

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

JOHN CECIL,
on behalf of himself and all others similarly
situated,

Plaintiff,

vs.

BP AMERICA PRODUCTION COMPANY
(f/k/a Amoco Production Company)
(including BP Amoco Corporation, ARCO,
BP Exploration, Inc., BP Corporation North
America, Inc., and BP Energy Company),

Defendant.

Civil Action No. 16-CV-00410-KEW

DECLARATION OF JEFFREY J. ANGELOVICH

I, Jeffrey J. Angelovich of Nix Patterson, LLP (“NP”), under penalty of perjury, declare as follows:

1. I am a senior partner at NP. I submit this declaration to provide the Court with the time and expenses that NP has invested in the prosecution of this action.¹ Unless otherwise stated, the statements herein are made based upon my personal knowledge and information available to me to the best of my recollection, and while I do not believe there are any errors, omissions, incomplete or incorrect statements, to the extent any occur, they are wholly accidental and unintentional. If called as a witness, I could and would competently testify to the matters stated herein.

¹ In addition to serving as counsel of record for Plaintiff, John Cecil, in this matter, NP also serves as counsel for Plaintiff, Chieftain Royalty Company, in the related action, *Chieftain Royalty Co. v. BP America Production Co.*, Case No. 6:16-CV-444-JHP (E.D. Okla.).

2. NP has served as lead counsel in numerous Oklahoma royalty underpayment oil and gas class actions, including several in this Court, that have resulted in common fund settlements totaling hundreds of millions of dollars.²

3. To date, NP has invested 764.8 hours in the prosecution of this Litigation and very conservatively estimates it will expend another 25 hours in the future to assist in fully implementing the Settlement if finally approved. This is a conservative estimate of the amount of time NP has spent litigating this matter. Based on my experience on a day-to-day basis working in complex commercial litigation, there are numerous hours I and other NP attorneys and staff work that are not documented by a contemporaneous record. Moreover, because NP does not generate revenue by billing its clients by the hour, we are conservative when we record our time and generally under-record our hours. Finally, we have not allocated any time for the numerous impromptu meetings, calls, regular time keeping and discussions that are commonplace within a fast-paced litigation team but for which we have no contemporaneous record. Thus, the total hours described above are undoubtedly conservative.

4. To support the reasonableness of NP's fee request, it incorporates the analysis of the *Johnson* factors in the Joint Declaration of Plaintiff's Counsel in Support of Plaintiff's Application for Plaintiff's Attorneys' Fees, Litigation Expenses, Case Contribution Award, and Administration, Notice and Distribution Costs and the exhibits thereto ("Joint Declaration") at ¶¶ 93-107.

5. The books and records of NP itemize the expenses NP has paid to prosecute this case to date. It is the policy and practice of NP to prepare such records from expense vouchers, check records, credit card records, and other source materials. Based on my oversight of the

² More detailed information about NP and its successes may be found at www.nixlaw.com.

work in connection with this Litigation and my review of these records, NP has incurred total expenses of \$184,327.28 to date. All expenses were reasonable and necessary to the successful conclusion of this case. NP may present additional expenses incurred after the execution of this Declaration at the Final Fairness Hearing.

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

Executed on October 5, 2018.

A handwritten signature in blue ink, appearing to read "Jeffrey J. Angelovich". The signature is fluid and cursive, with a large initial "J" and "A".

Jeffrey J. Angelovich