

EXHIBIT 2

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

In re: NAVISTAR DIESEL ENGINE)	Case No. 11 C 2496
PRODUCTS LIABILITY)	MDL NO. 2223
LITIGATION)	

This Document Relates to: All Cases

**DECLARATION OF FRED HAGANS
IN SUPPORT OF PLAINTIFF'S MOTION FOR FINAL APPROVAL**

I, Fred Hagans, declare as follows:

1. My name is Fred Hagans. I am over 21 years of age, of sound mind, capable of executing this Declaration, and have personal knowledge of the facts stated herein, and they are all true and correct.

2. I have been retained by Caddell & Chapman to render opinions upon issues relating to the attorneys' fees, in particular the rates charged by Caddell & Chapman in this matter. I am not receiving compensation for my participation in this litigation.

3. I graduated from the University of Texas Law School in 1972. Upon graduation, I began private practice at Bracewell & Patterson, and attained the rank of partner. In 1982 I began my own firm, O'Quinn & Hagans, and have practiced at a firm bearing my name ever since. My current firm is Hagans Burdine Montgomery & Rustay.

4. During my 40 years of practicing civil trial law throughout Texas, my firms have obtained for our clients more than 100 settlements of \$1 million or more. I have successfully represented both plaintiffs and defendants in all manners and stages of litigation. My peers have

also recognized my contributions to the practice of law, voting me to the Law and Politics' Texas Super Lawyers list as well H Texas Magazine's Top Lawyers and Lawyers for the People lists, as well as electing me to the American Board of Trial Advocates, and the Texas Association of Certified Trial and Appellate Specialists board of directors. My curriculum vitae, which includes a list of many of my publications, is attached to this Report as Exhibit 1.

5. I have practiced law continuously in Texas over the last 40 years, and am familiar with the rates at which attorneys are paid both representing plaintiffs and defendants, as well as the resources and expense requirements required by complex, hard-fought litigation like the case at hand. During the past 4 years, I have given testimony as an expert witness on the topic of attorneys' fees in the following cases:

- 05/20/10—Hired as an attorneys' fees expert by attorney Chris O'Dell for the Defendants in the case styled Civil Action No. 4:09-CV-3041; *Lam v. Alpha Realtors, Inc., et al.*; In the United States District Court for the Southern District of Texas, Houston Division. Testified as to attorneys' fees at trial on May 31, 2011.
- 03/17/09—Rehired as Plaintiffs expert regarding attorneys' fees in Cause No. 2002-03-933E; *Microtherm, Inc. et al. v. TriQuest-Puget Plastics et al.*; In the 357th District Court of Cameron County, Texas and Civil Action No. H-02-1861; *Microtherm, Inc. v. Tri-Quest Puget Plastics, LLC, et al.*; In the United States District Court for the Southern District of Texas, Houston Division. Hired by attorney Denman Heard. Testified at trial in Brownsville, Texas, in June 2009.
- Testified as to attorneys' fees on behalf of Plaintiffs in Cause No. 2009-50241; *Daniel P. Barton, The Barton Law Firm and The Johnson-Barton Joint Venture vs. Fleming & Associates, L.L.P.* in the 281st Judicial District Court of Harris County, Texas.
- Testified as to attorneys' fees on behalf of Plaintiffs in Cause No. 2004-23845-A; *Case Funding Network, L.P., et al. v. Anglo-Dutch Petroleum International, Inc., et al.*; in the 127th Judicial District Court of Harris County, Texas.

6. From reviewing the Firm's resume and having worked with the Firm in the past, I am aware of Caddell & Chapman's stellar reputation in handling and resolving complex and difficult cases on a large scale. I have no reservations in concluding that the rates at which they

bill their time in this case are reasonable within the State of Texas and also within this District.

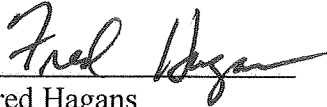
The billing rates that I conclude as reasonable for Caddell & Chapman, for like work within this

District and Division, and staff include:

Individual	Hourly Rate
Michael A. Caddell	\$875
Cynthia B. Chapman	\$675
Cory S. Fein	\$625
Amy E. Tabor	\$450
Craig C. Marchiando	\$425
Dana B. Levy	\$500
Clayton A. Morton	\$370
Aron L. Gregg	\$450
Mark H. Ritchie	\$475
Kathy E. Kersh	\$250
P. Michele Ebow	\$175
Felicia D. Labbé	\$175
Laurie R. Gillespie	\$125
Patsy A. Ledezma	\$250
John C. Dessalet	\$250
Sylvia Z. Vargas	\$250

I declare under penalty of perjury, under the laws of the United States, that the foregoing is true and correct.

DATED: April 10, 2013 Houston, Texas.


Fred Hagans