IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JOEL HOOD, ELIAS NEMIRI, GIDEON BAUER, ELIZABETH GOLEC, and ALEXYS TAYLOR, individually and on behalf of all others similarly situated, Plaintiffs, v. EDUCATIONAL COMPUTER SYSTEMS, INC., Defendant.	Case No. 2:24-cv-00666-CCW

JOINT DECLARATION OF NICHOLAS A. COLELLA AND NICKOLAS J. HAGMAN IN SUPPORT OF MOTION FOR AWARD OF ATTORNEYS' FEES, COSTS, AND SERVICE AWARDS TO CLASS REPRESENTATIVES

Nicholas A. Colella of Lynch Carpenter, LLP and Nickolas J. Hagman of Cafferty Clobes Meriwether & Sprengel LLP, pursuant to 28 U.S.C. § 1746, declare as follows:

1. We are partners at our respective law firms, Lynch Carpenter, LLP ("Lynch Carpenter") and Cafferty Clobes Meriwether & Sprengel LLP ("CCMS"), and counsel for Plaintiffs Joel Hood, Elias Nemiri, Gideon Bauer, Elizabeth Golec, and Alexys Taylor and the provisionally certified Settlement Class in this action against Educational Computer Systems, Inc. ("ECSI" or "Defendant"). On August 5, 2026, the Court provisionally designated Nicholas A. Colella and Nickolas J. Hagman as Class Counsel. ECF No. 64 ¶ 17.

2. We submit this declaration in support of Plaintiffs' Motion for Award of Attorneys' Fees, Costs, and Service Awards to Class Representatives. Capitalized terms not otherwise defined have the meanings stated in the Settlement Agreement and Release, ECF No. 60-2 ("SA").

3. The statements herein are based on our personal knowledge, our review of our respective firms' books and records, and information provided by the attorneys and staff who worked on this action. The settlement-administration figures discussed here are as of October 29, 2026, as reported by the court-appointed settlement administrator Angeion Group, LLC ("Angeion").

4. Class Counsel undertook this action on an entirely contingent-fee basis, bearing the risk that the Litigation would yield no recovery and leave counsel uncompensated for their time and out-of-pocket expenses. As of the day of this filing, counsel have received no attorneys' fees or expense reimbursements for their work in this action. The hours and expenses requested in this application are based on the firms' records.

5. Class Counsel coordinated their efforts and conducted their work with skill and efficiency, conserving resources and avoiding duplication. Counsel initiated and prosecuted this action without assistance from a governmental investigation or enforcement action or from other third parties.

6. This action arises from a criminal cyberattack targeting ECSI's guest tax search functionality between October 29, 2023 and February 12, 2024 (the "Security Incident"). Plaintiffs allege that the incident exposed personally identifying and financial information ("PII") in Forms 1098-E and 1098-T, including names, Social Security numbers, and financial information. Consolidated Amended Class Action Complaint ("CAC") ¶¶ 1, 5–9, 34–43, ECF No. 30. Angeion's Weekly Report identifies 2,565,981 total Settlement Class Members. ECSI denies wrongdoing and liability. SA § III.

7. After ECSI's announcement of the Security Incident, Class Counsel investigated potential claims against ECSI, including gathering information about the compromised PII, researching ECSI, and reviewing relevant legal authority.

8. On May 3, 2024, Plaintiff Joel Hood filed a class action complaint in this Court. ECF No. 1; ECF No. 63 at 1. Related actions brought by Elizabeth Golec and Alexys Taylor were consolidated with this action on July 1, 2024. ECF No. 17; SA § I, at 2.

9. On September 13, 2024, Plaintiffs Joel Hood, Elias Nemiri, Gideon Bauer, Elizabeth Golec, and Alexys Taylor filed the operative CAC. ECF No. 30. The CAC asserts five claims: negligence, breach of implied contract, unjust enrichment, invasion of privacy, and declaratory judgment. CAC ¶¶ 168–221.

10. On September 27, 2024, ECSI moved to dismiss the CAC under Rules 12(b)(1) and 12(b)(6). ECF Nos. 32, 33; SA § I, at 3.

11. On May 2, 2025, the Court rejected ECSI's facial challenge to Article III standing, dismissed the breach-of-implied-contract and invasion-of-privacy claims with prejudice, and permitted the remaining claims to proceed. ECF Nos. 38, 39; ECF No. 64 ¶ 9.

12. On May 23, 2025, ECSI answered the CAC. ECF No. 42.

13. On May 23, 2025, the Court scheduled the initial case management conference for June 18, 2025, at 10:00 a.m., by telephone. The order required the Rule 26 meeting to occur on or before June 4, 2025, the Rule 26 meeting report and ADR stipulation to be filed by June 11, 2025, and confidential position letters to be submitted by June 13, 2025. ECF No. 43. The telephonic initial case management conference occurred on June 18, 2025. ECF No. 46. The Court's Case Management Order set June 30, 2025 for initial Rule 26(a)(1) disclosures; September 18, 2025 for motions to add parties or amend pleadings; October 8, 2025 as the ADR deadline; and December

15, 2025 as the deadline for fact discovery regarding class certification and the merits. It also set deadlines of January 29, 2026 for Plaintiffs' expert disclosures, March 23, 2026 for Defendant's expert disclosures, April 10, 2026 for Plaintiffs' rebuttal reports, and April 24, 2026 for expert discovery. Confidential position letters were due April 27, 2026, and a telephonic post-discovery status conference was scheduled for April 30, 2026, at 9:00 a.m. ECF No. 47.

14. The Parties engaged in formal and informal written discovery. ECF No. 64 ¶ 10. Plaintiffs served two sets of interrogatories and requests for production, and ECSI served interrogatories and requests for production. SA § I, at 3.

15. The Parties participated in mediation with Jill Sperber of Judicate West on August 19, September 22, and September 26, 2025. Ms. Sperber made a mediator's proposal on September 29, 2025, which the Parties accepted on October 1, 2025. The Parties executed a settlement term sheet on October 9, 2025 and the Settlement Agreement on January 16, 2026. ECF No. 64 ¶ 11. The Settlement provides a $6,500,000 non-reversionary fund. After approved fees, expenses, Service Awards, administration costs, and taxes, the Net Settlement Fund will pay valid claims for documented Out-Of-Pocket Losses of up to $5,000 or an Alternative Cash Payment estimated at $100, subject to pro rata adjustment. SA §§ IV.3.1–IV.3.4; ECF No. 64 ¶ 12.

16. On October 9, 2025, the Parties informed the Court of their impending settlement and requested a stay to finalize the comprehensive settlement agreement and notice plan. ECF No. 52.

17. The Settlement Agreement identifies Angeion Group, LLC as the Settlement Administrator, and the Court appointed Angeion in its Preliminary Approval Order. SA § IV.1.46; ECF No. 64 ¶ 29.

18. Plaintiffs moved for preliminary approval on January 16, 2026. ECF No. 59. On August 5, 2026, the Court preliminarily approved the Settlement, provisionally certified the Settlement Class, and appointed the five Plaintiffs as Class Representatives. ECF Nos. 63, 64. The Court scheduled the Final Approval Hearing for January 11, 2027, at 9:30 a.m. Eastern Time, by telephone. ECF No. 64 ¶ 33. The posted Long Form Notice states that the fee, expense, and Service Award application will be filed no later than November 5, 2026. Long Form Notice, Question 16, at 8.

19. Following preliminary approval, Class Counsel worked with Angeion to implement the Notice Program and fielded questions from the Settlement Administrator and Settlement Class Members. The published objection and exclusion deadline is November 20, 2026, and the claim deadline is December 21, 2026. Long Form Notice at 1–2, 6–10. Notice commenced on September 26, 2026. According to Angeion's Weekly Status Report dated October 29, 2026, as of the week ending October 24, 2026, there are no objections, and one request for exclusion had been reported. Counsel anticipate further work on final approval, handling questions from Settlement Class Members, preparing for and attending the final approval hearing, and continuing to oversee settlement administration, including the payment of claims.

20. The schedules in paragraphs 22, 25, 28, and 31 summarize the time spent by each firm's attorneys and professional staff on this action and the corresponding lodestar. The rates in the submitted schedules for LC, CCMS, Milberg, and Barrack, Rodos & Bacine ("BRB") range from $277 to $1,400 per hour, with attorney rates of $350 to $1,400 and paralegal rates of $277 to $600.

21. The work reflected in the schedules includes consulting with the Class Representatives; investigating the claims; drafting and editing the initial and amended complaints;

researching, drafting, and filing Plaintiffs' opposition to ECSI's motion to dismiss; working with ECSI's counsel to prepare the Parties' Report of Rule 26(f) planning meeting; appearing telephonically at the Initial Case Management Conference; drafting and serving multiple sets of discovery requests on ECSI; preparing for and participating in three mediation sessions before Jill Sperber of Judicate West; negotiating, drafting, and finalizing the Settlement Agreement and related exhibits; soliciting bids from settlement administration firms and working with Angeion to implement the Notice Program; drafting and filing the motion for preliminary approval; and responding to Settlement Class Member inquiries about the Settlement.

22. Lynch Carpenter's compensable time and lodestar are summarized below.

Professional	**Title**	**Hours**	**Rate**	**Lodestar**
Gary Lynch	Partner	7.1	$1,350	$9,585.00
Jamisen Etzel	Partner	6.7	$1,000	$6,700.00
Nicholas Colella	Partner	159.3	$950	$151,335
Anasuya Shekhar	Associate	2.2	$850	$1,870.00
Patrick Donathen	Associate	50.9	$750	$38,175.00
Connor Hayes	Associate	7.6	$750	$5,700.00
Lucia Romani	Associate	2.1	$550	$1,155.00
William Jelley	Associate	2.5	$350	$875.00
Julia DeRienzo	Associate	5.1	$350	$1,785.00
Dan Hart	Paralegal	15.4	$350	$5,390.00
Total:		**258.9**		**$222,570.00**

23. Lynch Carpenter's total compensable time is 258.9 hours, and its total lodestar is $222,570.

24. Lynch Carpenter requests reimbursement of $22,537.05 in expenses reasonably and necessarily incurred in this action.

Category	Expenses
Court Fees	$405.00
Mediation	$22,132.05
Total:	**$22,537.05**

25. CCMS's compensable time and lodestar are summarized below.

Professional	Title	Hours	Rate	Lodestar
Bryan Clobes	Partner	3.8	$1,400.00	$5,320.00
Daniel Herrera	Partner	4.0	$1,300.00	$5,200.00
Nickolas Hagman	Partner	99.3	$1,100.00	$109,230.00
Nabihah Maqbool	Associate	0.1	$850.00	$85.00
Alex Lee	Associate	61.0	$800.00	$48,800.00
Sharon Nyland	Paralegal	3.7	$500.00	$1,850.00
Kelly McDonald	Paralegal	5.1	$500.00	$2,550.00
Sophia Fifer	Paralegal	1.7	$500.00	$850.00
Lauren Nichols	Paralegal	4.8	$475.00	$2,280.00
Total:		**183.5**		**$176,165.00**

26. CCMS's total compensable time is 183.5 hours, and its total lodestar is $176,165.00.

27. CCMS requests reimbursement of $782.85 in expenses reasonably and necessarily incurred in this action.

Category	Expenses
Filing Fee	$70.00
Computer Research	$691.85
Electronic Agreements	$21.00
Total:	**$782.85**

28. Milberg's time and lodestar for this action are summarized below.

Professional	Title	Hours	Rate	Lodestar
David Lietz	Sr. Partner	31.3	$1,227.00	$38,405.10
Gary Klinger	Sr. Partner	41.5	$1,019.00	$42,288.50
Casondra Turner	Sr. Counsel	3.5	$1,019.00	$3,566.50
John Nelson	Partner	8.3	$902.00	$7,486.60
Mariya Weekes	Partner	5.7	$1,019.00	$5,808.30
Glen Abramson	Partner	3.9	$1,057.00	$4,122.30
Dean Meyers	Associate	14.5	$625.00	$9,062.50
Heather Sheflin	Paralegal	3.2	$277.00	$886.40
Kendal McLaughlin	Paralegal	0.3	$277.00	$83.10
Sandra Passanisi	Paralegal	2.6	$277.00	$720.20
Ashley Tyrrell	Paralegal	6.4	$277.00	$1,772.80
Kerry Brennan	Paralegal	0.7	$277.00	$193.90
Amanda K. Mkamanga	Paralegal	0.2	$277.00	$55.40
Total:		**122.1**		**$114,451.60**

29. Milberg's total time is 122.1 hours, and its total lodestar is $114,451.60.

30. Milberg reports $565.75 in litigation expenses, consisting of $405.00 in court fees and $160.75 in process-server expenses, as summarized below.

Category	Expenses
Court Fees	$405.00
Process Servers	$160.75
Total:	**$565.75**

31. BRB reports the following time and lodestar for this action.

Professional	Title	Hours	Rate	Lodestar
Stephen R. Basser	Partner	5.2	$1,350.00	$7,020.00
Jeffrey W. Golan	Partner	6.7	$1,350.00	$9,045.00
Samuel M. Ward	Partner	0.2	$1,250.00	$250.00
Andrew Jimin. Heo	Associate	75.2	$800.00	$60,160.00

Professional	Title	Hours	Rate	Lodestar
Gavin R. O'Hara	Paralegal	4.3	$600.00	$2,580.00
Total:		**91.6**		**$79,055.00**

32. BRB reports 91.6 total hours and a total lodestar of $79,055.00, consisting of 12.1 partner hours and $16,315.00 in partner lodestar, 75.2 associate hours and $60,160.00 in associate lodestar, and 4.3 paralegal hours and $2,580.00 in paralegal lodestar.

33. BRB reports $723.26 in litigation expenses, as summarized below.

Category	Expenses
Computer and Other Research Fees	$278.68
Court Fees	$95.00
Postage	$3.84
Reproduction/Scan (In-House)	$8.20
Service Fees	$179.95
Telephone/Facsimile	$157.59
Total:	**$723.26**

34. The submitted schedules for LC, CCMS, Milberg, and BRB report a subtotal of 656.1 hours, $592,322.60 in lodestar, and $24,608.91 in litigation expenses. Class Counsel request attorneys' fees, costs, and expenses of $2,166,666.66, representing one-third of the $6,500,000 Settlement Fund. SA § IV.8.1. The expense request excludes costs of notice and settlement administration, which will be paid separately from the Settlement Fund. The fee request, after deducting costs and expenses, is $2,142,057.75. Dividing the $2,142,057.75 fee request by the total verified lodestar, it produces a multiplier of 3.62. The firm-by-firm summary is as follows:

Firm	Hours	Lodestar	Expenses
Lynch Carpenter	258.9	$222,570.00	$22,537.05
CCMS	183.5	$176,165.00	$782.85
Milberg	122.1	$114,451.60	$565.75
BRB	91.6	$79,055.00	$723.26
Subtotal excluding LC	**656.1**	**$592,322.60**	**$24,608.91**

35. The Court appointed Joel Hood, Elias Nemiri, Gideon Bauer, Elizabeth Golec, and Alexys Taylor as Class Representatives. ECF No. 64 ¶ 16. Plaintiffs request Service Awards of $2,500 each, totaling $12,500, consistent with the maximum permitted by SA § IV.8.2. The total requested Service Awards represent approximately 0.19% of the $6,500,000 Settlement Fund.

36. Nicholas A. Colella is a partner in Lynch Carpenter's Pittsburgh office. He earned his law degree from the University of Florida in 2017 and joined Lynch Carpenter in 2020, where his practice includes consumer-protection and data-privacy litigation. He is licensed to practice in Pennsylvania, Florida, and Georgia. Since joining Lynch Carpenter, he has been named as Interim Class Counsel and Settlement Class Counsel in dozens of complex litigation cases, including in this District.

37. Nickolas J. Hagman is a partner at CCMS and practices in its Chicago office. He joined the firm in 2019 after five years at a plaintiffs' consumer class-action firm. He earned his law degree, cum laude, from Marquette University Law School in 2013, with a Certificate in Litigation, and is admitted in Illinois and Wisconsin. He authored the settlement-procedures chapter in the 2024 edition of the Illinois Institute for Continuing Legal Education Class Actions handbook.

38. Lynch Carpenter's current firm resume is designated Exhibit A, and CCMS's current firm resume is designated Exhibit B.

39. We declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2026
in Pittsburgh, Pennsylvania

/s/ Nicholas A. Colella
Nicholas A. Colella

Executed on November 3, 2026
in Chicago, Illinois

/s/ Nickolas J. Hagman
Nickolas J. Hagman