

# **EXHIBIT 9**

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

In re: NAVISTAR DIESEL ENGINE PRODUCTS  
LIABILITY LITIGATION

Case No. 11 C 2496  
MDL NO. 2223

This Document Relates to: All Cases

**DECLARATION OF ATTORNEY JOHN F. NEVARES**


I, John F. Nevares, Esq. do hereby depose and affirm:

1. I am an attorney of record in the above entitled action.
2. I have been an attorney for thirty-two years. I graduated from Boston College with a B.A. degree, cum laude, in 1977, Interamerican University Law School with a J.D. degree in 1980, and from Tulane University with a LL.M. degree in 1981.
3. I am admitted to practice in the State of Louisiana and the Commonwealth of Puerto Rico and in the following courts: the United States Supreme Court, the United States Courts of Appeals for the First and Fifth Circuits, the United States District Courts for the Eastern and Middle Districts of Louisiana, the United States District Courts for the Eastern Districts of Illinois, and the United States District Courts for the Eastern District of Michigan and the United States District Court for the District of Puerto Rico.
4. John F. Nevares & Associates, PSC rates which were used for purposes of calculating the lodestar here, are based on prevailing fees for national class-action work, and have been approved by multiple courts across the country.
5. Since 1988 Mr. Nevares has been involved in a number of MDL cases starting with the In re: Dupont Fire Litigation MDL No. 721 where 82 guests were killed at the Sheraton

Hotel in Puerto Rico. In that case, he represented twenty (20) defendants. In 1995 up to the present Mr. Nevares has participated and continues to participate in the following MDL cases: Synthroid MDL Litigation, Vitamins MDL Litigation, Cooper Tire MDL Litigation, Guidant MDL Litigation, Viagra MDL Litigation, Ortho Evra Litigation, ReNu MDL Litigation, Avandia MDL Litigation, Medtronic MDL Litigation, In Re: iPhone/iPad Application Consumer Privacy Litigation, Toyota Motor Corp. MDL Litigation, DePuy Orthopedics MDL Litigation, Navistar Diesel Engine Products Liability Litigation, MDL No. 2223 and PR Cabotage Litigation MDL No.1960.

6. Mr. Nevares rates for attorneys fees have increased through the years to the point were his hourly rate of \$600.00 was approved by Judge Dominguez in MDL 1960 in October 2011. Mr. Nevares has one of the highest hourly rates approved in the United States District Court for the District of Puerto Rico \$350.00.

I swear that the foregoing is true, under penalty of perjury, pursuant to the provisions of 28 U.S.C. § 1746, this 3 day of April 2013.

  
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JOHN F. NEVARES