

Michael Akselrud (SBN 285033)
Michael.Akselrud@lanierlawfirm.com
THE LANIER LAW FIRM, P.C.
2829 Townsgate Rd., Ste. 100
Westlake Village, California 91361
Telephone: (310) 277-5100
Facsimile: (310) 277-5103

W. Mark Lanier (*pro hac vice*)
WML@lanierlawfirm.com
Alex J. Brown (*pro hac vice*)
Alex.Brown@lanierlawfirm.com
Ryan D. Ellis (*pro hac vice*)
Ryan.Ellis@lanierlawfirm.com
Alex Abston (*pro hac vice*)
Alex.Abston@lanierlawfirm.com
Megan Waida (*pro hac vice*)
Megan.Waida@lanierlawfirm.com
(*pro hac vice*)
THE LANIER LAW FIRM, P.C.
10940 W. Sam Houston Pkwy N
Houston, Texas 77064
Telephone: (713) 659-5200
Facsimile: (713) 659-2204

David P. Page (*pro hac vice*)
dpage@eenradvocates.com
**ENVIRONMENTAL ENERGY &
NATURAL RESOURCES ADVOCATES,
PLLC**
1921 S Boston Ave.
Tulsa, Oklahoma 74119
Telephone: (918) 764-8984

Attorneys for Plaintiffs

Christopher T. Nidel (*pro hac vice*)
chris@nidellaw.com
Jonathan Nace (*pro hac vice*)
jon@nidellaw.com
Thomas Sims (SBN 264174)
thomas@nidellaw.com
William W. Cowles (*pro hac vice*)
will@nidellaw.com
Zachary A. Kelsay (*pro hac vice*)
zach@nidellaw.com
NIDEL & NACE, P.L.L.C.
One Church Street, Suite 802
Rockville, MD 20850
Telephone: (202) 780-5153

Gideon Kracov (SBN 179815)
gk@gideonlaw.net
Jordan R. Sisson (SBN 327057)
jordan@gideonlaw.net
LAW OFFICE OF GIDEON KRACOV
801 S. Grand Ave., 11th Floor
Los Angeles, CA 90017
Telephone: (213) 629-2071

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

JED and ALISA BEHAR, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

NORTHROP GRUMMAN CORPORATION
AND NORTHROP GRUMMAN SYSTEMS
CORPORATION,

Defendants

Case No. 21-cv-03946-HDV-SK

CLASS ACTION

**DECLARATION OF DAVID P. PAGE ON
BEHALF OF ENVIRONMENTAL ENERGY &
NATURAL RESOURCES ADVOCATES, PLLC IN
SUPPORT OF CLASS COUNSEL'S MOTION
FOR AN AWARD OF ATTORNEYS' FEES AND
LITIGATION EXPENSES AND CLASS
REPRESENTATIVE AWARDS**

Hearing:

Date: November 12, 2026

Time: 10:00 a.m.

Place: Courtroom 5B, 5th Floor
350W. 1st Street
Los Angeles, CA 90012

Judge: Hon. Hernán D. Vera

DECLARATION OF DAVID P. PAGE

I, David P. Page, hereby declare as follows:

1. I am a member and owner of the law firm of Environmental Energy and Natural Resources Advocates, PLLC ("EENR Advocates"). I submit this Declaration in support of Class Counsel's motion for attorneys' fees in connection with services rendered in the above-captioned class action ("Action"). I have personal knowledge of the matters set forth herein, and if called upon to do so, I could and would testify as follows.

2. My firm serves as Court-appointed Class Counsel in the Action. EENR Advocates originated the case, identified the class representatives, selected Plaintiffs' experts, conducted depositions of experts and depositions of Defendants' representative witnesses, and prepared and coordinated Plaintiffs' experts.

3. My firm prepared key pleadings, including the complaint, and assisted with the motion for class certification. We assisted with the opposition to Defendants' motions to dismiss, summary judgment, decertify the class, exclude experts under *Daubert*, and Defendants' petition for appeal.

4. EENR Advocates is a boutique environmental litigation and trial law firm located in Tulsa, Oklahoma. I went to college at San Jose State University and was born and raised in California. My wife and I have many friends and family living within the State.

5. My firm has extensive environmental law, litigation and trial experience. I have a forty-five-year history of innovative environmental problem solving and prosecuting complex litigation. I have also worked extensively with litigation and trials in the areas of environmental toxic torts, CERCLA, the Clean Water Act, the Clean Air Act, the Resource Conservation & Recovery Act (RCRA), the Toxic Substance Control Act and the Safe Drinking Water Act. This work included my serving as lead counsel for the State of Oklahoma in its natural resources damages and injunctive relief case against the mega industrial poultry industry in *Oklahoma v. Tyson Foods, Inc. et al.*, Case No. 05-CV-329-GKF-SH, USDC NDOK. We prevailed in that case which I believe was the first case to establish liability for non-point source runoff from land applied animal waste from industrial agribusiness operations. My biography may be accessed on the Law Firm's WEB page at <https://eenradvocates.com/david-page>. I am admitted to

1 practice in all State and Federal Courts in Oklahoma, all State Courts in Arkansas, and the U.S. Court of
2 Appeals for the Tenth Circuit.

3 **I. Class Counsel Reviewed and Audited Attorneys' Fees**

4 6. My firm kept detailed records regarding the amount of time spent by attorneys working on
5 this matter. The lodestar calculation is based on my firm's billing rates adjusted for California Class
6 counsel in similar cases. The fee information was prepared from contemporaneous, daily, time records
7 regularly prepared and maintained by my firm in the ordinary course of business. Time spent preparing
8 this application for fees and reimbursement of expenses is not included in this request.

9 7. I have reviewed my firm's detailed time records for this matter. I worked on this matter
10 from its inception, and I have first-hand knowledge of the work that I and the other attorneys at my firm
11 performed. I reviewed our billing records to audit them for accuracy and reasonableness. During this
12 process, I reduced hours that appeared duplicative, excessive, or unnecessary. For example, the lodestar
13 included here does not include time for work performed after August 7, 2025, or for work performed by
14 certain EENR Advocates Attorneys and staff that I believe was not commensurate with the abilities of
15 other counsel (Plaintiffs or Defendants) in this Action or was duplicative of other Class Counsel.

16 **II. The Hourly Rates Sought by Class Counsel are Reasonable**

17 8. My firm's hourly rates for the attorneys who worked on this matter and for which the Firm
18 is seeking payment range from \$1,209.50/hour for attorneys with between 20 to 35 years of experience
19 (Charles Willing and Elizabeth Edwards) and \$1,663.50/hour for myself with 45 years of experience.

20 9. I have general familiarity with the range of hourly rates typically charged by plaintiffs'
21 class action firms in California, (and other states) both on a current basis and historically. In determining
22 my firm's hourly rates sought here, I have taken market rates into account to align our rates with the
23 Southern California market. In this regard, my firm's billing rates are consistent with, if not substantially
24 lower than, those charged by similarly experienced counsel in this Judicial District, and other Judicial
25 Districts in California. Our rates are commensurate with those prevailing in the market for highly scientific
26 and technical environmental litigation. I have also compared these rates with the rates charged by opposing
27 counsel in this case for non-contingency work. The EENR Advocates rates are significantly below those
28 charged by opposing counsel.

III. The Number of Hours of Work Performed by Class Counsel are Reasonable

10. Based on my work in the Action, as well as the review of time records reflecting work performed by other EENR Advocates attorneys for which we seek fees in the Action, I prepared the following chart that (i) identifies the names of the EENR Advocates attorneys who worked on the Action and for which fees are sought; (ii) provides the number of hours that each attorney expended in connection with work on the Action through August 7, 2026 ; (iii) provides each timekeeper's 2021-2026 hourly rate; and (iv) provides the lodestar of each Timekeeper and the Firm.

11. The following table was prepared from daily time records regularly prepared and maintained by my firm in the ordinary course of business, which I audited and reduced as described above. All time spent on preparing the motion for attorneys' fees and expenses has been excluded.

12. The number of hours spent by EENR Advocates attorneys in the Action, for which it seeks reimbursement, is 1075.3 hours. The lodestar for my firm is \$1,766,106.95.

13. To assist the Court's analysis of the EENR Advocates time records, we prepared a chart that reflects the hours spent by each attorney on each of the following task categories during the course of the Action for which we seek reimbursement. This chart reflects my review of the time entry descriptions during our preparation of this submission:

Attorney	Rate \$/hour	Hours	Lodestar
David P. Page	\$1,663.50	1025.4	\$1,705,752.90
Charles Willing	\$1,209.50	45.2	\$54,669.40
Elizabeth Edwards	\$1,209.50	4.7	\$5,684.65
		1075.3	\$1,766,106.95

14. Time entries that related to more than one major litigation category were apportioned to the event or event(s) that most adequately captured that time entry.

15. To assist the Court's analysis of the EENR Advocates time records, we prepared a chart that reflects the hours spent by each Timekeeper on each of the following task categories during the course of the Action:

TASK-BASED LODESTAR REPORT INCEPTION THROUGH JUNE 9, 2026

Description	Hours	Lodestar
Appeal	1.1	\$1,829.85

Case Mgmt & Hrgs	48.5	\$80,679.75
Class Admin	26.7	\$43,961.45
Class Cert	33.4	\$55,560.90
Disco	363.4	\$604,515.90
Ex Parte Apps	3.8	\$6,321.30
Exp Disco & Depos	202.3	\$336,526.05
Filings	84.2	\$132,076.30
LegalFact	68	\$99,361.80
Mediation	33.8	\$56,226.30
MSJ	23.5	\$39,092.25
MTD	27.4	\$45,579.90
MTS	11.9	\$19,795.65
Other	17.4	\$28,854.10
PreLit	9.5	\$15,803.25
Settlement	3.4	\$5,655.90
Strategy	106.7	\$177,132.25
Trial Prep & MIL	10.3	\$17,134.05
	1075.3	\$1,766,106.95

16. I believe that the number of hours expended, and the services performed by the attorneys at EENR Advocates in relation to such hours, were reasonable and necessary for the effective and efficient prosecution and resolution of the Action.

17. EENR Advocates is not seeking reimbursement of out-of-pocket Expenses.

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

19. Executed on September 3, 2026, at Tulsa, Oklahoma.

Respectfully submitted,

/s/David P. Page