EXHIBIT 3

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re Flint Water Cases	No. 5:16-cv-10444-JEL-MKM HON. JUDITH E. LEVY MAG. MONA K. MAJZOUB

DECLARATION OF HUNTER J. SHKOLNIK IN SUPPORT OF PLAINTIFFS' MOTION FOR AN AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES

Pursuant to 28 U.S.C. § 1746, I, Hunter J. Shkolnik, hereby declare as follows:

1. I am a partner of the law firm Napoli Shkolnik PLLC ("Napoli Shkolnik"). I, along with Corey M. Stern of the law firm Levy Konigsberg LLP, serve as Co-Liaison Counsel for the Individual Plaintiffs in the above captioned matter. I have personal knowledge of the matters stated in this Declaration.

2. I provide this declaration in support of Plaintiffs' Motion for an Award of Attorneys' Fees and Reimbursement of Expenses. More specifically, I describe the time invested and expenses incurred by Napoli Shkolnik in the prosecution of this action for the common benefit of plaintiffs in the Flint Water Cases (including but not limited to the Class Plaintiffs) from February 16, 2021 – October 31, 2023.

3. As will be more fully outlined below and as was provided to the Special Master on a monthly basis, since February 2021, Napoli Shkolnik has invested an additional to 2,630 hours of time to the common benefit of the Flint Water Litigation,

and $323,813.64 for the common benefit of all litigants in order to achieve the settlement that has been presented to this Court for approval. Unlike most mass torts where leadership is often spread of as many as 20-30 law firms[1], here the Flint Water Co-Liaison performed all common benefit work and paid all common benefit expenses on behalf of approximately 27,000 individual claimants.

4. Over the course of this litigation, Napoli Shkolnik has been involved in the following specific activities:

- *Pleadings:* Napoli Shkolnik was extensively involved in the researching and drafting of Plaintiffs' Long Form Master Complaint and multiple amended complaints. In furtherance of this we also assisted any counsel with an individual claim in complying with the Court's orders related to those pleadings.
- *Motions to Dismiss and for Reconsideration:* Napoli Shkolnik attorneys researched and drafted briefing in opposition to Defendants' multiple motions to dismiss. Napoli Shkolnik attorneys also drafted briefing for the various motions for reconsideration related to the Court's motion to dismiss rulings.
- *Appeals:* Napoli Shkolnik was heavily involved in the strategic decision-making and briefing relating to the multiple appeals that have taken place in the litigation, including concerning the qualified immunity, the Court's motion to dismiss and motion to stay rulings, *amicus* briefs, petitions for *en banc* review and petitions for *certiorari* to the Supreme Court.
- *Discovery:* Napoli Shkolnik has taken a leading role in the extensive discovery to date in these cases that includes reviewing millions of

[1] *In Re: Elmiron (Pentosan Polysulfate Sodium) Products Liability Litigation*, MDL No. 2973, Case Management Order No. 3 (Jan. 22, 2021); *In Re: Zantac (Ranitidine) Products Liability Litigation*, Pretrial Order No. 20, Dkt. 685 (May, 8, 2020); *In Re: Depuy Orthopaedics Inc., Pinnacle Hip Implant Products Liability Litigation*, MDL No. 2244, Case Management Order No. 3, Dkt. 80 (Jan. 9, 2012);

pages of documents produced; preparing document summaries for use at depositions; drafting substantive briefing and discovery requests and responses; preparing for and participating in Court conferences regarding discovery disputes; and taking fact witness and expert depositions.

- *Expert:* Napoli Shkolnik has worked closely with Co-Liaison to identify, interview, retain, prepare reports and depositions for experts in such diverse areas as ethics of mass torts, class actions, neurology, pediatric neurology, pediatric neuro-psychology, radiology, economics, vocational rehabilitation, medical physics, hydrogeology, water distribution, and water systems.

- *Bellwether Proceedings:* Napoli Shkolnik attorneys prepared bellwether cases for trial, including extensive discovery, defending fiduciary depositions, expert discovery, and trial preparation.

- *Mediation and Settlement:* Napoli Shkolnik participated in every level of mediation. Napoli Shkolnik has taken a leading role in the extensive, multi-year mediation and settlement negotiations involving dozens of in-person meetings and multiple one-on-one sessions with the Mediators and/or Special Master. Moreover, unlike many mass torts resolution, the Flint Water Litigation required very complex interaction, meetings and discussions between Co-Liaison and Class Counsel as well as Sub-Class Counsel.

- *Strategy and Planning:* In coordination with Co-Liaison counsel, Napoli Shkolnik attorneys have led strategic decision and planning discussions throughout the case in relation to case investigation, pleadings, briefing, and discovery, and have participated in and led calls and meetings to plan and assess case status and ensure the efficient management of tasks.

5. The total number of hours expended on this litigation by Napoli Shkolnik for the common benefit of plaintiffs in the Flint Water Cases (including but not limited to the Bellwether Plaintiffs) from February 16, 2021 to October 31, 2023 is 2,630 hours. The total lodestar for this work using current billing rates is

$1,659,829.50.

6. Attached as **Exhibit A** is a detailed summary indicating the time spent by my firm's attorneys and professional staff who worked on this litigation, and their lodestars based on Napoli Shkolnik current billing rates from February 16, 2021 to October 31, 2023. Additionally, attached as **Exhibit B** is a detailed summary indicating the time spent and lodestar accrued by Napoli Shkolnik on this litigation from February 16, 2021 to October 31, 2023, categorized by task. Napoli Shkolnik prepared these schedules from contemporaneously made daily time records regularly prepared and maintained by the timekeepers identified in these exhibits. The records were kept and categorized in accordance with the Case Management Order Regarding Time and Expense Procedures (ECF No. 507). The hourly rates reflected in Exhibit A are the same as the usual and customary hourly rates charged for Napoli Shkolnik's services on a contingent basis in similar complex class action litigation and have been approved by courts in other class action cases.

7. The total amount of unreimbursed expenses incurred by Napoli Shkolnik directly (*i.e.* not through the Class Litigation Fund) in connection with the prosecution of this litigation from February 16, 2021 to October 31, 2023 is $323,813.64. I have attached as **Exhibit C** a breakdown by category of these expenses. These are reflected on Napoli Shkolnik's books and records. The books and records are prepared from expense vouchers, receipts, invoices, check and bank

records, and other source materials, and represent an accurate recordation of the expenses incurred. The expenses reflected in Exhibit C were reasonably incurred and necessary and appropriate in the prosecution of this litigation and were for the common benefit of the plaintiffs (including but not limited to the Class Plaintiffs) in the Flint Water Cases.

8. Upon request from the Court, Napoli Shkolnik is prepared to submit for *in camera* review the daily time records and expense documentation supporting Exhibits A, B, and C.

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

Executed on December 14, 2023
Hato Rey, Puerto Rico

/s/ Hunter J. Shkolnik
Hunter J. Shkolnik

Exhibit A: Napoli Shkolnik Lodestar at Current Billing Rates

Professional	Position	Current Rate	Cumulative Hours	Cumulative Loadstar
Coral Odiot	A	900	35.4	$31,887.00
Cristina Rodriguez	A	500	73.4	$36,700.00
Daniella Viera	I	250	72.9	$18,222.50
Delna Kermani	A	500	305.6	$152,775.00
Hunter Shkolnik	P	900	127.9	$112,710.00
Ignacio Campos	A	500	1.8	$900.00
Kiara Gonzalez	A	500	120.4	$60,220.00
Liang Cruz	L	250	2.6	$650.00
Maria Fleming	A	500	24.2	$12,100.00
Marisa Font	A	500	117.0	$58,520.00
Natalia Perez	P	900	2.0	$487.50
Nevin Wisnoski	A	500	3.3	$ 1,650.00
Patricia Gonzalez	A	500	116.4	$58,185.00
Patrick Haines	P	900	25.0	$22,500.00
Patrick Lanciotti	A	500	764.5	$382,250.00
Paul J. Napoli	P	900	782.3	$682,470.00
Robert Gali	L	250	2.8	$687.50
Robert Gitelman	P	900	1.5	$1,350.00
Veronica Vazquez	A	500	47.5	$23,765.00
W. Steven Berman	A	500	3.6	$1,800.00
TOTAL			**2,630.1**	**$1,659,829.50**

P	Partner
C	Counsel
A	Associate
L	Legal Assistant
I	Intern

Exhibit B: Napoli Shkolnik Lodestar by Task

Task	Hours	Lodestar
1. Administration (data and file management)	4.1	$1,337.50
2. Document Review	0	0
3. Legal Research	30.2	$18,435.00
4. Pleadings, Briefs and Pretrial Motions	80.4	$53,295.00
5. Other Discovery	0	0
6. Deposition Prep/Take/Defend	118.8	$70,733.00
7. Experts/Consultants	19.2	$11,720.00
8. Case Vetting/Bellwether	9.5	$4,750.00
9. Class Certification	0	0
10. Trial Preparation and Trial	763.4	$370,927.50
11. Court Appearances/Arguments before the Court	183.3	$110,425.00
12. Litigation Strategy and Case Management	50.7	$35,121.50
13. Settlement	525.9	$287,860.00
14. Travel	4.0	$2,000.00
15. Committee Meetings or Calls	11.2	$6,360.00
16. Lead Counsel/PEC/Liaison Counsel Duties	822.7	$681,585
17. Time and Expense Admin	0.0	$0.00
18. Appeal	6.8	$5,280.00
TOTAL	**2,630.1**	**$1,659,829.50**

Exhibit C: Napoli Shkolnik Litigation Expenses

Expense	Amount
1. Postage, shipping, courier, certified mail	$49.86
2. Printing and photocopying (in-house)	$0.00
3. Computerized research - Lexis/Westlaw (actual charges only)	$6,574.80
4. Telephone - long distance (actual charges only)	$0.00
5. Travel (pursuant to Travel Limitations)	$1,322.33
6. Airfare (pursuant to Travel Limitations)	$537.20
7. Reasonable ground transportation (pursuant to Travel Limitations)	$364.12
8. Hotel - (pursuant to Travel Limitations)	$1,751.24
9. Reasonable meals	$100.22
10. Other reasonable and necessary charges (e.g., parking)[2]	$313,113.87

[2] Other expenses including but not limited to fees related to experts, special master, and mediators.