

**UNITED STATES DISTRICT COURT  
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**

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**[PROPOSED] ORDER GRANTING MOTION  
FOR ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS**

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The parties to the above-captioned action have entered into a Settlement Agreement, (Dkt. 236-1), to settle the above-captioned class actions in their entirety, and Plaintiffs Custom Underground, Inc., John Barrett, Scott and Heather Gray, Frank Brown Towing, Inc., Cecil and Tressie Fulton, Karl Strong, Dinonno Enterprises, Inc., d/b/a Cutting Edge Concrete Cutting, Charles Clark, Georgean Vogt, John Prebish, Steve Santilli, Anthony Mawyer, Gena Boggero, Carl Atwell, Phillip Marcum, and James Hutton have filed a Motion for Attorneys' Fees, Expenses, and Service Awards with a supporting memorandum, which Defendant Ford Motor Co. does not oppose.

The Court has considered the Motion for Attorneys' Fees, Expenses, and Service Awards, (Dkt. 256), the supporting Memorandum, all the Exhibits thereto, and the Supplemental Declaration of Michael A. Caddell, (Dkt. 315-1), as well as any relevant comments from absent class members and argument of counsel. The Court finds that

Plaintiffs’ Motion for Attorneys’ Fees, Expenses, and Service Awards should be and hereby is GRANTED.

It is therefore ORDERED that:

Plaintiffs’ Motion for attorneys’ fees of \$12,800,000 is GRANTED.

Plaintiffs’ Motion for reimbursement of \$1,202,276.65 in expenses is GRANTED.

Plaintiffs’ Motion for \$150,000 in service awards to the Class Representatives is GRANTED. It is ORDERED that the service awards shall be apportioned among the Class Representatives as follows:

<b>PLAINTIFF</b>	<b>AWARD</b>
Geno Boggero	\$6,486.49
Heather & Scott Gray	\$6,486.49
Custom Underground	\$47,837.49
Frank Brown Towing	\$6,486.49
Georjean Vogt	\$6,486.49
Phillip Marcum	\$6,486.49
Karl Strong	\$6,486.49
John Prebish	\$6,486.49
John Barrett	\$6,486.49
Cecil & Tressie Fulton	\$6,486.49
Anthony Mawyer	\$6,486.49
Steve Santilli	\$6,486.49
James Hutton	\$6,486.49
Charles Clark	\$6,486.49
Carl Atwell	\$6,486.49
DiNonno Enterprises	\$11,351.35
<b>Total</b>	<b>\$150,000</b>

As set forth in the Settlement Agreement (Dkt. 236-1 at 16–17), Ford shall pay these amounts within ten business days after the Effective Date of Settlement, to Named Plaintiffs’ Lead Counsel, Michael Caddell of Caddell & Chapman.

Michael Caddell is directed to distribute the Service Awards to the Named Plaintiffs pursuant to this allocation. Class Counsel shall resolve any issues regarding the allocation of

fees and expenses among themselves, pursuant to the procedure set forth in the Order Regarding Management of Timekeeping, Attorneys' Fees, and Cost Reimbursement Issues, (Dkt. 18), and Michael Caddell is directed to distribute the attorneys' fees and expenses in accordance with the results of this procedure.

SIGNED at Chicago, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2013.

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MATTHEW F. KENNELLY  
United States District Judge