

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MATTHEW OPHEIM *et al.*,

Plaintiffs,

v.

VOLKSWAGEN
AKTIENGESELLSCHAFT *et al.*,

Defendants.

Case No.: 2:20-cv-02483-SDA

**ORDER GRANTING PLAINTIFFS’
MOTION FOR AN AWARD OF
ATTORNEYS’ FEES,
REIMBURSEMENT OF EXPENSES,
AND PLAINTIFFS’ SERVICE
AWARDS**

THIS MATTER having come before the Court for consideration of Plaintiffs’ Motion for an Award of Attorneys’ Fees, Reimbursement of Expenses, and Plaintiffs’ Service Awards filed in connection with the parties’ Settlement Agreement in the above captioned matter;

WHEREAS, unless otherwise defined in this Order, the terms used in this Order that are defined in the Settlement Agreement shall have the same meaning as set forth in the Settlement Agreement;

WHEREAS, Defendant Volkswagen of Group of America, Inc. (“VWGoA” or “Defendant”), and Plaintiffs Matthew Opheim, Greta Opela, Kia Holyfield, Kenneth Eldridge, Carl Popolo, Ken Barton, Matthew Kieran Byrne, William Hendra, Madalen Tejada, Melissa Gallo, Saara Massahood, Robert Mills, Ivan

Cugel, Kathy Madore, Kelley Morgan, and Michelle Vargas (“Plaintiffs”) reached a Class settlement (the “Settlement”);

WHEREAS, the parties submitted the Settlement Agreement together with their Motion for Preliminary Approval of the proposed Settlement to the Court;

WHEREAS, the Court gave its preliminary approval of the Settlement on December 15, 2023 (the “Preliminary Approval Order”) and directed the parties to provide notice to the Class of the proposed Settlement and the Final Approval Hearing by regular mail and via the internet;

WHEREAS, Plaintiffs submitted their Motion for an Award of Attorneys’ Fees and Reimbursement of Expenses and Class Representative Service Awards on May 28, 2024; and

WHEREAS, on August 14, 2024, the Court conducted the Final Approval Hearing to determine whether the proposed Settlement is fair, reasonable, and adequate; whether the Settlement should be granted final approval by this Court, whether Class Counsel’s request for attorneys’ fees and reimbursement of expenses in the amount of \$4,960,000 should be awarded; and whether the request for a service award to each of the Named Plaintiffs in the amount of \$2,500 should be approved;

WHEREAS, the parties having appeared at the Final Approval Hearing; and

WHEREAS, the Court having reviewed Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Plaintiffs' Service Awards, all papers filed and proceedings held herein in connection with the Settlement, all oral and written comments received regarding the Settlement, and the record in the Action, and good cause appearing therefore;

IT IS ON THIS 14th day of August, 2024, ORDERED and ADJUDGED that Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Plaintiffs' Service Awards is hereby GRANTED as follows:

1. The Court finds, upon review of the Settlement, all papers filed and proceedings held herein in connection with the Settlement, all oral and written comments received regarding the Settlement, and the record in the Action that Class Counsel's request for attorneys' fees and reimbursement of expenses is fair and reasonable.

2. The Court hereby grants Class Counsel's request for an award of reasonable attorneys' fees of \$4,798,014.47, and reimbursement of costs in the amount of \$161,985.53.

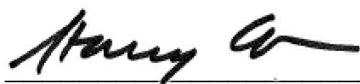
3. The Court also approves Class Counsel's request to pay an incentive award to each Plaintiff in the amount of \$2,500, for a combined total of \$40,000.

4. The payments shall be made by wire transfer to Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. (“Carella, Byrne”) within thirty (30) days after the later of the Effective Date of the Settlement or the date of entry of the Final Order and Judgment for attorneys’ fees, expenses, and service awards, including final termination or disposition of any appeals relating thereto.

5. Said payment to Carella, Byrne shall fully satisfy and discharge all obligations of Defendants and the Released Parties with respect to payment of the Class Counsel Fees and Expenses, any attorneys’ fees in connection with this Action, and Settlement Class Representative service awards, and Carella, Byrne shall thereafter have sole responsibility to distribute the appropriate portions of said payment to the other Class Counsel and the Settlement Class representatives.

6. Nothing in this Order, the Class Settlement, the Settlement Agreement, or any documents or statements related thereto, is or shall be deemed or construed to be an admission or evidence of any violation of any statute or law or of any liability or wrongdoing by Defendants.

7. There being no just reason to delay, the Clerk is directed to enter this Order forthwith.

A handwritten signature in black ink, appearing to read "Stacey D. Adams", is written over a horizontal line.

Hon. Stacey D. Adams, U.S.M.J.

For the reasons stated on the Record on August 14, 2024.