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12 Attorneys for Plaintiffs

13 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

14 **FOR THE COUNTY OF ALAMEDA**

15 PATRICIA BLAND and EDWARD
16 WHITE, individually and on behalf of all
17 others similarly situated,

18 Plaintiff,

19 v.

20 PREMIER NUTRITION COMPANY, LLC;
21 and DOES 1-25, inclusive,

22 Defendant.

23 KATHLEEN SONNER, individually and on
24 behalf of all others similarly situated,

25 Plaintiff,

26 v.

27 PREMIER NUTRITION COMPANY, LLC;
28 and DOES 1-25, inclusive,

Defendant.

Lead Case No. RG19002714
Related to RG20072126 (Sonner)

Assigned for All Purposes to:
Honorable Michael Markman
Department 1

CLASS ACTION

DECLARATION OF ADAM R. PULVER

Date: May 5, 2026
Time: 10:00 a.m.

Bland Complaint Filed: 1/15/2019
Sonner Complaint Filed: 9/01/2020

1 I, Adam R. Pulver, declare as follows:

2 1. I am an attorney at Public Citizen Litigation Group (PCLG), located at 1600 20th
3 Street NW, Washington, DC 20009. I am a member in good standing of the bars of the District
4 of Columbia and New York and several federal courts, including the Supreme Court of the
5 United States.

6 2. My office participated as co-counsel for the plaintiffs in the Supreme Court
7 proceedings in *Premier Nutrition Corp. v. Montera*, No. 24-999, to be settled in conjunction
8 with the settlement in this case. I submit this declaration in support of an award of attorney fees
9 incurred in connection with that work, which materially contributed to the resolution of all issues
10 in both this Action, the *Montera* Action, and the Other Actions.

11 3. PCLG is a public interest law firm that litigates cases at all levels of the federal
12 and state judiciaries, including the U.S. Supreme Court. Founded in 1972, PCLG is the litigation
13 arm of Public Citizen, a not-for-profit membership organization devoted to research, advocacy,
14 and education on a wide range of public health and consumer safety issues. PCLG attorneys
15 have argued sixty-seven cases before the United States Supreme Court and appeared as lead
16 counsel, co-counsel, or counsel for an amicus in hundreds more.

17 4. In 1990, PCLG founded its Supreme Court Assistance Project, through which we
18 also assist other lawyers with cases before the United States Supreme Court. Our assistance
19 includes drafting oppositions to petitions for certiorari, answering questions about Supreme
20 Court practice, strategizing, and holding moot courts for dozens of attorneys each year. Plaintiffs
21 frequently retain our services because we are knowledgeable in the special kinds of arguments
22 needed to oppose a writ of certiorari in the Supreme Court, and our familiarity with Supreme
23 Court procedures allows us to prepare a compliant brief in less time than would be required by
24 attorneys who are not experienced in Supreme Court practice. Indeed, opposing certiorari entails
25 a different approach than briefing the merits of a case, and certiorari-stage advocacy is very
26 different from the day-to-day work of most lawyers.

27 5. After the defendants in this case filed a petition for a writ of certiorari in the
28 *Montera* matter, I spoke with plaintiffs' counsel at Blood Hurst & O'Reardon, LLP about

1 assisting with the opposition to the petition. We decided that I would take the lead in drafting
 2 that brief. A junior lawyer in my office, Zach Shelley, assisted me and conducted much of the
 3 legal research. I filed the brief on May 22, 2025. The parties reached a settlement in principle
 4 before the Supreme Court ruled on the petition, and the petition is being held in abeyance
 5 pending approval of this settlement.

6 6. Mr. Shelley and I contemporaneously recorded our time spent on this case in our
 7 office's timekeeping software. copy of our time records in this case. In accordance with our
 8 usual practice, Mr. Shelley and I did not record time for brief emails or discussions, nor did we
 9 record time spent by our Director, Allison Zieve, in reviewing the brief.

10 7. For work performed on this case, PCLG's lodestar totals \$55,202.40. The
 11 lodestar is based on the following hours and rates:

12	Adam Pulver	25.3 hours at \$948.00	\$23,984.40
13	Zach Shelley	66.0 hours at \$473.00	\$31,218.00
14	Total	\$55,202.40	

15 8. I graduated from Columbia Law School in 2008. I was admitted to the bar of the
 16 State of New York in 2009 and to the bar of the District of Columbia in 2014. I am also an
 17 inactive member of the California bar, having been an active member from December 2009 until
 18 February 2014. After graduating law school, I spent two years as a judicial law clerk in the
 19 United States District Court for the Central District of California, before joining the firm of
 20 Emery Celli Brinckerhoff & Abady LLP in New York, where I was an associate from 2010 to
 21 2013. At Emery Celli, my work focused on appellate litigation and civil rights litigation. After
 22 relocating to Washington, DC, I joined the Office of the United States Solicitor of Labor, where
 23 I worked from 2014 to 2017. There, my responsibilities included coordination with the Solicitor
 24 General's Office in cases before the Supreme Court. I joined PCLG in July 2017. My practice
 25 at PCLG consists of complex federal litigation with particular emphases on consumer law and
 26 federal civil procedure in federal courts of appeals and the Supreme Court. Among my work, I
 27 have served as lead counsel in successfully opposing certiorari in more than a dozen cases, in
 28 addition to providing advice and assistance in numerous other cases.

1 9. Zach Shelley graduated from Yale Law School in 2023, and is admitted to the
2 District of Columbia Bar. After graduation, he served as a judicial law clerk for the Honorable
3 James A. Wynn of the United States Court of Appeals for the Fourth Circuit. From August 2024
4 to August 2025, he served as the Supreme Court Assistance Project fellow at PCLG, where he
5 assisted plaintiffs' lawyers and lawyers for non-profit organizations with all aspects of Supreme
6 Court litigation. Among his responsibilities included monitoring all petitions for certiorari in
7 counseled civil cases, and assisting myself and other lawyers in our office in drafting
8 oppositions.

9 10. The hourly rates set forth above are those set forth in the "Laffey Matrix" for
10 June 2024 through May 2025. The federal courts in the District of Columbia often use this matrix
11 to determine hourly rates in cases in which a fee-shifting statute permits the prevailing party to
12 recover reasonable attorney fees. The Laffey Matrix is based on the hourly rates allowed by the
13 District Court in *Laffey v. Northwest Airlines, Inc.*, 572 F. Supp. 354 (D.D.C. 1983), *aff'd in*
14 *part, rev'd in part on other grounds*, 746 F.2d 4 (D.C. Cir. 1984). The hourly rates approved in
15 Laffey were for work done principally in 1981–82. The current version of the Laffey Matrix,
16 available at <http://www.laffeymatrix.com/see.html>, uses those rates adjusted according to
17 changes in the cost of legal services as measured by the nationwide Legal Services Component
18 of the Consumer Price Index.

19 11. The rates set forth in this matrix are generally considered to be lower than actual
20 DC market rates, particularly for work before the U.S. Supreme Court.

21 12. PCLG has been awarded fees for similar work at rates based on this matrix,
22 including for work done in drafting oppositions to certiorari. *See, e.g., Clarke v. AMN Services,*
23 *Inc.*, Order and Judgment re Final Approval of Class, Collective and PAGA Settlement, No.
24 BC619695 (Cal. Super. Ct. June 6, 2024); *Ermold v. Davis*, No. 15-46-DLB-EBA, 2023 WL
25 9058371, at *2 (E.D. Ky. Dec. 28, 2023); *Karl v. Zimmer Biomet Holdings, Inc.*, No. C 18-
26 04176, 2022 WL 658970, at *5 (N.D. Cal. Mar. 4, 2022); *Harlick v. Blue Shield of California*,
27 No. C 08-3651-SC, 2013 WL 2422900, at *5 (N.D. Cal. June 3, 2013); *Compton Unified Sch.*
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1 *Dist. v. Addison*, No. CV0604717AHMPJWX, 2012 WL 13075379, at *4 (C.D. Cal. Feb. 24,
2 2012).

3 I declare under penalty of perjury that the foregoing is true and correct. Executed this
4 20th day of February 2026, in Washington, DC.

5 */s/ Adam R. Pulver*
6 Adam R. Pulver

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