IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

RAFAEL SUAREZ, DAISY GONZALEZ, and RICHARD BYRD, individually and on) Case No.: 3:21-cv-00393
behalf of all others similarly situated,) Hon. William L. Campbell, Jr.
Plaintiffs,) <u>CLASS ACTION</u>
VS.	PARTIES' JOINT MOTION FOR FINAL
NISSAN NORTH AMERICA, INC.,) APPROVAL OF SETTLEMENT AND) ENTRY OF FINAL ORDER AND
Defendant.) JUDGMENT
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Pursuant to Federal Rule of Civil Procedure 23(e), Plaintiffs Rafael Suarez, Daisy Gonzalez, and Richard Byrd ("Plaintiffs"), and Defendant Nissan North America, Inc. ("NNA") (collectively, the "Parties") hereby move for entry of an Order and Final Judgment: (1) finding that the Settlement is fair, reasonable, and adequate and granting final approval of the nationwide Class Action Settlement; (2) finally certifying the Settlement Class for settlement purposes; (3) confirming the appointment of Plaintiffs as Class Representatives; (4) confirming the appointment of Timothy N. Mathews, Samantha E. Holbrook, Alex Kashurba, and Zachary Beatty of the law firm of Chimicles Schwartz Kriner & Donaldson-Smith LLP as Lead Counsel ("Lead Class Counsel"); (5) confirming the appointment of John Spragens of Spragens Law PC as additional Class Counsel; and (6) granting such other relief as the Court deems just and appropriate.

This motion is based on this Motion, Plaintiffs' Memorandum of Law in Support of Joint Motion for Final Approval of Settlement and Entry of Final Order and Judgment, and the declarations of Judge Diane M. Welsh (ret.), Timothy N. Mathews, John Spragens, Lana Lucchesi and Lee Bowron, and all supporting exhibits, the Complaint in this action, and such oral argument and any other matters as the Court may consider in deciding this motion. A proposed Order is attached hereto pursuant to Administrative Order No. 167.

Dated: September 20, 2021

Respectfully submitted,

/s/ Timothy N. Mathews

Timothy N. Mathews (pro hac vice) Samantha E. Holbrook (pro hac vice) Alex M. Kashurba (pro hac vice) Zachary P. Beatty (pro hac vice) CHIMICLES SCHWARTZ KRINER & DONALDSON-SMITH LLP One Haverford Centre 361 West Lancaster Avenue Haverford, PA 19041 Telephone: (610) 642-8500 Facsimile: (610) 649-3633

tnm@chimicles.com seh@chimicles.com amk@chimicles.com zpb@chimicles.com

Lead Class Counsel

John Spragens (TN Bar No. 31445) SPRAGENS LAW PLC 311 22nd Ave. N. Nashville, TN 37203 Telephone: (615) 983-8900 john@spragenslaw.com

Additional Class Counsel

Respectfully submitted, Dated: September 20, 2021

/s/ Brigid Carpenter

Brigid M. Carpenter (TN Bar No. 18134) BAKER, DONELSON, BEARMAN, CALDWELL BERKOWITZ, PC

1600 West End Avenue **Suite 2000** Nashville, TN 37203

Phone: (615) 726-7341

bcarpenter@bakerdonelson.com

Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2021, I electronically filed the foregoing Joint Motion for Final Approval of Settlement and and Entry of Final Order and Judgment with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

Brigid M. Carpenter (TN Bar No. 18134)
Paul T. Madden (BPR #037588)
BAKER, DONELSON, BEARMAN,
CALDWELL BERKOWITZ, PC
1600 West End Avenue
Suite 2000
Nashville, TN 37203
Phone: (615) 726-7341
bcarpenter@bakerdonelson.com
pmadden@bakerdonelson.com

Counsel for Defendant Nissan of North America, Inc.

/s/ Timothy N. Mathews
Timothy N. Mathews

Lead Class Counsel