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5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION

8 *Aberin et al. v. American Honda Motor Co., Inc.*

Case No. 4:16-cv-04384-JST

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10 **DECLARATION OF MEDIATOR HON.  
11 DANIEL BUCKLEY (RET.) IN  
12 SUPPORT OF MOTION FOR  
13 PRELIMINARY APPROVAL OF CLASS  
14 SETTLEMENT**

15 1. I am a mediator with Signature Resolution, an ADR provider primarily  
16 based in Los Angeles, California. I served as judge for the Los Angeles Superior Court  
17 between 2002 and 2022. While on the bench I had assignments in criminal (both federal  
18 and misdemeanor), probate and civil. My last assignment was in the Complex Courts  
19 Department which probably has the most challenging and largest caseloads of any state  
20 court in the country. My cases ranged from a gas leak case with over 35,000 plaintiffs  
21 to all Johnson & Johnson Talc cases (ovarian cancer) in California to hundreds of class  
22 action cases, which included consumer class action cases. I had cases with facts and  
23 allegations quite like the *Aberin* case. During my last year on the bench, I assisted in  
24 the settlement of a number of large, high-profile lawsuits, including *Riot Games*, the  
25 USC *Tyndall* case, and the UCLA *Heaps* case.  
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DECLARATION OF MEDIATOR HON. DANIEL BUCKLEY (RET.) IN  
SUPPORT OF MOTION FOR PRELIMINARY APPROVAL OF CLASS  
SETTLEMENT - 1  
CASE NO. 4:16-CV-04384-JST

1           2.     While on the bench I served in many leadership roles in my court and the  
2 branch. I was honored to be the Presiding Judge in 2017 and 2018 while I led the largest  
3 state court in the country, with 572 judicial officers. One of my accomplishments was to  
4 be a driving force in updating the court's technology, implementing the first modern  
5 case management systems for the court. I also was Supervisor Judge of the Civil  
6 Department (responsible for over 160 judicial officers and courtrooms) and the  
7 Supervisor Judge of the East District.  
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9           3.     I served on the Judicial Council, the policymaking body for the California  
10 courts. I was a member of many critical state-wide committees, dealing with funding  
11 and budgets, judicial education, technology, and ethics.  
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13           4.     For over 11 years I was an adjunct professor at Loyola Law School, and  
14 USC Gould School of Law. I continue to be an adjunct professor at Notre Dame Law  
15 School. I taught many courses to judges on evidence, civil law, criminal law, judicial  
16 administration, and ethics. Every year I was an instructor for New Judge Orientation,  
17 which covered ethics and courtroom management for new judicial officers.  
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19           5.     I have been recognized as Judge of the Year by CAALA (2015), Pasadena  
20 Bar Association (2015) and the Korean Community Lawyers Association (2015). Other  
21 recognitions include the Judicial Civility Award from ABOTA (2014), a Hall of Fame  
22 recipient from the Association of Southern California Defense Counsel (2015), the  
23 Administration of Justice Award from the San Fernando Valley Bar Association  
24 (2018), the Spencer Brandeis Award by the Family Law Section of the Los Angeles  
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1 County Bar Association (2014), Person of the Year from Metropolitan News (2015),  
2 and the Daniel O'Connell Award from the Irish American Bar Association (2014).

3 6. The parties asked me to submit this declaration in support of Motion for  
4 Preliminary Approval of Class Settlement.

5 7. I became involved in the settlement negotiations in September 2022. A  
6 full-day mediation session was conducted via Zoom on September 22, 2022, after the  
7 parties provided detailed briefs which addressed the merits of Plaintiffs' claims, the  
8 damages sought, and Defendants' defenses. I had numerous conversations with the  
9 attorneys after this session as we continued to thoroughly discuss the issues and  
10 disputes in the case. We then had a second session on October 12, 2022. The  
11 discussions with the attorneys continued after the second session.  
12

13 8. The negotiations were conducted at arm's length with superb advocacy by  
14 all attorneys who thoroughly addressed the arguments raised by the other side. We  
15 worked together to help the parties bridge their differences while they evaluated the  
16 strengths and weaknesses of their respective positions. The attorneys' substantial  
17 expertise in the fields of class actions, complex litigation, and product liability were  
18 critical to the negotiations. Their talents and work ethic were instrumental in the parties  
19 reaching a fair resolution for all. Notably, the parties did not begin negotiating  
20 attorneys' fees, expense reimbursement, or service awards until after all material  
21 settlement benefits for the Class were negotiated and decided.  
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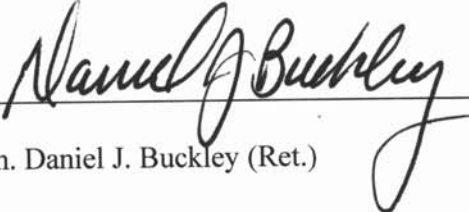
23 9. The parties and their attorneys engaged in extensive adversarial  
24 negotiations over many issues in the case. The negotiations were lengthy, principled,  
25 exhaustive, and informed.  
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1           10. In my opinion, the outcome of these mediated negotiations is the result of  
2 a fair, extensive, and fully informed, arms-length process between highly capable,  
3 experienced, and informed parties and counsel. The final settlement was reached only  
4 after complex negotiations with careful consideration of the risks, strengths, and  
5 weaknesses of their respective positions on the substantive issues of the case, the risks  
6 and costs of continued litigation, and the best interests of their clients.

7           11. I am not being compensated for providing this declaration.  
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10           I declare under the penalty of perjury that the foregoing is true and correct and is  
11 based on my personal knowledge.

12  
13 Executed on April 26, 2023 at Pasadena, California.  
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18 Hon. Daniel J. Buckley (Ret.)