

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

GENERAL MOTORS LLC IGNITION  
SWITCH LITIGATION

No. 14-MD-2543 (JMF)

This Document Relates to:

*ALL ECONOMIC LOSS ACTIONS*

**DECLARATION OF ELIZABETH J. CABRASER IN SUPPORT OF  
JOINT MOTION FOR FINAL APPROVAL OF THE CLASS SETTLEMENT AND  
PLAN OF ALLOCATION, AND CERTIFICATION OF THE SETTLEMENT CLASS**

I, Elizabeth J. Cabraser, declare under penalty of perjury as follows:

1. I am a partner at Lieff, Cabraser, Heimann & Bernstein, LLP (“Lieff Cabraser”). I respectfully submit this Declaration in support of the parties’ Joint Motion for Final Approval of the Class Settlement and Plan of Allocation, and Certification of the Settlement Class (“Final Approval Motion”). I have personal knowledge of the facts set forth herein and, if called as a witness, I could and would testify competently to them.

2. Pursuant to Order No. 8, *In re Gen. Motors LLC Ignition Switch Litig.*, Case No. 14-md-02543-JMF (S.D.N.Y. 2014), I serve as Plaintiffs’ Co-Lead Counsel with particular responsibility for the Economic Loss part of the MDL Action, along with Steve W. Berman, of Hagens Berman Sobol Shapiro LLP (“Hagens Berman”). On April 27, 2020, this Court further appointed me as interim Class Counsel for the Settlement Class, along with Mr. Berman. ECF No. 7877.

3. Lieff Cabraser and its staff have personally received and responded to over 250 calls and over 1,100 emails from class members requesting information and assistance, including several letters sent to and forwarded by the Court; in responding to these, they have answered questions about the Settlement and the claims process, and assisted Class Members who requested help in making their claims.

4. In my professional judgment and experience, the miniscule opt-out rate of less than 0.0006% of Class Members and the two Class Member objections (which took no issue with any specific aspect of the Settlement or the allocation of its benefits) both compare favorably with, and are significantly lower than, rates in other recent consumer class settlements, including automotive-related class settlements. Specifically, these rates are lower than those in the court-approved class settlements in *In re Volkswagen “Clean Diesel” Mktg., Sales Practices & Prods.*

*Liab. Litig.*,<sup>1</sup> *In re: Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices, and Products Liab. Litig.*,<sup>2</sup> and *In re Takata Airbag Product Liability Litig.*,<sup>3</sup> MDLs, in which I served as a Lead, Co-Lead, and Class Counsel, respectively. This favorable reaction is especially noteworthy given the comprehensive and sweeping Class Notice campaign that utilized direct mail and email to reach more than 27 million Class Members.

5. In responding to Class Member inquiries, attending to Class Member communications, and assisting with claims, we experienced no concern or dissatisfaction regarding the subclass or allocation system from those who own or had experience with the Subject Vehicles themselves: the members of the Class and its designated Subclasses. Based on my significant experience in complex consumer class action litigation and my observations during the course of this case, it is my professional opinion that there is no intra-class conflict within the Subclasses. It is also my professional opinion that the number of subclasses is sufficient, and further subclasses are not warranted.

I declare under penalty of perjury that the forgoing is true and correct.

Executed in San Francisco, California, this 9th day of November 2020.

/s/ Elizabeth J. Cabraser

Elizabeth J. Cabraser

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<sup>1</sup> MDL No. 2672 (N.D. Cal.).

<sup>2</sup> 8:10-ML-02151 (C.D. Cal.).

<sup>3</sup> 15-MD-02599 (S.D. Fl.).

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on November 9, 2020, which will send notification of such filing to the e-mail addresses registered.

*/s/ Steve W. Berman* \_\_\_\_\_

Steve W. Berman