

EXHIBIT

3

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Taqueria El Primo LLC, Victor Manuel Delgado Jimenez, Mitchelle Chavez Solis, El Chinelo Produce, Inc., Virginia Sanchez-Gomez, and Benjamin Tarnowski, on behalf of themselves and others similarly situated,

Plaintiffs,

v.

Farmers Group, Inc., Truck Insurance Exchange, Farmers Insurance Company, Inc., Farmers Insurance Exchange, Illinois Farmers Insurance Company, and Mid-Century Insurance Company,

Defendants.

Case No. 19-CV-03071 (JRT/ECW)

**DECLARATION OF PAUL J. PHELPS
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PAYMENT OF
ATTORNEYS' FEES, LITIGATION
EXPENSES, AND SERVICE AWARDS**

I, Paul J. Phelps, declare as follows:

1. I am a partner at the law firm of Sawicki & Phelps, PA ("SP") . This Court appointed my firm together with Lockridge Grindal Nauen PLLP, and Hellmuth & Johnson PLLC as Class Counsel for the certified Damages Class and Injunctive Class in this litigation. (*See* ECF No. 318 at 62.) I have personal knowledge of the matters set forth herein and could competently testify thereto.

2. I submit this Declaration in support of Plaintiffs' Motion for Payment of Attorneys' Fees, Litigation Expenses, and Service Awards filed simultaneously herewith ("Motion").

3. SP, HJ, and LGN have served as Class Counsel on behalf of Plaintiffs through the course of this litigation. The work performed and fees incurred by Class Counsel are generally set forth in the Motion and concurrently filed Declaration of David W. Asp. To avoid duplication, this declaration primarily focuses on the work performed by SP as Class Counsel.

4. SP has performed a considerable amount of work over the course of nearly six years without any guarantee of compensation. These effects have resulted in a recovery of \$1.95 million for the Damages Class and injunctive relief for the Injunctive Class.

5. SP has been involved in the management of the entire case and participated in the all facets of the litigation from inception through the present. In addition to directly performing numerous projects in the following phases of the case from November 8, 2019 to June 6, 2025: fact discovery, class certification, summary judgment, expert discovery, settlement negotiation, and trial preparation.

6. Throughout the course of this litigation, SP has maintained contemporaneous billing records. In preparation for this declaration, SP conducted a review of its billing records to ensure accuracy.

7. The schedule attached to this declaration as **Exhibit A**, and incorporated herein, is a summary of the amount of time spent by and the respective lodestar of my firm's partners, attorneys, and professional support staff who were involved in this litigation through the end of June 6, 2025. The total number of hours expended on this litigation by my firm from case inception through June 6, 2025, is 782.95 hours. The total lodestar for my firm is \$343,941.25. **Exhibit A** was prepared from contemporaneous time records regularly prepared and maintained by my firm. The hourly rates for my firm's

partners, attorneys, and professional support staff included in Exhibit A are customary hourly rates charged for their services in similar litigation.

8. The expenses my firm incurred in litigating this action are reflected in the books and records of my firm. These books and records are prepared from expenses vouchers, receipts, check records, and other source materials and accurately reflect the expenses incurred. My firm incurred a total of \$677.24, in expenses, all of which were reasonable and necessary for the prosecution of this litigation. A summary of those expenses through June 6, 2025, by category is attached as **Exhibit B**.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed this 20th day of May, 2025, at Minneapolis, Minnesota.

By: /s/ Paul J. Phelps
Paul J. Phelps

Taqueria El Primo LLC, et al v. Farmers Group, Inc., et al
Case No. 19-CV-03071 (JRT/ECW)

Exhibit A

Lodestar Summary

Firm: **Sawicki & Phelps, PA**
Reporting Period: **Inception through June 6, 2025**

Professional	Title	Historic Hourly Rate	Total Hours	Total Lodestar
Paul J. Phelps	P	\$550.00	551.8	\$303,490.00
Jama Tushaus	PL	\$175.00	231.15	\$40,451.25
Totals				\$343,941.25

Title:

Partner (P)
Associate (A)
Paralegal (PL)
Of Counsel (OC)
Law Clerk (LC)
Legal Assistant (LA)

Taqueria El Primo LLC, et al v. Farmers Group, Inc., et al
Case No. 19-CV-03071 (JRT/ECW)

Exhibit B

Expense Summary

Firm: **Sawicki & Phelps, PA**
Reporting Period: **Inception through June 6, 2025**

Expense	Amount
Court Costs (<i>i.e.</i> , Filing Fees)	0.00
Experts / Consultants	\$400.00
Federal Express UPS	0.00
Postage / U.S. Mail	0.00
Service of Process	0.00
Messenger / Delivery	0.00
Hearing Transcripts	0.00
Investigation	0.00
Westlaw / Lexis	0.00
Photocopies	0.00
Telephone / Facsimile	0.00
Travel – Transportation	\$277.24
Travel – Meals	0.00
Travel – Hotels	0.00
Miscellaneous	0.00
Total	\$677.24