fees (PACER)	$28.00
TOTAL EXPENSES	**$9,400.27**

EXHIBIT 3

THOMAS P. SOBRAN
7 EVERGREEN LANE
HINGHAM, MA 02043

TELEPHONE (781) 741-6075
FACSIMILE (781) 741-6074
EMAIL: tsobran @ sobranlaw.com

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:

- Co-lead counsel *Coffeng, et al. v. Volkswagenwerk Aktiengesellschaft, et al.*, United States District Court for the District of Northern California, Civil Action No. 3:17-cv-01825-JD

- 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