

EXHIBIT 16

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

**In re: NAVISTAR DIESEL ENGINE) Case No. 11-cv-2496
PRODUCTS LIABILITY) MDL. No. 2223
LITIGATION**

This Document Relates to: All Cases

**DECLARATION OF W. DANIEL “DEE” MILES, III IN SUPPORT OF PLAINTIFFS’
MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF
EXPENSES**

I, W. Daniel “Dee” Miles, III, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of Alabama. I am a partner in the law firm of Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., Class Counsel for Plaintiffs and Class Members in the above-entitled action. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto. I submit this declaration in support of Plaintiffs’ Motion for an Award of Attorneys’ Fees, and Reimbursement of Expenses.

2. My law firm’s resume, containing background and experience of my firm and my law partners, is attached hereto as Exhibit 1.

3. Beasley Allen has conducted analysis, investigation and drafting in this matter, as detailed in the Declaration of Lead Counsel.

4. For instance, my firm performed extensive work in researching and drafting a federal court complaint, as well as a state court complaint, interviewing numerous plaintiffs and compiling questionnaire responses. In particular, my firm spent substantial time and effort on undertaking pre-complaint investigation into the business practices alleged, including speaking to clients and researching and analyzing the various legal and factual issues involved in this Action, including the application of numerous state warranty and consumer protection laws.

5. Beasley Allen has assumed a high degree of risk in bringing and litigating this Action.

6. To effectively prosecute this MDL, my firm had to commit a significant amount of time, personnel and expenses to this litigation on a contingency basis with absolutely no guarantee of being compensated in the end.

7. The information regarding Beasley Allen's time and expenses are taken from time and expense printouts prepared and maintained by the firm in the ordinary course of business. I oversaw the day-to-day activities in the litigation and reviewed these printouts and backup documentation where necessary. The purpose of these reviews was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses that my firm committed to the litigation. I believe that the time reflected in the firm's lodestar calculation and the expenses for which payment is sought are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation.

8. Based on this review, the total lodestar for Beasley Allen is \$221,795.00.

9. The number of hours that Beasley Allen has devoted to pursuing this litigation is appropriate and reasonable, considering, among other factors: (i) the scope and highstakes nature of this large, nationwide MDL proceeding; and (ii) the novelty and complexity of the claims asserted.

10. The hourly rates of my firm are appropriate for complex, nationwide litigation. Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. is a well-respected leader in the fields of consumer and class action litigation.

11. Numerous courts have approved Beasley Allen's rates as reasonable, a sample of which are: In re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liability Litigation, Civil Action No. 8:10-ml-02151-JVS-FMO (Approving rates of \$750 for a partner, \$500 for an associate, \$150 for paralegals); and (\$800 for a partner, \$500 for an associate, \$200 - \$250 for staff attorney and \$150 for paralegals).

12. Beasley Allen's customary rates are comparable to the prevailing hourly rates for law firms in the State of Alabama.

13. Plaintiffs' Counsel incurred a total of \$98,949.27 in expenses.

14. These expenses consist of fees for Westlaw Research, service costs and filing fees. The Westlaw database was used to obtain access to legal research. The charges for this vendor vary depending upon the types of services requested. The expenses pertaining to this Action are reflected in the books and records of my firm.

15. My firm's expenses included in the Plaintiffs' fee and expense award request were necessary and reasonable, and they reflect market rates for the expenses incurred

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on the 8th day of April, 2013, at Montgomery, Alabama.

/s/ W. Daniel "Dee" Miles, III
W. DANIEL "DEE" MILES, III