

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

Ben Hawkins, <i>on behalf of himself</i>	:	
<i>and all others similarly situated,</i>	:	Case No. 1:19-cv-01186
	:	
Plaintiff,	:	
v.	:	Hon. Judge Leonie M. Brinkema
	:	
Navy Federal Credit Union,	:	
	:	
Defendant.	:	
_____	:	

**DECLARATION OF JEFFREY S. GOLDENBERG IN SUPPORT OF
PLAINTIFF’S MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND EXPENSES
AND FOR A CLASS REPRESENTATIVE SERVICE AWARD**

I, Jeffrey S. Goldenberg, Esq., hereby declare under penalty of perjury and pursuant to 28 U.S.C. 1746, as follows:

1. I am a partner and founder in the law firm Goldenberg Schneider, LPA, and I am one of the Class Counsel in this litigation. I make this Declaration of my own personal knowledge, and if called to do so, I could testify competently to the matters stated herein.

2. I graduated Phi Beta Kappa from Indiana University, Bloomington, Indiana in 1988 (B.A. Biology) and received my law degree from Indiana University in 1994. I also received a master’s degree in environmental science from Indiana University in 1994.

3. I am admitted to the practice of law in the State of Ohio (1994), the United States Court of Appeals for the Sixth Circuit, Second Circuit, and Ninth Circuit, the United States District Court for the Southern and Northern Districts of Ohio, and the Northern District of Illinois. I also have been admitted pro hac vice to various federal district courts throughout the United States. I am a member in good standing of the Ohio Bar and have never been the subject of any disciplinary proceeding.

4. I am one of the attorneys representing Plaintiff Hawkins and the Class in this litigation. I have been involved in every aspect of this litigation beginning with the initial investigation leading to the filing of the Complaint.

5. Plaintiff Hawkins' attorneys have vigorously prosecuted this action on a wholly contingent basis and have advanced all costs and expenses for this litigation. Collectively, the law firms representing Mr. Hawkins and the Class have paid \$12,323.10 in expense during the prosecution of this litigation.

6. Goldenberg Schneider, LPA has paid \$10,157.09 in expenses broken down into the following categories:

(a)	Mediator Fees	\$8,500.00
(b)	Travel	\$1,066.46
(c)	Legal Research	\$460.29
(d)	Court Fees	\$75.00
(e)	Photocopies	\$54.34
(f)	Postage	\$1.00

7. The Lyon Firm has paid \$1,616.01 in expenses broken down into the following categories:

(a)	Travel	\$1,294.01
(b)	Mileage	\$322.00

8. The Miller Firm has paid \$550.00 in expenses to cover various filing fees.

9. As part of the settlement implementation process, Navy Federal Credit Union ("NFCU") identified approximately 66,000 unique phone numbers that received texts from NFCU and had been coded as "wrong numbers."

10. The Settlement Administrator performed reverse searches on these 66,000 unique cell phone numbers and identified 60,538 names and addresses associated with these phones numbers.

11. NFCU then reviewed these 60,538 names and addresses and removed any members of NFCU (non-class members).

12. The Settlement Administrator then was able to generate a class list containing 57,195 records – representing non-members who received texts. While not precise, under these circumstances, this 57,195 figure represents the best practicable estimate of the number of non-member cell phones texted.

13. Based upon information received from the Settlement Administrator, a notice of settlement was sent by regular U.S. mail to nearly 51,000 potential class members, and email notice was provided to more than 28,500 potential class members.

14. As of the date of filing of this declaration, no objections to the settlement have been received.

Executed on July 8, 2020.

/s/ Jeffrey S. Goldenberg
JEFFREY S. GOLDENBERG, ESQ.