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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NEETA THAKUR, *et al.*,) Case No. 25-cv-4737-RFL
)
Plaintiffs,) **DECLARATION OF JANELLA DAVIS IN**
) **SUPPORT OF FEDERAL DEFENDANTS'**
) **OPPOSITION TO PLAINTIFFS' MOTION TO**
) **AMEND AND MOTION FOR A PRELIMINARY**
v.) **INJUNCTION AND CLASS CERTIFICATION**
) **AS TO DOE**
DONALD J. TRUMP, in his official capacity as)
President of the United States, *et al.*,)
Defendants.) Judge: Hon. Rita F. Lin
)
)
)

I, Janella Davis, pursuant to 28 U.S.C. § 1746, and based upon my personal knowledge and information known to me from official records reasonably relied upon by me in the course of my employment, hereby declare as follows relating to the above titled matter.

1. I am the Acting Director of the Office of Acquisition Management within the Office of Management and the Acting Senior Procurement Executive at the United States Department of Energy

1 (DOE). I have held this position since June 2025. In this position, I am responsible for overseeing DOE's
2 acquisition and financial assistance policies, regulations and oversight programs. As the Acting Senior
3 Procurement Executive, I delegate authority to thirteen Heads of Contracting Activities to enter into and
4 administer contracts, financial assistance agreements, and other transactions agreements. I have DOE-
5 wide responsibility and authority to provide overall direction of the Department's procurement system
6 which includes acquisition and financial assistance. My authority does not include the National Nuclear
7 Security Administration, the Federal Energy Regulatory Commission, or the Bonneville Power
8 Administration.

9 2. I have personal knowledge of the matters set forth below, except those matters that are
10 based on information conveyed to me in my official capacity, which I believe to be true, and could and
11 would testify competently to them if called to do so. I make this declaration in support of the Federal
12 Defendants' memorandum in opposition, filed concurrently herewith.

13 3. Plaintiffs filed in support of their motion a declaration from Claudia Polsky, which includes
14 as an exhibit a spreadsheet produced by the University of California in response to a California Public
15 Records Act request. *See* Polsky Decl. ¶¶ 2–3 & Ex. A (hereinafter “Exhibit A”). The spreadsheet appears
16 to list 34 awards from the Department of Energy. DOE has worked diligently with counsel, site acquisition
17 offices, and program offices to obtain relevant information from DOE's award files about the awards listed
18 in Plaintiffs' spreadsheet.

19 4. All Department of Energy financial assistance awards have a Federal Award Identifier
20 Number (“FAIN”). A FAIN is a unique ID assigned to each federal financial assistance award in order to
21 quickly identify it across the Department. The ID number is assigned by DOE. DOE FAINs typically
22 begin with “DE” and often contain information about the program office administering the grant. For
23 example, an award with a FAIN of “DE-SC0023456” would be administered by the Office of Science
24 (“SC”) within DOE.

25 5. DOE's awards are most readily identified by a FAIN, and it is significantly more efficient
26 for DOE to locate information about an award when its FAIN is provided. The absence of a FAIN makes
27 it considerably more difficult and time-consuming to identify an award.

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1 6. In addition, although DOE can identify awards made directly to a University of California
2 institution, we cannot systematically identify UC personnel who may be involved in awards issued to non-
3 UC institutions. In other words, DOE has no mechanism that permits reliable, comprehensive search by
4 individual UC researchers.

5 7. Given this, it took DOE considerable time to identify the awards listed without FAINs.
6 DOE has now identified those awards, but we have been unable to verify any of the information for these
7 awards given the limited time available. These include the grants listed by Plaintiffs as having the
8 following, non-FAIN award numbers: “SUB-2024-10252”; “228132” “A144556” “A140373”
9 “MA2057”; and “1564668.” As of December 8, 2025, DOE is continuing to work diligently to verify the
10 information for these grants.

11 8. DOE was able to locate information and application materials regarding the awards
12 identified by Plaintiffs with FAINs.

13 9. DOE confirmed that no termination or suspension letter has been issued with respect to the
14 following assistance awards:

- 15 a. DE-FE0031940. This award was at the end of its budget period in March 2025 and is
16 in the closeout process.
- 17 b. DE-FE0032107. This award ended on June 30, 2025 and is being processed as a
18 closeout.
- 19 c. DE-EE0009648. This award was set for closeout but requested a no cost time extension.
- 20 d. DE-EE0011167. This award’s most recent budget period ended in July 2025 and the
21 award is pending review.
- 22 e. DE-NE0008951. This award ended by its terms in 2024.
- 23 f. DE-SC002458.
- 24 g. DESC0021369.
- 25 h. DESC0025207.
- 26 i. DE-AC02-05CH11231.
- 27 j. DE-SC0024580.

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k. DE-SC0025060. This award ended by its terms on June 21, 2025.

10. DOE has located and reviewed the application and award materials for the grants identified by Plaintiffs that DOE confirmed were terminated or suspended. However, DOE has not attached any application materials as exhibits to this declaration because the limited time available to respond to Plaintiffs' motion did not permit a legally compliant review of the confidential business information, trade secrets, and personal identifying information (PII) contained within them. Given these privacy and confidentiality considerations, DOE must ensure that any disclosure is made with appropriate safeguards.

11. DOE pulled application and award materials regarding DE-EE0010400. A termination or suspension letter has not been issued with respect to this award. However, this grant is currently under review and payments under the grant are currently paused. A list of key personnel in the grant application names two UC personnel as principal investigators (PIs): Dr. Javier Niclau and Professor Zhihong Lin.

12. DOE determined that the following grants were suspended on July 31, 2025, but have been reinstated due to the preliminary injunction in place in *American Association of University Professors, et al. v. Donald J. Trump, et al.*, No. 25-cv-07864-RFL, 2025 WL 3187762 (N.D. Cal. Nov. 14, 2025):

- a. DE-NE009405. DOE pulled application and award materials for this grant, and the grant application lists 1 UC personnel, Ali Mosleh, as PI.
- b. DE-NE0009415. DOE pulled application and award materials for this grant, and the grant application lists 1 UC personnel, Ali Mosleh, as PI.
- c. DE-EE0011052. DOE pulled application and award materials for this grant, and the grant application lists 1 UC personnel, Jim Davis, as PI.

13. DOE pulled application and award materials regarding the following grants that have been terminated or suspended, and are currently not active:

- a. DE-EE0010992. The grant application lists one UC personnel, Diego Rosso, as a Co-PI.
- b. DE-EE0009779. The technical submission in the grant application lists one UC personnel, Professor Scott Samuelsen, as a Co-PI.

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- 1 c. DE-EE0011345. The technical submission for the grant application lists two UC
- 2 personnel, Dr. Iryna Zenyuk and Ali Mohroz, as “key personnel.”
- 3 d. DE-EE0011353. The technical submission for the grant application lists one UC
- 4 personnel, Dr. Iryna Zenyuk, as a lead researcher.
- 5 e. DE-EE0011326. The technical submission for the grant application lists one UC
- 6 personnel, Dr. Iryna Zenyuk, as a technical contact for UC Irvine.
- 7 f. DE-EE0011322. The project objectives submission for the grant application lists one
- 8 UC personnel, Dr. Shannon Boettcher, as lead PI.
- 9 g. DE-EE0010499. The statement of project objectives for the grant application lists
- 10 one UC personnel, Jeffery Long, as PI.
- 11 h. DE-EE0010724. As of December 8, 2025, DOE is continuing to work diligently to
- 12 verify the information for this award.

13

14 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and

15 correct. Executed on December 8, 2025.

16 /s/ Janella Davis

17 Janella Davis