

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

PATRICIA WECKWERTH, PATRICIA CRUZ,
MICHELLE FALK, CYNTHIA GARRISON,
INDHU JAYAVELU, MICHAEL KNOTTS,
WALDO LEYVA, AMANDA MACRI,
DANIELLE TROTTER, and PAMELA
PRITCHETT, individually, and on behalf of a class
of similarly situated individuals,

PLAINTIFFS,

v.

NISSAN NORTH AMERICA, INC.

DEFENDANT

Case No. 3:18-cv-00588

Judge William L. Campbell, Jr.
Magistrate Judge Alistair E. Newbern

**DECLARATION OF LEE BOWRON, ACAS,
MAAA**

I, Lee Bowron, ACAS, MAAA, hereby declare as follows:

1. I am a member of the American Academy of Actuaries (“MAAA”) and meet its qualification standards for statements of actuarial opinion regarding extended service contract liabilities. I am also an Associate of the Casualty Actuarial Society (“ACAS”). I have worked as a professional actuary for the past twenty-nine years.

2. I co-founded the Kerper Bowron actuarial consulting firm seventeen years ago, and I am currently a Member/Manager of the firm, which is located in Jefferson County, Alabama. I have continued in my role as a Principal and Actuary at the Kerper Bowron Firm since its founding. My practice has and does focus on automotive extended service contracts, GAP coverage, and captive market issues. Further details regarding my qualifications are set forth in my current *curriculum vitae*, which is attached hereto as Exhibit 1.

3. Class Counsel engaged Kerper and Bowron, LLC, to calculate the retail price of the extended warranty covering the transmission and related components in the 2013-2017 Nissan Sentra, 2014-2017 Nissan Versa Note, and 2012-2017 Nissan Versa vehicles equipped with continuously variable transmissions (the “Class Vehicles”) for an additional 24 months or 24,000 miles after the manufacturer’s warranty expiration.

4. As set forth in detail in my Report, attached hereto as Exhibit 2 and incorporated by reference, I calculated a range of retail prices for a 24-month extended warranty for the Class Vehicles. Based on the number of Class Vehicles, my analysis and computation resulted in a range of suggested retail prices for this warranty from \$407,122,000 to \$547,767,000, with a point estimate of \$477,445,000. These estimates are made within a reasonable degree of actuarial probability or certainty, as set forth in the Report.

5. These estimated values were calculated in accordance with accepted actuarial standards and principles. My conclusions are based on my education, training, and experience, as well as the information I reviewed, which includes warranty claims spreadsheets for transmission related repairs in the Class Vehicles; the Second Amended Class Action Complaint; and discovery responses provided by Nissan North America, Inc. regarding the subject transmissions at issue, the number of Class Vehicles, and other information.

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct, and I would competently testify as to any of the foregoing in a court of law if called upon to do so.

Executed this 22 day of January, 2020, in Birmingham, Alabama.



Lee Bowron, ACAS, MAAA