

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

MAX BAZERMAN, individually and on  
behalf of others similarly situated,

Plaintiff,

vs.

AMERICAN AIRLINES, INC., a  
Delaware Corporation,

Defendant.

Case No.: 1:17-CV-11297-WGY

**DECLARATION OF PLAINTIFF MAX BAZERMAN IN SUPPORT OF  
MOTION FOR ATTORNEYS' FEES, COSTS, AND SERVICE AWARD**

I, Max Bazerman, declare as follows:

1. I am the named plaintiff in this lawsuit. I am over the age of eighteen. I make this declaration based upon my own personal knowledge, and I could and would testify to the following facts if called upon to do so.

**Tasks Performed for the Benefit of the Class.**

2. Throughout this case, I have had numerous discussions with my attorneys, gathered documents potentially related to the case, discussed those documents with my attorneys, and reviewed court filings.

3. Before the complaint was filed, I had numerous discussions with my attorneys about my experiences with American Airlines, including purchasing travel and checking bags. I gathered documents related to my travel on American Airlines, provided my attorneys with those documents, and then discussed those documents with my attorneys.

4. I reviewed drafts of the Complaint before it was filed, and I discussed the drafts with my attorneys.

5. When mediation was proposed, I spoke with my attorneys about what that meant, what our strategic considerations were, and when, where, and with whom the mediation would take place. I continued to communicate with my attorneys as they prepared for mediation and during the mediation.

6. Following the mediation, we had several discussions about the status of the litigation and the status of settlement discussions.

7. Before the settlement agreement was finalized, I reviewed the draft settlement agreement and discussed it with my attorneys. I again reviewed the settlement agreement before I signed it.

8. After the settlement agreement was signed, I reviewed my declaration in support of preliminary approval and discussed it with my attorneys.

9. I felt several burdens in participating in this lawsuit. To produce the responsive documents, I needed to make my full email records available for searching by my attorneys, which was both disruptive to my work day and raised potential privacy concerns. Because my responsibilities in this case took some time, other activities were crowded out. Finally, my professional associates and colleagues saw news coverage of the case and remarked on my participation in it; some scorned my role in a class action and questioned why I was participating.

10. I am proud to have offered my experience towards the assistance of others who were overcharged by American Airlines. My own experience with being charged incorrectly for checking a bag made me disappointed and somewhat upset because I brought the error to the attention of an American Airlines employee at the time I was checking my bag for my flight, but the employee told me the charge was correct. I am gratified that something good could come of this experience, and I am proud that a large number of other people will receive refunds as a result of my efforts and the efforts of the others who worked on this case.

**The Merit of the Settlement.**

11. I think the settlement is an outstanding achievement for the settlement class because most settlement class members are receiving a full refund plus interest, and those not receiving a full refund are receiving 75% of the amount they paid.

12. I think there is a significant benefit to obtaining relief now, rather than prolonging the litigation for potentially several more years with the risk that class members may not recover anything.

I declare under penalty of perjury under the laws of the State of Massachusetts and of the United States that the foregoing is true and correct, and that this Declaration was executed this 15 day of January 2019, in Cambridge, MA.



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Max Bazerman