

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**EXHIBITS 2 THROUGH 12:  
DECLARATIONS IN SUPPORT OF MOTION FOR SANCTIONS**

**INDEX**

Declaration of David E. Kendall  
in support of Clinton’s request for sanctions .....Exhibit 2

Declaration of Robert P. Trout  
in support of HFACC’s and Podesta’s request for sanctions.....Exhibit 3

Declaration of Shawn G. Crowley  
in support of DNC’s, DNC Services Corp.’s, and Wasserman Schulz’s request for  
sanctions.....Exhibit 4

Declaration of Wendy B. Reilly  
in support of Mook’s request for sanctions.....Exhibit 5

Declaration of Joshua A. Levy  
in support of Fusion GPS’s, Simpson’s, and Fritsch’s request for sanctions .....Exhibit 6

Declaration of Joshua Berman  
in support of Bruce and Nellie Ohr’s request for sanctions.....Exhibit 7

Declaration of Franklin Monsour Jr.  
in support of Danchenko’s request for sanctions.....Exhibit 8

Declaration of Samantha L. Southall  
in support of Neustrar Inc.’s request for sanctions .....Exhibit 9

Declaration of John M. McNichols  
in support of Neustrar Security Services’s request for sanctions .....Exhibit 10

Declaration of Stephen A. Tyrrell  
in support of Joffe’s request for sanctions .....Exhibit 11

Declaration of Enjoliqué A. Lett  
in support of Orbis Business Intelligence’s request for sanctions .....Exhibit 12

# EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF DAVID E. KENDALL IN SUPPORT OF  
DEFENDANT HILLARY R. CLINTON'S MOTION FOR SANCTIONS AND FEES**

I, David E. Kendall, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am Senior Counsel at Williams & Connolly LLP and counsel of record for Defendant Hillary R. Clinton in the above captioned matter.

2. Attached as Exhibit A are the law firm website biographies of the attorneys at this firm (David E. Kendall, Katherine M. Turner, Michael J. Mestitz) and at the firm of our local counsel, David Oscar Markus, for whom Defendant Clinton seeks attorneys' fees. The biographies reflect the professional qualifications of those attorneys.

3. Williams & Connolly LLP entered into a retention agreement with Defendant Clinton which covers representation in the present litigation. Defendant Clinton agreed to pay the firm's costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm's customary hourly rates.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Defendant Clinton in this case. Counsel are not seeking reimbursement for the attorneys' customary hourly rates charged to the client. Instead, counsel seek fees at the following discounted hourly rates: for David E. Kendall and Katherine M. Turner at \$700, for Michael J. Mestitz at

\$450, and for David Oscar Markus at \$625. These discounted hourly rates represent discounts of 45%, 44%, 30% and 28% from rates actually billed and are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B provides an accurate statement of the work billed or that will be billed by these attorneys on this case from March 24 to September 30, 2022, during the period for which discounted fees are sought.

5. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with the three different phases of the case.

6. First, reflected in Chart A, the discounted fees incurred by Defendant Clinton from the filing of the initial complaint to the filing of Defendant Clinton’s initial motion to dismiss total \$44,975.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Hourly Fee</b>	<b>Hours</b>	<b>Fees</b>
David E. Kendall	\$700	21	\$14,700
Katherine M. Turner	\$700	8	\$5,600
Michael J. Mestitz	\$450	34	\$15,300
David Oscar Markus	\$625	15	\$9,375

7. Second, as reflected in Chart B, the discounted fees incurred by Defendant Clinton from the filing of Defendant Clinton’s initial motion to dismiss to this Court’s dismissal of the suit total \$99,725. During this period, the undersigned acted as coordinating counsel to facilitate the filing of a single joint motion to dismiss the Amended Complaint.

**Chart B: Fees incurred from initial MTD to Court’s dismissal of Amended Complaint**

<b>Timekeeper</b>	<b>Discounted Hourly Fee</b>	<b>Hours</b>	<b>Fees</b>
David E. Kendall	\$700	54.1	\$37,870
Katherine M. Turner	\$700	23.4	\$16,380
Michael J. Mestitz	\$450	58	\$26,100
David Oscar Markus	\$625	31	\$19,375

8. Finally, as reflected in Chart C, the discounted fees incurred by Defendant Clinton in connection with the motion for sanctions, from the Court’s dismissal of the suit to October 1, 2022, total \$27,515. During this period, the undersigned acted as coordinating counsel to facilitate the filing of a single joint Defendants’ motion for sanctions.

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Hourly Fee</b>	<b>Hours</b>	<b>Fees</b>
David E. Kendall	\$700	14.7	\$10,290
Katherine M. Turner	\$700	4.2	\$2,940
Michael J. Mestitz	\$450	24.8	\$11,160
David Oscar Markus	\$625	5	\$3,125

9. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

10. In connection with this case, counsel incurred certain necessary costs for electronic legal research. I understand that courts in this Circuit have held that legal research costs are not

ordinarily taxable as costs under 28 U.S.C. § 1920, but are properly considered a component of attorneys' fees. *Springer v. Convergys Corp.*, No. 3:03-CV-302-J-99MCR, 2006 WL 8439203, at \*2 (M.D. Fla. July 7, 2006). As such, in addition to the discounted fees set out above, Clinton requests an award of \$4,197.31 incurred for electronic legal research.

11. Consistent with Local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff's counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff's counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

/s/ David E. Kendall

David E. Kendall

Dated: October 31, 2022

# **EXHIBIT A**





## David E. Kendall

Senior Counsel  
dkendall@wc.com  
202-434-5145

### Education

- Yale Law School, J.D., 1971; Note and Comment Editor, *Yale Law Journal*
- University of Oxford, M.A., 1968; Rhodes Scholarship
- Wabash College, B.A., *summa cum laude*, 1966; Phi Beta Kappa

### Recognitions

- Received top rankings in general commercial litigation (2007-2018) and media and entertainment law (2004-2016) in *Chambers USA: America's Leading Lawyers for Business*
- Recognized as one of *The Best Lawyers in America*® for over 25 years
- "Washington, D.C. Bet-The-Company Litigation Lawyer of the Year," *The Best Lawyers in America*®, 2015
- "Washington, D.C. First Amendment Lawyer of the Year," *The Best Lawyers in America*®, 2012

David Kendall has had a checkered legal career. His acquaintance with the legal process began when he was arrested several times (but convicted only once) in Mississippi during the summer of 1964 while attempting to register voters.

After studying at Oxford as a Rhodes Scholar, graduating from Yale Law School, and clerking for Justice Byron R. White, he spent five years as associate counsel at the NAACP Legal Defense & Educational Fund, Inc., litigating a variety of civil rights cases and defending a large number of death penalty cases. He represented clients at trial, before state supreme courts, in the Supreme Court of the United States, and in state and federal post-conviction proceedings. He argued *Coker v. Georgia*, 433 U.S. 584 (1977), in which the Supreme Court declared the death penalty unconstitutional for rape. He represented Florida Death Row inmate John Spenkellink in extensive appellate and post-conviction proceedings and represented Utah inmate Gary Gilmore's mother in seeking a stay of execution from the Supreme Court. *Gilmore v. Utah*, 429 U.S. 1012 (1976). He devised a legal challenge to lethal injection. *Chaney v. Heckler*, 718 F.2d 1174 (D.C. Cir. 1983), *rev'd* 470 U.S. 821 (1985).

At Williams & Connolly since 1978, and a partner from 1981 to 2014, Mr. Kendall continues his practice as Senior Counsel to the firm. He has litigated a variety of civil and criminal cases at the trial and appellate level and has had jury trials in the District of Columbia, Indiana, Maryland, Pennsylvania, Georgia, Alabama, and Minnesota. He has appeared in trial courts in 23 states and has argued appeals in six federal courts of appeal, seven state supreme courts, and the Supreme Court of the United States. David Kendall is highlighted in the 2014 edition of *The Legal 500* for his "diverse practice" which "sees him representing clients across the country from Maryland to Minnesota."

Mr. Kendall has represented a wide variety of criminal defendants who have been charged with such "white collar" offenses as conspiracy, bribery, mail fraud, wire fraud, and obscenity at trial and on appeal. He has represented numerous clients before state and federal grand juries in agency investigations and in corporate internal investigations (many of these representations are, thankfully, unknown to the general public). He represented Bechtel

Infrastructure in various criminal and civil investigations relating to the "Big Dig" in Boston.

In civil litigation, he has represented accounting firms in a number of different matters, including Arthur Andersen in the University Savings case in Houston. He has represented McGladrey & Pullen in the A.H. Robins bankruptcy proceedings arising out of the Dalkon Shield litigation, and other matters. He has represented another Big Four accounting firm in proceedings related to the firm's investment and tax strategies. He has represented clients in commercial arbitration, winning for the Baltimore Orioles \$10 million and naming rights to the Camden Yards ballpark in 2001.

Mr. Kendall has represented lawyers and law firms in professional liability matters. He represented a number of clients during the savings and loan crisis of the 1980s and early 1990s, including accountants, lawyers, and S&L executives, in civil, criminal, and administrative proceedings. He began representing President and Mrs. Clinton in November 1993, in what was ostensibly a small savings and loan matter involving Whitewater Development Company, Inc. He went on to represent the Clintons in a variety of matters, including Independent Counsel, Senate, House of Representatives, FDIC, RTC, and bar counsel investigations, civil litigation, and the 1998-99 impeachment proceedings, and currently represents them in miscellaneous civil matters.

He has represented a number of individual and corporate media clients over the years, defending libel, privacy invasion, and copyright suits, fighting subpoenas to news gatherers, and prosecuting FOIA actions (arguing *Department of State v. Washington Post Co.*, 456 U.S. 595 (1982) in the Supreme Court). His clients have included The Washington Post, Newsweek, National Enquirer (where he supervised prepublication copy review for over a decade and a half), Playboy, Discovery Communications, U.S. Medicine, National Review, local television stations, and individual writers and journalists. He represented The Post at trial and on appeal in a marathon libel suit brought by the President of Mobil Oil and his son. *Tavoulares v. Washington Post Co. et al.*, 817 F.2d 762 (D.C. Cir. 1987) (en banc). In a libel suit arising out of the motion picture *Missing*, he successfully defended its director, Constantin Costa-Gavras, and Universal City Studios, *Davis v. Costa-Gavras*, 654 F. Supp. 653 (S.D.N.Y. 1987), in a case that established First Amendment protections for "docudramas."

Over the years, Mr. Kendall has advised the Motion Picture Association of America, the Recording Industry Association of America, and several member companies of both organizations on a variety of First Amendment, copyright, and other legal issues at trial, in Congressional and administrative agency investigations, and with

respect to proposed legislation. He has represented a number of copyright holders in anti-piracy suits against various Napster-like Internet services, such as Scour, Aimster, Morpheus, KaZaA, and Grokster. He represented the motion picture studios in their 9-0 anti-piracy victory in the Supreme Court, *MGM et al. v. Grokster, et al.*, 545 U.S. 913 (2005). He has also represented content providers in litigation against satellite, cable, and over-the-air copyright piracy. He has represented AOL in a number of Internet matters and has advised various clients on issues arising out of the Digital Millennium Copyright Act.

He is the author of several articles on constitutional, media, and criminal law and has taught constitutional and media law courses as an Adjunct Professor at Columbia Law School and Georgetown University Law Center. He was a member of the five-person ABA Task Force that drafted the *ABA Standards for Criminal Justice: Fair Trial and Free Press* released in 1991. He is on the Board of Directors of the NAACP Legal Defense & Educational Fund, Inc.



## Katherine M. Turner

Partner  
kturner@wc.com  
202-434-5487

### Education

- Harvard Law School, J.D., *cum laude*, 2004; Primary Editing Chair, *Harvard Law Review*
- Georgetown University, B.A., *summa cum laude*, 2001; Phi Beta Kappa

### Recognitions

- "Local Litigation Star," *Benchmark Litigation*, 2017 – 2023
- "Top 250 Women in Litigation," *Benchmark Litigation*, 2016 – 2022
- "40 & Under Hot List", *Benchmark Litigation*, 2017 – 2020
- Selected to Washington, D.C. "Rising Stars" list, *Super Lawyers*, 2014 – 2019

Katherine Turner is Co-Chair of Williams & Connolly's Accountant Liability and Congressional Investigations practice groups and is a member of the Firm's Executive Committee. She has extensive experience in defending accounting firms in professional liability litigation and regulatory matters, including work for three of the Big Four firms and a prominent national accounting firm. Her practice also encompasses complex litigation in several other substantive areas, including securities litigation and commercial contract disputes. She has represented corporations, professional firms, and individuals in a range of federal and state cases, at both the trial and appellate levels, and in arbitration before AAA, CPR, JAMS, and FINRA.

Katherine also has significant experience in representing clients in congressional investigations, including representation of Secretary Hillary Rodham Clinton before the House Select Committee on Benghazi and a recent representation of a government official in a matter before the House Committee on Oversight and Reform.

*Benchmark Litigation* has recognized Katherine as a "Litigation Star" in the areas of commercial litigation and white-collar criminal defense, 2017 – 2023, and among the "Top 250 Women in Litigation" for the last seven years.

Katherine was born and raised near Philadelphia, Pennsylvania and graduated from Georgetown University, *summa cum laude*, in 2001. She received her J.D., *cum laude*, from Harvard Law School, where she was an editor of the *Harvard Law Review*. She joined Williams & Connolly in 2005, after serving as a law clerk to the Honorable Bruce Marshall Selya of the United States Court of Appeals for the First Circuit.

Katherine co-founded the Firm's Women's Initiative and previously served as its Co-Chair. She has also served as Chair of the Firm's Intake Committee and a member of its Hiring Committee.

### Representative Experience

Though all cases vary and none is predictive, Katherine's experience includes:

- Current representation of Big Four accounting firm in arbitration related to audits of investment funds.

- Current representation of national accounting firm in professional liability litigation concerning audits of investment funds.
- Current representation of national accounting firm and two foreign Big Four firms in PCAOB investigations.
- Current representation of national accounting firm in an SEC investigation.
- Successful defense of individual in Title IX hearing, resulting in a finding of not responsible.
- Ongoing representation of Fortune 50 technology company in pre-litigation analyses of commercial contract and employee disputes.
- Successful representation of Big Four accounting firm in a two-year PCAOB investigation related to audits of a lending company, resulting in no action taken against firm or its auditors.
- Representation of national accounting firm in successful resolution of professional liability cases involving audits of a health insurance company and an employee benefit plan.
- Successful representation of national accounting firm in defense of professional liability claims arising from audits of funds invested in the Petters Ponzi scheme, including prevailing at summary judgment against ~\$1 billion claim brought by funds' bankruptcy trustee and defeating two investor suits at the motion-to-dismiss stage.
- Representation of Secretary Hillary Rodham Clinton before the House Select Committee on Benghazi and in connection with matters concerning her e-mail use.
- Representation of high-profile non-profit organization in internal investigation of board member's personal conduct.
- Representation of Fortune 50 healthcare company in successful resolution of securities class action litigation involving ~\$900M in alleged damages.
- Successful defense of several interdealer brokers in disputes with their former employer in series of FINRA arbitrations.
- Successful defense of technology company in JAMS arbitration involving alleged violations of trademark agreement, resulting in judgment in favor of client on all claims and an award of attorney's fees, following full merits trial.
- Successful representation of Big Four accounting firm in appeal of trial verdict in which the jury had found liability to a non-client arising from an audit.



## Michael J. Mestitz

Associate  
mmestitz@wc.com  
202-434-5085

### Education

- Stanford Law School, J.D., 2015; President, *Stanford Law Review*
- Vassar College, B.A., 2012; general and departmental honors, 2012; Phi Beta Kappa, Phi Beta Kappa Prize; Agnes Jackson Reynolds Prize; Vernon Venable Prize

### Recognitions

- *Super Lawyers* Rising Star, 2020
- Named one of *The Best Lawyers in America*® *Ones to Watch* for Appellate Practice, 2021

Michael Mestitz focuses his practice on complex civil matters and appellate litigation. He has represented individual and corporate clients in high-stakes appeals in the U.S. Supreme Court, as well as federal and state appellate courts around the country. Michael has experience in a broad range of substantive areas, including federal statutory interpretation, contract law, securities class actions, and financial-services regulation. He has represented several Fortune 100 companies in appeals, trial courts, and government investigations. His pro bono practice focuses on representing criminal defendants and amici curiae in state and federal appellate courts. He is the co-chair of Williams & Connolly's LGBTQ+ affinity group.

Michael grew up in Minnesota and graduated from Vassar College with general honors, as well as departmental honors in each of his three majors. He received his Juris Doctor from Stanford Law School, where he served as the President of the Stanford Law Review. While at Stanford, he also participated in the Supreme Court Litigation Clinic, the Community Law Clinic, and the Kirkwood Moot Court Competition. He clerked for Judge Raymond C. Fisher of the United States Court of Appeals for the Ninth Circuit before joining Williams & Connolly in 2016.

### Representative Experience

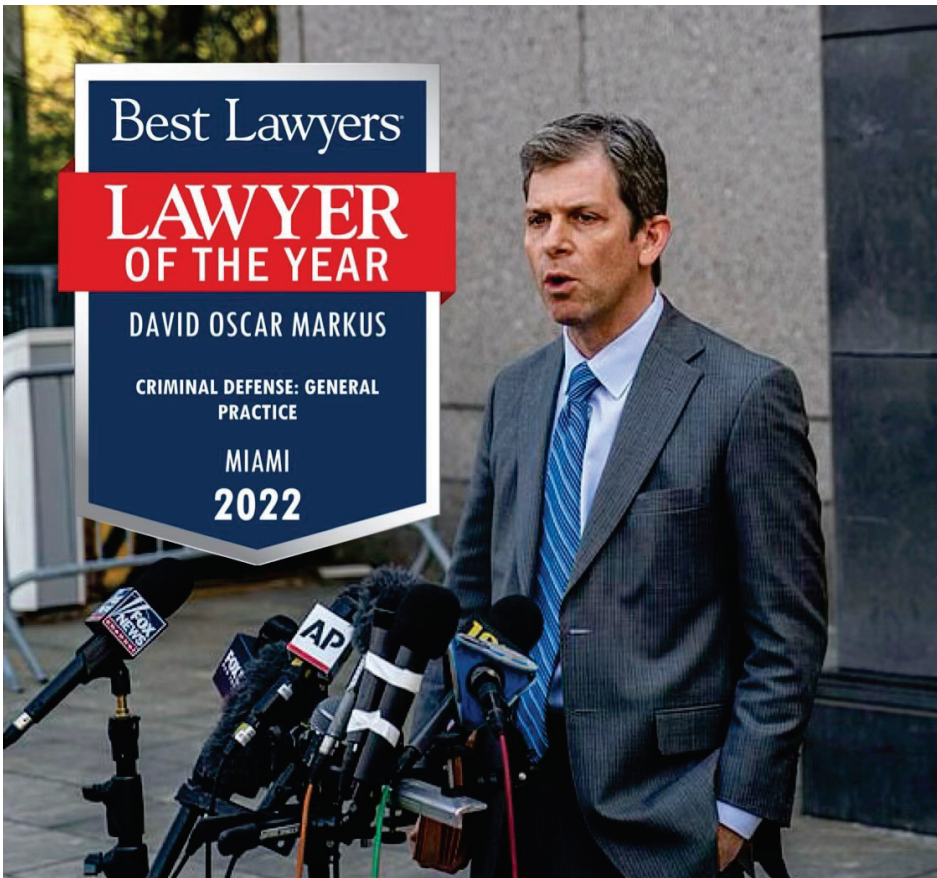
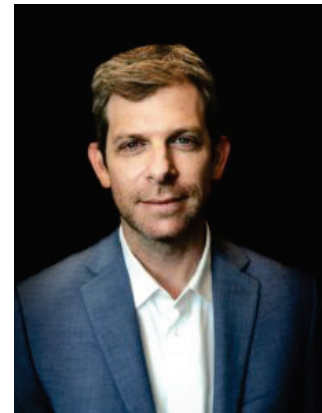
Though all cases vary and none is predictive, Michael's experience includes:

- Successful representation of the respondent in *Obduskey v. McCarthy & Holthus LLP*, 139 S. Ct. 1029 (2019), resulting in an unanimous Supreme Court ruling that state nonjudicial foreclosure proceedings are not governed by the Fair Debt Collection Practices Act.
- Representation of petitioners in *Sanchez v. Mayorkas* in the U.S. Supreme Court, presenting the question whether eligible recipients of Temporary Protected Status may adjust to lawful-permanent-resident status.
- Representation of former Secretary of State Hillary Clinton in successful motions to dismiss in various federal district courts and a successful motion for summary affirmance in the D.C. Circuit.

- Representation and argument as appointed counsel on behalf of a criminal appellant in the Maryland Court of Special Appeals.
- Successfully obtained affirmance of judgment as a matter of law in favor of firm clients in a fraud case in the U.S. Court of Appeals for the Fifth Circuit.
- Representation of a Fortune 10 corporation in an investigation by the Federal Trade Commission.
- Representation of a major multinational company in arbitration proceedings regarding a multibillion dollar contract claim.
- Representation of organizations representing tens of thousands of businesses nationwide as amici before the U.S. Supreme Court urging the Court to hold that Title VII of the Civil Rights Act prohibits discrimination based on sexual orientation and gender identity in *Altitude Express, Inc. v. Zarda*, *Bostock v. Clayton County, Georgia*, and *R.G. & G.R. Harris Funeral Homes v. EEOC*.
- Representation of civil-rights organizations across the ideological spectrum as amici curiae before the U.S. Supreme Court in *Uzuegbunam v. Preczewski*, arguing that a live claim for nominal damages prevents a case from being moot.

## David Oscar Markus

David Oscar Markus is one of few lawyers that can do it all. He actually tries cases and argues appeals all around the country. He teaches at the University of Miami School of Law and also to lawyers at legal education events. He runs the well-known [Southern District of Florida blog](#). He also hosts a successful podcast, [For the Defense](#). And he frequently advocates for criminal justice reform in opinion pieces.



David is a *magna cum laude* graduate of Harvard Law School. He is known for his creative and unrelenting approach to cases, which leads to wins in trials and appeals. David focuses on high-stakes criminal litigation for both white collar and traditional criminal matters. You can access his [resume here](#). (PDF)



Best Lawyers named David "Lawyer of the Year" for White Collar Criminal Law in 2020 and for General Criminal Defense in both 2022 and 2017. And the Dade County Bar Association awarded him the "Legal Luminary" award for criminal defense, an honor voted on by members of the legal community. In 2015, the National Law Journal selected him as one of the [Trailblazers for White Collar Criminal Defense](#) in the entire country. Back when he was 29 years old (in 2002), the National Law Journal

### Education

- J.D., *magna cum laude*, Harvard Law School, 1997
- B.A., Emory University, 1994 (Phi Beta Kappa)

### Bar Admissions

- United States Supreme Court
- State of Florida
- Southern and Middle Districts of Florida
- Eleventh Circuit Court of Appeals
- Federal Court of Claims
- admitted *pro hac vice* to various trial and appellate courts

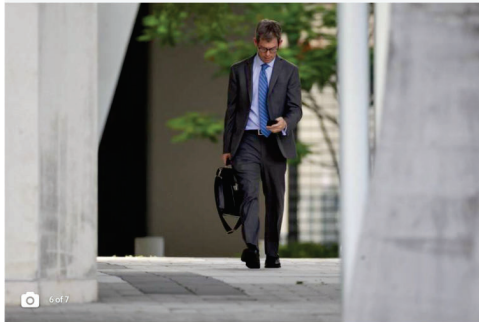
### Awards

- Lawyer of the Year, General Criminal Defense, 2022 & 2017



selected him as one of the [top 40 litigators in the country under 40 years old](#), and it has recognized one of his federal trial victories as one of the top ten defense verdicts in the country that year. He is also a fellow in the American College of Trial Lawyers.

In one trial victory, David not only beat all 141 counts in federal court for a doctor, but then won attorneys' fees and costs of over \$600,000 for his client in a first-of-its-kind victory. Based on that case, he was awarded the highest honor — the Rodney Thaxton "against all odds" award — by the Florida Association of Criminal Defense Lawyers. Although the 11th Circuit reversed the fee award in a number of controversial opinions, the court referred to Markus as an "elite" and "superb" attorney. (See page 9 of the opinion [here](#)). In another case, David challenged the way the federal court system in Miami selected jurors (alphabetically by last name) and won, which changed the jury selection process in the District (click [here](#)). After obtaining a fair jury, [Markus' client was found not guilty](#). He never stops fighting for his clients.



David Oscar Markus, attorney for Carnival Corporation, leaves the U.S. Federal Courthouse in Miami after the cruise ship company pleaded guilty to six environmental probation violations on June 3, 2019. MATIAS J. OCHNER MOCHNER@MIAMIHERALD.COM

GALLERY

David Oscar Markus leaving the Federal Courthouse in Miami after a hearing in which he represented Carnival Corporation.

Based on this type of creative and unique lawyering, in 2010, [David was one of eight finalists](#) in the country for best white-collar criminal lawyer in the country by [Chambers & Partners](#), which quoted market sources saying that David is "the whole package," and "a creative, courageous and tenacious courtroom advocate." And he was [named](#) to that very prestigious short list of 8 best white-collar criminal defense lawyers again in 2011 (he was the only lawyer listed who was not from a large firm). The 2012 Chambers said this: "David Markus received strong praise from peers and clients alike, who describe him as 'a legal genius and brilliant strategist with a great demeanor.'" A recent [Chambers & Partners](#)

described David as a "wickedly smart and a terrific trial lawyer. ... Clients say that he is 'thrilling' to watch in court and that 'his passion appreciation and enjoyment for his work are contagious.'" [And in 2014, that publication](#) identified David as "one of the best trial lawyers around: very smart, highly respected and thoroughly prepared." In 2016, Chambers said: "[David Markus](#) is one of the most talented criminal defense lawyers in Florida. He has a wealth of litigation experience and is regularly sought after for his counsel in high-stakes tax and criminal antitrust cases. Sources also describe him as an 'extremely creative thinker and a great oral advocate' who gets 'tremendous results.'" Chambers has also explained: "[David Markus](#) is amazing, not only because of the strength and genius of his arguments and motions, but also because of his brilliant and astonishing performances during the hearings. Additionally, he radiates so much confidence, and that in itself soothes the usual anguish and anxiety that you endure during these types of situations. Last but not least, he is such a great human being." In 2020, that publication said that David "is an exceptional trial lawyer," "an incredible oral advocate" and that "he's pretty fearless in terms of dealing with the government."

Since 2010, David has been listed as one of the top 100 lawyers in Miami and in all of Florida by SuperLawyers. He is one of the few criminal defense lawyers to received such an honor. He is frequently named as one of the top lawyers in the Best Lawyers in America, South Florida Legal Guide, [Florida Trend Magazine](#), Chambers & Partners, and the South Florida Business Journal. He was one of 20 lawyers named [a key partner](#) by the South Florida Business Journal in 2011 and [again in 2012](#). The Daily Business Review named him a finalist for Most Effective Lawyer in Criminal Justice (one of three lawyers in Miami) in 2006, 2009, 2011, 2012, and 2015. He won the award in 2018. The district judges in the Southern District of Florida presented him with the Eugene Spellman Criminal Justice Act Award in 2013.

While at Harvard, David argued in front of Supreme Court Justice Anthony Kennedy who named him best oralist. (The argument, which was carried on C-Span, can be viewed [here](#). David's argument begins at 57:42). David was mentored by Alan Dershowitz while in law school (click [here](#) for a picture of them together at Harvard). After graduating from Harvard, David served as law clerk to the Honorable Edward B. Davis, then-Chief United States District Judge, Southern District of Florida. Following his clerkship, David

(Best Lawyers)

- Lawyer of the Year, White Collar Criminal Defense, 2020 (Best Lawyers)
- Most Effective Criminal Lawyers, 2018 (Daily Business Review)
- Trailblazer, White Collar Criminal Law, 2015 (National Law Journal)
- Top 40 litigator under 40 years old, 2002 (National Law Journal)
- Top Lawyer, White Collar Criminal Defense and non-White Collar Criminal Defense, 2007-present (Best Lawyers in America by U.S. News)
- Listed as Most Influential Lawyers in Miami, 2012 (Poder Hispanic Magazine)
- Band 1, Chambers & Partners, 2015-present
- Top Miami Criminal Lawyer, 2002-present (South Florida Legal Guide)
- Top 100 SuperLawyer in Miami, 2010-present (SuperLawyers)
- South Florida Business Journal Key Partners Award, 2011, 2012
- AV Rated (Martindale Hubbell)
- Top Lawyer, 2007-present (Chambers & Partners)
- Finalist, Best White Collar Attorney in the United States 2010, 2011 (Chambers & Partners)
- Finalist, Most Effective Criminal Defense Lawyer, 2015, 2012, 2011, 2009, 2006 (Daily Business Review)

worked as an associate at the leading criminal defense firm in the country, Williams & Connolly in Washington, D.C., and then practiced as an Assistant Federal Public Defender in Miami.



David Oscar Markus teaches future lawyers at Harvard Law School

David is a past-president of the Florida Association of Criminal Defense Lawyers – Miami Chapter and past-president of the Federal Bar Association, South Florida Chapter, 2007-08. He served for ten years as the Southern District of Florida's national representative for the Criminal Justice Act Panel, and is the vice-chair of the National Association of Criminal Defense Lawyer's amicus committee. David also has co-authored the Fourth Amendment Forum, published in NACDL's *The Champion*. He is frequently asked to serve on committees for the Southern District of Florida.

David frequently lectures on different aspects of the criminal trial and appeal. He currently teaches a White Collar Law seminar the the University of Miami School of Law and previously

taught legal writing there. David also has taught Advanced Criminal Procedure and White Collar Law at Florida International University College of Law. He often speaks to other criminal defense lawyers on ethics and zealously representing criminal defendants charged with serious crimes. His lengthy list of lectures can be found on his resume.

David has also teamed with rakontur in the new podcast, For the Defense, which is about true criminal trial lawyers. In the podcast, he interviews other well-known criminal defense lawyers about their most interesting trials. You can listen to it [here](#).



David speaking to criminal defense lawyers at NACDL's annual conference about how to win "pill-mill" cases.

David is often quoted in publications around the country, including *The Miami Herald*, *The Sun-Sentinel*, *The Palm Beach Post*, the *Daily Business Review*, *USA Today*, *The New York Times*, *The Wall Street Journal*, *The Boston Globe*, *Law.com*, and *CNN.com*. He has written opinion pieces for numerous publications, and is the author of the popular [Southern District of Florida blog](#), which has been described by the *New Times* as "the definitive source on South Florida's federal court system." He recently wrote a chapter in a book for lawyers; his chapter was titled "*Battling Goliath, Trying to Win in the Court of Appeals*."

David is a frequent opinion contributor, arguing for criminal justice reform and for individual rights. He has written pieces in the [Washington Post](#), [USA Today](#), [Miami Herald](#), [New York Daily News](#), *law.com*, [Newsmax](#), and others. In this recent [op-ed](#), co-authored with Mona Markus, he explains how the government frequently and unjustly prosecutes doctors. In [another](#), he argues that cameras should be permitted in federal courtrooms as a check on prosecutors and judges.

He is also a regular contributor for [The Hill](#):

[Chauvin verdict: Don't hate his lawyer](#)

[Social media is mightier than Gov. DeSantis's guns](#)

[Bannon and Maxwell cases display DOJ press strategy chutzpah](#)

[Federal judge rightly upset over wrongful jailing of Michael Cohen](#)

[Cellphones haven't stopped cops from lying — only courts can do that](#)

[Former prosecutors outraged at decision to dismiss the Flynn case should focus on the real problems](#)

[Lori Loughlin case should be dismissed if the prosecutors cheated](#)

[Let's use Roger Stone's case to fix our broken justice system](#)

[Michael Avenatti should not be in solitary confinement](#)

[We're addicted to jail](#)

[Felicity Huffman's 14-day sentence is unjust — because it's too high](#)  
[Justice Gorsuch channels his inner-Scalia, and that's good for criminal defendants](#)

[Kim Kardashian is the hero that criminal justice reform needs](#)  
[Federal prosecutors are trying to bully 'Aunt Becky' into pleading guilty](#)  
[#MeToo has lost its way: In defense of Joe Biden](#)  
[Barr and Rosenstein likely made correct legal decision on obstruction](#)  
[Four years for Paul Manafort is the right sentence](#)  
[A small next step for criminal justice reform: Fix good time credit](#)  
[Paul Manafort should not be sentenced to 20 years in prison](#)  
[OPR should investigate real prosecutorial misconduct, not Secretary of Labor Alex Acosta](#)  
[Special counsel's office wrong to arrest Roger Stone instead of letting him self-surrender](#)  
[Absolutely nothing wrong with Manafort's lawyers talking to Trump's lawyers](#)  
[Mueller should not get to decide whether Manafort is lying](#)  
[Brett Kavanaugh would not have been treated fairly had he been a defendant](#)  
[Should Kavanaugh be confirmed if we don't know who is telling the truth](#)  
[Five simple rules for judging Kavanaugh and his accusers](#)  
[Kavanaugh won't be charged](#)

David is committed to zealously representing each and every one of his clients. He has built a reputation for winning the most difficult cases with creative strategies. David takes each case personally and does not like to lose.

You can email David Markus at [dmarkus@markuslaw.com](mailto:dmarkus@markuslaw.com)

## Contact Us

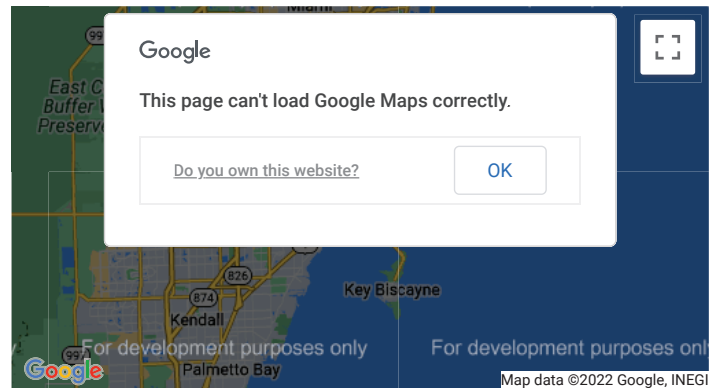
Markus/Moss focuses on criminal defense representation at the trial and appellate level.

**Email David Markus:**  
[dmarkus@markuslaw.com](mailto:dmarkus@markuslaw.com)

40 NW Third Street, Penthouse One  
Miami, FL 33128  
305 379-6667

## Office Location

[Get Directions](#)



## **EXHIBIT B**

Date	Timekeeper	Discounted Rate	Billed Hours	Amount Claimed	Description
3/24/2022	MESTITZ, MICHAEL J.	\$450	1.5	\$675	Review complaint and outline responses re: Trump v. Clinton lawsuit.
3/24/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Review Trump v. Clinton et al. complaint; teleconferences and emails; file review.
3/25/2022	MESTITZ, MICHAEL J.	\$450	0.6	\$270	Research Anti-SLAPP law.
3/25/2022	KENDALL, DAVID E.	\$700	1	\$700	Research on new Trump complaint; teleconferences.
3/25/2022	MESTITZ, MICHAEL J.	\$450	1.1	\$495	Outline responses to complaint.
3/27/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Legal research on Trump lawsuit; review state law; research statute of limitations; emails and clips.
3/28/2022	TURNER, KATHERINE M.	\$700	1	\$700	Review Trump complaint in Trump v. Clinton lawsuit; team meeting re: same; call with ██████████ re: same.
3/28/2022	MESTITZ, MICHAEL J.	\$450	1.3	\$585	Prepare for and meet re: case strategy; follow-up research.
3/28/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Emails and teleconferences; meet with in-house team to discuss motion to dismiss; conference call with ██████████; legal research.
3/29/2022	TURNER, KATHERINE M.	\$700	0.1	\$70	Review conflict disclosure.
3/29/2022	KENDALL, DAVID E.	\$700	1	\$700	Teleconferences and emails; debrief call with ██████████.
3/30/2022	KENDALL, DAVID E.	\$700	0.7	\$490	File review; research; teleconference with ██████████.
4/1/2022	MARKUS, DAVID O.	\$625	15	\$9,375	April 2022: Confer and strategize via email and telephone with counsel regarding case, initial appearances, local rules, and complaint; review complaint; review draft motion to dismiss; draft and file pro hac motions; review and file response to motion to expedite.
4/2/2022	MESTITZ, MICHAEL J.	\$450	2	\$900	Reviewing RICO complaint and drafting motion.
4/4/2022	KENDALL, DAVID E.	\$700	0.8	\$560	File review and status report to client/ review plaintiff's motion to revise TJ.
4/5/2022	MESTITZ, MICHAEL J.	\$450	5.1	\$2,295	Researching and drafting MTD.
4/6/2022	TURNER, KATHERINE M.	\$700	0.2	\$140	Emails w/ team re local counsel for Trump suit.
4/6/2022	MESTITZ, MICHAEL J.	\$450	2	\$900	Researching and drafting MTD.
4/7/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Call with joint defense group.
4/7/2022	TURNER, KATHERINE M.	\$700	0.7	\$490	Joint defense call re Trump MTD; call w/ DEK re the same.
4/7/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Teleconference re: local counsel; research on motion to dismiss; conference call with ██████████ teleconference with counsel for ██████████ and other defendants.
4/7/2022	MESTITZ, MICHAEL J.	\$450	1.8	\$810	Revising draft MTD.
4/8/2022	MESTITZ, MICHAEL J.	\$450	1.3	\$585	Call with counsel.
4/8/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Teleconferences and emails; edit draft motion to dismiss; legal research; conference call with team; conference call with ██████████
4/8/2022	TURNER, KATHERINE M.	\$700	3.5	\$2,450	Reviewing, editing MTD Trump suit; JD calls w/ counsel for HFA re the same; call w/ team re the same.
4/9/2022	MESTITZ, MICHAEL J.	\$450	2.6	\$1,170	Revising draft per team comments.
4/11/2022	KENDALL, DAVID E.	\$700	0.5	\$350	Edit and revise draft motion to dismiss; emails with local counsel.
4/12/2022	KENDALL, DAVID E.	\$700	0.5	\$350	Emails and teleconferences ██████████ and others; review third draft of motion to dismiss.
4/12/2022	MESTITZ, MICHAEL J.	\$450	1.1	\$495	Revising draft MTD.
4/12/2022	MESTITZ, MICHAEL J.	\$450	1.2	\$540	Research and email re anti-SLAPP procedure.
4/13/2022	MESTITZ, MICHAEL J.	\$450	0.3	\$135	Call with counsel.
4/13/2022	MESTITZ, MICHAEL J.	\$450	0.4	\$180	Revising draft MTD.
4/13/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Call with counsel.
4/13/2022	TURNER, KATHERINE M.	\$700	1	\$700	Joint defense calls re Trump MTD.

4/13/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Conference call with counsel for client; other calls and emails; revisit and edit draft to circulate; call with local counsel.
4/14/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Reviewing pro hac motion and local rules; emails w/ D. Kendall re [REDACTED].
4/14/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Teleconferences and emails with counsel for co-defendants; teleconference with Trump lawyers; file appearance; teleconference with local counsel; draft pro hac vice motion; revise our motion to dismiss; circulate to other counsel.
4/15/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Teleconference with [REDACTED]; email re: interview; file review; work at revising Trump motion to dismiss.
4/18/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Call with counsel.
4/18/2022	TURNER, KATHERINE M.	\$700	1	\$700	Emails re Trump MTD; call w/ M. Mestitz re the same; call w/ A. Otterberg and M. Mestitz re MTD; reviewing [REDACTED].
4/18/2022	MESTITZ, MICHAEL J.	\$450	5.4	\$2,430	Revising draft MTD.
4/19/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Teleconferences with counsel for co-defendants in Trump suit; emails; review and revise draft motion to dismiss.
4/19/2022	MESTITZ, MICHAEL J.	\$450	2.2	\$990	Revising draft MTD and preparing tables.
4/20/2022	MESTITZ, MICHAEL J.	\$450	0.6	\$270	Call with counsel.
4/20/2022	MESTITZ, MICHAEL J.	\$450	0.9	\$405	Tracking MTD coverage.
4/20/2022	MESTITZ, MICHAEL J.	\$450	1.1	\$495	Finalizing MTD for filing.
4/20/2022	KENDALL, DAVID E.	\$700	1.8	\$1,260	Conference call with defense counsel; call with individual lawyers; finalize motion to dismiss; file.
4/21/2022	KENDALL, DAVID E.	\$700	1	\$700	Teleconferences and emails; review motions and other pleadings; calls with counsel for other defendants.
4/22/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Conference call with [REDACTED]; review Trump motion and research; teleconferences and emails.
4/22/2022	MESTITZ, MICHAEL J.	\$450	1.6	\$720	Research re amendment of complaints and SOL.
4/25/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Emailing re docket materials.
4/25/2022	MESTITZ, MICHAEL J.	\$450	1.5	\$675	Assembling codefendant feedback.
4/27/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Emailing re docket materials.
4/29/2022	KENDALL, DAVID E.	\$700	1	\$700	Briefing call with [REDACTED]; telecons and emails; conf call with [REDACTED].
5/1/2022	MARKUS, DAVID O.	\$625	10	\$6,250	May 2022: Confer and strategize via email and telephone with counsel and co-defendants' counsel regarding case, motion to dismiss, discovery and other issues; review numerous filings, including court orders and filings from co-defendants including motion to dismiss; prepare and send email to counsel regarding stipulation and order and file same.
5/9/2022	MESTITZ, MICHAEL J.	\$450	0.7	\$315	Reviewing [REDACTED] draft MTD.
5/18/2022	KENDALL, DAVID E.	\$700	0.5	\$350	Conference call with defense counsel in Trump v. Clinton.
5/20/2022	KENDALL, DAVID E.	\$700	0.7	\$490	Respond to Questions re [REDACTED]; file review; report to client.
5/23/2022	KENDALL, DAVID E.	\$700	1	\$700	Telecons with [REDACTED]; clips check; review [REDACTED]; report to client.
5/30/2022	MESTITZ, MICHAEL J.	\$450	0.8	\$360	Drafting and emailing stipulation/stipulated motion.
5/31/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Reviewing, editing editorial; email to DEK re the same.
5/31/2022	MESTITZ, MICHAEL J.	\$450	0.6	\$270	Drafting and emailing stipulation/stipulated motion.

6/1/2022	MARKUS, DAVID O.	\$625	8	\$5,000	June 2022: Confer and strategize via email and telephone with counsel and co-defendants' counsel regarding hearing before the magistrate judge, new motions to dismiss, discovery and other issues; review numerous filings, including court orders, amended complaint; review drafts of motions to dismiss; review and file proposed joint stipulation.
6/1/2022	MESTITZ, MICHAEL J.	\$450	0.4	\$180	Emailing re status conference.
6/2/2022	MESTITZ, MICHAEL J.	\$450	0.4	\$180	Preparing inventory of counsel.
6/2/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Strategy meeting.
6/2/2022	MESTITZ, MICHAEL J.	\$450	1.3	\$585	Status conference; follow up re same.
6/2/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Telecons and emails; status conference (Zoom) before Judge Reinhart; follow-up.
6/2/2022	TURNER, KATHERINE M.	\$700	1.5	\$1,050	Team mtg re amended complaint; prepare for, attend status conference.
6/10/2022	KENDALL, DAVID E.	\$700	1	\$700	Research viability of [REDACTED] investigations of [REDACTED] data; email to Trump lawyers; review June 2 transcript; report to client.
6/14/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Review S/L cases and cases on amended pleadings; telecons with [REDACTED] counsel and [REDACTED] lawyer; meet with researcher.
6/15/2022	KENDALL, DAVID E.	\$700	1	\$700	Conference call with all defense counsel in Trump v. Clinton et al; file review; meet with in-house team.
6/16/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Reviewing statute of limitations research; mtg w/ J. Asabor re the same.
6/17/2022	TURNER, KATHERINE M.	\$700	0.3	\$210	Reviewing, editing MTD work plan; phone call w/ D. Kendall re the same.
6/17/2022	KENDALL, DAVID E.	\$700	1	\$700	Review pleadings; review file and emails and draft plan for all defendants to create consolidated Motion to Dismiss; telecons.
6/21/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Reviewing legal research re statute of limitations.
6/21/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Telecons and emails; report to client re [REDACTED]; file review and begin drafting "battle plan" for MTD of Amended Complaint.
6/22/2022	KENDALL, DAVID E.	\$700	3	\$2,100	Review Trump amended complaint (193 pages); compare to original complaint; draft battle plan for defense counsel to file consolidated MTD; telecons and emails.
6/23/2022	TURNER, KATHERINE M.	\$700	0.2	\$140	Reviewing court order; emails w/ team re the same.
6/23/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Joint defense call re amended complaint.
6/23/2022	KENDALL, DAVID E.	\$700	3.5	\$2,450	Conference call with defense counsel re Trump amended complaint; post-call action memo; compare to complaint; begin drafting Statute of Limitations portion of MTD; telecons and emails.
6/27/2022	TURNER, KATHERINE M.	\$700	0.1	\$70	Reviewing case correspondence; emails to team.
6/27/2022	KENDALL, DAVID E.	\$700	3	\$2,100	Draft revised "Battle Plan" for consolidated MTD & send to defense counsel; telecons with Trump lawyer; telecons with [REDACTED] and others.
6/28/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Emails & phone calls; research & begin drafting revised statute-of-limitations arguments for consolidated MTD.
6/28/2022	MESTITZ, MICHAEL J.	\$450	2.5	\$1,125	Researching RICO tolling law.
6/29/2022	KENDALL, DAVID E.	\$700	1.7	\$1,190	Legal research; review pleadings & continue drafting SOL argument for new MTD; emails.
6/30/2022	TURNER, KATHERINE M.	\$700	0.2	\$140	Reviewing docket and case correspondence.
6/30/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Calls with Trump lawyers to negotiate schedule; draft joint stipulation motion and file; continue research on S/L; begin drafting Clinton campaign Defendants' part of MTD; conferences with counsel for [REDACTED] re [REDACTED].

7/1/2022	MARKUS, DAVID O.	\$625	6	\$3,750	July 2022: Review court order re scheduling and other filings; confer and strategize with counsel re upcoming deadlines, motion practice, and other issues; review and offer comments re draft motions; file motion for extension of time.
7/1/2022	TURNER, KATHERINE M.	\$700	0.3	\$210	Reviewing court order; emails re the same.
7/1/2022	KENDALL, DAVID E.	\$700	4.2	\$2,940	Draft, circulate and file extension of time motion; two conf. calls with defense counsel; contact Trump counsel and SD Fla. Clerk's office; legal research on time limits; draft agenda for July 5; five calls with other defense counsel.
7/5/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Joint defense call re Trump MTD; follow-up emails re the same.
7/5/2022	KENDALL, DAVID E.	\$700	1.7	\$1,190	Conf. call with other defense counsel re new filing date and procedures for preparing consolidated motion; telecons and emails; work on our section of MTD.
7/6/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Memo re possible procedure for MTD; telecon re filing motion for more pages; work on our section of MTD; review ██████ section.
7/7/2022	KENDALL, DAVID E.	\$700	1.7	\$1,190	Revise our SOL section of MTD - circulate; emails and conf. calls; report to client; ██████.
7/7/2022	TURNER, KATHERINE M.	\$700	5.5	\$3,850	Reviewing amended complaint; reviewing, editing draft brief.
7/8/2022	KENDALL, DAVID E.	\$700	1	\$700	Calls, emails, work on MTD and more-pages motion.
7/8/2022	TURNER, KATHERINE M.	\$700	1	\$700	Reviewing, editing HRC/other HRC defendants' insert for brief.
7/10/2022	MESTITZ, MICHAEL J.	\$450	2.3	\$1,035	Review material.
7/11/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Work on consolidated MTD; phone call with counsel; emails; drafting MTD.
7/11/2022	MESTITZ, MICHAEL J.	\$450	4.5	\$2,025	Integrating codefendants' edits and sections into MTD; revising same.
7/12/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Work on MTD; edit second draft; draft sections for ██████; phone calls and emails.
7/12/2022	MESTITZ, MICHAEL J.	\$450	1.6	\$720	Editing defendant-specific sections of MTD.
7/13/2022	MESTITZ, MICHAEL J.	\$450	1.6	\$720	Editing MTD draft; compiling codefendants' edits.
7/13/2022	KENDALL, DAVID E.	\$700	2.2	\$1,540	Re-draft sections of MTD; proofread; communication with Plaintiff's counsel; coordinate with other defense counsel; changes to MTD and fill-in section.
7/13/2022	TURNER, KATHERINE M.	\$700	4.8	\$3,360	Reviewing, editing MTD Trump amended complaint.
7/14/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Analyze and coordinate many emails re final edits; communicate with Plaintiff's counsel; finalizing and file MTD.
7/14/2022	MESTITZ, MICHAEL J.	\$450	7.9	\$3,555	Proofing, cite-checking, editing, and inputting and checking tables; finalizing and filing MTD.
7/15/2022	MESTITZ, MICHAEL J.	\$450	1	\$450	Meet and confer call; follow-up re same; checking press coverage of MTD.
7/15/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Video conference with Trump lawyers; review other Defendant's filings; telecons and emails.
7/21/2022	TURNER, KATHERINE M.	\$700	0.2	\$140	Call w/ D. Kendall and M. Mestitz re Trump reply brief.
7/21/2022	MESTITZ, MICHAEL J.	\$450	0.7	\$315	Call re Trump motion for extension and strategy; follow up re same.
7/21/2022	KENDALL, DAVID E.	\$700	1	\$700	Review recent Trump filings; draft opposition and set up phone call with other defense counsel; emails and telecons.
7/22/2022	MESTITZ, MICHAEL J.	\$450	1.1	\$495	Drafting opposition to motion re scheduling order.
7/26/2022	TURNER, KATHERINE M.	\$700	0.1	\$70	Call w/ D. Kendall re Trump reply brief.
7/26/2022	MESTITZ, MICHAEL J.	\$450	0.9	\$405	Call and follow-up re Reply planning.



7/26/2022	KENDALL, DAVID E.	\$700	1	\$700	Zoom call with 18 defense counsel re replies to Trump opposition to MTD; follow up emails and telecons.
8/1/2022	MARKUS, DAVID O.	\$625	7	\$4,375	August 2022: Review and offer comments on opposition to motion to dismiss; review and email local rule regarding spacing; review and offer comments on reply memo; review and file unopposed motion for leave to file excess page limits; file reply; review other defendants' replies; confer with counsel.
8/4/2022	MESTITZ, MICHAEL J.	\$450	0.6	\$270	Reviewing Trump opposition.
8/5/2022	KENDALL, DAVID E.	\$700	2.2	\$1,540	Review Trump opposition to our MTD; memo to team re response.
8/5/2022	TURNER, KATHERINE M.	\$700	1.2	\$840	Reviewing proposed briefing plan; emails and phone calls w/ M. Mestitz re the same; joint defense call; update to D. Kendall re the same; reviewing, editing draft extension motion.
8/5/2022	MESTITZ, MICHAEL J.	\$450	0.3	\$135	Joint Defense call.
8/5/2022	MESTITZ, MICHAEL J.	\$450	5.4	\$2,430	Reviewing and analyzing Trump filings; preparing Reply.
8/6/2022	KENDALL, DAVID E.	\$700	1.2	\$840	Review other Trump responses; begin drafting SOL response; emails.
8/6/2022	MESTITZ, MICHAEL J.	\$450	4.8	\$2,160	Drafting Reply sections.
8/8/2022	MESTITZ, MICHAEL J.	\$450	2.3	\$1,035	Revising draft Reply sections.
8/9/2022	TURNER, KATHERINE M.	\$700	4	\$2,800	Reviewing, editing reply brief in support of MTD Trump complaint.
8/9/2022	MESTITZ, MICHAEL J.	\$450	4.2	\$1,890	Combining draft sections; revising draft Reply.
8/10/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Review and edit consolidated reply motion to Trump opposition; emails and telecons.
8/10/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Joint defense call re reply brief; emails re reply brief.
8/10/2022	MESTITZ, MICHAEL J.	\$450	0.3	\$135	Joint defense call.
8/10/2022	MESTITZ, MICHAEL J.	\$450	4	\$1,800	Proofing, cite-checking, and revising Reply; integrating edits from defense group.
8/11/2022	KENDALL, DAVID E.	\$700	1	\$700	Final review of reply, edits and proof; emails.
8/11/2022	TURNER, KATHERINE M.	\$700	1	\$700	Reviewing, editing reply brief in support of MTD Trump complaint.
8/11/2022	MESTITZ, MICHAEL J.	\$450	3.2	\$1,440	Finalizing and filing reply brief.
9/1/2022	MARKUS, DAVID O.	\$625	5	\$3,125	September 2022: Review numerous pleadings, including government response and plaintiff's opposition; review court order dismissing case; research sanctions issues.
9/9/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Emails & telecons; analyze Judge Middlebrooks' 65 page opinion; begin organizing defense counsel for sanctions motion.
9/9/2022	MESTITZ, MICHAEL J.	\$450	1.2	\$540	Reviewing opinion and emailing re same; legal research.
9/10/2022	MESTITZ, MICHAEL J.	\$450	1.5	\$675	Legal research and motion outline.
9/11/2022	MESTITZ, MICHAEL J.	\$450	2	\$900	Legal research and motion outline.
9/12/2022	KENDALL, DAVID E.	\$700	0.7	\$490	Telecons and emails review decision; draft and circulate agenda for defense counsel call on sanctions.
9/12/2022	MESTITZ, MICHAEL J.	\$450	0.4	\$180	Call with DEK and follow-up tasks.
9/12/2022	MESTITZ, MICHAEL J.	\$450	3.4	\$1,530	Drafting sanctions motion.
9/13/2022	KENDALL, DAVID E.	\$700	2	\$1,400	Begin drafting sanctions motion; legal research; telecons & emails; conf call with 25 defense counsel.
9/13/2022	MESTITZ, MICHAEL J.	\$450	0.6	\$270	Joint defense call and follow-up notes.
9/13/2022	TURNER, KATHERINE M.	\$700	0.5	\$350	Prepare for, participate in joint defense call re motion for sanctions.
9/15/2022	KENDALL, DAVID E.	\$700	1	\$700	Telecons & emails; research on sanctions motion.
9/16/2022	KENDALL, DAVID E.	\$700	1	\$700	Research and begin drafting sanctions motion in Trump v. Clinton et al.
9/18/2022	MESTITZ, MICHAEL J.	\$450	7.4	\$3,330	Joint defense call and follow-up notes.

9/19/2022	KENDALL, DAVID E.	\$700	2.2	\$1,540	Review and revise 1st draft of sanctions motion; edit; check records; research on SD Florida local rules; circulate draft and cover email to Defendants counsel group.
9/19/2022	TURNER, KATHERINE M.	\$700	2	\$1,400	Reviewing, editing motion for sanctions; emails w/ team re the same.
9/20/2022	KENDALL, DAVID E.	\$700	0.7	\$490	Edit motion for sanctions; legal research; telecons re motion.
9/21/2022	KENDALL, DAVID E.	\$700	1	\$700	Review and incorporate defense counsel's suggestions to master sanctions motion.
9/21/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Team call and follow-up.
9/21/2022	TURNER, KATHERINE M.	\$700	0.2	\$140	Call w/ D. Kendall and M. Mestitz re motion for sanctions.
9/22/2022	MESTITZ, MICHAEL J.	\$450	3.6	\$1,620	Revising draft sanctions motion.
9/22/2022	TURNER, KATHERINE M.	\$700	1	\$700	Reviewing, editing motion for sanctions.
9/23/2022	MESTITZ, MICHAEL J.	\$450	1	\$450	Revising draft sanctions motion; emailing re same.
9/26/2022	KENDALL, DAVID E.	\$700	0.7	\$490	Work on sanctions motion and legal research.
9/26/2022	MESTITZ, MICHAEL J.	\$450	1.1	\$495	Research and drafting re sanctions declaration.
9/27/2022	KENDALL, DAVID E.	\$700	1.5	\$1,050	Work on sanctions template declaration from defense counsel; legal research; draft memo to other defense counsel and agenda for conference call.
9/27/2022	TURNER, KATHERINE M.	\$700	0.1	\$70	Reviewing draft email to joint defense group re motion for sanctions.
9/27/2022	MESTITZ, MICHAEL J.	\$450	1.6	\$720	Prep; call with DEK; follow-up re declaration and costs.
9/28/2022	KENDALL, DAVID E.	\$700	1	\$700	Zoom call with about 25 other defense lawyers re sanctions motion; telecons, emails and follow-up.
9/28/2022	TURNER, KATHERINE M.	\$700	0.3	\$210	Joint defense call re motion for sanctions.
9/28/2022	MESTITZ, MICHAEL J.	\$450	0.5	\$225	Joint call and prep re same; follow-up.
9/29/2022	KENDALL, DAVID E.	\$700	0.7	\$490	Research and work on DEK fees affidavit; telecons with other defendants' counsel.
9/29/2022	TURNER, KATHERINE M.	\$700	0.1	\$70	Emails w/ team re motion for sanctions.
9/30/2022	KENDALL, DAVID E.	\$700	0.7	\$490	Revise & redraft DEK declaration re fees & costs sought; memo to client.

# EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF ROBERT P. TROUT IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Robert P. Trout, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a Of Counsel at Schertler Onorato Mead & Sears, LLP, counsel of record for HFACC, Inc. and John Podesta in the above captioned matter. Prior to joining my current firm in March 2021, I was a partner in my own firm, Trout Cacheris & Solomon, which I founded in 1996 upon leaving the DC office of Holland & Knight, where I was a partner. I have been engaged in the practice of law since 1973.

2. Attached as Exhibit A are the law firm website biographies of the attorneys at Schertler Onorato Mead & Sears, LLP for whom HFACC, Inc. and John Podesta seek attorneys fees. The biographies reflect the professional qualifications of those attorneys.

3. Schertler Onorato Mead & Sears, LLP entered into retention agreements with HFACC, Inc. and John Podesta covering the present litigation. HFACC, Inc. and John Podesta agreed to pay all of Schertler Onorato Mead & Sears, LLP's costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm's customary rates, which for this matter are \$1,000 per hour for partners, \$600 per hour for associates, and \$150 per hour for paralegals.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for

HFACC, Inc. and John Podesta. HFACC, Inc. and John Podesta are not seeking reimbursement for the attorneys' customary hourly rates described in Paragraph 3. Instead, HFACC, Inc. and John Podesta seek fees at discounted hourly rate for the attorneys as described in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Schertler Onorato Mead & Sears, LLP, during the periods for which discounted fees are sought.

5. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of HFACC, Inc.'s and John Podesta's initial motions to dismiss; the fees incurred between the filing of HFACC, Inc.'s and John Podesta's motions to dismiss to the Court's order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.<sup>1</sup>

6. As reflected in Chart A, the discounted fees incurred by HFACC, Inc. and John Podesta from the filing of the initial complaint to the filing of HFACC, Inc.'s and John Podesta's initial motions to dismiss total \$2,343.

7. As reflected in Chart B, the discounted fees incurred by HFACC, Inc. and John Podesta from the filing of HFACC, Inc.'s and John Podesta's initial motions to dismiss to this Court's dismissal of the suit total \$13,406.

8. As reflected in Chart C, the discounted fees incurred by HFACC, Inc. and John Podesta in connection with the motion for sanctions, to date, total \$4,600.

---

<sup>1</sup> The fees reflected in Exhibit B and summarized in charts A, B, and C do not include fees incurred in this matter that are reflected in block billing entries that include activities for other matters for which my firm was engaged to represent HFACC, Inc.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Robert P. Trout (Partner)	\$700	0	0
Paola Pinto (Associate)	\$450	4.7	\$2,115
Sarah Wilson (Paralegal)	\$120	1.9	\$228

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Robert P. Trout (Partner)	\$700	14	\$9,800
Paola Pinto (Associate)	\$450	6.6	\$2,970
Natalie Henriquez (Paralegal)	\$120	5.3	\$636

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Robert P. Trout (Partner)	\$700	2.2	\$1,540
Paola Pinto (Associate)	\$450	6.8	\$3,060

9. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

10. Consistent with local Rule 7.3, counsel sent the motion papers and exhibits to Plaintiff’s counsel on to Plaintiff’s counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff’s counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants’ entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or

his counsel,

  
/s/ \_\_\_\_\_

Robert P. Trout

Dated October 28, 2022

# Exhibit A







CONTACT US

# ROBERT P. TROUT



## ROBERT P. TROUT OF COUNSEL

-  [rtrout@schertlerlaw.com](mailto:rtrout@schertlerlaw.com)
-  (202) 628-4199
-  Vcard
-  LinkedIn

**EDUCATION:**  
 University of Virginia School of Law  
 Washington & Lee University

**BAR ADMISSIONS:**  
 District of Columbia  
 Maryland  
 Virginia

- PRACTICE FOCUS:**
- > [White-Collar Criminal Defense & Government Investigations](#)
  - > [Securities Litigation & Enforcement](#)
  - > [Civil Litigation](#)
  - > [Antitrust Litigation and Enforcement](#)



## OVERVIEW

Robert P. Trout has over 40 years' experience in civil and criminal litigation. His practice has concentrated primarily on complex commercial litigation and white-collar criminal defense, as well as the defense of administrative agency enforcement actions. He began his legal career at the Department of Justice, where he served for two years in the Criminal Division, followed by four years as an Assistant United States Attorney in

Baltimore, Maryland. Mr. Trout served as Assistant Deputy Independent Counsel in 1995-96. In 1996, he founded Trout Cacheris & Solomon PLLC, where he practiced until joining Schertler Onorato Mead & Sears in 2021.

---

## EXPERIENCE

Representative matters:

Representation of individuals in investigations by Special Counsel Mueller and by Senate and House Intelligence Committees.

Representation of a Member of Congress in Constitutional challenge to the first ever FBI search of a Congressional office.

Defense of former Congressman, in eight-week jury trial, in major public corruption case involving allegations of bribery, honest services fraud and FCPA violations. After the Supreme Court decision in *United States v. McDonnell*, we brought a Section 2255 motion that resulted in the vacation of most counts of conviction and a substantial reduction in sentence.

Successful defense, in a two-week jury trial, of the CEO of a government contracting firm against charges of bribery of a public official and honest services wire fraud.

Representation of Special Committee of the Board of Directors regarding Department of Justice investigation of a company's alleged distribution of adulterated food products.

Representation of former CIA agent in criminal prosecution for leaking classified information.

Representation of BP employee in criminal investigation stemming from Deepwater Horizon explosion.

Defense of Merrill Lynch investment banker in Congressional investigation, criminal investigation, SEC suit, NYSE investigation, and civil suits arising from collapse of Enron.

Representation of major law firm in defense of legal malpractice suits.

Served as Special Counsel to the Council of the District of Columbia investigating allegations of cronyism and irregularities in the contracting practices of the D.C. Department of Parks and Recreation.

Defense of a former Fannie Mae employee in a DOJ civil False Claims Act investigation into transactions involving multi-million dollar apartment complexes.

Defense of large construction company and its principal in civil and criminal false claims investigations.

Defense of mortgage broker in criminal fraud prosecution.

Defense of individuals in criminal pharmaceutical case involving misbranded drugs.

Representation of individuals in major antitrust investigations, including those alleged to be involved in international price-fixing cartels.

Representation of a major manufacturer in antitrust civil suits concerning alleged price-fixing in urethanes chemicals and in the foam industry.

Representation of companies and individuals in suits alleging that departing employees misappropriated trade secrets and proprietary information and tortiously interfered with contracts.

---

## BACKGROUND

One of the original members of the Steering Committee of the Litigation Section of the District of Columbia Bar, Mr. Trout served as Chair of the Litigation Section in 1984-85. He previously served for six years, including one year as Chair, on the Attorney Grievance Committee of the United States District Court for the District of Columbia. He recently served as a member of the American Bar Association Standing Committee on the Federal Judiciary, which conducts evaluations of the professional qualifications of nominees to the federal bench. He has been active in the DC Bar's efforts to promote alternative dispute resolution ("ADR") and he has served as a volunteer mediator for both the United States District Court and the District of Columbia Superior Court. Mr. Trout is a member of the bars of the District of Columbia, Virginia, and Maryland, and he is admitted to practice before a number of federal courts, including the U.S. Supreme Court, the U.S. Court of Appeals for the D.C. Circuit, the Fourth Circuit, the Third Circuit, the Seventh Circuit, the Ninth Circuit, the Tenth Circuit, and the Federal Circuit, as well as the U.S. Tax Court.

---

## RECOGNITION

Mr. Trout is a Fellow of the American College of Trial Lawyers, and he has served as Chair of the College's State Committee for the District of Columbia. He is listed in The Best Lawyers in America in four categories (White Collar Criminal Defense, Bet-the-Company Litigation, Commercial Litigation, and Securities Litigation), and he is also listed in Super Lawyers, Chambers USA Guide America's Leading Lawyers for Business, and Washingtonian Magazine's Top Lawyers.

---

CONTACT US

## PAOLA PINTO



### PAOLA PINTO ASSOCIATE

✉ ppinto@schertlerlaw.com  
(202) 628-4199  
vcard  
in LinkedIn

#### EDUCATION:

Georgetown University Law Center  
The George Washington University

#### BAR ADMISSIONS:

Florida  
District of Columbia

#### PRACTICE FOCUS:

- > [White-Collar Criminal Defense & Government Investigations](#)
- > [Criminal Defense](#)
- > [Civil Litigation](#)

## OVERVIEW

Paola Pinto joined Schertler & Onorato, LLP in 2019 as an associate. Before joining the firm, Ms. Pinto clerked for the Honorable Mathew J. Fader, Chief Judge of the Maryland Court of Special Appeals. Ms. Pinto is a native Spanish speaker and is proficient in French.

## EXPERIENCE

Representative Matters:

- Represented employees of an international pharmaceutical company in an investigation by the Department of Justice.
- Represented former employee of multinational food and beverage corporation in an investigation by the Securities and Exchange Commission.

- Represented students in Title IX investigations by various Universities.
- Represented advertising agency as a defendant in multiple civil lawsuits.

---

## **BACKGROUND**

Ms. Pinto is a 2018 cum laude graduate of Georgetown University Law Center, where she was a member of the Appellate Litigation Clinic. She received her undergraduate degree, cum laude, in Political Science from The George Washington University.

Ms. Pinto's prior experience includes a clerkship with the Maryland Court of Special Appeals, as well as appellate work before a United States Court of Appeals and Board of Immigration Appeals. During law school, she completed legal externships in the Mexico City office of a global law firm and in the general counsel's office of a multinational company. In both roles, she regularly worked on legal matters in English and in Spanish.

---

## ATTORNEYS

---

The attorneys of Schertler Onorato Mead & Sears bring deep experience, practical judgment, and vigorous advocacy to the matters we handle. Our lawyers include former federal prosecutors, former members of the Antitrust and Tax Divisions of the Department of Justice, and a former Assistant to the Solicitor General. We have tried cases large and small, have briefed and argued numerous appeals, and also have the skill and acumen to negotiate resolutions of matters when it is in the best interests of our clients. More detailed biographies of our attorneys are accessible below.

### PARTNERS

[David Schertler](#)  
[Danny C. Onorato](#)  
[Christopher B. Mead](#)  
[Stuart A. Sears](#)  
[Amy Conway-Hatcher](#)  
[David H. Dickieson](#)  
[Habib F. Ilahi](#)  
[Lisa Manning](#)

### OF COUNSEL

[Lisa H. Schertler](#)  
[Tara N. Tighe](#)  
[Robert P. Trout](#)

### ASSOCIATES

[Noah J. Cherry](#)  
[Paola Pinto](#)



EXPERIENCE.  
JUDGMENT.  
RESULTS.

To learn more about  
Schertler Onorato Mead &  
Sears

[CONTACT US](#)

# Exhibit B

SCHERTLER ONORATO MEAD & SEARS – Hillary for America (HFACC) Billing Entries<sup>1</sup>

Date	Timekeeper	Discounted Rate	Time	Amount Claimed	Description
4/29/2022	Pinto, Paola	\$450	0.5	\$225	Drafting Motion to appear pro hac vice.
5/2/2022	Pinto, Paola	\$450	2.5	\$1,125	Drafting motion to dismiss.
5/10/2022	Wilson, Sarah	\$120	1.3	\$156	Reviewing Trump civil suit on behalf of Ms. Pinto.
5/11/2022	Wilson, Sarah	\$120	0.6	\$72	Compiling list of accusations related to HFA in Trump's civil complaint on behalf of Ms. Pinto.
5/12/2022	Pinto, Paola	\$450	1.7	\$765	Revising and editing motion to dismiss Trump suit; reviewing other filings in civil litigation; communications with Mr. Trout.
6/2/2022	Pinto, Paola	\$450	0.5	\$225	Hearing on Trump lawsuit.
6/2/2022	Trout, Robert P.	\$700	0.5	\$350	Participate in status conference for Trump civil suit.
6/14/2022	Trout, Robert P.	\$700	0.1	\$70	Review and respond to correspondence among joint defense group regarding Trump lawsuit.
6/27/2022	Trout, Robert P.	\$700	0.6	\$420	Review correspondence from Kendall relating to response to amended complaint; telephone conference with Pinto; telephone conference with Kendall.
7/1/2022	Trout, Robert P.	\$700	0.4	\$280	Zoom conference with common interest group.
7/5/2022	Pinto, Paola	\$450	0.2	\$90	Telephone conference with counsel for other defendants in Trump lawsuit.
7/8/2022	Trout, Robert P.	\$700	0.3	\$210	Review of correspondence and drafts of motion for additional pages.
7/9/2022	Trout, Robert P.	\$700	1.5	\$1,050	Review and edit draft of motion to dismiss; review correspondence and draft from Debevoise regarding Mook; correspondence with Kendall.
7/10/2022	Trout, Robert P.	\$700	0.8	\$560	Review correspondence and draft re Sullivan; correspondence with Kendall and Pinto; correspondence with Podesta.

<sup>1</sup> Not including fees incurred in this matter that are reflected in block billing entries that include activities for other matters for which Schertler Onorato Mead & Sears was engaged to represent HFACC, Inc.



Date	Timekeeper	Discounted Rate	Time	Amount Claimed	Description
7/11/2022	Henriquez, Natalie	\$120	1.5	\$180	Preparing document for allegations against Mr. Podesta.
7/11/2022	Pinto, Paola	\$450	2.5	\$1,125	Telephone conference with other counsel regarding motion to dismiss; legal research regarding First Amendment: reviewing amended complaint
7/11/2022	Trout, Robert P.	\$700	2.3	\$1,610	Conference call with Kendall and counsel for Mook and Sullivan; legal research; review motion for more pages; telephone conference with Pinto regarding motion to dismiss correspondence with Pinto; telephone conference with Podesta; work on motion dismiss.
7/12/2022	Henriquez, Natalie	\$120	3.8	\$456	Preparing notes on RICO Conspiracy and protections afforded to political speech for Mr. Podesta.
7/12/2022	Trout, Robert P.	\$700	3.2	\$2,240	Work on motion to dismiss; correspondence with Pinto; correspondence with Kendall; correspondence with Baker and Podesta.
7/13/2022	Pinto, Paola	\$450	0.9	\$405	Communications with Mr. Trout; reviewing draft motion to dismiss complaint in Trump lawsuit.
7/13/2022	Trout, Robert P.	\$700	0.8	\$560	Telephone conference with Kendall; correspondence with Pinto; review draft motion to dismiss; correspondence with Baker and Podesta.
7/21/2022	Trout, Robert P.	\$700	0.1	\$70	Correspondence with Kendall.
7/26/2022	Pinto, Paola	\$450	0.7	\$315	Joint defense conference regarding Trump suit; drafting memorandum of the same; discussions with Mr. Trout.
7/26/2022	Trout, Robert P.	\$700	0.2	\$140	Conference and correspondence with Pinto; review correspondence from Pinto; review correspondence from Mestitz.
8/5/2022	Pinto, Paola	\$450	1.5	\$675	Review opposition to motion to dismiss; joint defense conference call regarding Trump suit.
8/9/2022	Trout, Robert P.	\$700	2	\$1,400	Review of draft reply; correspondence with Williams & Connolly with suggested edits; correspondence with clients.
8/10/2022	Pinto, Paola	\$450	0.3	\$135	Joint defense conference on Trump suit; reviewing draft reply.

<b>Date</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
8/10/2022	Trout, Robert P.	\$700	0.3	\$210	Prepare for and participate in joint defense call.
8/11/2022	Trout, Robert P.	\$700	0.8	\$560	Review of revised draft of reply; correspondence with clients.
8/15/2022	Trout, Robert P.	\$700	0.1	\$70	Correspondence to client.
9/13/2022	Pinto, Paola	\$450	0.8	\$360	Joint defense zoom conference on Trump suit.
9/13/2022	Trout, Robert P.	\$700	0.5	\$350	Conference call regarding sanctions.
9/15/2022	Trout, Robert P.	\$700	0.2	\$140	Telephone conference with Kendall.
9/19/2022	Pinto, Paola	\$450	0.3	\$135	Reviewing sanctions motion.
9/23/2022	Trout, Robert P.	\$700	0.3	\$210	Correspondence with Kendall regarding sanctions motion; review and respond to correspondence from Kendall regarding sanctions motion.
9/28/2022	Pinto, Paola	\$450	0.3	\$135	Telephone conference with Joint Defense group on Trump Lawsuit.
9/28/2022	Trout, Robert P.	\$700	0.8	\$560	Telephone conference with Kendall. Prepare for conference call and review of draft declaration; legal research; conference call with common interest group; telephone conference with Kendall.
9/28/2022	Pinto, Paola	\$450	5.4	\$2,430	Drafting declaration in support of sanctions motion in Trump Lawsuit; reviewing March through August billing entries regarding Trump Lawsuit to support sanctions declaration; drafting exhibits to sanctions declaration; communications with Mr. Trout.
10/2/2022	Trout, Robert P.	\$700	0.4	\$280	Review and revise draft declaration on fees.

# EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF SHAWN G. CROWLEY IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Shawn G. Crowley, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Kaplan Hecker & Fink LLP (“KHF”), counsel of record for the Democratic National Committee and DNC Services Corporation (together, the “DNC”) and Congresswoman Debbie Wasserman Schultz in the above captioned matter.

2. Attached as Exhibit A are the law firm website biographies of the attorneys and staff at KHF for whom the DNC and Congresswoman Wasserman Schultz seek attorneys fees.<sup>1</sup> The biographies reflect the professional qualifications of those attorneys and staff.

3. KHF entered into a retention agreement with the DNC and Congresswoman Wasserman Schultz in connection with the present litigation. The DNC agreed to pay all of KHF’s costs, fees, and expenses incurred in connection with the present suit.<sup>2</sup>

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel at

---

<sup>1</sup> Attorney Maggie Turner left KHF on June 3, 2022, to begin a federal district court clerkship. Her biographical information is included in Exhibit A, but no website biography is included for her.

<sup>2</sup> The DNC has agreed to pay the fees incurred by Congresswoman Wasserman Schultz in this matter.

KHF for the DNC and Congresswoman Wasserman Schultz. The DNC and Congresswoman Wasserman Schultz seek fees at discounted hourly rates for the attorneys and staff as described in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21 Civ. 80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by KHF during the periods for which discounted fees are sought.

5. The DNC and Congresswoman Wasserman Schultz also retained the law firm of Gelber Schachter & Greenberg, P.A. (“GSG”) to serve as local co-counsel for KHF.

6. Attached as Exhibit C are the law firm website biographies of the attorneys at GSG for whom the DNC and Congresswoman Wasserman Schultz seek attorneys fees. The biographies reflect the professional qualifications of those attorneys.

7. GSG entered into a retention agreement with the DNC and Congresswoman Wasserman Schultz in connection with the present litigation. The DNC agreed to pay all of GSG’s costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm’s customary rates with a 25 percent discount.

8. Attached as Exhibit D is a true and correct copy of the hours worked by counsel at GSG for the DNC and Congresswoman Wasserman Schultz. The DNC and Congresswoman Wasserman Schultz seek fees at the hourly rate for the attorneys as described in Paragraph 7 and Exhibit D. These hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21 Civ. 80740, 2022 WL 3568042 (July 19, 2022). Exhibit D also provides an accurate statement of the work provided by GSG during the periods for which discounted fees are sought.

9. Consistent with the discussion in the Memorandum in Support of Sanctions and the

information provided in Exhibits B and D, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of the DNC and Congresswoman Wasserman Schultz’s initial motion to dismiss; the fees incurred between the filing of the DNC and Congresswoman Wasserman Schultz’s motion to dismiss to the Court’s order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.

10. As reflected in Chart A, the discounted fees incurred by the DNC and Congresswoman Wasserman Schultz from the filing of the initial complaint to the filing of the DNC and Congresswoman Wasserman Schultz’s initial motion to dismiss total \$137,412.50.

11. As reflected in Chart B, the discounted fees incurred by the DNC and Congresswoman Wasserman Schultz from the filing of the DNC and Congresswoman Wasserman Schultz’s initial motion to dismiss total to this Court’s dismissal of the suit total \$32,780.00.

12. As reflected in Chart C, the discounted fees incurred by the DNC and Congresswoman Wasserman Schultz in connection with the motion for sanctions, to date, total \$15,632.50.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Roberta Kaplan	\$700	16.2	\$11,340.00
Shawn Crowley	\$700	22.9	\$16,030.00
Joshua Matz	\$700	42.4	\$29,680.00
Maximillian Feldman	\$450	63.8	\$28,710.00
Anna Collins Peterson	\$375	74.0	\$27,750.00
Maggie Turner	\$375	48.1	\$18,037.50
James Blum	\$375	2.3	\$862.50
Kelsey Dietrich	\$150	10.6	\$1,590.00
Gerald Greenberg	\$525	5.0	\$2,625.00
Christopher Sundby	\$262.50	3.0	\$787.50
<b>Total</b>		<b>288.3</b>	<b>\$137,412.50</b>

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Robertta Kaplan	\$700	4.5	\$3,150.00
Shawn Crowley	\$700	8.6	\$6,020.00
Joshua Matz	\$700	0.4	\$ 280.00
Carmen Iguina Gonzalez	\$500	4.3	\$2,150.00
Maximillian Feldman	\$450	25.3	\$11,385.00
Anna Collins Peterson	\$375	18.8	\$7,050.00
Kelsey Dietrich	\$150	3.4	\$ 510.00
Gerald Greenberg	\$525	2.9	\$1,522.50
Natalie McGinn	\$375	1.9	\$ 712.50
<b>Total</b>		<b>70.1</b>	<b>\$32,780.00</b>

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Robertta Kaplan	\$700	3.6	\$2,520.00
Shawn Crowley	\$700	4.4	\$3,080.00
Carmen Iguina Gonzalez	\$500	5.5	\$2,750.00
Maximillian Feldman	\$450	9.9	\$4,455.00
Anna Collins Peterson	\$375	5.3	\$1,987.50
Gerald Greenberg	\$525	1.6	\$ 840.00
<b>Total</b>		<b>30.3</b>	<b>\$15,632.50</b>

13. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibits A and D for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

14. In connection with this case, counsel incurred necessary costs for electronic legal research. I understand that courts in this Circuit have held that legal research costs are not ordinarily taxable as costs under 28 U.S.C. § 1920, but are properly considered a component of attorneys' fees. *Springer v. Convergys Corp.*, No. 3:03-CV-302-J-99MCR, 2006 WL 8439203, at \*2 (M.D. Fla. July 7, 2006). As such, in addition to the discounted fees set out above, the DNC and Congresswoman Wasserman Schultz requests an award of \$2,176.69 incurred for electronic

legal research.

15. Consistent with local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff's counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff's counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

Dated: October 27, 2022

/s/ Shawn G. Crowley  
Shawn G. Crowley



**EXHIBIT A**

## Roberta A. Kaplan

Partner

T: (212) 765-0885

E: rkaplan@kaplanhecker.com

+ VCARD



Roberta ("Robbie") Kaplan is the founding partner of Kaplan Hecker & Fink LLP. In July 2017, Robbie left Paul, Weiss, Rifkind, Wharton & Garrison LLP after 25 years to found Kaplan Hecker & Fink, seeking to build what she calls a "new fashioned, old fashioned" law firm that combines a cutting-edge civil and criminal litigation practice with a groundbreaking commitment to using the courts to serve the public interest.

A renowned litigator with decades of experience in commercial, higher education, and civil rights litigation, *Chambers* [observed](#) that Robbie "defines a modern-day legal giant. A towering intellect and a genius in court, with the instincts of a street fighter." Sharon Nelles, head of litigation at Sullivan & Cromwell, is quoted in a [profile](#) of Robbie in the *New York Law Journal* explaining that Robbie "just sees things from a thousand different angles all at once, it's hard to keep up with her thought processes. She knows her law cold, she knows the Constitution cold and she's not afraid, if she sees a problem, to go figure out some law that's going to allow her to fix it. She'll find it." "The consensus in the New York legal community is that [Robbie] is a powerhouse," Stephen Gillers, a legal ethics professor at New York University School of Law, told *Bloomberg Law* for a [profile](#). "She's a lawyer that you don't want to see opposing you."

The *Washington Post* has described Robbie as "a brash and original strategist, with neither a gift for patience nor silence, a crusader for underdogs who has won almost every legal accolade imaginable." Among the numerous honors and recognitions Robbie has received, she has been recognized as the 2020 "Attorney of the Year" by the *New York Law Journal*, received a Lifetime Achievement Award from the *New York Law Journal*, and has been honored as "Litigator of the Year" by *The American Lawyer*, "Lawyer of the Year" by *Above the Law*, and "Most Innovative Lawyer of the Year" by *The Financial Times*. *The Financial Times* noted that "the judges had little trouble picking just one of them to win the award for most innovative individual – itself an innovation for the report this year. Robbie Kaplan has been involved in some of the most important legal developments of recent years." Robbie has consistently been listed as one of the top litigators and top women litigators in the country, as well as one of the top lawyers in New York.

### Commercial Litigation

Among Robbie's clients are a wide range of clients in the tech, financial services, and other sectors, including Airbnb, Riot Games, various hedge and private equity funds, Uber, Natixis, Goldman Sachs, and Fitch Ratings, who she represents in their most complex legal challenges, delivering a consistent track record of compelling advocacy, creative arguments, and impressive results.

Robbie has represented a number of companies in tech and the sharing economy. On behalf of Airbnb, she succeeded in obtaining a preliminary injunction on Fourth Amendment grounds blocking a New York City ordinance that would have required Airbnb to turn over massive amounts of data, a prospect that posed significant privacy concerns. See *Airbnb, Inc. v. City of New York*, 373 F. Supp. 3d 467 (S.D.N.Y. 2019) (Engelmayer, J.). Robbie ultimately secured a favorable settlement in that case

#### EDUCATION

B.A., Harvard University, 1988  
*magna cum laude and Phi Beta Kappa*

J.D., Columbia University, 1991

#### CLERKSHIPS

Hon. Mark L. Wolf, U.S. District Court for the District of Massachusetts

Hon. Judith S. Kaye, New York Court of Appeals

#### FELLOWSHIPS, LEADERSHIP & RECOGNITION

Leading Corporate Employment Lawyers, *Lawdragon 500*, 2023

Top 10 Women in Litigation, *Benchmark Litigation*

Leading Plaintiff Employment & Civil Rights Lawyers, *Lawdragon 500*, 2021 and 2022

Litigation: General Commercial - New York, *Chambers, USA Guide*, 2020 - 2022

Trailblazer: Plaintiff's Attorney, *The National Law Journal*, 2022

Charles B. Stover Award, University Settlement

Attorney of the Year, *New York Law Journal*

Gotham Great Award, Citizens Union

Legends of 2020, *Lawdragon 500*

Lifetime Achievement Award, *Corporate Counsel's Women, Influence & Power in Law Awards*, 2019

Top 100 Trial Lawyers, *Benchmark Litigation*

2020 Best Lawyers in America, Commercial Litigation

addressing those issues. She has also represented Uber in several cases involving significant business and privacy concerns posed by government regulation.

Given that she is a proud New Yorker, Robbie has handled a wide variety of cases representing clients on Wall Street and in the financial services sector, including matters involving stock analysts' recommendations, market timing in mutual funds, reinsurance transactions, and structured finance transactions. In the wake of the financial crisis in 2007, Robbie represented Fitch Ratings for several years in dozens of regulatory investigations and civil litigations in both state and federal court relating to Fitch's credit ratings of RMBS, CDO, and municipal bond transactions. As a result of these and other matters, Robbie has decades of experience dealing with the complex interplay between regulatory investigations and the civil lawsuits that almost inevitably follow. She is currently defending Natixis in a RMBS "repurchase" action in which the complaint seeks more than \$500 million in damages.

## Higher Education

Robbie has earned a reputation for helping top universities navigate their most pressing legal challenges. She has represented Columbia University for almost a decade in a number of cases related to Title IX and alleged gender-based misconduct, winning multiple motions to dismiss. See, e.g., *Nungesser v. Columbia Univ.*, 169 F. Supp. 3d 353 (S.D.N.Y. 2016) and *Roskin-Frazer v. Columbia Univ.*, 474 F. Supp. 3d 618 (S.D.N.Y. 2019). Robbie recently secured the dismissal of breach of contract claims in an ongoing litigation against Columbia University seeking hundreds of millions of dollars in tuition refunds related to the COVID-19 pandemic. See *In re Columbia Tuition Refund Action*, No. 20-CV-3208 (JMF), 2021 WL 790638 (S.D.N.Y. Feb. 26, 2021) (Furman, J.). In January 2021, Robbie defeated a motion for a preliminary injunction in federal district court seeking to require Brown University to restore its men's and women's squash teams to varsity status. Robbie similarly secured a favorable settlement for Brown in high-profile litigation related to gender proportionality requirements in its athletics programs. Most recently, Robbie was chosen by the NCAA to conduct an independent investigation into gender equity issues involving the NCAA, including the NCAA women's basketball championships.

## Gender Equity

Robbie has represented a number of women, both as plaintiffs and defendants, who have suffered from domestic abuse, sexual harassment, discrimination, or assault, including the actress Amber Heard in a \$50 million defamation lawsuit filed by her ex-husband Johnny Depp, E. Jean Carroll, who sued Donald Trump for defamation in connection with a sexual assault that occurred in the mid-1990s, and "victim #1" in the Southern District of New York indictment of Jeffrey Epstein.

## Public Interest

Throughout her career, Robbie has had a deep-seated commitment to using the law to advance the public interest – she founded Kaplan Hecker in order to put that mission where it deserves to be – at the center of the firm's practice. She is perhaps best known for successfully arguing before the United States Supreme Court on behalf of her client Edith Windsor in *United States v. Windsor*, the landmark case in which the Supreme Court ruled that a key provision of the Defense of Marriage Act (DOMA) violated the U.S. Constitution by barring legally married same-sex couples from enjoying the wide-ranging benefits of marriage. The consequences of the *Windsor* decision were both rapid and profound. Professor Laurence Tribe of Harvard Law School has observed that he could not "think of any Supreme Court decision in history that has ever created so rapid and broad a lower-court groundswell in a single direction as *Windsor*." Following her victory in *Windsor*, Robbie successfully litigated several LGBTQ rights cases in Mississippi, including successfully challenging the City of Starkville's denial of a permit for its first ever LGBTQ pride parade.

One of the very first cases filed by Kaplan Hecker was a high-stakes lawsuit under the Ku Klux Klan Act of 1871 against twenty-four neo-Nazi and white supremacist leaders responsible for organizing the racial- and religious-based violence in Charlottesville in August 2017. See *Sines v. Kessler*, 324 F. Supp. 3d 765 (W.D. Va. 2018). In that case, Robbie and her team won a landmark decision assuring that white nationalists who

Law Power 50 and 2020 Law Power 100, *City & State New York*, 2019

Pride Power 100, *City & State New York*

Top Hollywood Attorney, *The Hollywood Reporter*

Leading Lawyers in America, *Lawdragon 500*, 2017-2022

New York Super Lawyers

Gold Medal Award, New York State Bar Association, 2018

Lifetime Achievement Award, *New York Law Journal*

Inspiration Award, WNBA, 2018

Eleanor Roosevelt Medal of Honor, 2018

Honoree, Alliance for Justice, 2018

Human Relations Award, Anti Defamation League, 2018

Litigator of the Year, American Lawyer, 2013

The 100 Most Influential Lawyers in the U.S., *The National Law Journal*

Lawyer of the Year, *Above The Law*, 2013

Most Innovative Lawyer of The Year, *The Financial Times*, 2014

Medal of Excellence, Columbia Law School

National Equality Award, Human Rights Campaign

Social Action Award, National Council of Jewish Women

Honorary Doctor of Laws, Jewish Theological Seminary

Honorary Doctorate in Humane Letters, Johns Hopkins University

Honorary Doctor of Laws, Millsaps College

### BAR AND COURT ADMISSIONS

U.S. Supreme Court

U.S. Court of Appeals for the First, Second, Third, Fifth, Sixth, Ninth, Tenth, and Eleventh Circuits

U.S. District Court for the Southern District of New York, Eastern District of New York, and Northern District of New York

U.S. District Court for the District of Colorado

New York

Massachusetts

plotted racially motivated violence in 2017 will be held accountable. Robbie has likewise worked to hold Donald Trump accountable for fraudulent conduct in his business activities through her representations of Mary Trump as well as a class of victims of Trump's fraudulent promotion of a multi-level marketing company. As the *Washington Post* noted, "a hallmark of Kaplan Hecker & Fink is crafting complaints in layman's language that packs a wallop. The Mary Trump brief is a doozy..." Mary Trump herself went further when describing Robbie to *Bloomberg Law*: "She's brilliant, she's unrelenting, she can't be intimidated and she's not going to back down. She eats bullies... for lunch."

\*\*\*

Robbie is the author of the book *Then Comes Marriage: United States v. Windsor and the Defeat of DOMA* (W.W. Norton), chosen by the *L.A. Times* as one of the top 10 books of 2015. President Bill Clinton noted that "*United States v. Windsor* was a landmark ruling and the case's architect, Roberta Kaplan, emerged as a true American hero. *Then Comes Marriage* is a riveting account of a watershed moment in our history, and the strategy, ingenuity, and humanity that made it happen." Rachel Maddow similarly noted that Robbie's book "will forever change the understanding of this landmark case—its genesis, its outside-the-box strategy, and its tactical brilliance."

In addition to an A.B. from Harvard College *magna cum laude* and a J.D. from Columbia Law School (where she teaches a seminar on advanced civil procedure), Robbie holds an Honorary Doctorate of Humane Letters from Johns Hopkins University and an Honorary Doctorate of Laws from the Jewish Theological Seminary, among others.

## Areas of Specialty

- Appellate Litigation
- Commercial Litigation
- Education
- Employment, Discrimination, and Sexual Misconduct
- Investigations and Crisis Management
- Public Interest Litigation
- Regulatory Enforcement and Litigation
- Trials

## Read about Roberta A. Kaplan in our Newsroom



Published on: SEPTEMBER 19, 2022

### Roberta Kaplan Featured on "Amicus with Dahlia Lithwick: Lady Justice and Charlottesville Nazis"

Kaplan Hecker founding partner Roberta ("Robbie") Kaplan joined her dear friend, journalist Dahlia Lithwick on the podcast "Amicus

KAPLAN HECKER & FINK LLP

ABOUT US OUR TALENT OUR WORK NEWSROOM CONTACT US CAREERS SEARCH

## Joshua Matz

Partner

T: (212) 765-0885

E: [jmatz@kaplanhecker.com](mailto:jmatz@kaplanhecker.com)

+ VCARD



Joshua Matz is a partner at Kaplan Hecker & Fink LLP, resident in the DC office.

Joshua's practice includes complex commercial disputes, constitutional and civil rights law, and Supreme Court and appellate litigation. He litigates a wide array of commercial cases, ranging from contract, fraud, and misappropriation disputes to consumer protection and sex discrimination matters. He advises individuals and companies on their response to congressional and state attorney general inquiries, participates in sensitive internal investigations, and supports clients seeking to navigate complex legal questions. Along with several of his colleagues at Kaplan Hecker, Joshua has represented Brown and Columbia Universities in Title IX litigation.

Joshua maintains a substantial civil rights and constitutional practice. His cases have ranged across LGBTQ rights, religious liberty, reproductive rights, freedom of speech, privacy, firearm regulation, the right to counsel, due process, and the scope of constitutional remedies. He has represented individual clients, civil rights organizations, non-profits, companies, current and former government officials, cities, states, and congressional committees. While many of these representations have involved litigation, he also provides practical counsel to clients who seek to assess their options and risk profile in areas of legal uncertainty.

Joshua's list of current and recent representations in this field include:

- The Governors of Wisconsin and Pennsylvania in defending their states' congressional districting maps against challenges at the U.S. Supreme Court
- Two New York State legislators in a lawsuit against the NYPD for police misconduct during the May 2020 Black Lives Matter protests
- The Commonwealth of Pennsylvania in defending its certification of the results of the 2020 presidential election at the U.S. Supreme Court
- Victims of consumer fraud in a federal class action lawsuit against Donald J. Trump, his adult children, and the Trump Organization
- Students, parents, teachers, and LGBTQ rights groups in challenging Florida H.B. 1557 (the "Don't Say Gay" law)
- Governor Andy Beshear of Kentucky in defending the constitutionality of his COVID-19 public health orders at the U.S. Supreme Court
- The Federal Defenders of New York in a statutory and constitutional challenge to attorney access policies at the Metropolitan Detention Center
- The SEIU in opposing a petition for certiorari seeking U.S. Supreme Court review of the constitutionality of a state access to information law
- Former Judge John Gleeson as court-appointed amicus in proceedings before Judge Emmett Sullivan in *United States v. Michael T. Flynn*
- The House Judiciary Committee in litigation seeking to compel testimony by former White House Counsel Don McGahn
- The City of Philadelphia in *Fulton v. Philadelphia*—a U.S. Supreme Court merits case involving a First Amendment challenge to the City's contractual non-discrimination requirements for foster care providers.

Joshua is also an experienced defamation litigator. His current and recent defamation representations include:

- representing E. Jean Carroll in a case against Donald J. Trump for defamatory statements Trump made in response to Ms. Carroll's public revelation that he had

### EDUCATION

B.A., University of Pennsylvania,  
2008 *magna cum laude*

M.S.T., Oxford University, 2009 *with distinction*

J.D., Harvard University, 2012 *magna cum laude*

### CLERKSHIPS

Hon. Anthony M. Kennedy, Supreme Court of the United States

Hon. Stephen Reinhardt, U.S. Court of Appeals for the Ninth Circuit

Hon. J. Paul Oetken, U.S. District Court for the Southern District of New York

### FELLOWSHIPS, LEADERSHIPS & RECOGNITION

40 & Under Hot List, *Benchmark Litigation*, 2020 - 2022

Rising Star of the Courtroom, *Business Insider*, 2022

Appellate Rising Star, *Law360*, 2022

Young Lawyer of the Year, *The American Lawyer*, 2021

Leading Plaintiff Employment & Civil Rights Lawyers, *Latodragon 500*, 2021 and 2022

List of Most Influential People in Washington, *Washingtonian Magazine*, 2021 and 2022

Kentucky Colonel, Commonwealth of Kentucky

Future Star, *Benchmark Litigation*

Elite Trial Lawyers List, Rising Star, *The National Law Journal*, 2021

D.C. Rising Star, *The National Law Journal*, 2020

"30 under 30" Law & Policy List, *Forbes Magazine*, 2014

Articles & Book Reviews Chair, *Harvard Law Review*

### BAR AND COURT ADMISSIONS

U.S. Supreme Court

sexually assaulted her

- successfully obtaining the dismissal of two state court defamation cases brought by Rep. Devin Nunes against Liz Mair for her political criticism.
- representing Stanford Medical School faculty who were threatened with a defamation suit for scientific criticism of policies advocated by former White House Coronavirus Advisor Dr. Scott Atlas.

Joshua has also filed amicus briefs on behalf of legal scholars, civil rights organizations, public officials, and medical experts. These briefs have addressed issues including:

- The denial of service to same-sex couples based on religious objections
- The legality of emergency public health measures issued amid the pandemic
- Protecting students against sectarian religious coercion by school personnel
- The history of self-defense law and its implications for firearms regulation
- The availability of compassionate release in light of the First Step Act
- Judicial power to release ICE detainees facing a substantial risk of harm
- The application of Title VII to anti-LGBT discrimination
- The addition of a citizenship question to the census
- The exclusion of transgender persons from the military
- The need for due process limits on suggestive in-court eyewitness identifications
- The illegality of denying Medicaid coverage for gender-affirming surgeries
- The lawfulness of election administration grant programs.

In February 2021, Joshua took a leave of absence from the firm to serve as Impeachment Counsel to the House Judiciary Committee for the second Senate trial of President Trump; he previously served among counsel to the House Judiciary Committee for the first impeachment and trial of President Trump.

Alongside his litigation experience, Joshua has written for diverse audiences about legal issues. His articles have appeared in *The Washington Post*, *The Wall Street Journal*, *The Harvard Law Review Forum*, *The University of Chicago Law Review*, *The Fordham Law Review*, *The Daily Journal*, *The Guardian*, *The Atlantic*, and *Wired*, and he has been invited to speak at Harvard Law School, the 92nd Street Y, the ABA LGBT+ Forum, the National Constitution Center, and Politics & Prose. Joshua also serves as an Adjunct Professor at Georgetown Law School, where he co-teaches “Constitutional Litigation and the Executive Branch.” Additionally, Joshua serves on the Board of Directors for Citizens for Responsibility and Ethics in Washington (CREW).

In March 2012, Joshua and Larry Tribe of Harvard Law School published “The Constitutional Inevitability of Same-Sex Marriage,” 71 Md. L. Rev. 471 (2012). In June 2014, they published an award-winning book, *Uncertain Justice: The Roberts Court and the Constitution* (Henry Holt). In May 2018, they published their second book together, *To End a Presidency: The Power of Impeachment* (Basic Books). *The Economist* proclaimed this book “the definitive treatment of a vital subject.”

Following law school, Joshua clerked for Judge J. Paul Oetken of the Southern District of New York, Judge Stephen Reinhardt of the Ninth Circuit Court of Appeals, and Justice Anthony M. Kennedy of the United States Supreme Court.

Joshua has received widespread acclaim for his work. In 2021, he was recognized by *The American Lawyer* as a “Young Lawyer of the Year”; more recently, *Law360* named him an “Appellate Rising Star” and *Business Insider* described him as a “Rising Star of the Courtroom.” He has also been named to *Washingtonian Magazine’s* List of Most Influential People in Washington in both 2021 and 2022. In January 2021, Joshua was commissioned by Governor Andy Beshear as a Kentucky Colonel for successfully defending the Governor’s COVID-19 public health measures at the Supreme Court. In 2014, *Forbes* named Joshua to its “30 under 30” Law & Policy List—and in 2016 it named him an “Alumni All-Star” of past honorees.

Joshua received his JD, *magna cum laude*, from Harvard Law School. While in law school, he interned at the Public Citizen Litigation Group and the Federal Defenders of New York. He also served as Articles & Book Reviews Chair of the Harvard Law Review. Joshua received his MS, with distinction, from Oxford University, and his BA, *magna cum laude*, from the University of Pennsylvania.

U.S. Courts of Appeals for the District of Columbia, Second, Third, Fourth, Fifth, Seventh, Ninth, and Tenth Circuits

U.S. District Court for the Southern District of New York and Eastern District of New York

U.S. District Court for the District of Columbia

U.S. District Court for the District of Colorado

U.S. District Court for the Western District of Michigan

U.S. District Court for the Eastern District of Wisconsin

New York

District of Columbia

## Areas of Specialty

Appellate Litigation Commercial Litigation

Congressional Investigations Education

Employment, Discrimination, and Sexual Misconduct

Investigations and Crisis Management

Public Interest Litigation

KAPLAN HECKER & FINK LLP

ABOUT US OUR TALENT OUR WORK NEWSROOM CONTACT US CAREERS SEARCH

# Shawn G. Crowley

Partner

T: (212) 765-0885

E: [scrowley@kaplanhecker.com](mailto:scrowley@kaplanhecker.com)

+ VCARD



Shawn G. Crowley is a partner at Kaplan Hecker & Fink LLP, resident in the New York office.

A highly accomplished former federal prosecutor with a successful track record in high-profile criminal and commercial matters, Shawn helps corporate and individual clients to navigate and resolve complex internal and government-led investigations, and to implement effective compliance and remediation programs.

Shawn has a diverse white-collar practice, representing companies and individuals in connection with white-collar criminal defense and investigations by the Department of Justice, the Securities and Exchange Commission, the Treasury Department's Office of Foreign Asset Control, the Commodities Futures Trading Commission, and state and local enforcement agencies. These matters and investigations have included, among other things, alleged insider trading, securities and wire fraud, sanctions evasion, money laundering, and diversion of controlled substances. Shawn also maintains a broad civil practice, including advising clients in matters concerning allegations of harassment and discrimination, as well as contractual and labor and employment disputes.

Shawn has briefed and argued numerous appeals before the U.S. Court of Appeals for the Second Circuit. Her contributions to public service have been recognized with the Director's Award for Superior Performance by a Litigative Team and the U.S. Department of Justice Assistant Attorney General's Award.

Shawn's current and recent representations include:

- Representing employees of a major financial services institution in connection with DOJ and SEC investigations into block trading
- Representing the former CEO of a global technology company in a state attorney general criminal investigation of insider trading
- Representing employees of a Wall Street bank in connection with an SEC inquiry into the bank's preservation of off-channel communications
- Representing various individuals in separate federal criminal investigations into insider trading
- Representing the former founder and head of a crypto-currency hedge fund who was prosecuted by the U.S. Attorney's Office of the Southern District of New York for fraud
- Representing the principal of a financial services firm in connection with DOJ and SEC investigations into short trading and market manipulation.
- Representing a witness in a criminal investigation into a real estate company for potential wrongdoing
- Representing the Democratic National Committee in connection with a criminal investigation relating to the 2016 presidential election, as well as a defamation and civil RICO suit brought by former president Donald J. Trump
- Representing an employee of New York-based non-profit in DOJ investigation into potential kickback scheme
- Representing professional athletes with claims of harassment
- Representing a financial services firm in an SEC investigation related to SPACs
- Representing a former officer of a fortune-500 company in connection with a DOJ/SEC accounting fraud investigation

#### EDUCATION

B.A., Northwestern University, 2006

J.D., Columbia Law School, 2011

#### CLERKSHIPS

Hon. Lewis A. Kaplan, U.S. District Court for the Southern District of New York

#### FELLOWSHIPS, LEADERSHIP & RECOGNITION

Best Lawyers: One to Watch, Litigation - Securities, *Best Lawyers*, 2023

40 & Under Hot List, *Benchmark Litigation*, 2022

Leading Plaintiff Employment & Civil Rights Lawyers, *Latvdragon 500*, 2022

Director's Award for Superior Performance by a Litigative Team, 2019

U.S. Department of Justice Assistant Attorney General's Award, 2019

James Kent Scholar, Columbia Law School

Harlan Fisk Stone Scholar, Columbia Law School

Editor-in-Chief, *Columbia Journal of Environmental Law*

Alfred S. Forsyth Prize for Excellence in Environmental Law, Columbia Law School

#### BAR AND COURT ADMISSIONS

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the Southern District of New York

New York

## Areas of Specialty

Appellate Litigation Cryptocurrency

- Representing an individual in connection with a Commodity Futures Trading Commission investigation into swaps trading at a large commercial bank
- Representing an employee of a major transport-solutions company in connection with a DOJ investigation into the company's compliance measures
- Representing a non-profit homeless services provider in connection with state and federal criminal investigation into its former CEO relating to embezzlement and kickbacks

- Cybersecurity and Data Privacy
- Employment, Discrimination, and Sexual Misconduct
- FCPA and Anti-Corruption
- Investigations and Crisis Management
- Public Interest Litigation
- Regulatory Enforcement and Litigation
- Securities Enforcement and Litigation
- Trials
- White Collar Criminal Defense

Shawn joined the firm after serving for more than six years as an Assistant United States Attorney in the United States Attorney's Office for the Southern District of New York, during which time she investigated, supervised, and prosecuted a variety of cases, including matters involving terrorism and national security offenses, sanctions violations, money laundering, cyber-terrorism, opioid diversion, and international narcotics trafficking. Shawn was Co-Chief of both the Narcotics Unit and Terrorism and International Narcotics Unit, supervising dozens of Assistant U.S. Attorneys, investigators, and other personnel in investigations, prosecutions, and trials involving a wide range of national security, drug trafficking, and white-collar offenses.

Notable cases that Shawn supervised include the first-ever felony charges against an opioid distributor, Rochester Drug Co-Operative, and its former chief executive officer and chief compliance officer, in 2019, which resulted in a trial conviction, deferred prosecution agreement, imposition of a monitorship and \$20 million fine, and guilty pleas; sanctions evasion, money laundering, and fraud charges against Türkiye Halk Bankası A.Ş. or "Halkbank," for its alleged participation in a multi-billion-dollar Iranian sanctions-evasion scheme; the capital prosecution of Sayfullo Saipov for the alleged 2017 truck attack in Tribeca; and the coordinated narcotics-trafficking charges against five doctors and two other health care professionals for oxycodone diversion in 2018. Shawn also supervised the 2020 prosecution of the sitting president of Venezuela, Nicolás Maduro, and other high-level Venezuelan officials, on charges of narco-terrorism and weapons offenses.

Shawn has tried numerous cases as a prosecutor, including those involving terrorism offenses, money laundering, opioid diversion, racketeering, murder, and narcotics trafficking. These included the trial and conviction of the so-called "Chelsea Bomber," Ahmad Khan Rahimi, for perpetrating a terrorist attack bombing in the Chelsea neighborhood of Manhattan in October 2016, and the trial and conviction of Akayed Ullah for his attempted suicide bombing in the Times Square subway station in 2017. Shawn previously served as a Lecturer-in-Law at Columbia Law School, where she supervised externships for law students within the Southern District of New York. She began her career as an associate at Cravath, Swaine & Moore LLP where she maintained a broad commercial litigation practice with a focus on matters involving violations of federal securities and antitrust laws, and served as a law clerk to the Honorable Lewis A. Kaplan of the United States District Court for the Southern District of New York.

Shawn received her JD from Columbia Law School, where she was a James Kent Scholar, a Harlan Fisk Stone Scholar, the editor-in-chief of the *Columbia Journal of Environmental Law*, and a recipient of the Alfred S. Forsyth Prize for Excellence in Environmental Law. She received her BA from Northwestern University.

## Read about Shawn G. Crowley in our Newsroom



Published on: JULY 27, 2022

### Several Partners Named to Benchmark Litigation's 2022 40 & Under Hot List

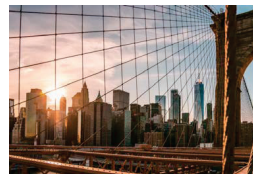
Kaplan Hecker & Fink LLP is proud to announce partners Shawn Crowley, Joshua Matz, John Quinn, and Ray Tolentino have been named to Benchmark Litigation's 2022...[READ MORE](#)



Published on: JUNE 16, 2022

### Kaplan Hecker & Fink Attorneys Named to 2022 Lawdragon 500 Leading Plaintiff Employment & Civil Rights Lawyers Guide

NEW YORK, NY, June 16, 2022 – Kaplan Hecker & Fink LLP is pleased to announce that 10 of its lawyers have been named to the 2022 Lawdragon 500 Leading Plaintiff Employment & Civil Rights Lawyers Guide.



Published on: MAY 24, 2022

### New York's Adult Survivors Act (A648/S66)

On May 24, Governor Hochul signed into law the Adult Survivors Act (A648/S66) (the "Act"). The Act amends New York's Civil Practice Law and Rules ("CPLR") to...[READ MORE](#)



# Carmen Iguina González

Counsel

T: (212) 765-0885

E: ciguinagonzalez@kaplanhecker.com

+ VCARD



Carmen Iguina González is counsel at Kaplan Hecker & Fink, resident in the DC office. She joined the firm in 2022.

Carmen specializes in appellate and complex civil litigation and has substantial experience representing clients in matters related to administrative, constitutional, and civil rights law. She is a nationally renowned civil rights litigator whose work has advanced the rights of immigrants and people of color, including litigation concerning the right to legal representation, basic fairness in removal proceedings, and critical protections against arbitrary detention. She has won path-breaking court rulings, advocated for the rights of asylum seekers, unaccompanied immigrant children, families, and other immigrants seeking refuge in the United States, and has worked with federal, state, and local governments to enact policies aimed at protecting immigrant communities. In addition to her legal work, Carmen advocates for immigrants' rights and has frequently written on related topics, including California immigration legislation, injustices in the asylum-seeking process, and the mistreatment of immigrants with serious mental disabilities in immigration detention centers.

Carmen is a member of the Hispanic Bar Association of the District of Columbia, the Hispanic National Bar Association, and the DC Circuit Standing Committee on Pro Bono Legal Services. She also serves as a mentor to young lawyers through The Appellate Project, NYU Birnbaum Women's Leadership Network Fellows Program, and the NYU Law Alumni of Color Association. In 2022, Carmen was recognized by the Hispanic National Bar Association among their "Top Attorneys Under 40." She has also been recognized in 2018 as a "40 Under 40 Rising Star" by the NYU Law Alumni of Color Association, in 2016 as a California Attorney of the Year (Immigration), and in 2014 as the recipient of the American Immigration Lawyers Association, Jack Wasserman Memorial Award.

Carmen joined the firm from the ACLU Immigrants' Rights Project, where she worked as a Senior Staff Attorney. At the ACLU, Carmen developed and led complex civil rights litigation and engaged in advocacy to protect the rights of immigrant communities, including constitutional, statutory, and administrative law challenges to detention practices, restrictions on asylum, and immigration enforcement abuses. She represented immigrant detainees in challenges concerning the adequacy of procedures afforded at initial bond hearings. Carmen also served as counsel for plaintiffs in litigation challenging the practice of forcibly separating children from their parents at the US border. She also represented asylum seekers and organizational plaintiffs before the US Supreme Court and federal district court in challenges to the "Remain in Mexico" immigration policy.

Carmen has served as a law clerk at every level of the federal judiciary, having clerked for the Hon. Sonia Sotomayor of the Supreme Court of the United States, the Hon. Stephen R. Reinhardt of the United States Court of Appeals for the Ninth Circuit, and the Hon. Kiyoo A. Matsumoto of the United States District Court for the Eastern District of New York.

## EDUCATION

AB, Harvard University, 2005  
*magna cum laude*

JD, New York University School of  
Law, 2010  
*magna cum laude*

Root Tilden Kern Scholar

## CLERKSHIPS

Hon. Sonia Sotomayor, US Supreme  
Court of the United States

Hon. Stephen R. Reinhardt, US Court  
of Appeals for the Ninth Circuit

Hon. Kiyoo A. Matsumoto US  
District Court for the Eastern District  
of New York

## FELLOWSHIPS, LEADERSHIP & RECOGNITION

Top Attorneys Under 40, Hispanic  
National Bar Association, 2022

40 Under 40 Rising Star, NYU Law  
Alumni of Color Association, 2018

California Attorney of the Year  
(Immigration), 2016

American Immigration Lawyers  
Association, Jack Wasserman Memorial  
Award, 2014

Prior to joining the ACLU as Senior Staff Attorney, Carmen was an associate for Jones Day, where she represented clients in complex civil, criminal, and administrative matters as an attorney in the Issues and Appeals practice group. She also maintained an active pro bono docket, including the Laredo Project, which has provided legal counsel, as well as legal education, to over 10,000 asylum seekers who have been detained by the US government. Carmen also represented asylum seekers pro bono in proceedings before the Immigration Court and Board of Immigration Appeals.

From 2012 to 2017, Carmen was an Equal Justice Works Fellow and then a Staff Attorney at the ACLU of Southern California, where her work included acting as counsel in the first case that established a right to appointed legal representation for any group of immigrants facing deportation. This case, *Franco v. Holder*, requires the federal government to provide legal representation to immigrants with serious mental disabilities. She was also counsel in *J.E.F.M. v. Holder*, a nationwide class action lawsuit seeking to require the government to provide children with legal representation in their deportation hearings, and in *Alfaro Garcia v. Holder*, a nationwide class action lawsuit filed on behalf of thousands of immigrants fleeing persecution who had faced months of detention while awaiting reasonable fear determinations.

Beyond her work pertaining to immigrant rights, Carmen has done critical work related to criminal justice. Carmen worked alongside a legal team in *Youth Justice Coalition v. City of Los Angeles*, a class action lawsuit on behalf of thousands of Angelenos against the Los Angeles police and prosecutors who unfairly subjected the plaintiffs to restrictive “gang injunctions” without due process. These “gang injunctions” included court orders that turn common behavior into crimes, such as possessing cell phones, drinking alcohol on your own front porch, and associating with people the police claim are also gang members. Carmen helped develop that litigation, working alongside community organizations to gather facts and interview affected community members, develop the legal claims, and brief key pleadings in the case. The team ultimately settled the case with the City of Los Angeles, ensuring that no resident is subjected to “gang injunctions” without fair warning and process.

Carmen was also lead counsel in *Bridges v. United States*, a criminal habeas appeal before the US Court of Appeals for the Seventh Circuit concerning the right to effective assistance of counsel at sentencing proceedings. *Bridges v. United States* established hugely important precedent in the circuit holding that defense counsel must develop and raise claims that have been foreshadowed in the case law, even when there was no binding in-circuit precedent on that exact issue. Carmen developed the arguments and argued the case before the court of appeals, ultimately securing this important victory for criminal defendants in the circuit.

Carmen received her JD, *magna cum laude*, from New York University School of Law, where she was a Root Tilden Kern Scholar and recipient of the Maurice Goodman Memorial Prize, awarded for outstanding scholarship and character, and the Ann Petluck Poses Memorial Prize, awarded for outstanding work in a clinical course requiring student practice. Carmen also served as an Articles Editor at the *New York University Law Review*. She received her AB, *magna cum laude*, from Harvard University, where she graduated with highest honors in her field and was awarded the Gordon W. Allport Prize for Distinguished Senior Thesis.

---

Read about Carmen Iguina González in our Newsroom

## Max Feldman

Senior Associate

T: (212) 765-0885

E: [mfeldman@kaplanhecker.com](mailto:mfeldman@kaplanhecker.com)

+ VCARD



Max Feldman is a senior associate at Kaplan Hecker & Fink LLP.

Max was previously counsel at the Brennan Center for Justice at NYU School of Law, where he litigated high-profile voting rights cases in state and federal courts at both the trial and appellate level. Among his most significant matters were a challenge to Texas Governor Greg Abbott's restrictions on absentee ballot drop-off locations ahead of the 2020 election, a challenge to the security of Georgia's voter registration system that resulted in new provisions of state law, and a lawsuit that prevented Texas from turning over voter data to President Trump's "voter fraud" commission. Max also provided legal and policy advice to policymakers and advocates on election issues, including providing assistance with legislative drafting. Max wrote a number of reports on election administration that have been cited extensively in the media, including by the *New York Times*, the *Washington Post*, the *New Yorker*, and *Vox*. A plan to protect the 2020 election from the coronavirus that he co-authored was widely endorsed by civil rights groups and political scientists.

Prior to his time at the Brennan Center, Max was a litigation associate at Munger, Tolles & Olson LLP. There, he maintained a complex commercial litigation practice, representing clients in a range of industries, including financial services and energy. A significant part of his practice focused on representing major financial institutions in litigation related to mortgages and mortgage-backed securities. In addition, he maintained a *pro bono* practice focused on immigration proceedings. Max also clerked for the Honorable Bruce M. Selya of the U.S. Court of Appeals for the First Circuit.

Max received his J.D. *magna cum laude* from the New York University School of Law, where he was elected to the Order of the Coif and served as an articles editor of the *NYU Law Review*.

Prior to law school, Max worked as a speechwriter, including as the head speechwriter for Governor David Paterson of New York. He graduated from Harvard College with an A.B. in Philosophy.

### EDUCATION

A.B., Harvard College, 2007

J.D., NYU School of Law, 2013

*magna cum laude*

### CLERKSHIPS

Hon. Bruce M. Selya, U.S. Court of Appeals for the First Circuit

### FELLOWSHIPS, LEADERSHIP & RECOGNITION

Order of the Coif, NYU School of Law

Florence Allen Scholar, NYU School of Law

Guarini Scholar, NYU School of Law

Staff Editor, *NYU Law Review*

Articles Editor, *NYU Law Review*

### BAR AND COURT ADMISSIONS

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Southern District of California

U.S. District Court for the Western District of Michigan

New York

---

Read about Max Feldman in our Newsroom

KAPLAN HECKER & FINK LLP

ABOUT US OUR TALENT OUR WORK NEWSROOM CONTACT US CAREERS SEARCH

# Anna Collins Peterson

Associate

T: (212) 763-0885

E: [apeterson@kaplanhecker.com](mailto:apeterson@kaplanhecker.com)

+ VCARD



Anna Collins Peterson is an associate at Kaplan Hecker & Fink LLP.

She joined the firm after completing clerkships for the Honorable James A. Wynn, Jr. of the United States Court of Appeals for the Fourth Circuit and the Honorable Rebecca Goodgame Ebinger of the United States District Court for the Southern District of Iowa.

Anna graduated *summa cum laude* from the University of Wisconsin Law School, where she was first in her class. While in law school, she served as the Senior Articles Editor for the *Wisconsin Law Review*. She was inducted into the Order of the Coif and received awards including the Bruce Beilfuss Memorial Award for Service to the Law School, the Gwynette Smalley Law Review Prize, the Mathys Memorial Award for Achievement in Moot Court Competitions, and several Best Performance in Class awards. She also worked on campaign finance and election law as a research assistant to Professor Robert Yablon, provided post-conviction legal assistance to people in Wisconsin state prisons as a student attorney at the Frank J. Remington Center, and took part in the New York City Bar National Moot Court Competition.

Prior to law school, Anna worked as the traveling exhibits coordinator for the Wisconsin Veterans Museum, as a corporate trainer at a software company, and interned in the curator's office of the Supreme Court of the United States. She graduated Phi Beta Kappa from the University of North Carolina at Chapel Hill.

## EDUCATION

B.A., University of North Carolina at Chapel Hill, 2012

*Phi Beta Kappa*

J.D., University of Wisconsin Law School, 2018

*summa cum laude*

## CLERKSHIPS

Hon. James A. Wynn, Jr., U.S. Court of Appeals for the Fourth Circuit

Hon. Rebecca Goodgame Ebinger, U.S. District Court for the Southern District of Iowa

## FELLOWSHIPS, LEADERSHIP & RECOGNITION

Order of the Coif, University of Wisconsin Law School

Bruce Beilfuss Memorial Scholarship for Service to the Law School, University of Wisconsin Law School

Gwynette Smalley Law Review Prize, University of Wisconsin Law School

Mathys Memorial Award for Achievement in Moot Court Competitions, University of Wisconsin Law School

Sonnet Schmidt Edmonds Award for Excellence in Energy Law, University of Wisconsin Law School

Senior Articles Editor, *Wisconsin Law Review*

Rath Foundation Scholarship, University of Wisconsin Law School

## BAR AND COURT ADMISSIONS

U.S. Court of Appeals for the Fourth Circuit

U.S. District Court for the Western District of Wisconsin

Wisconsin

District of Columbia

New York

**Maggie Turner Biography**  
**March 2022**

Margaret “Maggie” Turner is an associate at Kaplan Hecker & Fink LLP.

Maggie joined the firm after completing a clerkship with the Honorable Ronald M. Gould of the U.S. Court of Appeals for the Ninth Circuit. Prior to clerking, Maggie was a summer associate at Kellogg, Hansen, Todd, Figel & Frederick PLLC. In 2022, Maggie will clerk for the Honorable Carol Bagley Amon of the U.S. District Court for the Eastern District of New York.

Maggie graduated *magna cum laude* from the University of Michigan Law School, where she was inducted into the Order of the Coif. She served as a Notes Editor for the *Michigan Law Review* and as Co-President of the American Constitution Society. At Michigan, Maggie was a finalist in the Henry M. Campbell Moot Court Competition and later served on the competition's executive board. She also competed on the mock trial team and was a finalist at the John L. Costello National Criminal Mock Trial Competition in Washington, D.C. As a student attorney in Michigan's Federal Appellate Litigation Clinic, Maggie represented indigent criminal defendants in the Sixth Circuit. As a 3L, she briefed and argued a successful habeas petition that resulted in a published opinion. During law school, Maggie interned in the Public Integrity Section of the United States Department of Justice, where she focused on public corruption and election law.

Maggie began her career as an English literature teaching fellow at Millfield Senior School in Glastonbury, United Kingdom. She earned her B.A. in political philosophy, policy and law from the University of Virginia in 2014, graduating with distinction.

**EDUCATION**

- B.A., University of Virginia, 2014
  - *with Distinction*
- J.D., University of Michigan, 2020
  - *magna cum laude*

**CLERKSHIPS**

- Hon. Ronald M. Gould, U.S. Court of Appeals for the Ninth Circuit

**FELLOWSHIPS, LEADERSHIP & RECOGNITION**

- Order of the Coif, Michigan Law School
- Notes Editor, *Michigan Law Review*
- Second Place, Henry M. Campbell Moot Court Competition, Michigan Law School
- Problem Chair, Henry M. Campbell Moot Court Competition Board, Michigan Law School
- Co-President, American Constitution Society, Michigan Law School

**BAR AND COURT ADMISSIONS**

- New York

## James Blum

Associate

T: (212) 765-0885

E: [jblum@kaplanhecker.com](mailto:jblum@kaplanhecker.com)

+ VCARD



James Blum is an associate at Kaplan Hecker & Fink LLP.

Prior to joining Kaplan Hecker, James worked as a student advocate for the NAACP where he wrote memoranda for use in post-conviction cases. He also assisted in the preparation for a state post-conviction evidentiary hearing and researched an amicus brief contesting the constitutionality of the death penalty under state law. Previously, James served as a civil rights intern for the Surveillance Technology Oversight Project where he helped draft bills proposed in the New York Senate and conducted research, drafted testimony, and white papers relating to technologies and procedures threatening New Yorkers' privacy.

James graduated New York University School of Law where he was a Marden Moot Court Competition semifinalist and a staff editor for *Review of Law & Social Change*. He also worked as a research and teaching assistant. He earned a B.A. from the University of Michigan in Economics.

### EDUCATION

B.A., University of Michigan, 2013

J.D., New York University School of Law, 2020

### FELLOWSHIPS, LEADERSHIP & RECOGNITION

Semifinalist, Marden Moot Court Competition

Staff Editor, *Review of Law & Social Change*

### BAR AND COURT ADMISSIONS

New York

[About Us](#) [Our Talent](#) [Our Work](#) [Newsroom](#) [Contact Us](#) [Careers](#) [Search](#)



## KAPLAN HECKER & FINK LLP

[ABOUT US](#) [OUR TALENT](#) [OUR WORK](#) [NEWSROOM](#) [CONTACT US](#) [CAREERS](#) [SEARCH](#)

### Kelsey Dietrich

Senior Case Manager

T: (212) 765-0885

E: [kdietrich@kaplanhecker.com](mailto:kdietrich@kaplanhecker.com)

+ VCARD



Kelsey Dietrich is a senior case manager at Kaplan Hecker & Fink LLP.

Kelsey joins the firm after serving as a litigation paralegal at Vedder Price P.C., where she supported teams of attorneys in complex litigations up to and through the trial phase and in responding to DOJ and SEC investigations. She previously worked as a legal secretary and legal assistant at other Chicago-based law firms.

Kelsey also has an extensive background in political volunteering, including work helping to lead volunteer teams in national campaigns. She has similarly served as a public benefits enrollment volunteer for Legal Aid Chicago, assisting applicants for cash assistance and other public benefits to navigate complex government processes.

Kelsey is a *cum laude* graduate of Loyola University Chicago where she majored in International Studies and minored in Spanish and Marketing. She likewise received a Certificate in Paralegal Studies from the University's Institute of Paralegal Studies.

#### EDUCATION

B.A., Loyola University Chicago  
*cum laude*

[About Us](#) [Our Talent](#) [Our Work](#) [Newsroom](#) [Contact Us](#) [Careers](#) [Search](#)



# **EXHIBIT B**



Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
3/24/2022	Anna Peterson	\$375.00	2.9	\$1,087.50	Review media coverage of complaint filed against client; review complaint and draft summary for client and team of the same; correspond with team about the same.
3/24/2022	Roberta Kaplan	\$700.00	1.2	\$840.00	Analysis of Trump complaint.
3/24/2022	Shawn Crowley	\$700.00	0.8	\$560.00	Correspondence with client; review civil complaint and internal correspondence re same; call with client re [REDACTED]
3/25/2022	Roberta Kaplan	\$700.00	1.2	\$840.00	E-mails re: defenses, motion to dismiss.
3/29/2022	Shawn Crowley	\$700.00	0.6	\$420.00	Review complaint.
4/3/2022	Joshua Matz	\$700.00	0.7	\$490.00	Prepare for and participate in call with Shawn + continue review of case.
4/3/2022	Shawn Crowley	\$700.00	0.9	\$630.00	Conference with J. Matz re strategy.
4/4/2022	Joshua Matz	\$700.00	0.2	\$140.00	Email potential local counsel.
4/4/2022	Maximillian Feldman	\$450.00	0.4	\$180.00	Telephone conference with A. Peterson regarding case status; review docket; review motion to disqualify judge.
4/4/2022	Roberta Kaplan	\$700.00	0.5	\$350.00	E-mails re: local counsel; recusal motion.
4/4/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Correspondence re local counsel.
4/5/2022	Joshua Matz	\$700.00	1.3	\$910.00	Conversation with Monica + conversation with potential local counsel + [REDACTED].
4/5/2022	Maximillian Feldman	\$450.00	1.0	\$450.00	Correspondence with J. Matz and S. Crowley regarding recusal motion; draft litigation hold notice.
4/5/2022	Shawn Crowley	\$700.00	2.0	\$1,400.00	Call with J. Matz and local counsel; review complaint; calls with client.
4/6/2022	Anna Peterson	\$375.00	1.8	\$675.00	Review [REDACTED] and make edits to the same; call with prior counsel to discuss [REDACTED] and take notes on the same.
4/6/2022	Joshua Matz	\$700.00	4.5	\$3,150.00	Review complaint and continue revisions to [REDACTED]
4/6/2022	Kelsey Dietrich	\$150.00	0.1	\$15.00	Add deadline for DNC response in Trump v. Clinton to docketing calendar.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/6/2022	Maximillian Feldman	\$450.00	1.4	\$630.00	Revise [REDACTED] and email correspondence with A. Peterson regarding same; circulate [REDACTED] to KHF team; email correspondence with M. Guardiola and G. Wilson regarding [REDACTED]; telephone conference with G. Wilson, M. Parnell, and KHF team regarding [REDACTED]
4/6/2022	Shawn Crowley	\$700.00	0.6	\$420.00	Call with Graham Wilson re [REDACTED]
4/7/2022	Anna Peterson	\$375.00	5.4	\$2,025.00	Review order denying motion to recuse; call with J. Matz, S. Crowley, and M. Feldman to discuss [REDACTED] take notes on the same; follow up call with M. Feldman to discuss research needed for [REDACTED] and other outstanding tasks; review case law and treatises addressing legal claims against client; analyze in light of complaint; draft document summarizing legal claims and allegations for purposes of [REDACTED]
4/7/2022	Joshua Matz	\$700.00	2.8	\$1,960.00	Continue review of Complaint + study Court's recusal order + email client update [REDACTED] + call w counsel to Gibson Dunn.
4/7/2022	Kelsey Dietrich	\$150.00	0.3	\$45.00	Set docket updates for Trump v. Clinton matter to be distributed to team; attention to file management.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/7/2022	Maximillian Feldman	\$450.00	2.5	\$1,125.00	Telephone conference with J. Matz, S. Crowley, A. Peterson regarding [REDACTED]; analysis regarding [REDACTED] and draft email to client regarding same; review A. Peterson analysis of claims in connection with [REDACTED]; email correspondence with J. Matz concerning [REDACTED].
4/7/2022	Shawn Crowley	\$700.00	1.2	\$840.00	Common interest call with counsel for Perkins Coie re strategy.
4/11/2022	Joshua Matz	\$700.00	0.5	\$350.00	Call w Levy Firestone counsel re: case strategy.
4/11/2022	Joshua Matz	\$700.00	1.4	\$980.00	Client call re: [REDACTED].
4/11/2022	Shawn Crowley	\$700.00	1.1	\$770.00	Common interest call with counsel for Fusion and discussion with J. Matz re same; call with client re [REDACTED].
4/12/2022	Anna Peterson	\$375.00	0.1	\$37.50	Review documents showing service sent by J. Matz and coordinate with case manager for workspace organization.
4/12/2022	Joshua Matz	\$700.00	0.4	\$280.00	Further outreach re: potential local counsel.
4/12/2022	Joshua Matz	\$700.00	0.1	\$70.00	Correspond w client re: [REDACTED].
4/12/2022	Joshua Matz	\$700.00	0.3	\$210.00	Send Monica an email [REDACTED].
4/12/2022	Joshua Matz	\$700.00	0.7	\$490.00	Call with Graham Wilson + follow up.
4/12/2022	Kelsey Dietrich	\$150.00	0.5	\$75.00	Attention to file management of received summonses.
4/13/2022	Anna Peterson	\$375.00	0.2	\$75.00	Review notes from call with common interest group and email S. Crowley about the same.
4/13/2022	Joshua Matz	\$700.00	0.4	\$280.00	Review email summary of common interest call earlier in day re: litigation strategy.
4/13/2022	Joshua Matz	\$700.00	2.0	\$1,400.00	Revise and send client draft [REDACTED].
4/13/2022	Joshua Matz	\$700.00	0.7	\$490.00	Calls and emails re: obtaining local counsel.
4/13/2022	Shawn Crowley	\$700.00	0.7	\$490.00	Common interest call; discussion with J. Matz re strategy.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/14/2022	Anna Peterson	\$375.00	0.5	\$187.50	Call with S. Crowley to discuss case status and needed research; review previous research on claims in complaint.
4/14/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Conference with Anna Collins Peterson re strategy.
4/15/2022	Anna Peterson	\$375.00	2.7	\$1,012.50	Research claims in complaint and potential defenses; take notes on the same.
4/15/2022	Joshua Matz	\$700.00	0.4	\$280.00	Call re: local counsel representation.
4/15/2022	Kelsey Dietrich	\$150.00	0.7	\$105.00	Compile recent court filings in Trump v. Clinton.
4/15/2022	Shawn Crowley	\$700.00	1.0	\$700.00	Call with potential local counsel Wilfredo Ferrer.
4/16/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review docket updates.
4/17/2022	Maximillian Feldman	\$450.00	0.4	\$180.00	Review Court order concerning trial date and email correspondence with KHF team regarding same; review Williams & Connolly draft motion to dismiss.
4/18/2022	Anna Peterson	\$375.00	2.2	\$825.00	Research [REDACTED]; analyze the same in light of allegations in complaint; take notes on the same; draft email to M. Feldman summarizing the same.
4/18/2022	Joshua Matz	\$700.00	0.9	\$630.00	Correspondence re: declination by potential local counsel and follow up with Monica re: next steps [REDACTED].
4/18/2022	Maximillian Feldman	\$450.00	0.7	\$315.00	Telephone conference with A. Peterson regarding case status; correspondence with S. Crowley regarding claims; email correspondence with A. Peterson regarding research and review research.
4/19/2022	Anna Peterson	\$375.00	0.8	\$300.00	Call with team to discuss status and plan for filings; review docket alerts and brief sent by common interest counsel.
4/19/2022	Joshua Matz	\$700.00	0.5	\$350.00	Prepare for and participate in call with Shawn, Max, and Anna re: latest developments and next steps in MTD practice.
4/19/2022	Joshua Matz	\$700.00	0.7	\$490.00	Prepare for, participate in, and debrief call with potential local counsel.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/19/2022	Maximillian Feldman	\$450.00	2.4	\$1,080.00	Telephone conference with J. Matz, S. Crowley, and A. Peterson regarding motion to dismiss; review complaint and legal research regarding same.
4/19/2022	Shawn Crowley	\$700.00	0.6	\$420.00	Team conference re strategy; correspondence with client.
4/19/2022	Joshua Matz	\$700.00	0.2	\$140.00	Correspond w/ DWS staff re: [REDACTED]
4/20/2022	Anna Peterson	\$375.00	5.2	\$1,950.00	Take notes on allegations in complaint specific to client; review case law and treatises addressing [REDACTED] analyze the same in light of allegations in complaint; take notes on the same.
4/20/2022	Joshua Matz	\$700.00	1.3	\$910.00	Prepare for, participate in, and update client on joint defense call re: motion to dismiss strategy.
4/20/2022	Kelsey Dietrich	\$150.00	0.7	\$105.00	Prepare binder for S. Crowley of briefs in Trump v. Clinton matter.
4/20/2022	Maximillian Feldman	\$450.00	0.2	\$90.00	Draft motion to dismiss outline.
4/20/2022	Joshua Matz	\$700.00	0.3	\$210.00	Correspond with David Damron re: scheduling call and [REDACTED]
4/21/2022	Anna Peterson	\$375.00	5.3	\$1,987.50	Call with M. Turner to discuss matter and research needs; review motion to dismiss filed by other defendant to identify arguments to incorporate; call with M. Feldman to discuss arguments, additional research, and plan for outlining brief.
4/21/2022	Joshua Matz	\$700.00	0.8	\$560.00	Participate in and follow up on call with Monica.
4/21/2022	Joshua Matz	\$700.00	0.2	\$140.00	Email update to Monica re: [REDACTED]
4/21/2022	Joshua Matz	\$700.00	0.2	\$140.00	Correspond with KHF team about timing on drafting MTD.
4/21/2022	Joshua Matz	\$700.00	0.7	\$490.00	Review draft MTD circulated by HRC counsel.
4/21/2022	Joshua Matz	\$700.00	0.2	\$140.00	Further update to Monica re: [REDACTED]
4/21/2022	Joshua Matz	\$700.00	1.5	\$1,050.00	Correspondence w counsel to HRC + additional legal research into structure of draft MTD.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/21/2022	Maggie Turner	\$375.00	4.5	\$1,687.50	Met with J. Matz and A. Peterson to discuss new matter; reviewed and analyzed background materials (complaint, Clinton motion to dismiss, research documents) and began research into elements of claims.
4/21/2022	Maximillian Feldman	\$450.00	1.0	\$450.00	Telephone conference with A. Peterson regarding outline of brief and research; review A. Peterson research.
4/21/2022	Shawn Crowley	\$700.00	0.8	\$560.00	Call with DWS staff re [REDACTED] Prepare for and participate in call with David, Tracie, and Steve about [REDACTED]
4/21/2022	Joshua Matz	\$700.00	0.8	\$560.00	[REDACTED]
4/21/2022	Joshua Matz	\$700.00	0.2	\$140.00	Correspond with local counsel about [REDACTED]
4/22/2022	Anna Peterson	\$375.00	3.3	\$1,237.50	Draft outline of arguments for motion to dismiss: regarding [REDACTED]; review briefs addressing similar claims, analyze in light of allegations in complaint, and take notes on the same.
4/22/2022	Joshua Matz	\$700.00	0.3	\$210.00	Correspond with Monica re: [REDACTED]
4/22/2022	Joshua Matz	\$700.00	0.3	\$210.00	Review email received from Gibson Dunn re: proposed motion for extension of time to respond to answer, and follow up urgently with Monica re: [REDACTED]
4/22/2022	Joshua Matz	\$700.00	1.2	\$840.00	Correspond with local counsel about [REDACTED] + follow up correspondence w local counsel.
4/22/2022	Kelsey Dietrich	\$150.00	0.3	\$45.00	Internal correspondence re pro hac vice appearance for S. Crowley; attention to file management.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/22/2022	Maximillian Feldman	\$450.00	3.0	\$1,350.00	Analysis regarding complaint and Clinton brief; telephone conference with A. Peterson regarding motion to dismiss brief; draft outline of [REDACTED] of motion to dismiss brief.
4/22/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Discussion with J. Matz re strategy.
4/22/2022	Joshua Matz	\$700.00	1.3	\$910.00	Emails about [REDACTED] + [REDACTED] connecting to local counsel and w Shawn Crowley + calls with Gibson Dunn re: status updates
4/23/2022	Anna Peterson	\$375.00	0.6	\$225.00	Review and circulate filings; draft outline of arguments for motion to dismiss regarding [REDACTED]; review briefs addressing similar claims, analyze in light of allegations in complaint.
4/23/2022	Maximillian Feldman	\$450.00	1.5	\$675.00	Draft outline of [REDACTED] of motion to dismiss brief.
4/23/2022	Shawn Crowley	\$700.00	0.6	\$420.00	Call with client re [REDACTED]; correspondence with local counsel re motion for extension; review motion for extension.
4/24/2022	Joshua Matz	\$700.00	0.4	\$280.00	Review correspondence and drafts re: [REDACTED] + filings over Saturday.
4/24/2022	Joshua Matz	\$700.00	0.2	\$140.00	Correspond w DNC insurer.
4/24/2022	Joshua Matz	\$700.00	2.3	\$1,610.00	Further review of the complaint with eye to potential separate legal arguments and MTD strategy.
4/25/2022	Anna Peterson	\$375.00	4.3	\$1,612.50	Correspond with M. Turner regarding additional research for motion to dismiss; draft outline of arguments for motion to dismiss regarding [REDACTED] review briefs addressing similar claims, analyze in light of allegations in complaint; review docket entries and update filing deadlines based on the same; review cases addressing [REDACTED] and email M. Feldman about the same.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/25/2022	Kelsey Dietrich	\$150.00	1.8	\$270.00	Attention to file management; management of Bloomberg alerts for Trump v. Clinton.
4/25/2022	Maggie Turner	\$375.00	3.5	\$1,312.50	Researched [REDACTED]
4/25/2022	Maximillian Feldman	\$450.00	5.4	\$2,430.00	Email correspondence with team regarding court order on expedited briefing of Trump motion for extension of time; draft section of motion to dismiss brief concerning [REDACTED]; legal research iso motion to dismiss brief; correspondence with A. Peterson and M. Turner regarding legal research; email correspondence with J. Quinn concerning [REDACTED] legal analysis.
4/25/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with local counsel re pro hac vice motion.
4/25/2022	Joshua Matz	\$700.00	0.2	\$140.00	Send client update on Court granting extension motions
4/26/2022	Anna Peterson	\$375.00	2.5	\$937.50	Call with M. Feldman and M. Turner to discuss edits and revisions to motion to dismiss outline; make edits to outline to reflect the same.
4/26/2022	Joshua Matz	\$700.00	0.6	\$420.00	Correspondence re: litigation schedule + legal research re: potential MTD issues.
4/26/2022	Maggie Turner	\$375.00	2.4	\$900.00	Researched [REDACTED]; reviewed and analyzed MTD outline by cross-referencing HRC brief; met with associate team to discuss substantive issues and any research holes in outline.
4/26/2022	Maximillian Feldman	\$450.00	4.3	\$1,935.00	Legal research iso motion to dismiss; revise outline of motion to dismiss; telephone conference with A. Peterson and M. Turner regarding motion to dismiss; review docket updates; revise PHV application.



Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/26/2022	Shawn Crowley	\$700.00	0.7	\$490.00	Correspondence with local counsel re pro hac vice motion; call with local counsel [REDACTED]
4/27/2022	Anna Peterson	\$375.00	3.0	\$1,125.00	Review edits and comments on outline from M. Feldman; revise outline to respond to the same.
4/27/2022	Kelsey Dietrich	\$150.00	1.6	\$240.00	Draft shell for Motion to Dismiss; update internal files with recent court filings.
4/27/2022	Maggie Turner	\$375.00	0.6	\$225.00	Reviewed and analyzed MTD outline to determine any research holes or edits in preparation to send to J. Matz.
4/27/2022	Maximillian Feldman	\$450.00	0.8	\$360.00	Revise outline of motion to dismiss; correspondence with A. Peterson regarding motion to dismiss; attention to PHV application.
4/28/2022	Anna Peterson	\$375.00	3.6	\$1,350.00	Call with J. Matz, S. Crowley, M. Feldman, and M. Turner to discuss outline for motion to dismiss and additional areas of research; follow up call with M. Feldman and M. Turner regarding the same; review [REDACTED] and take notes on the same; begin drafting brief in support of motion to dismiss.
4/28/2022	Joshua Matz	\$700.00	1.8	\$1,260.00	Carefully review draft outline for MTD papers + call with KHF team to share feedback for full draft.
4/28/2022	Joshua Matz	\$700.00	0.2	\$140.00	Review and discuss client inquiry re: local representation.
4/28/2022	Maggie Turner	\$375.00	3.7	\$1,387.50	Met with J. Matz and S. Crowley to discuss MTD outline; met with associate team to discuss game plan for additional research and drafting; researched [REDACTED]
4/28/2022	Maximillian Feldman	\$450.00	1.0	\$450.00	Telephone conference with KHF team regarding outline of brief; telephone conference with A. Peterson and M. Turner regarding planning for brief.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/28/2022	Shawn Crowley	\$700.00	1.1	\$770.00	Correspondence with client; review outline of motion to dismiss and team conference re same.
4/29/2022	Anna Peterson	\$375.00	6.3	\$2,362.50	Review research sent by M. Turner; review cases addressing [REDACTED] analyze in light of allegations in complaint; draft arguments in brief in support of motion to dismiss.
4/29/2022	Maggie Turner	\$375.00	5.2	\$1,950.00	Researched [REDACTED] as result of discussions about MTD outline; researched [REDACTED]
4/29/2022	Maximillian Feldman	\$450.00	1.1	\$495.00	Draft [REDACTED] and circulate to team; correspondence with A. Peterson regarding motion to dismiss brief; review M. Turner research concerning [REDACTED]
4/30/2022	Anna Peterson	\$375.00	1.0	\$375.00	Revise draft of motion to dismiss and draft email to M. Feldman about the same.
5/1/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review draft of motion to dismiss brief.
5/2/2022	Joshua Matz	\$700.00	0.6	\$420.00	Correspondence re strategy for briefs
5/2/2022	Maggie Turner	\$375.00	3.4	\$1,275.00	Researched Eleventh Circuit pleading standards [REDACTED]; researched comparison cases in Eleventh Circuit [REDACTED]
5/2/2022	Maximillian Feldman	\$450.00	4.5	\$2,025.00	Draft motion to dismiss brief; email correspondence with M. Turner regarding research; email correspondence with J. Matz and S. Crowley regarding brief; legal research iso motion to dismiss brief.
5/2/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Correspondence with client.
5/3/2022	Joshua Matz	\$700.00	0.8	\$560.00	Review latest district court filings and several relevant cases ([REDACTED])
5/3/2022	Maggie Turner	\$375.00	5.0	\$1,875.00	Researched [REDACTED]
5/3/2022	Maximillian Feldman	\$450.00	4.0	\$1,800.00	Draft motion to dismiss brief; legal research iso motion to dismiss brief.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
5/3/2022	Maximillian Feldman	\$450.00	4.4	\$1,980.00	Draft motion to dismiss brief; legal research iso motion to dismiss brief.
5/4/2022	Anna Peterson	\$375.00	3.0	\$1,125.00	Review draft motion to dismiss and make edits to the same; correspond with M. Feldman and M. Turner about the same.
5/4/2022	Kelsey Dietrich	\$150.00	0.4	\$60.00	Circulate to team J. Podesta's Motion to Dismiss; add date for status conference to firm docket and circulate same to team.
5/4/2022	Maggie Turner	\$375.00	4.8	\$1,800.00	Edited draft brief; drafted research email based on notes from J. Matz call summarizing research done on brief.
5/4/2022	Maximillian Feldman	\$450.00	6.2	\$2,790.00	Draft motion to dismiss brief; legal research iso motion to dismiss brief; email correspondence with A. Peterson and M. Turner regarding brief and related research; email correspondence with J. Matz and S. Crowley regarding brief; email correspondence with J. Matz and S. Crowley regarding [REDACTED]
5/4/2022	Roberta Kaplan	\$700.00	0.5	\$350.00	Attention to PHV; scheduling conf.
5/4/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with client re updates.
5/5/2022	Anna Peterson	\$375.00	1.2	\$450.00	Review draft and research in advance of call; call with J. Matz, S. Crowley, M. Feldman, and M. Turner to discuss edits to motion to dismiss; take notes on the same; begin making edits in light of the same.
5/5/2022	Joshua Matz	\$700.00	0.4	\$280.00	Review detailed analysis from Max, Maggie, and Anna re: research questions for MTD briefing
5/5/2022	Joshua Matz	\$700.00	1.2	\$840.00	Prepare for and participate in call re: draft MTD brief
5/5/2022	Maggie Turner	\$375.00	2.2	\$825.00	Researched [REDACTED]; met with J. Matz to discuss motion to dismiss draft.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
5/5/2022	Maximilian Feldman	\$450.00	3.0	\$1,350.00	Telephone conference with KHF team regarding brief; review [REDACTED] legal research iso motion to dismiss brief.
5/5/2022	Shawn Crowley	\$700.00	2.3	\$1,610.00	Review motion to dismiss; correspondence with client; team call re motion to dismiss.
5/6/2022	Anna Peterson	\$375.00	2.8	\$1,050.00	Make edits to motion to dismiss; call with M. Feldman and M. Turner to discuss the same; draft email explaining edits regarding the same.
5/6/2022	Joshua Matz	\$700.00	2.3	\$1,610.00	Review draft DNC motion to dismiss brief and share with RAK for final review
5/6/2022	Maggie Turner	\$375.00	3.1	\$1,162.50	Researched [REDACTED]; edited brief draft per J. Matz comments.
5/6/2022	Maximilian Feldman	\$450.00	2.9	\$1,305.00	Telephone conference with A. Peterson and M. Turner regarding brief; legal research iso motion to dismiss brief; revise motion to dismiss brief.
5/6/2022	Roberta Kaplan	\$700.00	0.7	\$490.00	E-mails re: opp to motion to dismiss.
5/6/2022	Shawn Crowley	\$700.00	0.4	\$280.00	Correspondence with client; conference with J. Matz re motion to dismiss
5/7/2022	Maximilian Feldman	\$450.00	0.6	\$270.00	Attention to R. Kaplan edits to brief and internal correspondence regarding same.
5/7/2022	Roberta Kaplan	\$700.00	2.7	\$1,890.00	Edits to motion to dismiss.
5/8/2022	Anna Peterson	\$375.00	1.0	\$375.00	Review edits from R. Kaplan to motion to dismiss and review draft incorporating the same; email with M. Feldman and M. Turner regarding [REDACTED] in response to question from R. Kaplan.
5/8/2022	Joshua Matz	\$700.00	0.5	\$350.00	Begin [REDACTED] review.
5/8/2022	Joshua Matz	\$700.00	1.7	\$1,190.00	Review revised draft and share feedback
5/8/2022	Joshua Matz	\$700.00	0.5	\$350.00	Review revised [REDACTED]
5/8/2022	Joshua Matz	\$700.00	0.2	\$140.00	Address question from Max F re: MTD brief
5/8/2022	Maggie Turner	\$375.00	2.7	\$1,012.50	Incorporated R. Kaplan edits into brief draft; researched [REDACTED] to add to draft.
5/8/2022	Maximilian Feldman	\$450.00	0.4	\$180.00	Review complaint and motion to dismiss brief.
5/8/2022	Roberta Kaplan	\$700.00	2.3	\$1,610.00	Final edits to motion to dismiss.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
5/9/2022	Anna Peterson	\$375.00	1.3	\$487.50	Confer with M. Feldman regarding information on argument by other defense counsel; review edits from local counsel; email M. Feldman and M. Turner regarding local rules for signatures.
5/9/2022	James Blum	\$375.00	2.3	\$862.50	DNC cite check.
5/9/2022	Kelsey Dietrich	\$150.00	0.3	\$45.00	Create shell for corporate disclosure statement.
5/9/2022	Maggie Turner	\$375.00	1.4	\$525.00	Coordinated cite-check of brief; researched [REDACTED]; drafted corporate disclosure statement with help from case manager.
5/9/2022	Maximillian Feldman	\$450.00	1.9	\$855.00	Attention to correspondence with clients and local counsel [REDACTED]; correspondence with team regarding corporate disclosure certificate; review draft corporate disclosure certificate and circulate to J. Matz and S. Crowley; telephone conference with counsel for Neustar regarding briefs; correspondence with A. Peterson regarding [REDACTED]; legal research regard [REDACTED].
5/9/2022	Shawn Crowley	\$700.00	1.3	\$910.00	Review motion to dismiss draft; correspondence with client re draft; correspondence with counsel for Neustar; call with counsel for Neustar.
5/10/2022	Anna Peterson	\$375.00	2.2	\$825.00	Draft section of motion to dismiss addressing [REDACTED] review recent filing.
5/10/2022	Joshua Matz	\$700.00	0.5	\$350.00	Review further edits to MTD brief
5/10/2022	Kelsey Dietrich	\$150.00	0.7	\$105.00	Revise and format Motion to Dismiss; add extension of time for plaintiff's response to firm docket.
5/10/2022	Maggie Turner	\$375.00	1.7	\$637.50	Incorporated cite-check and local counsel edits.
5/10/2022	Maximillian Feldman	\$450.00	2.2	\$990.00	Revise and finalize brief iso motion to dismiss; correspondence with team regarding motion to dismiss; correspondence concerning corporate disclosure statement and [REDACTED]
5/10/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with client re [REDACTED]

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
5/11/2022	Anna Peterson	\$375.00	1.6	\$600.00	Review brief filed by other defendants; review motion to dismiss and other documents for filing.
5/11/2022	Kelsey Dietrich	\$150.00	1.0	\$150.00	Format Motion to Dismiss for filing; save other defendants' Motions to Dismiss filed today to internal case file.
5/11/2022	Maggie Turner	\$375.00	0.8	\$300.00	Reviewed and analyzed filed Fusion brief; assisted with coordinating final proofing of brief.
5/11/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Attention to finalizing brief for filing.
5/11/2022	Roberta Kaplan	\$700.00	0.8	\$560.00	Attention to motion to dismiss.
5/11/2022	Shawn Crowley	\$700.00	1.0	\$700.00	Review Fusion motion to dismiss; correspondence with local counsel re filing; file MTD.
5/11/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Correspondence with client re [REDACTED]
5/12/2022	Anna Peterson	\$375.00	3.2	\$1,200.00	Review motions to dismiss filed by other defendants; draft summaries of the same; coordinate hard copy set of filings for R. Kaplan.
5/12/2022	Kelsey Dietrich	\$150.00	0.3	\$45.00	Save other defendants' Motions to Dismiss filed today to internal case file.
5/12/2022	Maggie Turner	\$375.00	1.4	\$525.00	Reviewed and summarized for team and client the other MTDs filed in the case.
5/12/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review summary of parties' briefs.
5/12/2022	Roberta Kaplan	\$700.00	0.6	\$420.00	E-mails re: various motions; etc.
5/12/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Correspondence with client re [REDACTED]
5/13/2022	Maximillian Feldman	\$450.00	0.2	\$90.00	Attention to request from opposing counsel concerning extension and correspondence with S. Crowley regarding same.
5/13/2022	Roberta Kaplan	\$700.00	0.8	\$560.00	Emails with team re: filings and strategy.
5/13/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Correspondence re defendant's request for extension of time.
5/13/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Coordinate call regarding [REDACTED]
5/13/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Correspondence with client re [REDACTED]
5/14/2022	Roberta Kaplan	\$700.00	0.6	\$420.00	Emails re: status conf.
5/16/2022	Anna Peterson	\$375.00	0.3	\$112.50	Review motion to dismiss filed by other defendant.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
5/16/2022	Kelsey Dietrich	\$150.00	0.1	\$15.00	Circulate to team Hillary For America's motion to dismiss.
5/16/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review brief filed on behalf of HFA.
5/16/2022	Maximillian Feldman	\$450.00	0.9	\$405.00	Telephone conferences with S. Crowley regarding [REDACTED] telephone conference with client staff regarding [REDACTED].
5/16/2022	Shawn Crowley	\$700.00	0.8	\$560.00	Review [REDACTED]; conference with M. Feldman re [REDACTED] and call with client re same.
5/17/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Clean up notes of client call concerning [REDACTED].
5/18/2022	Maximillian Feldman	\$450.00	0.5	\$225.00	Prep for joint defense group call regarding scheduling conference; joint defense group call regarding scheduling conference.
5/18/2022	Robertta Kaplan	\$700.00	0.7	\$490.00	Call w/defense counsel re: strategy; e-mails w/D. Kendall re: same.
5/18/2022	Shawn Crowley	\$700.00	0.7	\$490.00	Joint defense call and discussion with R. Kaplan re same.
5/18/2022	Anna Peterson	\$375.00	4.7	\$1,762.50	Review secondary sources and case law addressing [REDACTED]; take notes and confer with M. Turner about the same; draft email to M. Feldman summarizing the same; follow up research about the same. Researched [REDACTED]
5/18/2022	Maggie Turner	\$375.00	1.7	\$637.50	Correspondence with A. Peterson and M. Turner regarding [REDACTED] research; analyze [REDACTED] research.
5/19/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Review research regarding [REDACTED]; draft correspondence to client concerning [REDACTED]; correspondence with S. Crowley regarding [REDACTED].

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
5/19/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with client re [REDACTED] and review research re same.
5/20/2022	Kelsey Dietrich	\$150.00	0.4	\$60.00	Save and circulate to team Joffe's, Danchenko's, and Neustar's Motions to Dismiss.
5/20/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Attention to correspondence from client concerning [REDACTED]
5/20/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Correspondence with client.
5/24/2022	Kelsey Dietrich	\$150.00	0.9	\$135.00	Pull and circulate Dolan MTD; compile recent briefs for R. Kaplan review.
5/24/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review additional motions to dismiss.
5/26/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Joint defense correspondence.
5/27/2022	Kelsey Dietrich	\$150.00	0.1	\$15.00	Save and circulate Sullivan MTD.
5/27/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review Jake Sullivan motion to dismiss brief.
5/27/2022	Roberta Kaplan	\$700.00	0.8	\$560.00	Attention to latest filings.
5/31/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Internal team correspondence regarding upcoming court conference.
5/31/2022	Roberta Kaplan	\$700.00	0.4	\$280.00	E-mails re: latest filing.
5/31/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with client; correspondence with local counsel.
5/31/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Correspondence with client.
6/1/2022	Roberta Kaplan	\$700.00	0.7	\$490.00	E-mails re: status conf.
6/2/2022	Anna Peterson	\$375.00	1.0	\$375.00	Call in to court status conference; take and circulate notes on the same.
6/2/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review notes of court conference
6/2/2022	Shawn Crowley	\$700.00	0.8	\$560.00	Call with local counsel re status conference; status conference
6/3/2022	Kelsey Dietrich	\$150.00	0.1	\$15.00	Attention to file management of court filings.
6/3/2022	Roberta Kaplan	\$700.00	0.4	\$280.00	E-mails w/counsel re: scheduling.
6/6/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Correspondence with K. Dietrich regarding case planning
6/7/2022	Maximillian Feldman	\$450.00	0.2	\$90.00	Correspondence with S. Crowley and J. Matz regarding planning
6/10/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Correspondence with A. Peterson regarding case planning
6/14/2022	Kelsey Dietrich	\$150.00	0.3	\$45.00	Add 7/6/22 status conference to firm calendar.



Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
6/14/2022	Roberta Kaplan	\$700.00	0.4	\$280.00	E-mails re: upcoming call.
6/15/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Joint defense group call regarding briefing; clean up notes of JDG call; email correspondence with S. Crowley and J. Matz regarding joint defense call
6/15/2022	Roberta Kaplan	\$700.00	0.9	\$630.00	Joint defense call re: scheduling etc.; follow-up.
6/15/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Review notes of joint defense call
6/21/2022	Maximillian Feldman	\$450.00	1.3	\$585.00	Analysis regarding amended complaint
6/22/2022	Anna Peterson	\$375.00	1.2	\$450.00	Review amended complaint and email from M. Feldman regarding the same.
6/22/2022	Kelsey Dietrich	\$150.00	0.6	\$90.00	Attention to file management of recent court filings.
6/22/2022	Maximillian Feldman	\$450.00	0.8	\$360.00	Analysis regarding amended complaint; email correspondence with team regarding amended complaint; email correspondence with team regarding refusal of magistrate judge; email correspondence with team regarding JDG plan for briefing
6/22/2022	Shawn Crowley	\$700.00	0.4	\$280.00	Review amended complaint; conference with J. Matz re strategy for motion to dismiss
6/23/2022	Maximillian Feldman	\$450.00	0.9	\$405.00	Telephone conference with joint defense group regarding briefing; analysis regarding [REDACTED]
6/23/2022	Roberta Kaplan	\$700.00	0.6	\$420.00	Joint defense e-mails.
6/23/2022	Shawn Crowley	\$700.00	0.7	\$490.00	Joint defense call re amended complaint
6/24/2022	Maximillian Feldman	\$450.00	1.6	\$720.00	Analysis regarding [REDACTED]
6/27/2022	Anna Peterson	\$375.00	0.7	\$262.50	Review notes from recent calls and emails regarding motion to dismiss; confer with M. Feldman about status of the same; review prior briefing and research on [REDACTED]
6/27/2022	Maximillian Feldman	\$450.00	0.4	\$180.00	Research and analysis regarding [REDACTED] claims
6/28/2022	Anna Peterson	\$375.00	0.7	\$262.50	Review prior briefing on [REDACTED]; review cases cited by other defendants.
6/28/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Research and analysis regarding [REDACTED] claims; review docket

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
6/28/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with client re [REDACTED] correspondence with local counsel re same
6/28/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with client re [REDACTED]
6/29/2022	Anna Peterson	\$375.00	1.7	\$637.50	Review case law and Florida treatises addressing [REDACTED] [REDACTED]; summarize the same and send to M. Feldman; review docket.
6/29/2022	Maximillian Feldman	\$450.00	2.7	\$1,215.00	Draft summary of section on [REDACTED] Review outline of [REDACTED] argument and email
6/30/2022	Anna Peterson	\$375.00	0.2	\$75.00	M. Feldman comments on the same.
6/30/2022	Maximillian Feldman	\$450.00	0.5	\$225.00	Draft outline of [REDACTED]
6/30/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Attention to outline of motion to dismiss; joint defense correspondence
7/1/2022	Anna Peterson	\$375.00	1.7	\$637.50	Identify new allegations in amended complaint to address in motion to dismiss; take notes on the same; review docket for order on extension request.
7/1/2022	Robert Kaplan	\$700.00	0.5	\$350.00	E-mails w/SC re: schedule, etc.
7/1/2022	Shawn Crowley	\$700.00	1.2	\$840.00	Joint defense correspondence; review outline of motion to dismiss; review amended complaint; joint defense call
7/4/2022	Maximillian Feldman	\$450.00	0.4	\$180.00	Analysis regarding arguments to be included in motion to dismiss brief; email correspondence with team regarding motion to dismiss briefing
7/4/2022	Robert Kaplan	\$700.00	0.3	\$210.00	E-mails w/Crowley re: status.
7/5/2022	Anna Peterson	\$375.00	2.3	\$862.50	Review and respond to emails from team regarding extension and deadlines for motion to dismiss; draft [REDACTED] section of motion to dismiss; review case law related to the same; review amended complaint in light of the same.
7/5/2022	Kelsey Dietrich	\$150.00	0.4	\$60.00	Update firm docket with extended deadline for defendants' MTD and due date for DNC portion of same; provide signature blocks to S. Crowley for Gibson Dunn use in final motion.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
7/5/2022	Maximillian Feldman	\$450.00	0.5	\$225.00	Review A. Peterson draft of motion to dismiss [REDACTED] section; legal research regarding [REDACTED]
7/5/2022	Robertta Kaplan	\$700.00	1.2	\$840.00	Joint defense call; attention to court order.
7/5/2022	Shawn Crowley	\$700.00	1.0	\$700.00	Prepare for joint defense call; joint defense call; discussion with R. Kaplan re MTD
7/6/2022	Anna Peterson	\$375.00	0.4	\$150.00	Review draft brief section on [REDACTED] and provide edits on the same.
7/6/2022	Maximillian Feldman	\$450.00	2.0	\$900.00	Draft [REDACTED] section of brief; legal research iso [REDACTED] section; correspondence with A. Peterson regarding brief; correspondence with team regarding brief
7/6/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Review draft motion to dismiss
7/7/2022	Joshua Matz	\$700.00	0.4	\$280.00	Review brief
7/7/2022	Maximillian Feldman	\$450.00	0.5	\$225.00	Revise [REDACTED] section; legal research iso motion to dismiss brief; review additional sections of motion to dismiss brief
7/7/2022	Shawn Crowley	\$700.00	0.5	\$350.00	Review motion to dismiss drafts; joint defense correspondence
7/8/2022	Anna Peterson	\$375.00	0.4	\$150.00	Review brief excerpts from other defendants; correspond with team about the same.
7/8/2022	Maximillian Feldman	\$450.00	0.9	\$405.00	Review and comment on drafts of various sections of motion to dismiss brief; email correspondence with KHF team regarding motion to dismiss brief; review Plaintiff filing
7/8/2022	Shawn Crowley	\$700.00	1.0	\$700.00	Joint defense correspondence; review drafts of MTD
7/9/2022	Anna Peterson	\$375.00	2.7	\$1,012.50	Review draft motion to dismiss sections from other defendants; insert brief sections and additional arguments [REDACTED] review case law and filings related to the same; email M. Feldman about the same.
7/10/2022	Anna Peterson	\$375.00	0.7	\$262.50	Review additional motion to dismiss sections circulated by other defendants; provide edits and suggestion for review by M. Feldman to the same.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
7/10/2022	Maximillian Feldman	\$450.00	3.2	\$1,440.00	Review draft sections of brief from others JDG members; revise sections of brief and circulate to team; email correspondence with A. Peterson regarding brief; email correspondence with J. Matz regarding brief and updates to clients
7/11/2022	Anna Peterson	\$375.00	2.0	\$750.00	Review proposed edits to motion to dismiss and section addressing [REDACTED] arguments; send edits to the same to M. Feldman; call with M. Feldman to discuss the same.
7/11/2022	Maximillian Feldman	\$450.00	1.1	\$495.00	Telephone conference and email correspondence with A. Peterson regarding brief; revise brief and circulate to J. Matz
7/12/2022	Anna Peterson	\$375.00	0.9	\$337.50	Review draft of motion to dismiss circulated by joint defense group; provide edits on and correspond with M. Feldman regarding the same.
7/12/2022	Maximillian Feldman	\$450.00	1.8	\$810.00	Analysis regarding [REDACTED] issue raised by Gibson Dunn; email correspondence with J. Matz regarding same; revise brief and circulate to team
7/13/2022	Anna Peterson	\$375.00	0.2	\$75.00	Review revised motion to dismiss sent by joint defense group.
7/13/2022	Maximillian Feldman	\$450.00	0.2	\$90.00	Review revised joint defense group brief; email correspondence with team regarding same
7/13/2022	Shawn Crowley	\$700.00	1.0	\$700.00	Review motion to dismiss; joint defense correspondence
7/14/2022	Kelsey Dietrich	\$150.00	0.5	\$75.00	Update internal files with recent court filings.
7/14/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review correspondence concerning scheduling
7/15/2022	Anna Peterson	\$375.00	0.1	\$37.50	Review email from joint defense counsel summarizing call with opposing counsel.
7/15/2022	Kelsey Dietrich	\$150.00	0.2	\$30.00	File management of correspondence with counsel for defendants re joint defense.
7/15/2022	Maximillian Feldman	\$450.00	0.2	\$90.00	Dial into meet-and-confer regarding scheduling and review summary of same
7/15/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Joint defense correspondence
7/21/2022	Anna Peterson	\$375.00	0.3	\$112.50	Review extension and request proposed scheduling order filed by plaintiff.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
7/21/2022	Kelsey Dietrich	\$150.00	0.1	\$15.00	Update firm docket with extended deadline for plaintiff's response to motions to dismiss.
7/21/2022	Maximillian Feldman	\$450.00	0.3	\$135.00	Review documents filed by Plaintiff regarding scheduling; attention to correspondence from joint defense group regarding call on reply brief
7/21/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Review court orders re scheduling and internal correspondence re same
7/26/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Telephone conference with JDG regarding reply brief; email correspondence with C. Gonzalez regarding case background
7/26/2022	Shawn Crowley	\$700.00	0.4	\$280.00	Joint defense call re motion to dismiss
8/4/2022	Carmen Iguina Gonzalez	\$500.00	2.2	\$1,100.00	Review amended complaint and consolidated motion to dismiss in anticipation of plaintiff's opposition filing.
8/4/2022	Maximillian Feldman	\$450.00	0.8	\$360.00	Review Trump opposition brief; circulate initial analysis on Trump opposition brief to team
8/5/2022	Anna Peterson	\$375.00	1.1	\$412.50	Review plaintiff's opposition to defendants' motion to dismiss; review and respond to correspondence from team about the same; review email from joint defense group call regarding plan for reply brief.
8/5/2022	Carmen Iguina Gonzalez	\$500.00	1.3	\$650.00	Review plaintiff's opposition to motion to dismiss; prepare for and participate in defense counsel call to discuss plaintiff's opposition and plans for reply.
8/5/2022	Maximillian Feldman	\$450.00	1.6	\$720.00	Analysis regarding Plaintiff's opposition to motion to dismiss; email correspondence with KHF team regarding same; telephone conference with joint defense group regarding opposition to motion to dismiss
8/5/2022	Shawn Crowley	\$700.00	0.5	\$350.00	Joint defense call re MTD reply and internal correspondence re same
8/8/2022	Anna Peterson	\$375.00	1.4	\$525.00	Locate authorities addressing [REDACTED] for inclusion in reply brief; email M. Feldman about the same.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
8/8/2022	Carmen Iguina Gonzalez	\$500.00	0.3	\$150.00	Review and revise language to add to reply brief re: [REDACTED].
8/8/2022	Maximillian Feldman	\$450.00	1.1	\$495.00	Correspondence with A. Peterson regarding research on [REDACTED]; review A. Peterson research; draft section of defendants' reply brief; email correspondence with KHF team regarding same; email correspondence with Williams & Connolly regarding reply brief
8/9/2022	Carmen Iguina Gonzalez	\$500.00	0.4	\$200.00	Review draft of reply in support of consolidated motion to dismiss.
8/9/2022	Maximillian Feldman	\$450.00	0.8	\$360.00	Review reply brief; email correspondence with KHF team regarding same
8/10/2022	Carmen Iguina Gonzalez	\$500.00	0.1	\$50.00	Emails with M. Feldman, A. Collins Peterson and S. Crowley re: notes of call with joint defense counsel re: reply brief.
8/10/2022	Maximillian Feldman	\$450.00	0.3	\$135.00	Telephone conference with joint defense group; email correspondence with KHF team regarding joint defense call
8/11/2022	Anna Peterson	\$375.00	0.1	\$37.50	Review edits to reply brief and correspondence about the same.
8/11/2022	Maximillian Feldman	\$450.00	0.5	\$225.00	Correspondence with S. Crowley regarding motion to dismiss brief; correspondence with clients [REDACTED]
8/12/2022	Kelsey Dietrich	\$150.00	1.1	\$165.00	Review and pull recent court filings and update internal files with same.
8/15/2022	Kelsey Dietrich	\$150.00	0.5	\$75.00	Update internal files with recent filings in case; email to M. Feldman re same.
8/15/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Email clients as-filed version of brief
9/1/2022	Maximillian Feldman	\$450.00	0.2	\$90.00	Review Plaintiff filings
9/8/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Review decision dismissing complaint and correspondence with team regarding same
9/8/2022	Roberta Kaplan	\$700.00	1.9	\$1,330.00	Attention to decision on motion to dismiss; emails with team and client.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
9/8/2022	Shawn Crowley	\$700.00	0.5	\$350.00	Review MTD opinion and correspondence with client
9/9/2022	Anna Peterson	\$375.00	1.7	\$637.50	Review opinion on motion to dismiss and draft summary for client of the same; review correspondence from client and joint defense group regarding [REDACTED]
9/9/2022	Carmen Iguina Gonzalez	\$500.00	0.4	\$200.00	Review MTD decision; emails with joint defense team re: next steps.
9/9/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review A. Peterson summary of decision for client
9/9/2022	Roberta Kaplan	\$700.00	1.4	\$980.00	Attention to dismissal decision; emails re: same.
9/9/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with clients re [REDACTED]
9/10/2022	Roberta Kaplan	\$700.00	0.7	\$490.00	Emails with D. Kendall re: [REDACTED]
9/12/2022	Carmen Iguina Gonzalez	\$500.00	0.1	\$50.00	Review proposed agenda for joint defense call re: [REDACTED]
9/12/2022	Roberta Kaplan	\$700.00	0.6	\$420.00	Emails re: possible sanctions.
9/13/2022	Carmen Iguina Gonzalez	\$500.00	0.6	\$300.00	Prepare for and participate in joint defense call re: [REDACTED]
9/13/2022	Maximillian Feldman	\$450.00	0.7	\$315.00	Joint defense call
9/13/2022	Shawn Crowley	\$700.00	0.7	\$490.00	Joint defense call re [REDACTED]
9/14/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review client correspondence
9/14/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with clients re [REDACTED]
9/14/2022	Shawn Crowley	\$700.00	0.2	\$140.00	Correspondence with clients re [REDACTED]
9/16/2022	Maximillian Feldman	\$450.00	0.3	\$135.00	Telephone conference with DWS staff regarding [REDACTED]
9/16/2022	Shawn Crowley	\$700.00	0.4	\$280.00	Call with clients re [REDACTED]
9/19/2022	Carmen Iguina Gonzalez	\$500.00	0.2	\$100.00	Quick review of draft of sanctions motion; email KHF team re: review of draft.
9/19/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Review draft sanctions motion
9/19/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Review draft sanctions motion
9/20/2022	Carmen Iguina Gonzalez	\$500.00	2.0	\$1,000.00	Review and provide comments on draft motion for sanctions; emails with R. Kaplan, S. Crowley, M. Feldman and A. Collins Peterson re: same.

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
9/20/2022	Maximillian Feldman	\$450.00	2.0	\$900.00	Email correspondence with team regarding draft sanction motion; work on declaration and supporting materials in connection with potential sanctions motion; review comments on sanctions motion
9/20/2022	Shawn Crowley	\$700.00	0.4	\$280.00	Attention to sanctions motion and internal correspondence re same
9/21/2022	Carmen Iguina Gonzalez	\$500.00	0.6	\$300.00	Draft paragraphs concerning experience as counsel in support of fees application for sanctions motion; email with S. Crowley re: draft; share KHF comments on draft of sanctions motion with joint defense counsel.
9/21/2022	Maximillian Feldman	\$450.00	2.2	\$990.00	Work on declaration and supporting materials in connection with potential sanctions motion and email correspondence with team regarding same
9/21/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Correspondence and discussion re sanctions motion
9/22/2022	Maximillian Feldman	\$450.00	1.1	\$495.00	Work on declaration and supporting materials in connection with potential sanctions motion; email correspondence with team regarding same
9/22/2022	Roberta Kaplan	\$700.00	0.9	\$630.00	Attention to affidavit re: fees.
9/22/2022	Shawn Crowley	\$700.00	0.7	\$490.00	Attention to fees affidavit and internal discussion re same
9/23/2022	Maximillian Feldman	\$450.00	0.3	\$135.00	Work on supporting materials in connection with potential sanctions motion; email correspondence with team regarding same
9/26/2022	Carmen Iguina Gonzalez	\$500.00	1.2	\$600.00	Review revised draft of sanctions motion, research [REDACTED] and proposed additional revisions to draft; review joint defense counsel's email re: questions concerning motion for sanctions; email with S. Crowley, M. Feldman, and A. Collins Peterson re: same.
9/26/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Review correspondence from C. Iguina Gonzalez regarding sanctions motion



Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
9/27/2022	Anna Peterson	\$375.00	2.2	\$825.00	Review example declaration sent by M. Feldman; search for relevant case law addressing [REDACTED]; take notes on the same; email C. Iguina Gonzalez about the same; review local rules and other procedural guidance regarding filing procedure and email C. Iguina Gonzalez about the same.
9/27/2022	Maximillian Feldman	\$450.00	0.6	\$270.00	Correspondence with team regarding sanctions and attorney fees issues; correspondence with A. Peterson regarding legal research; review materials related to attorneys fees and declaration
9/28/2022	Carmen Iguina Gonzalez	\$500.00	0.3	\$150.00	Prepare for and participate in call with joint defense counsel re: motion for sanctions and request for fees.
9/28/2022	Maximillian Feldman	\$450.00	0.1	\$45.00	Correspondence with S. Crowley regarding attorney fees
9/28/2022	Shawn Crowley	\$700.00	0.6	\$420.00	Joint defense call re sanctions motion; correspondence with local counsel re same
9/29/2022	Anna Peterson	\$375.00	1.1	\$412.50	Revise declaration in support of fees motion to conform to joint defense group; email M. Feldman and case manager about the same.
9/29/2022	Carmen Iguina Gonzalez	\$500.00	0.1	\$50.00	Emails with S. Crowley, M. Feldman, and A. Collins Peterson re: motion for sanctions and supporting affidavits.
9/29/2022	Maximillian Feldman	\$450.00	1.4	\$630.00	Work on materials related to attorney fees in connection with sanctions motion
9/29/2022	Shawn Crowley	\$700.00	0.1	\$70.00	Attention to fees affidavit and correspondence re same
9/30/2022	Anna Peterson	\$375.00	0.3	\$112.50	Review correspondence with finance staff regarding billing for sanctions motion and update declaration in light of the same.
9/30/2022	Maximillian Feldman	\$450.00	0.3	\$135.00	Email correspondence with finance staff regarding billing for sanctions motion
9/30/2022	Shawn Crowley	\$700.00	0.3	\$210.00	Correspondence re sanctions motion; call with local counsel re same

Fees

Date	Timekeeper	Rate	Time	Amount Claimed	Description
			374.3	\$179,337.50	

# **EXHIBIT C**



## CHRISTOPHER SUNDBY

Christopher Sundby joined Gelber Schachter & Greenberg, P.A. after serving as a law clerk to Judge Adalberto Jordan on the United States Court of Appeals for the Eleventh Circuit.

Chris became only the second student to receive both a law degree and a PhD in neuroscience through Vanderbilt University's joint law and neuroscience program. Chris graduated Order of the Coif and served as Senior Articles Editor on the *Vanderbilt Law Review* and worked in the Vanderbilt Appellate Litigation Clinic. He also served as a teaching assistant for Evidence Law and gave guest lectures in the Law and Neuroscience and Introduction to Psychology courses. While at Vanderbilt he received the Scholastic Excellence award for earning the top grade in Contracts Law, Patent Law, and Law and Neuroscience. He was also awarded the Best Oralist Award for the mock trial competition.

Chris was a National Institute of Justice Graduate Research Fellow and his research focused on the psychological underpinnings of the Federal Rules of Evidence and the formation and retrieval of memory. He has published in a range of journals serving different audiences including *the Texas Law Review*, *The SciTech Lawyer*, and *Memory and Cognition*, and he has presented his research at several national conferences.

Chris lives with his fiancé and dog in Coconut Grove.

### ASSOCIATE

#### CONTACT INFORMATION

Email: [csundby@gsgpa.com](mailto:csundby@gsgpa.com)

Phone: 305-728-0965

Fax: 305-728-0951

**Address:**

One Southeast Third Avenue  
Suite 2600  
Miami, Florida 33131-1715

[Download V-card](#)

#### EDUCATION

Vanderbilt Law School, J.D., Order of the Coif

Vanderbilt Brain Institute, Ph.D., Neuroscience

Oberlin College, B.A., High Honors

#### CLERKSHIPS

Honorable Adalberto Jordan, United States Court of Appeals for the Eleventh Circuit

#### STATE BAR ADMISSIONS

Florida

**Gerald Greenberg Recognized as White Collar Criminal Defense Lawyer of the Year by Best Lawyers**

Gelber Schachter & Greenberg congratulates our partner Gerald Greenberg for being honored as White Collar Criminal Defense Lawyer of the [...]

[News & Analysis](#)

[Contact](#)

[Sitemap](#)

[Legal Disclaimer](#)

E-mail: [info@gsgpa.com](mailto:info@gsgpa.com)

**MORE NEWS** →



## GERALD GREENBERG

"I treat each client the way I hope a family member would be treated – with respect, diligence, and total responsiveness."

### PARTNER



Gerald Greenberg

### CONTACT INFORMATION

Email: [ggreenberg@gsgpa.com](mailto:ggreenberg@gsgpa.com)

Phone: 305-728-0953

Fax: 305-728-0951

#### Address:

One Southeast Third Avenue  
Suite 2600  
Miami, Florida 33131-1715

[Download V-card](#)

### EDUCATION

Yale Law School, J.D.

University of Pennsylvania, M.A.,  
History

University of Pennsylvania, B.A.,  
*summa cum laude*

### CLERKSHIPS

Honorable Stanley Marcus, United  
States Court of Appeals for the  
Eleventh Circuit

Honorable Allyn Ross, United States  
District Court for the Eastern District  
of New York

### STATE BAR ADMISSIONS

Florida

Gerald Greenberg has received wide acclaim as one of a small group of attorneys in South Florida with extensive experience in both white collar criminal matters and high-stakes commercial litigation.

Deeply familiar with both federal and state courts due to his work as a federal prosecutor and private lawyer, Jerry combines passionate courtroom advocacy with patient and careful review of legal issues, strong writing skills, and compassion for his clients.

Jerry has been honored for multiple years as one of the "Top 100" lawyers in Miami by *Super Lawyers*, and he is among the few local attorneys recognized for both commercial litigation and criminal defense in *Best Lawyers*, which named him White Collar Criminal Defense lawyer of the year in its 2021 edition. The prestigious *Chambers and Partners* has recognized him as one of South Florida's leading attorneys for White-Collar Crime and Government Investigations, describing him as "an incredibly bright, well-rounded lawyer," and praising him as "easy to work with, thorough and always prepared."

After receiving Bachelors and Masters Degrees in History at the University of Pennsylvania and a law degree at Yale Law School, where he was a member of the *Yale Law Journal*, Jerry worked as a law clerk to Judge Stanley Marcus on the United States Court of Appeals for the Eleventh Circuit and Judge Allyn Ross on the United States District Court for the Eastern District of New York.

Following his clerkships, Jerry served as an Assistant United States Attorney in the Southern District of Florida, prosecuting cases involving narcotics, fraud, money laundering, violent crime and gangs, firearm violations, immigration crimes, and domestic terrorism. He also argued multiple cases before the Eleventh Circuit Court of Appeals. After leaving the United States Attorney's Office, Jerry was a shareholder at one of Florida's most respected law firms before becoming one of the founders of Gelber Schachter & Greenberg, PA in 2012.

On the criminal side, Jerry represents both companies and individuals in a wide variety of matters, including internal investigations, grand jury inquiries, and indicted cases. Representative recent cases have involved allegations of health care fraud, anti-kickback violations, tax crimes, securities fraud, wire fraud, antitrust offenses, importation offenses and a variety of other financial crimes. In addition to representing defendants and investigated parties, Jerry also has an extensive practice representing witnesses and victims in federal investigations. Moreover, as a member of the Criminal Justice Act panel of attorneys for the Southern District of Florida, Jerry has represented defendants in cases

involving narcotics violations, firearms matters, and other offenses. In all of his cases, Jerry works closely with his clients and their families to help navigate the legal, personal, economic, and emotional challenges inherent in the criminal justice system while striving to achieve the best outcomes possible that allow all involved to move on with their lives.

On the civil side, Jerry has represented plaintiffs and defendants in a variety of important matters before federal and state courts as well as domestic and international arbitration tribunals. His clients have included companies, individuals, and local governments. Jerry's civil matters often overlap with his criminal practice, including a number of qui tam and other cases involving health care fraud, anti-kickback claims, antitrust violations, and other quasi-criminal activity. He has also represented clients in commercial matters, employment and restrictive covenant cases, contract disputes, defamation claims, product liability matters, international business controversies, health care billing questions, and purchase-and-sale disagreements. While Jerry always assists his clients in finding the most efficient resolutions possible, he recognizes that not all cases can be settled and has achieved significant successes for his clients at trial.

Jerry has also played an active role in pro bono and public interest matters, representing individuals and organizations in trials, appeals, and administrative proceedings regarding voting rights, public safety, civil rights, due process, inmate rights, immigration, fair housing, and education law issues. For example, Jerry and his partners represented civic groups and individuals in the groundbreaking constitutional challenge to Florida's improperly-drawn congressional and state legislative districts, which resulted in the court-ordered creation of new, legal maps under Florida's Fair Districts Amendments. In addition, Jerry represented various children's health and physicians' organizations as amici curiae in a successful federal First Amendment challenge to a Florida law prohibiting doctors from inquiring about the presence of firearms in their patients' homes.

Aside from the practice of law, Jerry is active in a wide range of community activities. Along with his wife, Jerry operates the Thanksgiving Baskets Fund, which collects donations and prepares holiday meals for hundreds of South Florida families every year. He also serves on the Zoning Board for the Village of Pinecrest, the Advisory Board of the Education Fund, and the Board of the Indian & Forest Acres Scholarship Foundation. Previously, Jerry has been on the Board of the Trustees for the Southern Florida Chapter of the Leukemia & Lymphoma Society, the Board of Directors of Big Brothers Big Sisters of Miami, and the Board of the Bet Shira Congregation. He has also served as a "Big Brother" for twenty years, taught as an adjunct professor at the Florida International University School of Law, served as Vice-Chairman of a Florida Bar Grievance Committee, and run multiple marathons to raise money for blood cancer research and patient support.

A native Miamian, Jerry lives with his wife and three children in Pinecrest.



## NATALIE BEDOYA MCGINN

Natalie Bedoya McGinn is a partner at Gelber Schachter & Greenberg, P.A.

Natalie's practice includes a variety of criminal, civil, and appellate matters. In her criminal work, Natalie represents companies and individuals in white-collar matters involving allegations of health care fraud, Foreign Corrupt Practices Act violations, money laundering, and various other offenses. Natalie also represents witnesses in federal investigations and clients in connection with internal investigations. In her civil work, Natalie represents plaintiffs and defendants in commercial matters, contract disputes, and cases involving such claims as fraud, defamation, and breach of fiduciary duty.

Natalie received her Bachelor of Arts degree from Harvard College and her law degree from Duke University School of Law. At Duke, she served as the Editor-in-Chief of the *Duke Law Journal* and as a teaching assistant for both Legal Writing and Constitutional Law. She also received the Faculty Award for Constitutional Law and Civil Rights, the James S. Bidlake Memorial Award for Superior Achievement in Legal Analysis, Research & Writing, and the Justin Miller Award for Intellectual Curiosity.

After graduating, Natalie served as a law clerk to Judge Stanley Marcus on the United States Court of Appeals for the Eleventh Circuit and Judge Edward R. Korman on the United States District Court for the Eastern District of New York. Natalie then joined a prominent national law firm in New York City as a litigation associate, focusing on white-collar investigations and complex commercial litigation. Following her time at the firm, Natalie re-entered public service by joining the Appeals Division of the New York County District Attorney's Office, where she gained extensive experience writing briefs and arguing appeals before New York appellate courts.

In 2019, Natalie was selected as one of the 40 outstanding South Florida lawyers under the age of 40 by the Cystic Fibrosis Foundation.

A native Floridian and fluent Spanish speaker, Natalie lives with her husband and three children in Coral Gables.

### PARTNER

#### CONTACT INFORMATION

Email: [nmcginn@gsgpa.com](mailto:nmcginn@gsgpa.com)

Phone: 305-728-0964

Fax: 305-728-0951

**Address:**

One Southeast Third Avenue  
Suite 2600  
Miami, Florida 33131-1715

[Download V-card](#)

#### EDUCATION

Duke University School of Law, J.D.

Harvard College, B.A.

#### CLERKSHIPS

Honorable Stanley Marcus, United States Court of Appeals for the Eleventh Circuit

Honorable Edward R. Korman, United States District Court for the Eastern District of New York

#### STATE BAR ADMISSIONS

Florida

New York



# **EXHIBIT D**

Date	Timekeeper	Rate	Time	Amount Claimed	Description
4/19/2022	Gerald E. Greenberg	\$525.00	0.5	\$262.50	initial conference and review of materials
4/23/2022	Gerald E. Greenberg	\$525.00	0.8	\$420.00	preparation of Wasserman Schultz extension papers; related correspondence
4/25/2022	Gerald E. Greenberg	\$525.00	0.5	\$262.50	review of orders and filings; preparation of pro hac vice motion and corporate statement
4/26/2022	Gerald E. Greenberg	\$525.00	0.4	\$210.00	conferences re: position on motion; review of filings
4/28/2022	Gerald E. Greenberg	\$525.00	0.3	\$157.50	review of order and filings
4/29/2022	Gerald E. Greenberg	\$525.00	0.2	\$105.00	review of filings
5/3/2022	Gerald E. Greenberg	\$525.00	0.3	\$157.50	review of filings
5/4/2022	Gerald E. Greenberg	\$525.00	0.3	\$157.50	review of co-defendant motion and case filings
5/9/2022	Gerald E. Greenberg	\$525.00	1	\$525.00	review and revision of motion to dismiss
5/9/2022	Christopher S. Sundby	\$262.50	2.4	\$630.00	reviewed proposed motion to dismiss
5/11/2022	Gerald E. Greenberg	\$525.00	0.7	\$367.50	review of filings; coordination re: motion to dismiss
5/11/2022	Christopher S. Sundby	\$262.50	0.6	\$157.50	review filings
6/2/2022	Gerald E. Greenberg	\$525.00	0.8	\$420.00	status hearing; preparation call
6/27/2022	Gerald E. Greenberg	\$525.00	0.3	\$157.50	review of amended complaint
6/28/2022	Gerald E. Greenberg	\$525.00	0.6	\$315.00	review of amended complaint
7/14/2022	Gerald E. Greenberg	\$525.00	0.4	\$210.00	review of motion to dismiss
7/14/2022	Natalie B. McGinn	\$375.00	1	\$375.00	review amended complaint and motion to dismiss amended complaint;
7/15/2022	Natalie B. McGinn	\$375.00	0.3	\$112.50	review motion to dismiss amended complaint;
8/18/2022	Natalie B. McGinn	\$375.00	0.6	\$225.00	review joint motion to dismiss
9/9/2022	Gerald E. Greenberg	\$525.00	0.8	\$420.00	review of dismissal order; call with co-counsel
9/28/2022	Gerald E. Greenberg	\$525.00	0.3	\$157.50	preparation of sanctions declaration
9/29/2022	Gerald E. Greenberg	\$525.00	0.3	\$157.50	preparation of sanctions declaration
9/30/2022	Gerald E. Greenberg	\$525.00	1	\$525.00	preparation and organization of materials for fee motion; call with co-counsel
			14.4	\$6,487.50	

# EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF WENDY B. REILLY IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Wendy B. Reilly, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a counsel at Debevoise & Plimpton LLP (“Debevoise”), counsel of record for Robert Mook in the above-captioned matter.

2. Mr. Mook retained Debevoise to represent him in connection with the present litigation. Attached as Exhibit A are the law firm website biographies of the attorneys at Debevoise for whom Mr. Mook seeks attorneys’ fees: partner Andrew J. Ceresney, counsel Wendy B. Reilly, senior associate Isabela Garcez, and associate Alexa Busser Lopez. The biographies reflect the professional qualifications of these attorneys.

3. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Mr. Mook for whom he seeks attorneys’ fees. Mr. Mook is not seeking reimbursement for the aforementioned attorneys’ customary hourly rates. Instead, Mr. Mook seeks fees at discounted hourly rates, as described in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Debevoise during the periods for which fees are sought.

4. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of Mr. Mook’s initial motion to dismiss; the fees incurred between the filing of Mr. Mook’s initial motion to dismiss to the Court’s order dismissing the suit; and the fees incurred as of September 30, 2022 in connection with the motion for sanctions.

5. As reflected in Chart A, the discounted fees incurred from the filing of the initial complaint to the filing of Mr. Mook’s initial motion to dismiss total \$36,312.50.

6. As reflected in Chart B, the discounted fees incurred from the filing of Mr. Mook’s initial motion to dismiss to this Court’s dismissal of the suit total \$24,192.50.

7. As reflected in Chart C, the discounted fees incurred in connection with the motion for sanctions, as of September 30, 2022, total \$9,105.

**Chart A: Discounted Fees Incurred from Complaint to Initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Andrew J. Ceresney	\$700	2.2 hours	\$1,540.00
Wendy B. Reilly	\$550	20.8 hours	\$11,440.00
Isabela Garcez	\$450	35.6 hours	\$16,020.00
Alexa Busser Lopez	\$375	19.5 hours	\$7,312.50

**Chart B: Discounted Fees Incurred from Initial MTD to Dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Wendy B. Reilly	\$550	26.0 hours	\$14,300.00
Isabela Garcez	\$450	8.9 hours	\$4,005.00
Alexa Busser Lopez	\$375	15.7 hours	\$5,887.50

**Chart C: Discounted Fees Incurred as of September 30, 2022 on Sanctions Motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Wendy B. Reilly	\$550	11.4 hours	\$6,270.00
Isabela Garcez	\$450	2.3 hours	\$1,035.00
Alexa Busser Lopez	\$375	4.8 hours	\$1,800.00

8. I believe that the discounted rates claimed are reasonable for the Southern District of Florida market given the professional qualifications of the billers as evidenced in Exhibit A and given the rates approved by this Court in *Celsius*. These rates reflect 57%-66% discounts from these attorneys' customary rates.

9. In connection with this case, counsel also incurred necessary costs for electronic legal research. I understand that courts in this Circuit have held that legal research costs are not ordinarily taxable as costs under 28 U.S.C. § 1920, but are properly considered a component of attorneys' fees. *Springer v. Convergys Corp.*, No. 3:03-CV-302-J-99MCR, 2006 WL 8439203, at \*2 (M.D. Fla. July 7, 2006). As such, in addition to the discounted fees set out above, Mr. Mook requests an award of \$597.08 incurred for electronic legal research.

10. Consistent with local Rule 7.3, Defendants' counsel sent the motion papers and exhibits to Plaintiff's counsel on October 5, 2022. Defendants' counsel met and conferred in good faith with Plaintiff's counsel by video conference on October 13 and October 26, 2022, but were unable to reach agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. § 1920 that are recoverable from Plaintiff and/or his counsel.



---

Wendy B. Reilly  
October 27, 2022

# EXHIBIT A



## **Andrew J. Ceresney** **Partner**

Andrew J. Ceresney is a partner in the New York office and Co-Chair of the Litigation Department.

Mr. Ceresney represents public companies, financial institutions, asset management firms, accounting firms, boards of directors, and individuals in federal and state government investigations and contested litigation in federal and state courts. Mr. Ceresney has many years of experience prosecuting and defending a wide range of white collar criminal and civil cases, having served in senior law enforcement roles at both the United States Securities and Exchange Commission and the U.S. Attorney's Office for the Southern District of New York. Mr. Ceresney also has tried and supervised many jury and non-jury trials and argued numerous appeals before federal and state courts of appeal.

Mr. Ceresney is ranked in the top band for Securities Enforcement by *Chambers USA* (2022), where he is lauded by fellow practitioners and clients as “incredibly smart,” “the real deal,” with “the right temperament to handle tough situations.” He is said to be “very revered, very smart and well credentialed,” and “at the top of his game.” He has been described as “knock-your-socks-off impressive,” “incredibly strategic,” and has received further praise for being a “marquee name” in the market with a “compendious knowledge of the facts” and an “extraordinary memory.” Mr. Ceresney was named to *Securities Docket's* 2020 “Enforcement 40,” their list of the 40 best securities enforcement defense lawyers in the business. He receives further recognition from *Chambers USA* (2022) as a leading practitioner in White Collar Crime and Criminal Defense,



where clients have noted that he is “brilliant, strategic, thorough and thoughtful” and declare that “there is no better lawyer to have by your side.” Sources have also credited his “unparalleled industry experience” and his “ability to bring insights and strategic advice.” Mr. Ceresney is also recommended as a Leading Lawyer by *The Legal 500 US* (2022).

Prior to rejoining Debevoise in 2017, Mr. Ceresney served for nearly four years as the Director of Enforcement at the SEC under Chair Mary Jo White. In that role, he oversaw approximately 1,400 SEC personnel, supervising law enforcement efforts in 12 offices throughout the country, including matters related to financial reporting and accounting, asset management, insider trading, market structure, and the Foreign Corrupt Practices Act (FCPA). Under his leadership, the Division brought a record number of cases, including pathbreaking and significant cases across the entire spectrum of the securities industry. Mr. Ceresney also helped broaden the use of the SEC’s analytical tools to detect and investigate financial misconduct, while enhancing the Enforcement Division’s litigation capacity and improving morale. As Director of Enforcement, Mr. Ceresney worked closely with the high-level leadership of other regulators, including the Department of Justice, many U.S. Attorney’s offices, CFTC, New York Attorney General, New York Department of Financial Services, FINRA and CFPB.

Prior to joining the SEC in 2013, Mr. Ceresney Co-Chaired the White Collar & Regulatory Defense Group at Debevoise. During that time, he represented various financial institutions, accounting firms, companies and individuals, including a major financial institution in investigations and litigation relating to origination, securitization and servicing of mortgages. Mr. Ceresney played an integral role in negotiating the historic \$25 billion national mortgage settlement between the federal government, 49 state attorneys general and some of the country’s largest banks. His practice focused on a wide range of issues, including securities-related and money laundering for financial institutions, and investigations and civil matters relating to accounting fraud, FCPA, valuation issues, complex financial instruments, insider trading and disclosure issues. He also handled matters involving the pharmaceutical industry, including government investigations of promotional practices and class action litigation.

Prior to joining Debevoise in 2003, Mr. Ceresney served as a Deputy Chief Appellate Attorney in the U.S. Attorney’s Office for the Southern District of New York. During his tenure at the U.S. Attorney’s Office, Mr. Ceresney was a member of the Securities and Commodities Fraud Task Force and the Major Crimes Unit and handled numerous white collar criminal investigations, trials and appeals, including matters relating to securities fraud, mail fraud, money

laundering, public corruption and obstruction of justice.

Mr. Ceresney served as a law clerk to the Hon. Dennis Jacobs, formerly Chief Judge of the U.S. Court of Appeals for the Second Circuit from 1997 to 1998; and the Hon. Michael B. Mukasey, formerly Chief Judge of the U.S. District Court for the Southern District of New York, from 1996 to 1997. Mr. Ceresney received his J.D. in 1996, from Yale Law School, where he was essays editor of the *Yale Law Journal*. He obtained his B.A. *summa cum laude* Phi Beta Kappa, from Columbia University in 1993.

Mr. Ceresney is a member of the Board of Advisors of the Yale Law School Center for the Study of Corporate Law.

## ANDREW J. CERESNEY'S SELECT REPRESENTATIONS

### Financial Institutions

A large financial services institution in an SEC investigation focused on its share class selection and revenue sharing arrangements that resulted in a declination by the government.

JPMorgan Chase & Co. in federal and state investigations of mortgage servicing, foreclosure, and origination related issues, including in connection with \$25 billion settlement with DOJ, State Attorneys General and other federal authorities.

A major insurer in SEC and DFS investigations related to financial reporting and internal controls issues.

A clearing firm and its subsidiaries in various SEC examination and enforcement matters.

A high-profile financial information content provider in an SEC investigation.

A large global hedge fund in an SEC investigation related to alleged Rule 105 violations.

A large hedge fund in an SEC investigation related to trading.

Robinhood in its SEC and FINRA settlements relating to best execution practices and payment for order flow.

A major financial institution in DOJ Mortgage Fraud Task Force, SEC and AG investigations of mortgage-backed securitizations.

JPMorgan Chase in investigations by several State Attorneys General and a federal regulator into credit card collections and debt sale practices.

UBS in federal and state regulatory investigations relating to auction-rate securities.

A leading financial institution in a Department of Justice investigation relating to alleged money laundering and Bank Secrecy Act violations.

A major investment bank in an internal investigation relating to mispricing of subprime securities and representation in follow-up government investigations.

A major accounting firm in a Public Company Accounting Oversight Board inquiry.

A national accounting firm in U.S. Attorney's Office and SEC investigations relating to collateralized debt obligations.

Major financial institutions on Anti-Money Laundering and Bank Secrecy Act compliance issues, including a review of Bank Secrecy Act compliance for these institutions.

JPMorgan Chase Bank, N.A. in civil lawsuits filed by the Massachusetts and New York attorneys general alleging consumer protection violations based upon the bank's use of the Mortgage Electronic Registration System and allegations that the banks foreclosed without proper standing.

### Technology, Media & Telecommunications

SolarWinds Corporation, a software developer, in its investigation of the December 2020 high profile cyber attack.

A global technology company in an SEC investigation involving revenue recognition and other accounting issues.

A real estate company in an SEC investigation and other regulatory inquiries.

A technology company in an SEC investigation related to key performance indicators.

A private equity firm in an SEC investigation focused on technology investments.

Time Warner Book Group and New York Times editor Timothy O'Brien in a libel action brought by Donald J. Trump relating to the publication of Mr. O'Brien's book "TrumpNation," which was dismissed on motion for summary judgment for failure to demonstrate actual malice.

A large media company in U.S. Attorney's Office investigation of alleged improper subscription practices.

### Cryptocurrency

Tether, Bitfinex and related entities in a putative class action relating to the sufficiency of reserves for Tether tokens.

Tether, Bitfinex and related entities in a putative class action asserting Commodities Exchange Act, antitrust and fraud claims based on alleged manipulation of the price of cryptocommodities.

A digital currency exchange in an NYAG inquiry.

Ripple with ongoing civil litigation in the Southern District of New York against the Securities and Exchange Commission regarding the legal and regulatory status of XRP.

A public company engaged in Bitcoin mining operations and blockchain investments in an SEC investigation.

### Healthcare

A pharmaceutical company in an SEC investigation of investor disclosures relating to FDA communications that resulted in a declination by the government.

A global pharmaceutical company in an SEC investigation.

Forest Laboratories in multi-district litigation class action suits arising from the marketing and promotion of Celexa and Lexapro.

Forest Laboratories and Forest Pharmaceuticals in the settlement of civil and criminal investigations led by the United States Department of Justice and the United States Attorney's Office for the District of Massachusetts, and related civil qui tam litigation, regarding marketing, promotional and other activities for its products Celexa, Lexapro and Levethroid.

A large hospital corporation in an insider trading investigation conducted by the U.S. Attorney's Office and SEC.

### Conglomerates

A global shoe and apparel company in a federal corruption investigation.

A Brazilian industrial company in an FCPA investigation.

A major international conglomerate in conducting FCPA due diligence on numerous M&A transactions.

An internal review for the Audit Committee of BG Group relating to issues arising in an investigation by Italian authorities into allegations of corruption in a project in Brindisi, Italy.



**Andrew J. Ceresney**  
Partner, New York

aceresney@debevoise.com  
+1 212 909 6947

A large, multinational company on compliance with the Foreign Corrupt Practices Act in connection with various foreign business ventures.

A Special Committee of the Board of Tommy Hilfiger in an internal investigation and United States Attorney's Office investigation of tax accounting issues related to offshore subsidiaries.

### **Individual Representations**

Kenneth D. Lewis, former CEO of Bank of America, in regulatory matters relating to the Merrill Lynch acquisition, including defense against civil claims brought by the New York Attorney General and various civil securities and derivative cases.

A former senior manager at AIG in an investigation of valuation of credit default swaps.

The former officer of a public company in a filed SEC action in the United States District Court for the Southern District of New York alleging accounting fraud and revenue recognition violations.



## Wendy B. Reilly Counsel

Ms. Reilly is a counsel in the firm’s Litigation Department. Her practice focuses on complex commercial litigation, including contract disputes and bankruptcy-related litigation and advice, particularly on behalf of investment banking, financial advisory and asset management clients. She also has significant experience with white collar criminal defense and SEC investigations and enforcement actions. Ms. Reilly maintains an active pro bono practice as well, and she received the 2005 inMotion “Commitment to Justice” award, the 2015 *New York Law Journal* “Lawyers Who Lead by Example” Pro Bono award, the 2016 Chambers Diversity “Pro Bono Lawyer of the Year” award and the 2019 Sanctuary for Families’ “Above & Beyond Pro Bono Achievement Award.”

Ms. Reilly joined the firm in 2001. From 2000 to 2001 she clerked for Justice James H. Coleman, Jr. of the New Jersey Supreme Court. Ms. Reilly received a J.D. with honors from Rutgers Law School in Newark in 2000, where she was a Marsha Wenk fellow, a managing editor of the *Rutgers Law Review* and a



Wendy B. Reilly  
Counsel, New York

wbreilly@debevoise.com  
+1 212 909 6316

recipient of the Alumni Senior Prize. She received her undergraduate degree *magna cum laude* from Douglass College, Rutgers University in 1997.

Ms. Reilly is a member of the Bars of New York and New Jersey and is admitted to practice before the Southern and Eastern Districts of New York, the District of New Jersey and the Second and Third Circuit Courts of Appeals.

## **WENDY B. REILLY'S SELECT REPRESENTATIONS**

YPF S.A., as a co-defendant with the Argentine Republic, in litigation brought by Petersen Energía and Eton Park in the S.D.N.Y. arising from the Republic's 2012 intervention in YPF, temporary occupation of 51% of YPF's capital stock held by Repsol S.A., and subsequent expropriation of that capital stock.

GlaxoSmithKline, in obtaining a seven-figure verdict, after a jury trial, in a commercial dispute with a contractual counter-party; and in obtaining an eight-figure arbitration award, following trial, with another contractual counterparty.

The D. E. Shaw Group and Madison Dearborn Partners in their \$327 million litigation win against TerraForm for breach of contract arising from the plaintiffs' sale of First Wind Holdings, LLC to TerraForm and SunEdison Inc.

CHC Group, one of the largest global commercial helicopter service companies in the world, as aircraft counsel in its Chapter 11 proceedings in the U.S. Bankruptcy Court for the Northern District of Texas, in which CHC successfully restructured more than \$2 billion in indebtedness. Debevoise was named joint winners of "Restructuring Deal of the Year (Over \$1 B to \$5 B)" at the 12th Annual M&A Advisor Turnaround Awards for this representation.

American Airlines in litigation arising out of the September 11, 2001 terrorist attacks.

JC Flowers in litigation brought by the MF Global bankruptcy trustee seeking to recover dividends paid in connection with preferred stock.

A class of minority sheet metal workers in winning a contempt judgment against their union, after a three-day trial, based on the union's discriminatory practices and non-compliance with affirmative action orders. Debevoise handled this matter pro bono.

GoldenTree Asset Management in employment/ERISA litigation arising out of the bankruptcy of Source Home Entertainment.

The former General Counsel of Computer Associates in Department of Justice and SEC investigations of accounting irregularities.

The former President of North America sales for Lucent in litigation with the Company and the SEC.

A high-profile financial information content provider in an SEC investigation.



## **Isabela Garcez** **Associate**

Isabela Garcez is an associate in the Litigation Department.

Ms. Garcez joined Debevoise in 2016. From 2018 to 2019, she clerked for the Hon. Raymond J. Dearie of the United States District Court for the Eastern District of New York. Ms. Garcez received a J.D. from New York University Law School in 2016, where she was an executive editor of the *NYU Journal of Law and Business*. Ms. Garcez received her B.A. from the University of Pennsylvania in 2011. Ms. Garcez is fluent in Portuguese.





**Isabela Garcez**  
Associate, New York

imgarcez@debevoise.com  
+1 212 909 6636

## ISABELA GARCEZ'S SELECT REPRESENTATIONS

A securities brokerage platform in an internal investigation into recent outage issues and responding to related regulatory inquiries.

The Alavi Foundation in a civil forfeiture action, resulting in the successful reversal of adverse jury verdicts by the U.S. Court of Appeals for the Second Circuit.

A Special Committee of the Board of Trustees of the University of Rochester in an independent investigation of all claims alleged in EEOC and federal complaints filed by eight current and former University faculty members and students.

Capital One in a resolution with FinCEN regarding its AML program, without criminal charges being filed.



## **Alexa Busser Lopez** **Associate**

Alexa Busser Lopez is an associate in the Litigation Department.

Ms. Lopez joined Debevoise in 2020. Ms. Lopez received a J.D. from Columbia Law School and an LL.M. from the University of Amsterdam in 2020. At Columbia, she was a Harlan Fiske Stone Scholar, a notes editor of the *Journal of Transnational Law*, and a coach for the Immigration Moot Court. Ms. Lopez received a B.A. from Colby College in 2017.



**Alexa Busser Lopez**  
Associate, New York

ablopez@debevoise.com  
+1 212 909 6415

## ALEXA BUSSER LOPEZ'S SELECT REPRESENTATIONS

Robinhood Markets and affiliates in multiple putative class action lawsuits arising from outages on Robinhood's trading platform.

Date	Timekeeper Name	Discounted Rate	Time	Amount Claimed	Narrative
3/24/2022	Ceresney, Andrew J.	\$700.00	0.3	\$ 210.00	Review Trump complaint. Emails with Robby.
4/5/2022	Ceresney, Andrew J.	\$700.00	0.1	\$ 70.00	Emails with Robby.
4/5/2022	Reilly, Wendy B.	\$550.00	0.6	\$ 330.00	Emails to & from R. Mook, A. Ceresney, I. Garcez re: Trump lawsuit; emails to & from R. Trout re: Trump lawsuit; emails to & from D. Kendall re: Trump lawsuit
4/7/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from R. Trout, A. Ceresney, I. Garcez re: Trump lawsuit
4/8/2022	Garcez, Isabela	\$450.00	1.2	\$ 540.00	Reviewing Trump complaint to identify relevant sections for client; participating in call w/ common interest counsel
4/8/2022	Reilly, Wendy B.	\$550.00	1.4	\$ 770.00	Call with defense counsel re: Trump lawsuit; call with I. Garcez re: Trump lawsuit ; review summary re: Trump lawsuit
4/11/2022	Garcez, Isabela	\$450.00	0.8	\$ 360.00	Participating in call w/ common interest counsel; correspondence w/ W. Reilly re personal jurisdiction question; conducting research into personal jurisdiction question
4/12/2022	Garcez, Isabela	\$450.00	0.2	\$ 90.00	Call w/ A. Lopez re Trump lawsuit research
4/13/2022	Ceresney, Andrew J.	\$700.00	0.4	\$ 280.00	Call with JDA group
4/13/2022	Garcez, Isabela	\$450.00	1.5	\$ 675.00	Participating in joint defense call re Trump lawsuit; drafting update of call for W. Reilly and A. Ceresney
4/14/2022	Ceresney, Andrew J.	\$700.00	0.3	\$ 210.00	Review call summary. Review brief.
4/17/2022	Ceresney, Andrew J.	\$700.00	0.6	\$ 420.00	Review Clinton brief. Email to team re Mook brief (0.6).
4/17/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from A. Ceresney, I. Garcez re: Trump lawsuit
4/18/2022	Ceresney, Andrew J.	\$700.00	0.1	\$ 70.00	Review comments on brief.
4/18/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Correspondence re brief
4/18/2022	Reilly, Wendy B.	\$550.00	0.4	\$ 220.00	Emails to & from A. Ceresney, I. Garcez re: H. Clinton motion to dismiss Trump lawsuit.
4/19/2022	Ceresney, Andrew J.	\$700.00	0.1	\$ 70.00	Review edits to brief.
4/19/2022	Reilly, Wendy B.	\$550.00	0.5	\$ 275.00	Review H. Clinton draft motion to dismiss Trump lawsuit
4/20/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Correspondence w/ W. Reilly and library re article in Trump lawsuit complaint
4/20/2022	Reilly, Wendy B.	\$550.00	2.0	\$1,100.00	Review H. Clinton draft motion to dismiss; call with defense counsel re: Trump lawsuit
4/21/2022	Garcez, Isabela	\$450.00	3.8	\$1,710.00	Drafting brief for MTD; meeting w/ W. Reilly re Trump lawsuit

4/21/2022	Reilly, Wendy B.	\$550.00	1.0	\$ 550.00	Mtg. w/ I. Garcez re: Trump litigation; emails to & from Gibson re: extension request; review & revise extension motion
4/22/2022	Garcez, Isabela	\$450.00	2.8	\$1,260.00	Correspondence w/ W. Reilly, A. Ceresney and R. Mook re local counsel; calls w/ B. Stekloff re local counsel; call w/ B. Barzee re representation; drafting NOA for B. Barzee; correspondence w/ Gibson re local counsel; drafting brief
4/22/2022	Reilly, Wendy B.	\$550.00	1.5	\$ 825.00	Emails to & from R. Mook, Gibson Dunn, A. Ceresney, I. Garcez re: extension request in Trump lawsuit; emails to & from W. Barzee, A. Ceresney, I. Garcez re: local counsel notice of appearance in Trump lawsuit; review & revise draft notice of appearance for local counsel in Trump lawsuit
4/25/2022	Reilly, Wendy B.	\$550.00	0.2	\$ 110.00	Emails to & from Gibson re: extension motions
4/26/2022	Reilly, Wendy B.	\$550.00	0.3	\$ 165.00	Emails from Gibson re: Trump lawsuit; docket updates re: Trump lawsuit
4/27/2022	Garcez, Isabela	\$450.00	1.6	\$ 720.00	Correspondence w/ B. Barzee re PHV motions and engagement letter; drafting PHV for SD FL
4/28/2022	Lopez, Alexa Busser	\$375.00	0.6	\$ 225.00	Call with I. Garcez re motion to dismiss brief.
4/28/2022	Garcez, Isabela	\$450.00	4.5	\$2,025.00	Finalizing Ceresney PHV motion; drafting engagement letter for B. Barzee; correspondence and meeting w/ W. Reilly re Trump lawsuit; call w/ A. Lopez re Trump lawsuit; revising list of lawsuit defendant counsel; correspondence w/ A. Lopez re trump lawsuit brief
4/28/2022	Reilly, Wendy B.	\$550.00	1.5	\$ 825.00	Review & revise local counsel engagement letter & pro hac vice motion papers re: Trump lawsuit; emails to & from I. Garcez re: Trump lawsuit; mtg. w/ I. Garcez re: Trump lawsuit
4/29/2022	Garcez, Isabela	\$450.00	4.1	\$1,845.00	Finalizing PHV motions; correspondence w/ W. Barzee and R. Mook re engagement letter; calls and correspondence w/ A. Lopez re Trump lawsuit brief; drafting MTD brief for trump lawsuit.
4/29/2022	Lopez, Alexa Busser	\$375.00	2.6	\$ 975.00	Review Trump complaint and H. Clinton MTD discuss MTD with I. Garcez.
5/2/2022	Lopez, Alexa Busser	\$375.00	0.9	\$ 337.50	Draft portions of MTD brief.
5/2/2022	Garcez, Isabela	\$450.00	4.0	\$1,800.00	Drafting brief for MTD in Trump Lawsuit; correspondence w/ W. Reilly re PHV filing in Trump lawsuit; correspondence w/ local counsel re engagement letter

5/3/2022	Garcez, Isabela	\$450.00	2.3	\$1,035.00	Correspondence w/ W. Reilly re NOA; call w/ A. Lopez re edits to MTD brief; revising MTD brief; correspondence w/ A. Lopez re MTD edits
5/3/2022	Lopez, Alexa Busser	\$375.00	3.0	\$1,125.00	Research RICO conspiracy standing, revise RICO conspiracy section of MTD brief.
5/4/2022	Lopez, Alexa Busser	\$375.00	4.1	\$1,537.50	Revise MTD and discuss with I. Garcez re same.
5/4/2022	Reilly, Wendy B.	\$550.00	2.9	\$1,595.00	Review & revise motion to dismiss brief re: Trump lawsuit; emails to & from I. Garcez, A. Lopez re: same
5/4/2022	Garcez, Isabela	\$450.00	2.0	\$ 900.00	Revising draft of MTD brief; correspondence w/ A. Lopez, W. Reilly and re same.
5/5/2022	Lopez, Alexa Busser	\$375.00	1.0	\$ 375.00	Revise motion to dismiss.
5/5/2022	Reilly, Wendy B.	\$550.00	1.3	\$ 715.00	Review & revise motion to dismiss brief re: Trump lawsuit; emails to & from I. Garcez, A. Lopez re: same; call with R. Mook, I. Garcez re: draft motion to dismiss brief re: Trump lawsuit
5/5/2022	Garcez, Isabela	\$450.00	1.4	\$ 630.00	Revising MTD for Trump lawsuit
5/6/2022	Lopez, Alexa Busser	\$375.00	2.0	\$ 750.00	Revise brief, cite check brief.
5/6/2022	Reilly, Wendy B.	\$550.00	2.0	\$1,100.00	Review & revise motion to dismiss brief re: Trump lawsuit; emails to & from A. Ceresney, I. Garcez, A. Lopez re: motion to dismiss brief
5/6/2022	Garcez, Isabela	\$450.00	0.7	\$ 315.00	Revising MTD for Trump lawsuit
5/7/2022	Ceresney, Andrew J.	\$700.00	0.3	\$ 210.00	Review MTD brief.
5/7/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from A. Ceresney, I. Garcez re: draft motion to dismiss brief
5/8/2022	Garcez, Isabela	\$450.00	0.3	\$ 135.00	Sending draft of MTD brief to client
5/9/2022	Lopez, Alexa Busser	\$375.00	0.9	\$ 337.50	Revise MTD.
5/9/2022	Reilly, Wendy B.	\$550.00	1.1	\$ 605.00	Emails to & from A. Ceresney, I. Garcez, A. Lopez re: motion to dismiss brief; call with I. Garcez re: motion to dismiss brief re: Trump lawsuit
5/9/2022	Garcez, Isabela	\$450.00	2.0	\$ 900.00	Revising MTD for Trump lawsuit
5/10/2022	Lopez, Alexa Busser	\$375.00	3.4	\$1,275.00	Call with W. Reilly and I. Garcez, review other Trump complaints, revise MTD and prepare table of contents and table of authorities.
5/10/2022	Reilly, Wendy B.	\$550.00	2.0	\$1,100.00	Emails to & from A. Ceresney, I. Garcez, A. Lopez re: motion to dismiss brief; review & revise motion to dismiss brief; video call with I. Garcez, A. Lopez re: motion to dismiss brief

5/10/2022	Garcez, Isabela	\$450.00	1.0	\$ 450.00	Call w/ W. Reilly and A. Lopez re motion filing; correspondence w/ local counsel re MTD filing
5/11/2022	Lopez, Alexa Busser	\$375.00	1.0	\$ 375.00	Revise MTD and prepare for filing.
5/11/2022	Reilly, Wendy B.	\$550.00	1.8	\$ 990.00	Review & revise motion to dismiss brief; emails to & from R. Mook, A. Ceresney, I. Garcez, A. Lopez re: motion to dismiss brief
5/11/2022	Garcez, Isabela	\$450.00	0.4	\$ 180.00	Correspondence w/ local counsel re motion filing
5/14/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from K. Meeks re: Trump/Florida lawsuit
5/16/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Review docket updates re: Trump lawsuit
5/18/2022	Lopez, Alexa Busser	\$375.00	0.4	\$ 150.00	Attend call with joint defense group
5/18/2022	Reilly, Wendy B.	\$550.00	0.4	\$ 220.00	Defense call re: Trump/Florida lawsuit
5/18/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Correspondence w/ W. Reilly re Trump lawsuit conference
5/27/2022	Reilly, Wendy B.	\$550.00	0.2	\$ 110.00	Emails to & from Williams & Connolly, Gibson re: stipulation in Trump/Florida lawsuit
5/31/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Review magistrate judge's order re: conference in Trump/Florida lawsuit
5/31/2022	Garcez, Isabela	\$450.00	0.1	\$ 45.00	Correspondence re Trump v. Clinton conference
6/1/2022	Garcez, Isabela	\$450.00	0.2	\$ 90.00	Correspondence w/ W. Reilly and local counsel re conference
6/1/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from Gibson, William & Connolly, Debevoise re: preparation for court conference in Trump/Florida lawsuit
6/2/2022	Garcez, Isabela	\$450.00	1.4	\$ 630.00	Correspondence w/ team re plaintiff filing in Trump lawsuit; participating in status conference in Trump lawsuit
6/2/2022	Lopez, Alexa Busser	\$375.00	1.6	\$ 600.00	Attend status conference and discuss next steps with team.
6/2/2022	Reilly, Wendy B.	\$550.00	1.5	\$ 825.00	Attend virtual Court conference re: Trump/Florida lawsuit; emails to & from A. Ceresney, I. Garcez, A. Lopez re: Trump/Florida lawsuit
6/3/2022	Garcez, Isabela	\$450.00	0.6	\$ 270.00	Correspondence w/ W. Reilly and JD counsel re availability for Trump lawsuit conference
6/3/2022	Reilly, Wendy B.	\$550.00	0.3	\$ 165.00	Emails to & from defense counsel, Debevoise team re: Trump lawsuit
6/14/2022	Reilly, Wendy B.	\$550.00	0.3	\$ 165.00	Joint defense emails re: Trump lawsuit
6/15/2022	Garcez, Isabela	\$450.00	0.2	\$ 90.00	Participating in call w/ JDC; correspondence w/ team re same
6/15/2022	Reilly, Wendy B.	\$550.00	0.6	\$ 330.00	Video call with defense counsel re: Trump lawsuit
6/21/2022	Lopez, Alexa Busser	\$375.00	0.3	\$ 112.50	Review amended complaint.
6/21/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from A. Lopez re: Trump's amended complaint
6/22/2022	Lopez, Alexa Busser	\$375.00	1.4	\$ 525.00	Review amended complaint and prepare redline.

6/22/2022	Reilly, Wendy B.	\$550.00	0.7	\$ 385.00	Review allegations re: R. Mook in Trump's amended complaint; review proposed work plan from D. Kendall; emails to & from A. Ceresney, A. Lopez re: same
6/23/2022	Lopez, Alexa Busser	\$375.00	1.0	\$ 375.00	Meet with joint defense group and draft summary re meeting.
6/23/2022	Reilly, Wendy B.	\$550.00	1.0	\$ 550.00	Video call with defense counsel re: Trump lawsuit
6/27/2022	Garcez, Isabela	\$450.00	0.2	\$ 90.00	Reviewing correspondence from JDC
6/27/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails from defense counsel re: Trump lawsuit
6/28/2022	Lopez, Alexa Busser	\$375.00	0.1	\$ 37.50	Review new filings.
6/28/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Review docket updates from Trump lawsuit
6/30/2022	Reilly, Wendy B.	\$550.00	0.2	\$ 110.00	Review docket updates in Trump lawsuit; review joint stipulation to extend deadlines for motions to dismiss; emails to & from defense counsel, Debevoise re: same
6/30/2022	Lopez, Alexa Busser	\$375.00	0.1	\$ 37.50	Review filings in Trump v. Clinton.
7/1/2022	Reilly, Wendy B.	\$550.00	0.7	\$ 385.00	Video call with defense counsel re: Trump lawsuit; review revised extension request; review docket updates; review Court order re: second extension request in Trump lawsuit
7/1/2022	Lopez, Alexa Busser	\$375.00	3.8	\$1,425.00	Attend joint defense group call, draft motion to dismiss.
7/5/2022	Lopez, Alexa Busser	\$375.00	1.9	\$ 712.50	Call with W. Reilly and I. Garcez, revise MTD brief.
7/5/2022	Reilly, Wendy B.	\$550.00	1.2	\$ 660.00	Video call with defense counsel in Trump lawsuit re: motion to dismiss briefing; video call with I. Garcez, A. Lopez re: motion to dismiss briefings; emails to & from D. Kendall re: draft rider for motion to dismiss brief
7/5/2022	Garcez, Isabela	\$450.00	0.7	\$ 315.00	Reviewing redline of trump complaint; call w/ W. Reilly and A. Lopez re response to complaint
7/6/2022	Lopez, Alexa Busser	\$375.00	1.0	\$ 375.00	Draft Mook section of motion to dismiss.
7/6/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from D. Kendall, K. Meeks re: motion to dismiss briefing
7/6/2022	Garcez, Isabela	\$450.00	2.0	\$ 900.00	Revising draft of response to Trump Complaint
7/7/2022	Lopez, Alexa Busser	\$375.00	0.4	\$ 150.00	Revise motion to dismiss section.
7/7/2022	Reilly, Wendy B.	\$550.00	2.3	\$1,265.00	Review & revise draft rider for motion to dismiss brief (Trump lawsuit); emails to & from D. Kendall, A. Ceresney, I. Garcez, A. Lopez re: same
7/7/2022	Garcez, Isabela	\$450.00	0.1	\$ 45.00	Correspondence w/ joint defense counsel re response to Trump complaint



7/8/2022	Reilly, Wendy B.	\$550.00	1.5	\$ 825.00	Review & revise rider to motion to dismiss Trump lawsuit; emails to & from A. Ceresney, I. Garcez, A. Lopez re: same
7/11/2022	Lopez, Alexa Busser	\$375.00	0.4	\$ 150.00	Attend call with defense subgroup.
7/11/2022	Reilly, Wendy B.	\$550.00	1.4	\$ 770.00	Call with defense counsel re: motion to dismiss; review & revise draft motion to dismiss; emails to & from defense counsel re: motion to dismiss
7/12/2022	Lopez, Alexa Busser	\$375.00	0.1	\$ 37.50	Update W. Reilly on defense group call.
7/12/2022	Reilly, Wendy B.	\$550.00	0.8	\$ 440.00	Review & revise draft motion to dismiss; emails to & from defense counsel re: same
7/13/2022	Lopez, Alexa Busser	\$375.00	0.4	\$ 150.00	Attend call with joint defense group.
7/13/2022	Reilly, Wendy B.	\$550.00	2.3	\$1,265.00	Review & revise draft motion to dismiss Trump's lawsuit; emails to & from defense counsel, Debevoise re: same
7/14/2022	Lopez, Alexa Busser	\$375.00	0.3	\$ 112.50	Share MTD with client.
7/14/2022	Garcez, Isabela	\$450.00	0.2	\$ 90.00	Reviewing filed motion; correspondence w/ A. Lopez re same
7/14/2022	Reilly, Wendy B.	\$550.00	3.2	\$1,760.00	Review & revise draft motion to dismiss Trump's lawsuit; emails to & from defense counsel, R. Mook, Debevoise re: same
7/15/2022	Lopez, Alexa Busser	\$375.00	0.1	\$ 37.50	Review correspondence with joint defense group.
7/21/2022	Lopez, Alexa Busser	\$375.00	0.2	\$ 75.00	Review and send case filings.
7/21/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails re: motion to dismiss briefing
7/22/2022	Lopez, Alexa Busser	\$375.00	0.2	\$ 75.00	Review and send case filings.
7/22/2022	Reilly, Wendy B.	\$550.00	0.2	\$ 110.00	Review docket updates; emails to & from A. Lopez re: same
7/26/2022	Lopez, Alexa Busser	\$375.00	0.1	\$ 37.50	Coordinate reply drafting.
7/26/2022	Reilly, Wendy B.	\$550.00	0.7	\$ 385.00	Video call with defense counsel re: motion to dismiss briefing; emails to & from M. Mestitz, I. Garcez, A. Lopez re: same
7/26/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Correspondence w/ W. Reilly re FL rules on reply; correspondence re joint defense call follow up
8/4/2022	Lopez, Alexa Busser	\$375.00	0.4	\$ 150.00	Review opposition to MTD.
8/4/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from A. Lopez re: Trump's opposition brief
8/5/2022	Lopez, Alexa Busser	\$375.00	0.6	\$ 225.00	Attend joint defense group meeting.
8/5/2022	Reilly, Wendy B.	\$550.00	0.9	\$ 495.00	Emails to & from R. Mook, A. Lopez re: Trump's opposition brief; review Trump's opposition brief
8/5/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Participating in JDG call; updating team re same
8/9/2022	Lopez, Alexa Busser	\$375.00	0.6	\$ 225.00	Review draft reply brief.

8/9/2022	Reilly, Wendy B.	\$550.00	0.3	\$ 165.00	Emails to & from I. Garcez, A. Lopez re: defendants' reply brief
8/9/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Reviewing draft reply brief; correspondence w/ team re same
8/10/2022	Reilly, Wendy B.	\$550.00	3.9	\$2,145.00	Review & revise defendants' draft reply brief; review Trump's opposition brief; emails re: draft reply brief
8/10/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Participating in JDG call re reply brief; circulating reply brief to client; correspondence w/ team re JDG call
8/11/2022	Lopez, Alexa Busser	\$375.00	0.2	\$ 75.00	Review revisions to reply brief.
8/11/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails re: defendants' reply brief
8/11/2022	Garcez, Isabela	\$450.00	0.5	\$ 225.00	Reviewing final version of reply brief
8/12/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from A. Lopez re: defendants' reply brief
8/12/2022	Garcez, Isabela	\$450.00	0.2	\$ 90.00	Correspondence w/ A. Lopez re sending filed reply brief to client
8/23/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Review docket entries for new court filings
9/6/2022	Reilly, Wendy B.	\$550.00	0.1	\$ 55.00	Emails to & from A. Lopez re: new court filing by D. Trump
9/6/2022	Lopez, Alexa Busser	\$375.00	0.1	\$ 37.50	Review docket updates.
9/8/2022	Lopez, Alexa Busser	\$375.00	0.2	\$ 75.00	Review order granting MTD.
9/8/2022	Reilly, Wendy B.	\$550.00	0.2	\$ 110.00	Emails to & from A. Ceresney, A. Lopez re: Court decision granting defendants' motion to dismiss D. Trump's Florida lawsuit
9/9/2022	Reilly, Wendy B.	\$550.00	1.4	\$ 770.00	Review Court's decision on motion to dismiss; emails to & from R. Mook, A. Ceresney, I. Garcez, A. Lopez re: same; emails from defense counsel re: same
9/12/2022	Garcez, Isabela	\$450.00	0.1	\$ 45.00	Correspondence w/ W. Reilly re JDG call
9/12/2022	Reilly, Wendy B.	\$550.00	1.8	\$ 990.00	Review Court order on motions to dismiss; review Court's prior opinion on sanctions; review transcript of Trump's counsel commenting on Court's order; emails to & from D. Kendall, I. Garcez re: agenda for defense counsel call
9/13/2022	Garcez, Isabela	\$450.00	1.3	\$ 585.00	Participating in JDG call re sanctions motion in Trump v. Clinton lawsuit; discussions with A. Lopez re JDG call; drafting summary of JDG call for A. Ceresney
9/13/2022	Reilly, Wendy B.	\$550.00	0.8	\$ 440.00	Video call with defense counsel re: motion to dismiss decision & potential sanctions motion; emails to & from I. Garcez re: same
9/14/2022	Lopez, Alexa Busser	\$375.00	0.6	\$ 225.00	Review timesheets.
9/14/2022	Reilly, Wendy B.	\$550.00	0.3	\$ 165.00	Emails to & from I. Garcez, A. Lopez re: draft sanctions motion
9/14/2022	Garcez, Isabela	\$450.00	0.3	\$ 135.00	Drafting summary of JDG call for team

9/19/2022	Reilly, Wendy B.	\$550.00	0.2	\$ 110.00	Review draft sanctions motion; review email from D. Kendall re: same
9/20/2022	Reilly, Wendy B.	\$550.00	0.5	\$ 275.00	Review draft sanctions motion
9/21/2022	Lopez, Alexa Busser	\$375.00	0.4	\$ 150.00	Review draft sanctions motion.
9/21/2022	Reilly, Wendy B.	\$550.00	1.1	\$ 605.00	Review & revise draft sanctions motion; emails to & from A. Lopez re: same
9/22/2022	Reilly, Wendy B.	\$550.00	0.8	\$ 440.00	Review & revise sanctions motion; emails to & from Williams & Connolly, A. Lopez re: same
9/23/2022	Lopez, Alexa Busser	\$375.00	1.4	\$ 525.00	Review bills for sanctions motion.
9/23/2022	Reilly, Wendy B.	\$550.00	1.1	\$ 605.00	Emails to & from D. Kendall re: draft sanctions motion; emails to & from A. Lopez re: draft sanctions motion; review & revise draft sanctions motion
9/28/2022	Lopez, Alexa Busser	\$375.00	1.3	\$ 487.50	Attend joint defense call, draft declaration.
9/28/2022	Garcez, Isabela	\$450.00	0.3	\$ 135.00	Discussion w/ A. Lopez re JDG call and sanctions motion affidavit
9/28/2022	Reilly, Wendy B.	\$550.00	0.7	\$ 385.00	Video call with defense counsel group re: sanctions motion; emails to & from I. Garcez, A. Lopez re: sanctions motion; review draft declaration re: sanctions motion
9/30/2022	Garcez, Isabela	\$450.00	0.3	\$ 135.00	Correspondence re sanctions motion affidavit for Trump lawsuit
9/30/2022	Lopez, Alexa Busser	\$375.00	0.9	\$ 337.50	Draft declaration for sanctions.
9/30/2022	Reilly, Wendy B.	\$550.00	2.5	\$1,375.00	Review & revise exhibits to declaration in support of sanctions motion; email to Williams & Connolly re: sanctions motion; emails to & from R. Mook, A. Ceresney, I. Garcez, A. Lopez re: sanctions motion

# EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF JOSHUA A. LEVY IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Joshua A. Levy, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Levy Firestone Muse LLP, counsel of record for Fusion GPS, Glenn Simpson, and Peter Fritsch in the above captioned matter.

2. Attached as Exhibit A are the law firm website biographies of the attorneys at Levy Firestone Muse LLP for whom Fusion GPS, Glenn Simpson, and Peter Fritsch seek attorneys fees. The biographies reflect the professional qualifications of those attorneys.

3. Levy Firestone Muse LLP entered into a retention agreement with Fusion GPS, Glenn Simpson, and Peter Fritsch covering the present litigation. Fusion GPS, Glenn Simpson, and Peter Fritsch agreed to pay all of Levy Firestone Muse LLP's costs, fees, and expenses incurred in connection with the present suit, and agreed to pay discounted hourly rates from the firm's customary rates.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Fusion GPS, Glenn Simpson, and Peter Fritsch. Fusion GPS, Glenn Simpson, and Peter Fritsch are not seeking reimbursement for the attorneys' already discounted hourly rates described in Paragraph 3. Instead, Fusion GPS, Glenn Simpson, and Peter Fritsch seek fees at an additionally

discounted hourly rate for the attorneys as described in Exhibit B and below. Specifically, Fusion GPS, Glenn Simpson, and Peter Fritsch are seeking reimbursement at the following additionally discounted hourly rates: \$700/hr for Joshua A. Levy (partner); \$600/hr for Rachel Clattenburg (partner); \$300/hr for Kevin Crenny (associate); and \$300/hr for E. Andrew Sharp (associate). These additionally discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Levy Firestone Muse during the periods for which discounted fees are sought.

5. Attached as Exhibit C is the law firm website biography of Adam S. Fels, an attorney at Fridman Fels & Soto, PLLC for whom Defendants Fusion GPS, Peter Fritsch, and Glenn Simpson seek attorneys fees. The biography reflects his professional qualifications.

6. Fridman Fels & Soto, PLLC entered into a retention agreement with Defendants Fridman Fels & Soto, PLLC in connection with the present litigation. Defendants Fusion GPS, Peter Fritsch, and Glenn Simpson agreed to pay all of Fridman Fels & Soto, PLLC's costs, fees, and expenses incurred in connection with the present suit, and agreed to pay a discounted rate from the firm's customary rate. Fridman Fels & Soto, PLLC are charging Defendants Fusion GPS, Peter Fritsch, and Glenn Simpson \$600 per hour.

7. Attached as Exhibit D is a true and correct copy of the hours worked by Adam S. Fels at Fridman Fels & Soto, PLLC for Defendants Fusion GPS, Peter Fritsch, and Glenn Simpson. Defendants Fusion GPS, Peter Fritsch, and Glenn Simpson seek fees at the already discounted hourly rate for Mr. Fels as described in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit D also provides an accurate

statement of the work provided by Fridman Fels & Soto, PLLC during the periods for which discounted fees are sought.

8. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibits B & D, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of the initial motion to dismiss by Fusion GPS, Glenn Simpson, and Peter Fritsch; the fees incurred between the filing of Fusion GPS's, Glenn Simpson's, and Peter Fritsch's motion to dismiss to the Court's order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.

9. As reflected in Chart A, the discounted fees incurred by Fusion GPS, Glenn Simpson, and Peter Fritsch from the filing of the initial complaint to the filing of Fusion GPS's, Glenn Simpson's, and Peter Fritsch's initial motion to dismiss total \$31,550.00.

10. As reflected in Chart B, the discounted fees incurred by Fusion GPS, Glenn Simpson, and Peter Fritsch from the filing of Fusion GPS's, Glenn Simpson's, and Peter Fritsch's initial motion to dismiss to this Court's dismissal of the suit total \$18,690.00.

11. As reflected in Chart C, the discounted fees incurred by Fusion GPS, Glenn Simpson, and Peter Fritsch in connection with the motion for sanctions, to date, total \$5,580.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Joshua A. Levy	\$700/hr	0.5	\$350.00
Rachel Clattenburg	\$600/hr	27.0	\$16,200.00
Kevin P. Crenny	\$300/hr	41.5	\$12,450.00
E. Andrew Sharp	\$300/hr	2.5	\$750.00
Adam S. Fels	\$600/hr	3.0	\$1,800.00

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Rachel Clattenburg	\$600/hr	14.7	\$8,820.00
Kevin Crenny	\$300/hr	26.9	\$8,070.00
Adam S. Fels	\$600/hr	3.0	\$1,800.00

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Rachel Clattenburg	\$600/hr	5.4	\$3,240.00
Kevin Crenny	\$300/hr	3.4	\$1,020.00
Adam S. Fels	\$600/hr	2.2	\$1,320.00

12. I believe that the discounted rates claimed are reasonable for the Southern District of Florida market given the professional qualifications of the billers as evidenced in Exhibits A and C and given the rates approved by this Court in *Celsius*.

13. Consistent with local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff’s counsel on October 5, 2022. Defendants met and conferred



in good faith with Plaintiff's counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

Date: October 27, 2022

/s/ Joshua A. Levy

Joshua A. Levy

# EXHIBIT A

# Levy | Firestone | Muse

PRACTICES

LAWYERS

NEWS

CONTACT

## Joshua A. Levy

PARTNER

Mr. Levy's practice encompasses commercial litigation and complex white collar matters with a specialty in the representation of clients under investigation by the Justice Department, grand juries, Congress, government enforcement agencies, inspector generals, and internal corporate inquiries.



Mr. Levy's specialized services and guidance have proven invaluable for clients caught in the middle of parallel proceedings for over two decades. He has created strategic defenses for high-profile, high-stakes matters by managing legal, professional, political and reputational threats to achieve successful outcomes.

A former counsel to the U.S. Senate Committee on Homeland Security and Government Affairs (investigating government failures in Hurricane Katrina) and, prior to that, U.S. Senator Charles E. Schumer of New York, Mr. Levy has been a member of the Georgetown Law adjunct faculty for over 15 years.

While in private practice, Mr. Levy has helped conduct large scale investigations on behalf of clients. Representative matters include:

On behalf of the Government of Rwanda, Mr. Levy helped lead an investigation into the role of the French government in connection with the Genocide against the Tutsi, in Rwanda, resulting in a [600-page report](#).

On behalf of the Major League Baseball Players Association, Mr. Levy co-led [an investigation](#) into the conduct of certain agents arising out of the Biogenesis scandal.

Mr. Levy has also represented companies, non-profits and individuals under investigation. For example:

Mr. Levy has represented dozens of other companies and individuals in congressional investigations, including inquiries into the January 6, 2021 attack on the US Capitol, the Covid-19 pandemic, Russia's interference in the 2016 US election, Benghazi, Operation Fast & Furious, private security contracting in Afghanistan, and many other subject matters. Since 2007, Mr. Levy has co-taught a seminar on "Congressional Investigations" at Georgetown Law.

He represented Paula Broadwell, biographer to General David Petraeus, in Justice Department criminal investigations that resulted in [no charges for her](#).

He represented Ray Curry, President of the United Auto Workers (UAW), in Justice Department criminal investigations that resulted in no charges for him. The UAW Ethics Ombudsman also [cleared](#) President Curry of any ethics violations.

He has represented several hospital, pharmaceutical and medical device company executives in Justice Department criminal investigations resulting in no charges for those clients.

A specialist in healthcare fraud law, Mr. Levy teaches "Healthcare Fraud and Abuse" at Georgetown Law. He has been involved in matters relating to pharmaceutical and medical device claims, hospital over-billing claims, Anti-Kickback Statute violations and Stark Law abuses. Mr. Levy's experience with healthcare fraud matters have included complex negotiations with U.S. Attorneys Offices, the Department of Justice, the Department of Health and Human Services Office of Inspector General, and state agencies, and as well as the FDA and foreign regulatory agencies. For example, he worked with a team of attorneys on behalf of Dinesh Thakur, [in his landmark False Claims Act case](#) against Ranbaxy, producing the largest drug safety settlement

against a generic drug company, in U.S. history.

As a litigator, Mr. Levy represented Fusion GPS and its principals in four RICO suits filed against them, all of which the courts have dismissed. *See Trump v. Clinton*, Case No. 22-cv-14102-DMM (SDFL [Order on Motions to Dismiss Sept. 8, 2022](#)); *Nunes v. Fusion GPS*, Case No. 1:19-cv-01148-RDA-TCB (EDVA [Order of Dismissal with Prejudice Mar. 31, 2021](#)); *Nunes v. Fusion GPS*, Case No. 1:19-cv-1148-LO-TCB (E.D.VA. [Order of Dismissal Feb. 21, 2020](#)); *Halvorsen v. Simpson*, Case No. 2:18-cv-2684 (ENV) (RLM) (E.D.N.Y. [Order of Dismissal with Prejudice Aug. 26, 2019](#)), affirmed by the U.S. Court of Appeals for the Second Circuit ([Mar. 18, 2020](#)).

Mr. Levy also represented Fusion GPS and one of its principals, Glenn Simpson, in a defamation case filed against them by Russian oligarchs, Mikhail Fridman, Petr Aven and German Khan. That case is [dismissed](#). *Fridman v. Bean LLC*, Case No. 1:17-cv-2041-RJL (D.D.C. Stipulation of Dismissal with Prejudice Mar. 18, 2022).

In a civil action alleging violations of the Federal Advisory Committee Act, Mr. Levy [successfully moved to quash subpoenas](#) served by a Canadian mining consortium on its political rivals, who fought for the protection of the Bristol Bay, Alaska watershed (home to the world's largest wild sockeye salmon fishery) and against the "Pebble Mine" that would destroy it. *See, e.g., Pebble Limited Partnership v. EPA*, 310 F.R.D. 575 (D.Alaska 2015).

Mr. Levy has expertise in the False Claims Act, the Foreign Corrupt Practices Act and the UK Bribery Act. He has conducted dozens of internal investigations, created compliance programs, trained employees and helped perform due diligence with regard to a company's potential exposure under these statutes.

Before co-founding Levy Firestone Muse LLP in 2014, Mr. Levy practiced in the litigation and white collar defense groups at Arnold & Porter LLP and Stein, Mitchell & Muse LLP. He has been named a *Super Lawyer for White Collar* in Washington, DC, 2013-2022. Prior to practicing law, he served as as a judicial law clerk to the Honorable Joan A. Lenard, U.S. District Court for the Southern District of Florida (1999-2001).

For nearly two decades, Mr. Levy has practiced innovative law in complex matters to the

satisfaction of his clients. His clients come from high levels of government, and from US companies, US non-profits and global entities facing US inquiries and US litigation.

✉ [jal@levyfirestone.com](mailto:jal@levyfirestone.com)

☎ (202) 261-6564 OFFICE

☎ (202) 360-0677 CELL

## ★ Practice Areas

[Litigation](#)

[White Collar](#)

[Congressional Investigations](#)

[Healthcare Fraud](#)

[Whistleblowers](#)

[Personal Injury/Medical Malpractice](#)

## 📖 Education

University of Michigan Law School

J.D. 1999

Columbia University

MASTERS OF INTERNATIONAL AFFAIRS 1999

Columbia University

B.A. 1994

## 👛 Professional Associations

Georgetown University Law Center Adjunct Professor

2007–PRESENT

Washington Lawyer's Committee on Civil Rights and Urban Affairs, Board

2019-PRESENT

Tzedek DC, Advisory Committee

2019-PRESENT

D.C. Bar Litigation Section, Steering Committee

2009–2012

ABA Standing Committee on Law & National Security

2001–2005

Young National Security Lawyers Group  
2001–2005


## Admissions

District of Columbia

New York

## Contact

 [info@levyfirestone.com](mailto:info@levyfirestone.com)

 900 17th Street NW  
Suite 1200  
Washington, DC 20006

 575 Fifth Avenue  
14th Floor  
New York, NY 10017

 (202) 845-3215 MAIN

 (202) 595-8253 FAX

© 2022 Levy Firestone Muse LLP

[Legal Notices](#)

This website is attorney advertising.

# Levy | Firestone | Muse

PRACTICES

LAWYERS

NEWS

CONTACT

## Rachel Clattenburg

### PARTNER

Ms. Clattenburg is a member of the firm's litigation and investigations practice groups. She has represented clients in high-profile, high-stakes investigations and litigation.



Ms. Clattenburg has represented clients in business litigation, RICO cases, defamation cases, personal injury, whistleblower actions, Freedom of Information Act (FOIA) litigation, and in response to third party subpoenas in civil litigation. She has also represented clients in response to grand jury subpoenas and other inquiries from federal enforcement agencies and congressional committees. Prior to joining Levy Firestone Muse LLP, she worked as an attorney for the public interest law firm Public Citizen Litigation Group where she litigated numerous FOIA cases. Ms. Clattenburg has experience in both federal district and appellate courts.

Representative matters include:

- Represented Fusion GPS and its principals in four RICO suits filed against them, all of which the courts have dismissed. *See Trump v. Clinton*, Case No. 22-cv-14102-DMM (SDFL [Order on Motions to Dismiss Sept. 8, 2022](#)); *Nunes v. Fusion GPS*, Case No. 1:19-cv-01148-RDA-TCB (EDVA [Order of Dismissal with Prejudice Mar. 31, 2021](#)); *Nunes v. Fusion GPS*, Case No. 1:19-cv-1148-LO-TCB (E.D.VA. [Order of Dismissal Feb. 21, 2020](#)); *Halvorssen v. Simpson*, Case



No. 2:18-cv-2684 (ENV) (RLM) (E.D.N.Y. [Order of Dismissal with Prejudice Aug. 26, 2019](#)),

affirmed by the U.S. Court of Appeals for the Second Circuit ([Mar. 18, 2020](#)).

- Represented Fusion GPS and one of its principals, Glenn Simpson, in a defamation case filed against them by Russian oligarchs, Mikhail Fridman, Petr Aven and German Khan. That case is [dismissed](#). *Fridman v. Bean LLC*, Case No. 1:17-cv-2041-RJL (D.D.C. Stipulation of Dismissal with Prejudice Mar. 18, 2022).
- Co-represented Dr. Dennis Burke, in a [whistleblower lawsuit](#) against Massachusetts General Hospital, resulting in a \$13 million settlement.
- Represented Fusion GPS and its principals Glenn Simpson, Peter Fritsch and Tom Catan before multiple congressional committees during their inquiries into the Russian government's interference in the 2016 US presidential elections.
- On behalf of the Rwandan government, Ms. Clattenburg has been part of the team at Levy Firestone Muse LLP that has been investigating the role of the French government in connection with the 1994 Genocide against the Tutsi.

She is a member of the New York and District of Columbia Bars and is admitted to practice in the U.S. District Court for the District of Columbia, the U.S. District Court for the District of Maryland, and the Second, Third and Ninth Circuits.

Ms. Clattenburg served as a law clerk to the Honorable S. Martin Teel, Jr., U.S. Bankruptcy Court for the District of Columbia. During law school, she worked for the Honorable Roger J. Miner of the Second Circuit Court of Appeals. Ms. Clattenburg graduated first in her class, *summa cum laude*, from Albany Law School and Phi Beta Kappa from Princeton University.

✉ [rmc@levyfirestone.com](mailto:rmc@levyfirestone.com)

☎ 202.845.3215 OFFICE

## ★ Practice Areas

[Litigation](#)

[White Collar](#)

[Congressional Investigations](#)

Healthcare Fraud

Whistleblowers

Personal Injury/Medical Malpractice

## Education

Albany Law School

summa cum laude

Order of the Coif

J.D. 2010

Princeton University

Phi Beta Kappa

B.A. 2007

## Admissions

District of Columbia

New York

---

## Contact

✉ [info@levyfirestone.com](mailto:info@levyfirestone.com)

📍 900 17th Street NW  
Suite 1200  
Washington, DC 20006

📍 575 Fifth Avenue  
14th Floor  
New York, NY 10017

☎ (202) 845-3215 MAIN

📠 (202) 595-8253 FAX

# Levy | Firestone | Muse

[PRACTICES](#)[LAWYERS](#)[NEWS](#)[CONTACT](#)

## Kevin P. Crenny

ASSOCIATE

Kevin P. Crenny is an associate with Levy Firestone Muse.



Before joining the firm, he clerked for Judge Stanley Marcus of the U.S. Court of Appeals for the Eleventh Circuit, Judge Rudolph Contreras of the U.S. District Court for the District of Columbia, and Judge John D. Bates of the U.S. District Court for the District of Columbia, in his capacity as Chair of the Judicial Conference Standing Committee on the Rules of Practice and Procedure.

Mr. Crenny graduated *cum laude* from Harvard Law School, where he served as an Executive Editor on the *Harvard Law Review*.

He is a member of the District of Columbia and Michigan bars.

Representative matters include:

- Represented Fusion GPS and one of its principals, Glenn Simpson, in a defamation case filed against them by Russian oligarchs, Mikhail Fridman, Petr Aven and German Khan. That case is [dismissed](#). *Fridman v. Bean LLC*, Case No. 1:17-cv-2041-RJL (D.D.C. Stipulation of Dismissal with Prejudice Mar. 18, 2022).
- Represented Fusion GPS and its principals in a RICO suit filed by former President Donald J. Trump. The Court dismissed the case. *See Trump v. Clinton*, Case No. 22-cv-14102-DMM (SDFL

✉ [kcrenny@levyfirestone.com](mailto:kcrenny@levyfirestone.com)

★ Practice Areas

Litigation

White Collar

Congressional Investigations

Healthcare Fraud

Whistleblowers

Personal Injury/Medical Malpractice

📖 Education

Harvard Law School

cum laude

J.D. 2018

Fordham University

summa cum laude

B.A. 2011

🌐 Admissions

District of Columbia

Michigan

---

## Contact

✉ [info@levyfirestone.com](mailto:info@levyfirestone.com)

📍 900 17th Street NW  
Suite 1200  
Washington, DC 20006

📍 575 Fifth Avenue  
14th Floor

# Levy | Firestone | Muse

PRACTICES

LAWYERS

NEWS

CONTACT

## E. Andrew Sharp

ASSOCIATE

Mr. Sharp joined Levy Firestone Muse LLP after graduating from Georgetown University Law Center in 2019.



Mr. Sharp has represented individuals and companies under investigation and in litigation. His representative matters include:

- Representation of an individual investigated for his alleged involvement in a government contracting kickback scheme, resulting in no criminal charges.
- Representation of Fusion GPS and its principals in litigation filed against them by three Russian billionaires, who collectively own a majority of Alfa Bank, Russia's largest commercial bank.
- On behalf of the Rwandan government, Mr. Sharp has been part of the team that has been investigating the role of the French government in connection with the 1994 Genocide against the Tutsi, in Rwanda.

Prior to joining the firm, Mr. Sharp was a journalist covering NBA basketball at ESPN and Sports

Illustrated, with features regularly published at [Grantland.com](http://Grantland.com) and in *Sports Illustrated* magazine.

Mr. Sharp resides in Washington D.C. and is a member of the District of Columbia bar.

✉ [eas@levyfirestone.com](mailto:eas@levyfirestone.com)

☎ (202) 819-2720 OFFICE

★ Practice Areas

Litigation

White Collar

Congressional Investigations

Healthcare Fraud

Whistleblowers

Personal Injury/Medical Malpractice

📖 Education

Georgetown University Law Center

J.D. 2019

Boston College

B.A. 2009

🌐 Admissions

District of Columbia

---

## Contact

✉ [info@levyfirestone.com](mailto:info@levyfirestone.com)

📍 1701 K Street NW  
Suite 350  
Washington, DC 20006



# EXHIBIT B

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
06/04/2022	Rachel M. Clattenburg	\$600.00	1.2	\$720.00	Reviewing Trump v. Clinton lawsuit and legal research
07/04/2022	Joshua A. Levy	\$700.00	0.5	\$350.00	Telecons with co-counsel
07/04/2022	Rachel M. Clattenburg	\$600.00	2.7	\$1,620.00	Analysis: legal research re motion to dismiss
07/04/2022	Kevin P. Crenny	\$300.00	3.5	\$1,050.00	Call with R. Clattenburg; legal research for Motion to Dismiss.
08/04/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Legal Research re motion to dismiss; confer with K. Crenny re research
08/04/2022	Kevin P. Crenny	\$300.00	5.4	\$1,620.00	Calls with R. Clattenburg; legal research re motion to dismiss
11/04/2022	Rachel M. Clattenburg	\$600.00	2.3	\$1,380.00	Common interest call re motion to dismiss; call with Kevin re motion to dismiss; legal research and drafting motion to dismiss.
11/04/2022	Kevin P. Crenny	\$300.00	4.2	\$1,260.00	Analyze Complaint; calls and with R. Clattenburg and co-counsel; assemble and analyze alleged timeline of allegations
12/04/2022	Rachel M. Clattenburg	\$600.00	3.1	\$1,860.00	Legal research and drafting motion to dismiss;
12/04/2022	Kevin P. Crenny	\$300.00	5.2	\$1,560.00	Continue research and drafting motion to dismiss all claims, including calls and conversations with R. Clattenburg.
13/04/2022	Rachel M. Clattenburg	\$600.00	2.5	\$1,500.00	Common Interest call with counsel for defendants re motions to dismiss; legal research and drafting motion to dismiss;
13/04/2022	Kevin P. Crenny	\$300.00	0.8	\$240.00	Call with codefendants and follow-up call with R. Clattenburg
14/04/2022	Rachel M. Clattenburg	\$600.00	3.1	\$1,860.00	Confer with team re motion to dismiss (0.5); editing motion (0.5); review Trump v. Clinton draft and confer with Kevin (0.8); legal research and drafting motion to dismiss (1.3)
14/04/2022	Kevin P. Crenny	\$300.00	4.4	\$1,320.00	Review draft brief from co-counsel; draft Motion to Dismiss background section;



**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
					legal research and drafting Motion to Dismiss
15/04/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Reviewing brief from counsel for co-defendant (0.4); call with Kevin re drafting brief (0.1)
15/04/2022	Kevin P. Crenny	\$300.00	4.1	\$1,230.00	Complete research and first draft of motion to dismiss.
17/04/2022	Rachel M. Clattenburg	\$600.00	1.0	\$600.00	Review draft motion to dismiss
18/04/2022	Rachel M. Clattenburg	\$600.00	1.8	\$1,080.00	Drafting motion to dismiss and email to HRC counsel re motion to dismiss (1.5); confer with Kevin re legal research (0.3)
18/04/2022	Kevin P. Crenny	\$300.00	1.4	\$420.00	Review co-Defendant brief and draft feedback email; review R. Clattenburg comments on Fusion Motion to Dismiss brief and make edits.
19/04/2022	Rachel M. Clattenburg	\$600.00	0.4	\$240.00	Review revised Trump v. Clinton motion to dismiss by HRC; confer with Kevin re our brief and plan for revising
19/04/2022	Kevin P. Crenny	\$300.00	0.3	\$90.00	Review new draft of co-defendant's motion and discuss edits to Fusion's motion with R. Clattenburg.
20/04/2022	Rachel M. Clattenburg	\$600.00	2.3	\$1,380.00	Joint defense call re motions to dismiss; confer with Kevin on phone re revising brief based on case re incorporation; drafting new section on RICO standing for MTD; confer with Kevin re motion; draft pro hac motions.
20/04/2022	Kevin P. Crenny	\$300.00	4.6	\$1,380.00	Call with co-defendants' counsel; research re Fla. briefing procedure; review and finalize pro hac vice motion and certification; expand on arguments in motion to dismiss to avoid incorporating co-defendant briefing.
21/04/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Reviewing draft motion for extension; call with Kevin re motion for extension and Trump request for extension

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
					to amend complaint; common interest email re our recommendation
21/04/2022	Kevin P. Crenny	\$300.00	0.7	\$210.00	Call to S.D. Fl. Clerk's office re filing pro hac vice motions; conversations with R. Clattenburg re motions for extension of time, including review of draft motion and review of Trump proposal.
22/04/2022	Rachel M. Clattenburg	\$600.00	2.0	\$1,200.00	drafting motion to dismiss and legal research
22/04/2022	Kevin P. Crenny	\$300.00	0.3	\$90.00	Review R. Clattenburg edits to Motion to Dismiss; review Trump motion for extension of time and discuss with R. Clattenburg and J. Levy.
25/04/2022	Rachel M. Clattenburg	\$600.00	0.3	\$180.00	Review motion to dismiss
25/04/2022	Kevin P. Crenny	\$300.00	1.2	\$360.00	Implement R. Clattenburg edits to Motion to Dismiss and make additional edits.
26/04/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Review and implement J. Levy edits to Motion to Dismiss.
02/05/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Revising motion to dismiss; confer with Kevin re legal arguments
02/05/2022	Kevin P. Crenny	\$300.00	1.4	\$420.00	Review counsel for codefendants' suggestions re draft and make related edits to draft motion to dismiss; incorporate J. Levy and R. Clattenburg edits to motion to dismiss, including correspondence.
04/05/2022	Rachel M. Clattenburg	\$600.00	0.9	\$540.00	Confer with K. Crenny on edits to our motion; review Trump Twitter archive; review revised motion to dismiss; confer with K. Crenny on the minute order re status conference and review the local rules
04/05/2022	Kevin P. Crenny	\$300.00	1.3	\$390.00	Review court order and related rules re upcoming hearing; review Podesta motion to dismiss; revise draft motion to dismiss to incorporate additional discussion of tweets and

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
					circulate draft to client for review.
05/05/2022	Rachel M. Clattenburg	\$600.00	0.4	\$240.00	confer with K. Crenny re corporate disclosure
05/05/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Prepare corporate disclosure statement for filing with Motion to Dismiss.
09/05/2022	E. Andrew Sharp	\$300.00	2.5	\$750.00	Editing and cite checking Trump Motion to Dismiss
10/05/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Reviewing and editing final draft of brief and 7.1 statement
10/05/2022	Kevin P. Crenny	\$300.00	1.0	\$300.00	Finalize Motion to Dismiss and Rule 7.1 disclosure statement for filing.
11/05/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	confer with local counsel re motion to dismiss; confer with Kevin re same
11/05/2022	Kevin P. Crenny	\$300.00	0.9	\$270.00	Add material on sufficiency of attorneys fees as RICO injury to motion to dismiss and research speculative damages argument.
18/05/2022	Rachel M. Clattenburg	\$600.00	0.3	\$180.00	Joint defense call regarding June 2 conference set by the Court
18/05/2022	Kevin P. Crenny	\$300.00	0.4	\$120.00	Call with counsel for codefendants re upcoming hearing.
31/05/2022	Rachel M. Clattenburg	\$600.00	0.3	\$180.00	Legal research re re motion to stay discovery pending motion to dismiss
01/06/2022	Rachel M. Clattenburg	\$600.00	1.0	\$600.00	Confer with Adam Fels re hearing tomorrow and strategy for Rule 16 scheduling (0.4); review docket in preparation for hearing and draft email to joint defense group re hearing (0.6)
02/06/2022	Rachel M. Clattenburg	\$600.00	0.6	\$360.00	Status hearing before Judge Reinhart (0.5); call with A. Fels re hearing (0.1)
02/06/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Attend status conference by Zoom.
15/06/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Joint defense call re strategy for briefing second round of Motion to Dismiss
15/06/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Joint defense group call (0.5); conversations re case deadlines (0.1)

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
21/06/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Research procedural rules re filing deadlines and holidays (0.4); initial review of amended complaint (0.2).
22/06/2022	Kevin P. Crenny	\$300.00	2.5	\$750.00	Review Amended Complaint for substantive changes and new allegations concerning clients.
23/06/2022	Rachel M. Clattenburg	\$600.00	0.7	\$420.00	Joint defense call re strategy for responding to Amended Complaint
23/06/2022	Kevin P. Crenny	\$300.00	0.9	\$270.00	Joint defense group call.
24/06/2022	Kevin P. Crenny	\$300.00	2.7	\$810.00	Draft motion to dismiss section on Malicious prosecution.
27/06/2022	Rachel M. Clattenburg	\$600.00	0.8	\$480.00	revise section on malicious prosecution for second motion to dismiss
27/06/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Coordinate review of amended complaint for allegations of conduct in 2017 for statute of limitations defense.
29/06/2022	Rachel M. Clattenburg	\$600.00	2.2	\$1,320.00	Research and drafting malicious prosecution section
29/06/2022	Kevin P. Crenny	\$300.00	2.1	\$630.00	Edits to draft motion to dismiss section on malicious prosecution claims.
01/07/2022	Rachel M. Clattenburg	\$600.00	2.3	\$1,380.00	Reviewing amended complaint for new allegations; drafting start of motion to dismiss (2.0); joint defense call re deadlines and coordinating (0.3)
01/07/2022	Kevin P. Crenny	\$300.00	1.6	\$480.00	Call and correspondence with R. Clattenburg, J. Levy, and co-counsel re Motion to Dismiss and extension (1.0); Edit abbreviated version of Motion to Dismiss section re malicious prosecution (0.6).
05/07/2022	Rachel M. Clattenburg	\$600.00	0.7	\$420.00	Joint defense call re drafting (0.2); editing the malicious prosecution section (0.5)
05/07/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Call with co-defendants (0.4); follow up edits on section of motion to dismiss (0.2).
07/07/2022	Kevin P. Crenny	\$300.00	4.0	\$1,200.00	Draft Fusion-specific material for joint Motion to

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.' Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
					Dismiss, including additional review of Amended Complaint (3.7); review draft brief sections from other firms (0.3).
08/07/2022	Rachel M. Clattenburg	\$600.00	0.6	\$360.00	Revising draft insert specific to Fusion Defendants (0.3); reviewing draft sections of brief from joint defense group (0.3)
08/07/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Review draft brief sections by other firms.
10/07/2022	Rachel M. Clattenburg	\$600.00	0.7	\$420.00	Editing Fusion section of brief (0.2); reviewing amended complaint (consolidated) (0.5)
10/07/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Assemble latest draft of Fusion-specific section of Motion to Dismiss.
11/07/2022	Rachel M. Clattenburg	\$600.00	0.1	\$60.00	Joint defense call with Ben Peacock (Ohr's counsel) re section of brief specific to our defendants
11/07/2022	Kevin P. Crenny	\$300.00	1.0	\$300.00	Review draft materials from other firms and coordinate with counsel for N. Ohr.
12/07/2022	Rachel M. Clattenburg	\$600.00	0.4	\$240.00	Reviewing consolidated brief and email Ben Peacock re individual section
12/07/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Correspondence with counsel for co-defendants re motion to dismiss and Plaintiff's scheduling motion.
13/07/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	review final brief and send edits to Williams & Connolly
13/07/2022	Kevin P. Crenny	\$300.00	0.3	\$90.00	Review latest draft of Motion to Dismiss and correspondence with co-counsel re same.
15/07/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Call with opposing counsel (0.4); file management re court records (0.2).
21/07/2022	Kevin P. Crenny	\$300.00	0.3	\$90.00	Review filings by plaintiff and court orders,
26/07/2022	Rachel M. Clattenburg	\$600.00	0.4	\$240.00	Joint defense call - strategy for reply brief
26/07/2022	Kevin P. Crenny	\$300.00	0.4	\$120.00	Call with co-defendants re reply in support of motion to dismiss.
05/08/2022	Rachel M. Clattenburg	\$600.00	1.0	\$600.00	Joint defense call re reply brief (0.4); review

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
					Opposition brief from Trump (0.6)
05/08/2022	Kevin P. Crenny	\$300.00	4.7	\$1,410.00	Call with other counsel for co-defendants re motion to dismiss reply (0.5); review opposition to motion to dismiss, research and draft reply section re malicious prosecution (4.2).
08/08/2022	Kevin P. Crenny	\$300.00	0.6	\$180.00	Finalize draft of material re malicious prosecution for consolidated reply brief.
09/08/2022	Rachel M. Clattenburg	\$600.00	0.4	\$240.00	Review and edit reply brief
10/08/2022	Rachel M. Clattenburg	\$600.00	1.2	\$720.00	Review and edit reply brief (1.0); joint defense call re reply brief (0.2).
10/08/2022	Kevin P. Crenny	\$300.00	1.0	\$300.00	Review and offer edits on draft of consolidated Reply re Motion to Dismiss (0.8); call with counsel for co-defendants re Motion to Dismiss Reply (0.2).
11/08/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Review final draft of consolidated Reply re Motion to Dismiss.
12/09/2022	Rachel M. Clattenburg	\$600.00	0.5	\$300.00	Reviewing case law on fees
12/09/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Strategize re possible motion for sanctions.
13/09/2022	Rachel M. Clattenburg	\$600.00	0.2	\$120.00	Call with Adam Fels re fees motion
13/09/2022	Kevin P. Crenny	\$300.00	0.8	\$240.00	Call with counsel for co-defendants (0.7); review material re fees (0.1).
15/09/2022	Kevin P. Crenny	\$300.00	0.2	\$60.00	Review material re motion for sanctions and/or fees.
19/09/2022	Rachel M. Clattenburg	\$600.00	0.6	\$360.00	Review draft motion for sanctions
19/09/2022	Kevin P. Crenny	\$300.00	0.7	\$210.00	Review and perform additional research for draft consolidated motion for sanctions.
20/09/2022	Kevin P. Crenny	\$300.00	0.5	\$150.00	Additional research for draft consolidated motion for sanctions.
21/09/2022	Rachel M. Clattenburg	\$600.00	0.3	\$180.00	Edit motion for sanctions
28/09/2022	Rachel M. Clattenburg	\$600.00	0.2	\$120.00	Joint Defense call re motion for sanctions

**EXHIBIT B to Decl. of Joshua A. Levy  
In Support of Defs.’ Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
28/09/2022	Rachel M. Clattenburg	\$600.00	1.1	\$660.00	Drafting declaration and exhibits for Motion for Sanctions
28/09/2022	Kevin P. Crenny	\$300.00	0.5	\$150.00	Call with counsel for co defendants re motion for fees.
29/09/2022	Rachel M. Clattenburg	\$600.00	1	\$600.00	Draft affidavit in support of motion for sanctions, and supporting exhibits
30/09/2022	Rachel M. Clattenburg	\$600.00	1.5	\$900.00	Draft affidavit in support of motion for sanctions, and supporting exhibits
30/09/2022	Kevin P. Crenny	\$300.00	0.5	\$150.00	Review affidavit and supporting exhibits

# EXHIBIT C





Menu



Partner

+1 305 569 7746

[www.linkedin.com/in/adam-fels-819621195/](https://www.linkedin.com/in/adam-fels-819621195/)

[afels@ffslawfirm.com](mailto:afels@ffslawfirm.com)

Download vCard

**Adam S. Fels** is a founding partner of Fridman Fels & Soto, PLLC. His practice focuses on international money laundering cases, white-collar criminal defense, and complex internal investigations.



the prosecution team, including Mr. Fels, were honored with the 2019 U.S. Department of Justice Attorney General’s Award for Exceptional Service, the Department’s highest award for employee performance.

Throughout his thirteen-year career as a federal prosecutor, Mr. Fels successfully managed and directed a wide array of criminal investigations and cases in district court, and successfully argued several cases in federal courts of appeal. Mr. Fels also handled some of the Miami U.S. Attorney’s Office’s highest profile cases, including a variety of counterterrorism prosecutions, and the prosecution of some of the most prominent Colombian drug cartel leaders of the time. He has developed expertise in several areas of federal criminal practice, including Title III wiretaps, classified information litigation, money laundering and other financial investigations, mortgage fraud, and customs enforcement. He was cleared for top secret information and granted access to sensitive compartmented information.

Mr. Fels has lectured extensively to various audiences, including domestic and foreign law enforcement personnel and university students. His seminars and guest lectures have addressed international criminal procedure, money laundering, terrorist financing, and psychology of the courtroom. He has participated on state-sponsored money laundering panels on three continents.

Prior to his tenure as a federal prosecutor in Miami, Mr. Fels served as a Senior Trial Attorney with the Department of Justice’s Office of Special Investigations in Washington, DC, where he worked to denaturalize and deport several World War II concentration camp guards who had unlawfully entered the United States after the war. For his role in bringing Nazi camp guards to justice, Mr. Fels was recognized alongside other OSI attorneys with the first U.S. Department of Justice Assistant Attorney General Award for Human Rights Law Enforcement.



- ▶ “Duped” and “egged on”: Capitol rioters use Trump as excuse in court,” CBS News, February 16, 2021, available at <https://www.cbsnews.com/news/capitol-riot-suspects-trump-blame-court/>
- ▶ “DBR Recognizes Most Effective Lawyers for 2019,” Daily Business Review, November 15, 2019, available at <https://www.law.com/dailybusinessreview/2019/11/15/dbr-recognizes-most-effective-lawyers-for-2019/?slreturn=20191015145223>
- ▶ “Opinion: Will El Chapo’s Trial Change Organized Crime Forever?” The New York Times, February 14, 2019, available at <https://www.nytimes.com/2019/02/14/opinion/el-chapo-trial-witnesses.html>
- ▶ “Notorious Drug Lord Joaquin ‘El Chapo’ Guzman Convicted,” CBS Miami, February 12, 2019, available at <https://miami.cbslocal.com/2019/02/12/notorious-drug-lord-joaquin-el-chapo-guzman-convicted/>
- ▶ “Joaquín ‘El Chapo’ Guzmán’s trial: From shocking to bizarre,” BBC.com, February 4, 2019, available at <https://www.bbc.com/news/world-us-canada-46282173>
- ▶ “‘El Chapo’ trial jurors heard the accused Mexican drug lord’s voice — or did they?” USA Today, December 19, 2018, available at <https://www.usatoday.com/story/news/2018/12/19/did-el-chapo-drug-trial-jurors-hear-accused-mexican-drug-lord-voice-secret-tape/2360588002/>
- ▶ “El Chapo Trial Updates,” Newsweek, December 13, 2018, available at <https://www.newsweek.com/joaquin-el-chapo-guzman-loera-sinaloa-cartel-brooklyn-jorge-milton-cifuentes-1258241>
- ▶ “Las leyendas de El Chapo, a juicio,” El Pais, November 18, 2018, available at [https://elpais.com/internacional/2018/11/16/actualidad/1542382504\\_906964.html](https://elpais.com/internacional/2018/11/16/actualidad/1542382504_906964.html)
- ▶ “Main witness against ‘El Chapo’ will be ‘El Chapo,’ prosecutor says,” NBC News, November 14, 2018, available at <https://www.nbcnews.com/news/crime-courts/el-chapo-opening-arguments-delayed-because-anxious-juror-n935761>
- ▶ “As El Chapo trial opens, attorneys offer contrasting portraits of ‘mythological’ drug lord,” Washington Post, November 13, 2018, available at



Years In Prison,” Sun-Sentinel, November 26, 2016, available at <https://www.sun-sentinel.com/local/palm-beach/fl-palm-hoax-bomb-threat-sentencing-20161129-story.html>

- “Man touted as one of biggest drug dealers ever gets 35 years,” AP News, July 25, 2016, available at <https://apnews.com/b67b14c742334f0cb07a35513cf92162>
- “South Florida brothers sentenced to long prison terms for terrorist plot in New York,” Miami Herald, June 10, 2015, available at <https://www.miamiherald.com/news/local/crime/article23669335.html>
- “Los detalles de la detención en Aruba del general venezolano Hugo Carvajal,” Infobae, July 25, 2014, available at <https://www.infobae.com/2014/07/25/1583091-los-detalles-la-detencion-aruba-del-general-venezolano-hugo-carvajal/>
- “Individual Who Provided False Statements Regarding Attempted Support Of Extremist Group Pleads Guilty And Is Sentenced,” U.S. Dept. of Justice, July 24, 2014, available at <https://www.justice.gov/usao-sdfl/pr/individual-who-provided-false-statements-regarding-attempted-support-extremist-group>
- “United States Attorney for the Southern District of Florida Announces Guilty Plea of Colombian Narcotics Kingpin,” FBI, January 24, 2014, available at <https://archives.fbi.gov/archives/miami/press-releases/2014/united-states-attorney-for-the-southern-district-of-florida-announces-guilty-plea-of-colombian-narcotics-kingpin>
- “Manhattan, Brooklyn, And Miami U.S. Attorneys Announce Extradition Of Colombian Narcotics Kingpin,” U.S. Dept. of Justice, July 9, 2013, available at <https://www.justice.gov/usao-edny/pr/manhattan-brooklyn-and-miami-us-attorneys-announce-extradition-colombian-narcotics>
- “Miami Jury Convicts Guatemalan Drug Kingpin of Distributing Cocaine Knowing it Would be Imported into the United States,” U.S. Dept. of Justice, May 8, 2012, available at <https://www.justice.gov/archive/usao/fls/PressReleases/2012/120508-01.html>
- “High-Level Colombian BACRIM Narco-Trafficker Indicted on Cocaine Conspiracy Charges,” FBI, February 9, 2011, available at <https://archives.fbi.gov/archives/miami/press-releases/2011/mm020911a.htm>



- ▶ Recipient of Attorney General’s David Margolis Award for Exceptional Service, 2019
- ▶ “Most Effective Lawyer” for Criminal Law, Daily Business Review, 2019
- ▶ Recipient of Federal Law Enforcement Foundation Award, 2019
- ▶ Recipient of Timothy Evans Award for Outstanding Assistant United States Attorney, 2012
- ▶ Recipient of Assistant Attorney General Award for Human Rights Law Enforcement, 2008





[www.linkedin.com/in/adam-fels-819621195/](http://www.linkedin.com/in/adam-fels-819621195/)

[afels@ffslawfirm.com](mailto:afels@ffslawfirm.com)

[Download vCard](#)

## Education

› J.D., University of Chicago Law School

---

› A.B., Columbia University

---

## Bar Admissions

› Florida Bar

---

› District of Columbia Bar

---

› US Court of Appeals for the Eleventh Circuit

---

› US District Court for the Southern District of Florida

---

› US District Court for the Middle District of Florida

---

CONTACT US TODAY

# EXHIBIT D

**EXHIBIT D to Decl. of Joshua A. Levy  
In Support of Defs.' Mot. for Sanctions & Fees**

<b>Date (DD/MM/YYYY)</b>	<b>Timekeeper</b>	<b>Discounted Rate</b>	<b>Time</b>	<b>Amount Claimed</b>	<b>Description</b>
22/04/2022	Adam S Fels	600	0.6	\$360.00	Exchange emails with co-counsel regarding joint motion for extension; review pro hac filings, prepare notice of appearance, pay pro hac fees; file notice of appearance and pro hac motions.
28/04/2022	Adam S Fels	600	0.1	\$60.00	Review docket; send co-counsel orders granting pro hac motions.
11/05/2022	Adam S Fels	600	2.3	\$1,380.00	Review complaint (split with co-defendants); review draft motion to dismiss; research legal issues relating to legal fees as injury under RICO; exchange emails with co-counsel; file motion to dismiss.
01/06/2022	Adam S Fels	600	1	\$600.00	Calls with co-counsel to discuss upcoming status conference hearing; research local rules re: Rule 26 conference; review docket for entries relating to scheduling order
02/06/2022	Adam S Fels	600	0.7	\$420.00	Attend status conf (split with co-defendants); T/C with co-counsel
01/07/2022	Adam S Fels	600	0.9	\$540.00	Review portion of Amended Complaint (split with co-defendants); research, review and edit malicious prosecution section (split with co-defendants)
05/07/2022	Adam S Fels	600	0.2	\$120.00	Review of revised malicious prosecution section (split with co-defendants)
15/07/2022	Adam S Fels	600	0.2	\$120.00	Participate on status call with Plaintiffs & Defendants (split with co-defendant)
13/09/2022	Adam S Fels	600	0.8	\$480.00	Review Court's order dismissing case; research Rule 11 rulings by J. Middlebrooks; participate in call with counsel to discuss same (all split with co-defendants).
22/09/2022	Adam S Fels	600	0.3	\$180.00	Review of draft sanctions motion (split with co-defendants); T/C with co-counsel re: same.
28/09/2022	Adam S Fels	600	1.1	\$660.00	Appear at teleconference to discuss fees; T/C with Rachel Clattenburg to discuss fees;



**EXHIBIT D to Decl. of Joshua A. Levy  
In Support of Defs.' Mot. for Sanctions & Fees**

					prepare chart breaking down fees.
--	--	--	--	--	-----------------------------------

# EXHIBIT 7

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF JOSHUA BERMAN IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Joshua Berman, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Clifford Chance US LLP (“Clifford Chance”), counsel of record for Bruce and Nellie Ohr in the above captioned matter.

2. Attached as Exhibit A are biographies of the attorneys at Clifford Chance for whom Bruce and Nellie Ohr seek attorneys’ fees. The biographies reflect the professional qualifications of those attorneys.

3. Clifford Chance entered into a retention agreement with Mr. and Mrs. Ohr covering the present litigation. Mr. Ohr has a modest insurance policy that covers certain fees related to the present litigation, but only covers attorneys’ fees up to \$300 per hour. Mr. and Mrs. Ohr agreed to pay all of Clifford Chance’s costs, fees, and expenses incurred in connection with the present suit that are not covered by this insurance policy, and agreed to pay discounted rates, which for this matter are \$800 per hour for my time, and \$500 per hour for associate Benjamin Peacock. These rates represent a nearly 40 percent discount from standard Clifford Chance rates.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Defendants Bruce and Nellie Ohr. Defendants Bruce and Nellie Ohr seek fees at the already discounted

hourly rate for the attorneys as described in Exhibit B and below. These significantly discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Clifford Chance during the periods for which discounted fees are sought.

5. Attached as Exhibit C is the law firm website biography of the attorney at Fridman Fels & Soto, PLLC (“Fridman Fels”) for whom Defendants Bruce and Nellie Ohr seek attorneys’ fees. The biography reflects the professional qualifications of this attorney.

6. Fridman Fels & Soto, PLLC entered into a retention agreement with Defendants Bruce and Nellie Ohr in connection with the present litigation. Bruce and Nellie Ohr agreed to pay all of Fridman Fels’s costs, fees, and expenses incurred in connection with the present suit, and agreed to pay a discounted rate from the firm’s customary rate. Fridman Fels is charging Defendants Bruce and Nellie Ohr \$500 per hour.

7. Attached as Exhibit D is a true and correct copy of the hours worked by Fridman Fels for Defendants Bruce and Nellie Ohr. Defendants Bruce and Nellie Ohr seek fees at the already discounted hourly rate for the attorneys as described in Exhibit D and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit D also provides an accurate statement of the work provided by Fridman Fels during the periods for which discounted fees are sought.

8. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B and Exhibit D, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: (A) the fees incurred from the filing of the

initial complaint to the filing of Mrs. Ohr’s initial motion to dismiss; (B) the fees incurred between the filing of Mrs. Ohr’s initial motion to dismiss and the Court’s order dismissing the suit; and (C) the fees incurred to date in connection with the motion for sanctions.

9. As reflected in Chart A, the discounted fees incurred by Mr. and Mrs. Ohr from the filing of the initial complaint to the filing of initial motion to dismiss total \$25,760.

10. As reflected in Chart B, the discounted fees incurred by Mr. and Mrs. Ohr from the filing of the initial motion to dismiss to this Court’s dismissal of the suit total \$26,820.

11. As reflected in Chart C, the discounted fees incurred by Mr. and Mrs. Ohr in connection with the motion for sanctions, to date, total \$6,330.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Joshua Berman	\$800 / hour	4.2 hours	\$3,360
Benjamin Peacock	\$500 / hour	40.3 hours	\$20,150
Adam Fels	\$500 / hour	4.3 hours	\$2,150
Victoria Pantin	\$125 / hour	0.8 hours	\$100

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Joshua Berman	\$800 / hour	1.9 hours	\$1,520
Benjamin Peacock	\$500 / hour	47.6 hours	\$23,800
Adam Fels	\$500 / hour	3 hours	\$1,500

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Joshua Berman	\$800 / hour	0.6 hours	\$480
Benjamin Peacock	\$500 / hour	10.6 hours	\$5,300
Adam Fels	\$500 / hour	1.1 hours	\$550

12. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A and Exhibit C for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

13. In connection with this case, counsel also incurred necessary costs in the amount of \$400 for admission to this court *pro hac vice*. As such in addition to the costs and fees set out above, Mr. and Mrs. Ohr request and award of \$400 for these fees.

14. Consistent with local Rule 7.3, counsel sent the motion papers and exhibits to Plaintiff's counsel on October 5, 2022. Counsel for Mr. and Mrs. Ohr, together with counsel for other defendants, met and conferred with Plaintiff's counsel on October 26, 2022, but were unable to reach an agreement regarding defendants' entitlement to fees and expenses or the amount of such fees and expenses.

/s/

---

Joshua Berman  
October 31, 2022

# EXHIBIT A

**C L I F F O R D**

**C H A N C E**

Partner

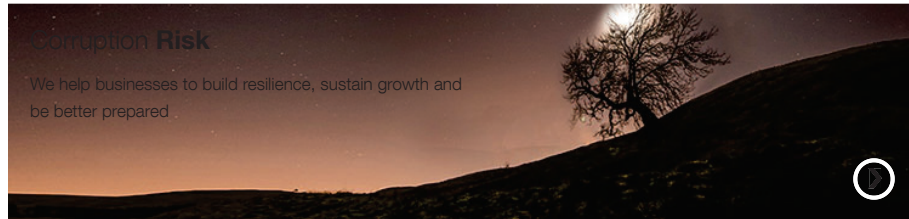


Joshua Berman, a seasoned trial and appellate lawyer, has over twenty years of experience handling white collar and government investigations matters both in the private sector and in government. Josh represents and provides counsel to corporate clients, Boards of Directors and individuals in government, Congressional and internal investigations, civil litigation, information security, and securities enforcement proceedings. Josh has expertise in developing global compliance and training programs for companies, and handling due diligence in connection with anti-corruption and other potential fraud matters.

Prior to joining Clifford Chance, Josh served as Deputy General Counsel for the U.S. Department of Commerce. There, he was responsible for a wide array of substantive matters, including: CFIUS, international export sanctions, cybersecurity, ethics guidance, data privacy, international anti-corruption efforts, Congressional investigations and oversight, Treasury tax regulations, ECPA reform, counter-terrorism efforts, FirstNet, telecommunications and intellectual property matters.

From 1997 to 2001, Josh served as an Assistant U.S. Attorney for the Southern District of New York, where he supervised, investigated, prosecuted and tried cases relating to securities fraud, white collar crime, terrorism, espionage, health care fraud, public corruption, obstruction of justice, bank fraud, immigration fraud, anti-piracy and copyright infringement, money laundering, racketeering, cybercrime, and organized and violent crime. Josh served on team of counter-terrorism prosecutors who investigated and prosecuted al Qaeda members and associates overseas and within the U.S. From 2001-2002, Josh served as Associate Investigative Counsel on the high profile Webster Commission for the Review of FBI Security Matters where he led a large multi-agency team of intelligence agents examining lapses in FBI national security in the wake of Robert Hanssen's espionage. From 2002-2004, Josh was a senior Trial Counsel for the U.S. Department of Justice, Criminal Division, Public Integrity Section, where he supervised, investigated and prosecuted investigations and prosecutions of high profile corruption, FEC and campaign finance cases.

Josh is a member of our global Corruption Risk team.



**Relevant experience**

**Publications and insights**

**News and client work**

Clifford Chance advises Japan Bank for International Cooperation on acquiring US\$110 million equity in NuScale to advance clean energy  
New York/Tokyo: Leading international law firm Clifford Chance has advised Japan Bank for International Cooperation (JBIC) on acquiring US\$110 million of prefe...  
**26 April 2022**

**Contact details**

Clifford Chance, Washington D.C.

+12029125174

Email me

Follow me on LinkedIn

Practice area Litigation, dispute resolution & risk management

**Career and qualifications**

- **Cornell University (BA, Government) 1991**
- **University of Michigan Law School (JD Law) 1994**
- **Assistant U.S. Attorney (SDNY), U.S. Department of Justice 1997**
- **Associate Investigative Counsel, Webster Commission for the Review of FBI Security Programs, U.S. Department of Justice 2001**
- **Senior Trial Attorney, Criminal Division, Public Integrity Section, U.S. Department of Justice 2002**
- **Partner, SNR Denton 2004**
- **Partner, Katten Muchin Rosenman 2010**
- **Deputy General Counsel, U.S. Department of Commerce 2016**
- **Joined Clifford Chance as Partner 2017**



# BENJAMIN PEACOCK

## NEW YORK



BENJAMIN PEACOCK  
Associate

T +1 212 878 8051  
E benjamin.peacock@cliffordchance.com

Benjamin Peacock is a senior associate in Clifford Chance's Litigation & Dispute Resolution practice in New York. He represents clients in cross-border criminal and regulatory investigations and complex commercial litigation and arbitration.

Prior to joining Clifford Chance, Benjamin interned at the New England Legal Foundation, where he assisted in authoring briefs for the United States Court of Appeals for the First Circuit and the Supreme Courts of Massachusetts, New Hampshire and Maine.

Benjamin received a JD from the New York University School of Law and a BA in philosophy from the University of Georgia. He is admitted to practice in New York.

**Representative matters include representing:**

- A major financial institution in regulatory investigations alleging manipulation of LIBOR, and in subsequent implementation of settlement undertakings
- A joint venture in connection with investigations by CFTC and NYAG of spoofing and other foreign exchange market-related misconduct.
- A large international financial institution in connection with a spoofing investigation by the CME
- A major Asian financial institution in connection with CME investigations into trading of energy and agricultural futures
- A vertically integrated energy company in connection with a review of policies and risk assessment of its global commodities-trading operations.
- A major US financial institution in connection with remediation of its foreign exchange trading practices

- A hedge fund in connection with a review of policies and risk assessment of its global commodities- and securities-trading operations.
- A digital assets company in connection with an SEC investigation into its offering of digital tokens
- A cryptocurrency exchange in connection with a joint DOJ and CFTC investigation of trading practices on the exchange
- A digital assets company in connection with U.S. regulatory issues
- Defeated all DOJ FCPA charges against Lawrence Hoskins at trial, with remaining money laundering counts resulting in a 15-month sentence that is currently under appeal

# EXHIBIT B

Date	Attorney	Discounted Rate	Time	Amount Claimed	Description
4/13/2022	Joshua Berman	800	0.5	\$ 400.00	Communications with joint-defense team; review complaint and analyze next steps.
4/14/2022	Joshua Berman	800	0.5	\$ 400.00	Further communications with joint defense team and with client re next steps.
4/15/2022	Benjamin Peacock	500	1.5	\$ 750.00	Analyze complaint and potential legal defenses.
4/18/2022	Joshua Berman	800	1.2	\$ 960.00	Communication with joint-defense team and plaintiff's counsel; analyze complaint and potential legal defenses.
4/18/2022	Benjamin Peacock	500	5	\$ 2,500.00	Legal research for motion to dismiss; outline potential defenses.
4/19/2022	Joshua Berman	800	0.5	\$ 400.00	Review docket; telephone conference with B. Peacock re next steps.
4/19/2022	Benjamin Peacock	500	3.5	\$ 1,750.00	Legal research for motion to dismiss; outline potential defenses; telephone conference with J. Berman re same.
4/20/2022	Joshua Berman	800	0.7	\$ 560.00	Joint-defense call; attention to selection of local counsel.
4/20/2022	Benjamin Peacock	500			Joint-defense call; telephone conference with Adam Fels re engagement; draft motion for extension of time; e-mails with plaintiff's counsel re same; draft <i>pro hac vice</i> motions.
4/20/2022	Benjamin Peacock	500	4.5	\$ 2,250.00	Finalize filings; communications with joint-defense counsel re same.
4/21/2022	Joshua Berman	800	0.1	\$ 80.00	Review draft Fridman Fels and Soto engagement letter; communications with client re same; outline arguments for motion to dismiss.
4/21/2022	Benjamin Peacock	500	4.7	\$ 2,350.00	Resolve local counsel and filing issues re extension of time.
4/22/2022	Joshua Berman	800	0.1	\$ 80.00	Finalize motion for extension of time and <i>pro hac vice</i> motions; e-mail and telephone conferences with local counsel re filing; e-mail Bruce and Nellie Ohr re status and next steps.
4/22/2022	Benjamin Peacock	500	1.7	\$ 850.00	Attention to plaintiff question re motion to amend complaint; communications with joint-defense counsel.
4/25/2022	Joshua Berman	800	0.2	\$ 160.00	Review draft client letter to DOJ re Westfall representation.
4/27/2022	Joshua Berman	800	0.2	\$ 160.00	Edit draft client Westfall letter; e-mail J. Berman re same.
4/28/2022	Benjamin Peacock	500	0.5	\$ 250.00	Legal research in connection with motion to dismiss; draft same.
5/4/2022	Benjamin Peacock	500	6.5	\$ 3,250.00	Legal research in connection with motion to dismiss; draft same.
5/5/2022	Benjamin Peacock	500	4.5	\$ 2,250.00	Legal research in connection with motion to dismiss; draft same.
5/6/2022	Benjamin Peacock	500	3.5	\$ 1,750.00	Legal research in connection with motion to dismiss; draft same.
5/10/2022	Joshua Berman	800	0.2	\$ 160.00	Review draft motion to dismiss.
5/10/2022	Benjamin Peacock	500	1.2	\$ 600.00	Revise draft motion to dismiss; e-mail clients re same; e-mails with J. Berman and A. Fels re same.
5/11/2022	Benjamin Peacock	500	3.2	\$ 1,600.00	Final edits to draft motion to dismiss; multiple telephone conferences and e-mails with A. Fels re same.
5/13/2022	Benjamin Peacock	500	0.3	\$ 150.00	Attention to request for extension of time from plaintiff's counsel.
5/18/2022	Benjamin Peacock	500	1	\$ 500.00	Attend joint-defense call; e-mails with J. Berman re status and next steps.
5/25/2022	Benjamin Peacock	500	0.2	\$ 100.00	E-mail Bruce Ohr re status.
5/26/2022	Benjamin Peacock	500	0.5	\$ 250.00	Review proposed stipulation; e-mail counsel for H. Clinton re same.

5/26/2022	Benjamin Peacock	500	0.4	\$ 200.00	Attend meeting with summer intern to introduce matter and discuss next steps.
6/2/2022	Joshua Berman	800	0.2	\$ 160.00	Telephone conference with B. Peacock re strategy and next steps.
6/2/2022	Benjamin Peacock	500	2.5	\$ 1,250.00	Court conference; follow-up telephone conferences with J. Berman and A. Fels re same; e-mail Bruce and Nellie Ohr re same.
15-Jun	Benjamin Peacock	500	1	\$ 500.00	Joint-defense call.
21-Jun	Benjamin Peacock	500	3.4	\$ 1,700.00	Analyze amended complaint and evaluate defenses.
22-Jun	Joshua Berman	800	0.2	\$ 160.00	Analyze amended complaint.
22-Jun	Benjamin Peacock	500	1.7	\$ 850.00	Further analysis of amended complaint; legal research in connection with same.
23-Jun	Joshua Berman	800	0.5	\$ 400.00	Joint-defense call.
23-Jun	Benjamin Peacock	500	3.4	\$ 1,700.00	Joint-defense call; telephone conference with DOJ re Westfall issues; legal research in connection with same.
24-Jun	Joshua Berman	800	0.3	\$ 240.00	Analyze arguments for renewed motion to dismiss.
24-Jun	Benjamin Peacock	500	5.5	\$ 2,750.00	Further analysis of Westfall issues; further analysis of amended complaint and related legal research.
29-Jun	Benjamin Peacock	500	1.9	\$ 950.00	Review and revise draft malicious-prosecution section of renewed motion to dismiss; joint-defense communications in connection with same.
1-Jul	Joshua Berman	800	0.2	\$ 160.00	Joint-defense call.
1-Jul	Benjamin Peacock	500	4.5	\$ 2,250.00	Joint-defense call; revise malicious-prosecution section of renewed motion to dismiss; joint-defense communications re same; telephone conference with DOJ re Westfall issues; follow-up e-mails with J. Berman re same.
5-Jul	Benjamin Peacock	500	2.9	\$ 1,450.00	Further communication with DOJ re Westfall issues; revise draft motion to dismiss; joint-defense communications re same.
11-Jul	Benjamin Peacock	500	0.7	\$ 350.00	Revise draft motion to dismiss; multiple joint-defense communications re same.
12-Jul	Benjamin Peacock	500	2.5	\$ 1,250.00	Revise draft motion to dismiss; joint-defense communications re same.
13-Jul	Benjamin Peacock	500	2.2	\$ 1,100.00	Further analysis of issues related to renewed motion to dismiss; e-mails with A. Fels re same.
14-Jul	Benjamin Peacock	500	0.6	\$ 300.00	Review filed opposition to motion to dismiss.
15-Jul	Joshua Berman	800	0.5	\$ 400.00	Meet-and-confer with plaintiff's counsel and joint-defense team.
15-Jul	Benjamin Peacock	500	0.7	\$ 350.00	Meet-and-confer with plaintiff's counsel and joint-defense team; e-mail Bruce and Nellie Ohr re same.
26-Jul	Benjamin Peacock	500	0.5	\$ 250.00	Joint-defense call.
4-Aug	Benjamin Peacock	500	2.5	\$ 1,250.00	Analyze plaintiff's opposition to motion to dismiss.
5-Aug	Benjamin Peacock	500	1.7	\$ 850.00	Further analysis of opposition to motion to dismiss; e-mail clients re same; outline points for opposition.
8-Aug	Benjamin Peacock	500	1.3	\$ 650.00	Draft and revise "malicious prosecution" argument for reply brief.
10-Aug	Benjamin Peacock	500	3.2	\$ 1,600.00	Review reply brief; e-mails with Bruce and Nellie Ohr re same; joint-defense call.
11-Aug	Benjamin Peacock	500	2.5	\$ 1,250.00	Final review of reply brief in preparation for filing; e-mails with clients re same.
8-Sep	Benjamin Peacock	500	2.7	\$ 1,350.00	Review Order Granting Motion to Dismiss; e-mail J. Berman re same.

Exhibit B - Clifford Chance fee chart(24004627221.1)

9-Sep	Joshua Berman	800	0.3	\$	240.00	Review Order Granting Motion to Dismiss; preliminary consideration of sanctions issues.
9-Sep	Benjamin Peacock	500	1.7	\$	850.00	Analysis of next steps including sanctions; e-mail Bruce and Nellie Ohr re Order and related issues.
12-Sep	Joshua Berman	800	0.3	\$	240.00	Address issue re sanctions.
13-Sep	Benjamin Peacock	500	0.5	\$	250.00	Legal research re legal standard for sanctions; telephone conference with A. Fels re same.
23-Sep	Benjamin Peacock	500	1.9	\$	950.00	Review draft motion for sanctions; legal research in connection with same.
28-Sep	Benjamin Peacock	500	0.3	\$	150.00	Review materials provided by A. Fels in connection with motion for sanctions; telephone conference with A. Fels re same.
10/2/2022	Benjamin Peacock	500	1.5	\$	750.00	Draft declaration to accompany motion for sanctions and prepare exhibits to same.
3-Oct	Benjamin Peacock	500	2	\$	1,000.00	Revise declaration to accompany motion for sanctions and prepare exhibits to same; e-mail Bruce and Nellie Ohr re same.
			105.2	\$	54,610.00	

# EXHIBIT C



Partner

+1 305 569 7746





Before forming Fridman Fels & Soto, PLLC, Mr. Fels served as an Assistant United States Attorney in the Southern District of Florida for thirteen years, specializing in international money laundering, counternarcotics, and counterterrorism prosecutions. He also served as a Special Assistant United States Attorney in both the Southern District of New York and the Eastern District of New York. Mr. Fels was one of the lead prosecutors and delivered the opening statement in the Government's successful prosecution of Joaquin "El Chapo" Guzmán, one of the largest drug kingpins ever tried in the United States. The members of the prosecution team, including Mr. Fels, were honored with the 2019 U.S. Department of Justice Attorney General's Award for Exceptional Service, the Department's highest award for employee performance.

Throughout his thirteen-year career as a federal prosecutor, Mr. Fels successfully managed and directed a wide array of criminal investigations and cases in district court, and successfully argued several cases in federal courts of appeal. Mr. Fels also handled some of the Miami U.S. Attorney's Office's highest profile cases, including a variety of counterterrorism prosecutions, and the prosecution of some of the most prominent Colombian drug cartel leaders of the time. He has developed expertise in several areas of federal criminal practice, including Title III wiretaps, classified information litigation, money laundering and other financial investigations, mortgage fraud, and customs enforcement. He was cleared for top secret information and granted access to sensitive compartmented information.





concentration camp guards who had unlawfully entered the United States after the war. For his role in bringing Nazi camp guards to justice, Mr. Fels was recognized alongside other OSI attorneys with the first U.S. Department of Justice Assistant Attorney General Award for Human Rights Law Enforcement.

Before joining the Department of Justice, Mr. Fels spent four years as a commercial litigation and appellate associate in the Washington, D.C. office of Latham & Watkins LLP, participating in several trials and developing expertise in internal investigations. Mr. Fels began his legal career by clerking for United States District Judge Donald M. Middlebrooks in the Southern District of Florida.

## News Reports and Media Accounts

- “Duped” and “egged on”: Capitol rioters use Trump as excuse in court,” CBS News, February 16, 2021, available at <https://www.cbsnews.com/news/capitol-riot-suspects-trump-blame-court/>
- “DBR Recognizes Most Effective Lawyers for 2019,” Daily Business Review, November 15, 2019, available at <https://www.law.com/dailybusinessreview/2019/11/15/dbr-recognizes-most-effective-lawyers-for-2019/?slreturn=20191015145223>
- “Opinion: Will El Chapo’s Trial Change Organized Crime Forever?” The New York Times, February 14, 2019, available at <https://www.nytimes.com/2019/02/14/opinion/el-chapo-trial-witnesses.html>



- “El Chapo Trial Updates,” Newsweek, December 13, 2018, available at <https://www.newsweek.com/joaquin-el-chapo-guzman-loera-sinaloa-cartel-brooklyn-jorge-milton-cifuentes-1258241>
- “Las leyendas de El Chapo, a juicio,” El País, November 18, 2018, available at [https://elpais.com/internacional/2018/11/16/actualidad/1542382504\\_906964.html](https://elpais.com/internacional/2018/11/16/actualidad/1542382504_906964.html)
- “Main witness against ‘El Chapo’ will be ‘El Chapo,’ prosecutor says,” NBC News, November 14, 2018, available at <https://www.nbcnews.com/news/crime-courts/el-chapo-opening-arguments-delayed-because-anxious-juror-n9335761>
- “As El Chapo trial opens, attorneys offer contrasting portraits of ‘mythological’ drug lord,” Washington Post, November 13, 2018, available at [https://www.washingtonpost.com/world/national-security/el-chapo-trial-begins-drug-kingpin-faces-life-in-prison/2018/11/12/52846f2a-e466-11e8-b759-3d88a5ce9e19\\_story.html](https://www.washingtonpost.com/world/national-security/el-chapo-trial-begins-drug-kingpin-faces-life-in-prison/2018/11/12/52846f2a-e466-11e8-b759-3d88a5ce9e19_story.html)
- “Miami judge orders ex-Panamanian president sent home to face criminal charges,” Miami Herald, August 31, 2017, available at <https://www.miamiherald.com/news/nation-world/article170521432.html>
- “Man Who Made Bomb Threats to Palm Beach County Schools Sentenced to More Than 3 Years In Prison,” Sun-Sentinel, November 26, 2016, available at <https://www.sun-sentinel.com/local/palm-beach/fl-palm-hoax-bomb-threat-sentencing-20161129-story.html>
- “Man touted as one of biggest drug dealers ever gets 35 years,” AP News, July 25, 2016, available at <https://apnews.com/b67b14c742334f0cb07a35513cf92162>
- “South Florida brothers sentenced to long prison terms for terrorist plot in New York,” Miami Herald, June 10, 2015, available at <https://www.miamiherald.com/news/local/crime/article236669335.html>



- [southern-district-of-florida-announces-guilty-plea-of-colombian-narcotics-kingpin](#)
- “Manhattan, Brooklyn, And Miami U.S. Attorneys Announce Extradition Of Colombian Narcotics Kingpin,” U.S. Dept. of Justice, July 9, 2013, available at <https://www.justice.gov/usao-edny/pr/manhattan-brooklyn-and-miami-us-attorneys-announce-extradition-colombian-narcotics>
- “Miami Jury Convicts Guatemalan Drug Kingpin of Distributing Cocaine Knowing it Would be Imported into the United States,” U.S. Dept. of Justice, May 8, 2012, available at <https://www.justice.gov/archive/usao/fls/PressReleases/2012/120508-01.html>
- “High-Level Colombian BACRIM Narco-Trafficker Indicted on Cocaine Conspiracy Charges,” FBI, February 9, 2011, available at <https://archives.fbi.gov/archives/miami/press-releases/2011/mm020911a.htm>

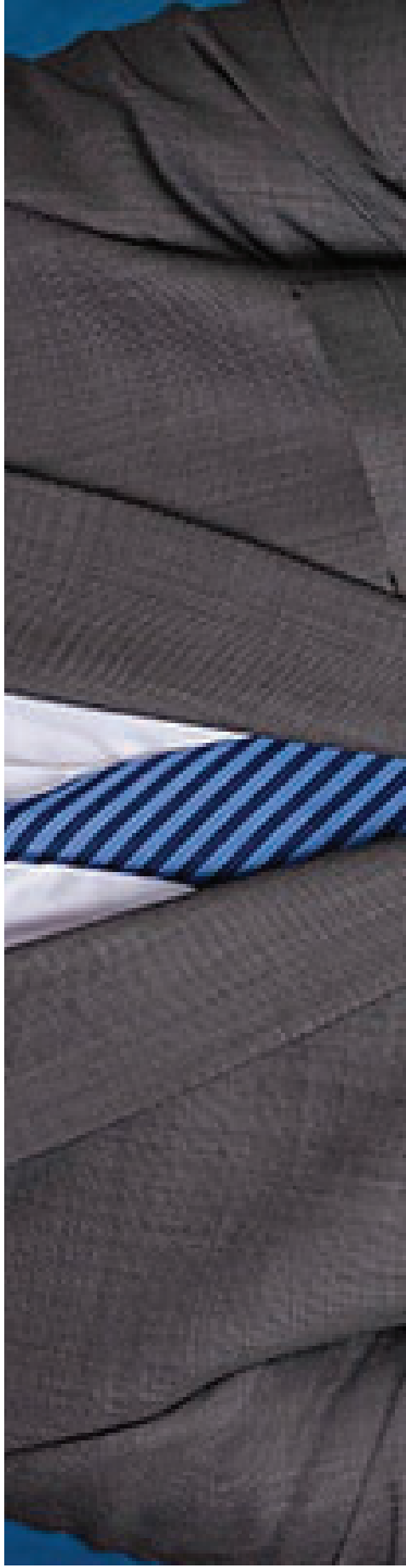
## Publications

- “OSI’s Prosecution of World War II Persecutor Cases,” United States Attorneys Bulletin, January 2006

## Awards and Recognition

- Recipient of Attorney General’s David Margolis Award for Exceptional Service, 2019





☎ 305 569 7746

🌐 [www.linkedin.com/in/adam-fels-819621195/](https://www.linkedin.com/in/adam-fels-819621195/)

✉ [afels@ffslawfirm.com](mailto:afels@ffslawfirm.com)

📄 Download vCard

## Education

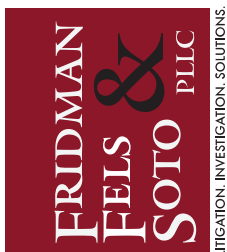


## ADMISSIONS

- Florida Bar
- District of Columbia Bar
- US Court of Appeals for the Eleventh Circuit
- US District Court for the Southern District of Florida
- US District Court for the Middle District of Florida

CONTACT US TODAY

☰ Menu



# EXHIBIT D



Exhibit D - Fridman Fels Fee Chart

Date	Timekeeper	Discounted Rate	Time	Amount Claimed	Description
4/21/2022	Adam S Fels	500	1.2 \$	600.00	Review and edit pro hac motions, certifications and proposed orders; review and edit motion for extension of time and draft proposed order; draft notice of appearance; initial filings; exchange emails with co-counsel re: initial filings.
4/22/2022	Victoria Pantin	125	0.8 \$	100.00	Collection of previous CM/ECF filings and save into client's folder.
5/10/2022	Adam S Fels	500	2.1 \$	1,050.00	Review Complaint (split with co-defendants); Review motion to dismiss; research legal issues in 11th Cir/SDFL relating to cognizable RICO injuries; defamatory statements re: political candidates; existence of proceeding in context of malicious prosecution case; annotate draft brief.
5/11/2022	Adam S Fels	500	1 \$	500.00	Additional review of motion to dismiss; T/C with co-counsel re: same; file motion.
6/1/2022	Adam S Fels	500	0.4 \$	200.00	Call with co-counsel to discuss upcoming status conference hearing.
6/2/2022	Adam S Fels	500	0.7 \$	350.00	Attend status conf (split with co-defendants); T/C with co-counsel
7/1/2022	Adam S Fels	500	0.9 \$	450.00	Review portion of Amended Complaint (split with co-defendants); research, review and edit malicious prosecution section (split with co-defendants)
7/5/2022	Adam S Fels	500	0.2 \$	100.00	Review of revised malicious prosecution section (split with co-defendants)
7/13/2022	Adam S Fels	500	0.6 \$	300.00	Review issue in draft motion to dismiss re: "federal defendants" in malicious prosecution section; exchange emails with co-counsel re: same.
7/15/2022	Adam S Fels	500	0.2 \$	100.00	Participate on status call with Plaintiffs & Defendants (split with co-defendant)
9/13/2022	Adam S Fels	500	0.8 \$	400.00	Review Court's order dismissing case; research Rule 11 rulings by J. Middlebrooks; participate in call with counsel to discuss same (all split with co-defendants).
9/22/2022	Adam S Fels	500	0.2 \$	100.00	Review of draft sanctions motion (split with co-defendants).
9/28/2022	Adam S Fels	500	0.9 \$	450.00	Appear at teleconference to discuss fees; T/C with co-counsel to discuss fees; prepare chart breaking down fees.
4/21/2022			\$	400.00	Pro hac vice fees paid for co-counsel
<b>TOTAL</b>				<b>\$5,100.00</b>	

# EXHIBIT 8

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF FRANKLIN MONSOUR JR. IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Franklin Monsour Jr., declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Orrick Herrington & Sutcliffe LLP (“Orrick”), counsel of record for Igor Danchenko in the above captioned matter.
2. Attached as Exhibit A is my firm website biography demonstrating my professional qualifications, as the attorney for whom Mr. Danchenko seeks attorneys fees.
3. Orrick entered into a retention agreement with Mr. Danchenko in connection with the present litigation. Mr. Danchenko agreed to pay all of Orrick’s costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm’s customary rates.
4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Mr. Danchenko. Mr. Danchenko is not seeking reimbursement for the customary hourly rates mentioned in Paragraph 3. Instead, Mr. Danchenko seeks fees at a discounted hourly rate for the attorneys as describe in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Orrick during the periods for which discounted fees are sought.

5. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of Mr. Danchenko’s initial motion to dismiss; the fees incurred between the filing of Mr. Danchenko’s motion to dismiss to the Court’s order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.

6. As reflected in Chart A, the discounted fees incurred by Mr. Danchenko from the filing of the initial complaint to the filing of Mr. Danchenko’s initial motion to dismiss total \$5,600.

7. As reflected in Chart B, the discounted fees incurred by Mr. Danchenko from the filing of Mr. Danchenko’s initial motion to dismiss total to this Court’s dismissal of the suit total \$10,220.

8. As reflected in Chart C, the discounted fees incurred by Mr. Danchenko in connection with the motion for sanctions, to date, total \$1,540.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Franklin Monsour Jr.	\$700 per hour	8	\$5,600

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Franklin Monsour Jr.	\$700 per hour	14.6	\$10,220

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Franklin Monsour Jr.	\$700 per hour	2.2	\$1,540

9. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

10. In connection with this case, counsel incurred necessary costs for electronic legal research. I understand that courts in this Circuit have held that legal research costs are not ordinarily taxable as costs under 28 U.S.C. § 1920, but are properly considered a component of attorneys' fees. *Springer v. Convergys Corp.*, No. 3:03-CV-302-J-99MCR, 2006 WL 8439203, at \*2 (M.D. Fla. July 7, 2006). As such, in addition to the discounted fees set out above, Mr. Danchenko requests an award of \$6,389 incurred for electronic legal research. Attached as Exhibit C is a true and correct copy of the amount of incurred for electronic legal research.

11. Consistent with local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff's counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff's counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. § 1920 that are recoverable from Plaintiff and/or his counsel.

/s/ Franklin Monsour Jr.  
Franklin Monsour Jr.

Date: October 27, 2022

# **EXHIBIT A**



## Franklin Monsour, Jr.

### Partner

New York

T +1 212 506 3512

E fmonsour@orrick.com

Franklin Monsour is a white collar and investigations partner who defends clients in criminal and civil government actions and complex commercial litigation.

As a former federal prosecutor for the Southern District of Florida, in Miami, Franklin was lead counsel in negotiating multiple record settlements totaling over \$100 million in False Claims Act, Anti-Kickback Statute, healthcare fraud and civil penalty recoveries. He also prosecuted numerous criminal cases including the largest compounding pharmacy fraud case to go to trial.

Franklin frequently represents clients in the life sciences and healthcare industries in both criminal and civil investigations brought by the Department of Justice and other regulatory agencies such as the DEA and FDA. He also represents clients in FCPA, securities and fraud-related civil cases, including civil RICO actions. In doing so, Franklin relies on his prior experience as an Assistant US Attorney in Miami where he prosecuted numerous criminal and civil regulatory cases. He was lead counsel on multiple False Claims Act, Anti-Kickback Statute cases resulting in record resolutions. He was also lead counsel in a DEA drug diversion case against one of the largest pharmacy chains resulting in the record civil penalty under the Controlled Substances Act. That case developed the template for DEA actions against drug distribution centers alleged to distribute suspiciously large amounts of prescription narcotics.

Franklin prosecuted numerous criminal cases involving fraud, narcotics and violent crimes. He has successfully tried a variety of criminal and civil cases to verdict, including a five-week federal trial convicting a pharmacist and a co-conspirator of conspiracy to commit healthcare fraud, pay kickbacks and money laundering. That case is the largest compounding pharmacy fraud case to go to trial, involving numerous co-conspirators in billing well over \$30 million to the US military's health insurance program.

In addition to litigation, Franklin applies his Government experience in helping clients develop sophisticated compliance programs to preempt and resolve Anti-Kickback Statute and broader anti-corruption and FCPA enforcement issues.

### Honors

- B.B. Allen Award, 2013
- Commendation by the Defense Criminal Investigative Service (DCIS), 2017
- Patriotic Service Medal by the US Army, 2017
- Commendation by the Drug Enforcement Administration (DEA), 2013

### Education

- J.D., Benjamin N. Cardozo School of Law, 2003, Dean's Merit Scholar, *Moot Court* editorial board member, *Jacob Burns Medal* recipient for moot court performance, Best Writing Award for Criminal Justice
- B.A., Virginia Commonwealth University, 1999, *cum laude*



Franklin understands what factors motivate investigations, actions, and litigation, and what factors conclude them. He builds strong relationships with clients to navigate difficult situations, developing defenses and strategies to resolve cases successfully, from negotiation through trial.

### **Admissions**

- New York



# **EXHIBIT B**

Date	Timekeeper	Discounted Rate	Time	Amount Claimed	Description
5/6/2022	Monsour, Franklin	\$700	2.00	\$1,400.00	Research and outline thereto for MTD.
5/12/2022	Monsour, Franklin	\$700	1.00	\$700.00	Research and draft MTD.
5/13/2022	Monsour, Franklin	\$700	1.00	\$700.00	Draft MTD and research thereto.
5/18/2022	Monsour, Franklin	\$700	2.00	\$1,400.00	Draft and revise MTD brief.
5/20/2022	Monsour, Franklin	\$700	2.00	\$1,400.00	Draft and revise MTD brief.
6/2/2022	Monsour, Franklin	\$700	1.20	\$840.00	Prepare for and attend status conference.
6/15/2022	Monsour, Franklin	\$700	0.50	\$350.00	Joint defense zoom conference.
6/23/2022	Monsour, Franklin	\$700	0.50	\$350.00	Call with codefendant counsel.
6/30/2022	Monsour, Franklin	\$700	0.20	\$140.00	Review case filings and correspondence.
7/1/2022	Monsour, Franklin	\$700	0.50	\$350.00	Meet and confer and correspondence on motion for extension.
7/5/2022	Monsour, Franklin	\$700	0.50	\$350.00	Joint defense call.
7/12/2022	Monsour, Franklin	\$700	2.00	\$1,400.00	Work on draft motion.
7/13/2022	Monsour, Franklin	\$700	2.00	\$1,400.00	Review draft motion and make edits thereto.
8/5/2022	Monsour, Franklin	\$700	0.50	\$350.00	Call with Defense group to plan reply brief.
8/5/2022	Monsour, Franklin	\$700	2.50	\$1,750.00	Review prior briefs and exhibits and confer thereto.
8/10/2022	Monsour, Franklin	\$700	2.00	\$1,400.00	Review draft reply and revise and confer with client thereto.
8/11/2022	Monsour, Franklin	\$700	2.20	\$1,540.00	Review revised reply brief and make edits thereto; confer with co-defense counsel.
9/13/2022	Monsour, Franklin	\$700	0.50	\$350.00	Joint defense strategy call.
9/28/2022	Monsour, Franklin	\$700	0.50	\$350.00	Call with co-defendant counsel to discuss sanctions motion.
9/30/2022	Monsour, Franklin	\$700	1.20	\$840.00	Review sanctions motion and revise affidavit.

not billed yet  
not billed yet  
not billed yet

# EXHIBIT C

**DISBURSEMENTS**

Date	Tkpr.	Description	Inv No.	Entry employee:	Quantity	Bill Amt	Check No.	Print On Bill?	Disb ID
05/05/22	FM	Lexis Research	;	;	;	1,637.00		Y	40083841
05/06/22	FM	Lexis Research	;	;	;	594.00		Y	40083842
05/08/22	FM	Lexis Research	;	;	;	396.00		Y	40089027
05/12/22	FM	Lexis Research	;	;	;	198.00		Y	40089028
05/13/22	FM	Lexis Research	;	;	;	1,683.00		Y	40089029
05/15/22	FM	Lexis Research	;	;	;	198.00		Y	40095211
05/16/22	FM	Lexis Research	;	;	;	1,287.00		Y	40095212
07/12/22	FM	Lexis Research	;	;	;	297.00		Y	40138354
07/13/22	FM	Lexis Research	;	;	;	99.00		Y	40138355
<b>Disbursement Total</b>						<b>\$6,389.00</b>			

# EXHIBIT 9

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF SAMANTHA L. SOUTHALL IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Samantha L. Southall, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a shareholder of Buchanan Ingersoll & Rooney PC (“Buchanan”), counsel of record for Defendant Neustar, Inc. (“Neustar”) in the above captioned matter.

2. Attached as Exhibit A are the law firm website biographies of the attorneys at Buchanan for whom Neustar seeks attorneys’ fees. The biographies reflect the professional qualifications of those attorneys.

3. Buchanan entered into a retention agreement with Neustar in connection with the above-captioned litigation. Neustar agreed to pay Buchanan’s discounted, negotiated rates as well as its costs, fees, and expenses incurred in connection with this action.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Neustar. These hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Buchanan during the periods for which discounted fees are sought.

5. Consistent with the discussion in the Memorandum in Support of Sanctions and the

information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of Neustar’s initial motion to dismiss; the fees incurred between the filing of Neustar’s motion to dismiss to the Court’s order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.

6. As reflected in Chart A, the fees incurred by Neustar from the filing of the initial complaint to the filing of Neustar’s initial motion to dismiss total \$67,944.50.

7. As reflected in Chart B, the fees incurred by Neustar from the filing of Neustar’s initial motion to dismiss total to this Court’s dismissal of the suit total \$57,569.00.

8. As reflected in Chart C, the discounted fees incurred by Neustar in connection with the motion for sanctions, to date, total \$8,630.00.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Samantha L. Southall	\$560	56.1	\$31,416.00
Jennifer Olmedo-Rodriguez	\$560	14.2	\$7,952.00
Patrick Doran	\$475	19.2	\$9,120.00
Anna Sanders	\$255	76.3	\$19,456.50

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Samantha L. Southall	\$560	60.2	\$33,712.00
Jennifer Olmedo-Rodriguez	\$560	11.9	\$6,664.00
Patrick Doran	\$475	4.2	\$1,995.00

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Anna Sanders	\$255	59.6	\$15,198.00

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Samantha L. Southall	\$560	12.6	\$7,056.00
Jennifer Olmedo-Rodriguez	\$560	1.9	\$1,064.00
Anna Sanders	\$255	2	\$510.00

9. I believe that the rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

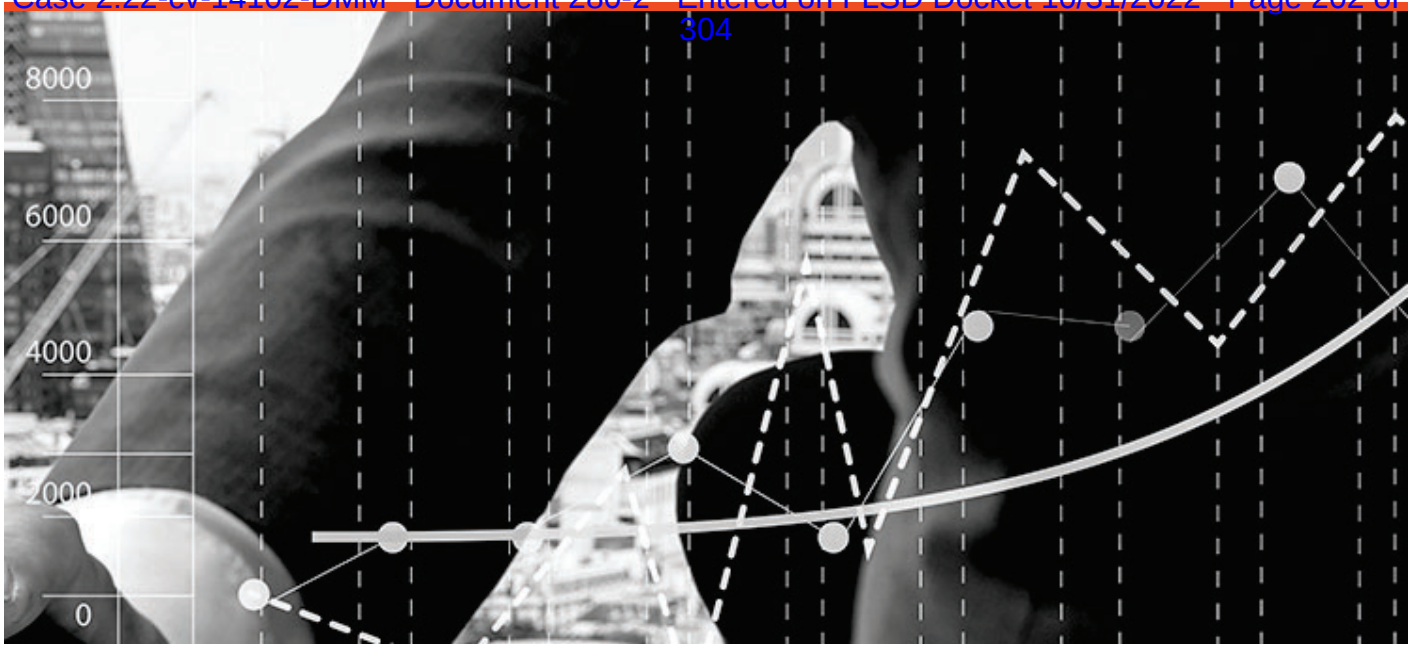
10. Consistent with local Rule 7.3, counsel sent the motion papers and exhibits to Plaintiff’s counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff’s counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants’ entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

Dated: October 27, 2022  
Philadelphia, Pennsylvania

/s/ Samantha L. Southall  
Samantha L. Southall



**EXHIBIT A**



# Buchanan Experience





## Samantha L. Southall

Shareholder

Email: [samantha.southall@bipc.com](mailto:samantha.southall@bipc.com)

p: 215 665 3884 Philadelphia, PA

p: 302 552 4249 Wilmington, DE

Samantha has a diverse practice litigating complex commercial and environmental disputes in jurisdictions throughout the United States. She has significant experience representing clients in litigation involving business disputes, consumer fraud and protection, complicated contractual claims and environmental matters.

Drawing on her extensive work defending clients faced with private litigation, class actions, and enforcement actions for alleged violations of the Telephone Consumer Protection Act, Fair Credit Reporting Act, and other consumer protection laws, Samantha proactively counsels clients on the rapidly evolving standards of care for safeguarding confidential information and the expanding legal requirements and consumer expectations for protecting personal information.

Her thorough preparation, ability to develop innovative and creative arguments in complex litigation and effective advocacy helps her clients pragmatically resolve disputes and has led her to play a leading role in the defense and overall strategy for many key clients. Samantha's clients operate in a wide range of industries, from consumer products, financial products and software, and insurers to retail, technology and medical devices and supplies.

Samantha has more than two decades of experience in defending public and private companies in class actions and other high stakes litigation. She also has represented corporations and individuals investigated by the Department of Justice, Antitrust Division, the Federal Trade Commission and various State Attorneys General. She has conducted internal investigations for corporate clients. Samantha also regularly counsels clients on consumer fraud and protection issues.

Samantha was named to the 2019 "Best of the Bar" list by the *Philadelphia Business Journal*.

Samantha is a co-chair of the firm's Pro Bono Committee.

### Proof Points

- Obtained dismissal of a nationwide putative class action alleging that a market research firm violated the Telephone Consumer Protection Act, *Katz v. Focus Forward, LLC*, 532 F. Supp.3d 170 (S.D.N.Y. 2021), *aff'd*, 22 F. 4th 368 (2d Cir. 2022).

- Successfully defended a consumer reporting agency in a case brought on behalf of a nationwide class alleging that the agency violated the Fair Credit Reporting Act when it misreported information relating to a furnisher.
- Successfully defended a consumer reporting agency in a case brought on behalf of a nationwide class alleging that the agency violated the Racketeer Influenced and Corrupt Organizations Act when it provided consumer reports to tribal lenders, with the consent of those consumers.
- Successfully defended a nationally recognized market research firm in a case brought on behalf of a nationwide class alleging that the firm violated the Telephone Consumer Protection Act when it recruited physicians to participate in market research studies.
- Obtained dismissal of a putative class action alleging that a retailer improperly collected sales tax on masks during the COVID-19 pandemic in violation of Pennsylvania's unfair trade practices and consumer protection law. *James v. ALDI, Inc.*, 2021 WL 289637 (W.D. Pa. July 9, 2021).
- Obtained dismissal of a putative class action accusing a transportation authority of violating the Fair Credit Reporting Act by not providing job applicants with proper notice that it was using consumer reports for background checks.
- Serve as common counsel in multi-party Superfund matters, including negotiating consent decrees, resolving natural resource damages claims and past clean-up cost claims.
- Pursued cost recovery claims on behalf of performing party groups against non-performing potentially responsible parties.
- Served as litigation counsel for transporter groups in environmental litigation involving the Calais Road site in New Jersey.
- Defended a transporter in a cost recovery claim involving the Pennsauken Landfill in Camden County, New Jersey.
- Obtained summary judgment for our client in a \$20 million toxic tort action after prevailing in *Daubert* motions excluding the plaintiff's causation experts. *Johnson v. Arkema, Inc.*, 685 F.3d 452 (5th Cir. 2012).
- Represented a public agency in its response to a cybersecurity incident, analyzing the scope of the incident, advising on public communications, and complying with breach notification laws.
- Counsel a wide range of clients about satisfying their obligations under privacy laws, such as the California Consumer Privacy Act, including retail, real estate developers and technology companies.
- Successfully defended a distributor of dental products in *In re Dental Supplies Antitrust Litig.* (E.D.N.Y.), a nationwide multidistrict litigation brought on behalf of a nationwide class of 200,000 dentists, alleging a conspiracy among the leading dental supply distributors to fix prices, boycott manufacturers and others, and to allocate customers and employees through no poaching agreements.
- Obtained dismissal of a putative class of indirect purchasers of dental case in Illinois who alleged that they were overcharged as a result of a purported price fixing conspiracy. *Hatchett v. Henry Schein*, 2020 WL 73384 (S.D. Ill. Feb. 23, 2020).
- Successfully defended a distributor of dental products in *Source Once Dental, Inc. v. Patterson Companies, Inc.*, et al. (E.D.N.Y.) in a litigation brought by a competitor alleging a conspiracy among the leading dental supply distributors to fix prices, boycott manufacturers and others.

- Successfully defended an egg producer in *In re Processed Egg Products* class action antitrust litigation (E.D. Pa.), a nationwide multi district litigation alleging an industry-wide supply restriction scheme to fix the prices of eggs and egg products sold in the United States during an eight-year period.
- Successfully defended a bodybuilding league accused of illegally monopolizing the business of competitive bodybuilding in the United States.
- Obtained dismissal of a putative class action on summary judgment, affirmed on appeal, of a claim for \$1.3 billion against a nonprofit insurer accused of violating Pennsylvania's Nonprofit Corporation Law.
- Obtained a petition to strike and vacate an improperly entered foreign judgment under the Uniform Foreign Money Judgment Recognition Act and Uniform Enforcement of Foreign Judgments Act. *Louis Dreyfus Commodities Suisse SA v. Financial Software Systems, Inc.*, 99 A.3d 79 Pa. Super. 2014).

## Related Services & Industries

---

**LITIGATION**

**ANTITRUST & TRADE REGULATION**

**CLASS ACTIONS**

**CONSUMER DEFENSE**

**CORPORATE COMPLIANCE**

**CRIMINAL DEFENSE & GOVERNMENT ENFORCEMENT**

**CYBERSECURITY & DATA PRIVACY**

**ENVIRONMENTAL**

**INTERNAL INVESTIGATIONS**

## Education

---

The George Washington University Law School, J.D., with honors

University of Miami, B.A., magna cum laude, International & Comparative Studies, Economics, and Political Science

## Courts & Admissions

---

New York

Pennsylvania

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the Eastern District of Michigan  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Eastern District of Pennsylvania  
U.S. District Court for the Northern District of New York  
U.S. District Court for the Southern District of New York  
U.S. District Court for the Western District of New York  
U.S. District Court for the Western District of Pennsylvania

## Affiliations

---

Philadelphia Bar Association  
Former Board of Directors Member, Philadelphia Volunteers for the Indigent Program

## Related Keywords

---

**FAIR CREDIT REPORTING ACT (FCRA)**  
**FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)**  
**TELEPHONE CONSUMER PROTECTION ACT (TCPA)**



## Jennifer Olmedo-Rodriguez

Shareholder

Head of the Miami Office

Email: [jennifer.olmedo-rodriguez@bipc.com](mailto:jennifer.olmedo-rodriguez@bipc.com)

p: 305 347 5900 Miami, FL

Jennifer Olmedo-Rodriguez is the Managing Shareholder of the firm's Miami office. She focuses her practice on complex commercial litigation, class action defense litigation and civil appellate litigation while utilizing the firm's full-service national platform to counsel her clients. By coordinating and implementing a centralized and unified legal strategy, Jennifer meets her clients' legal needs across diverse practice areas. In this manner, her clients find Jennifer to be a valued counselor who uses her experience as a litigator to help businesses avoid the pitfalls that oftentimes result in costly and extenuated litigation.

Jennifer has litigated a variety of commercial litigation disputes involving banking, UCC issues and construction-defect matters, as well as a variety of contractual disputes, including partnership disputes, non-compete agreements, employment agreements, franchising disputes, and real property disputes in state and federal courts, including commercial and land-lord tenant disputes. She also has experience litigating claims arising under the Florida Deceptive and Unfair Trade Practices Act ("FDUTPA") and defending class actions, including claims brought under the Telephone Consumer Protection Act ("TCPA"). Jennifer also handles all aspects of civil appeals and appellate proceedings in a wide variety of matters, including real property disputes, commercial contractual matters and business torts.

Her combined experience at the trial and appellate levels allows Jennifer to provide clients with the benefits of continuous representation throughout the entire trajectory of their case. Her appellate experience allows her to protect the record and properly prepare a case for appeal as it travels through the trial court. When handling appeals in cases she managed at the trial court level, Jennifer's clients benefit from her intimate, first-hand knowledge of the record. On cases where she solely serves as appellate counsel, Jennifer partners with trial counsel and relies upon her experience to either protect a ruling favorable to her client or pursue reversal of a lower court's legally flawed ruling. Jennifer's appellate experience is further enhanced by the fact that she was appointed to serve on the Appellate Court Rules Committee of the Florida Bar from 2015 to 2018. As a member of this prestigious Committee, Jennifer will use her experience in the industry to help carry out mandates concerning the proposal of new rules of appellate procedure and changes to existing appellate rules.

In 2016, following the change in U.S. Cuba relations, Jennifer traveled to Cuba as part of the historic

Florida Bar International Law Section's delegation to meet Cuban lawyers and journalists to learn about the Cuban legal system and how foreign companies transact business and invest in Cuba. Upon her return from Cuba, Jennifer used that valuable experience to advise clients and fellow lawyers. She was interviewed on WLRN Channel 10's "This Week in South Florida" with Michael Putney and other media outlets and co-authored several articles about her experience and what she learned.

Jennifer's skills and effectiveness as an advocate are self-evident given her achievements on behalf of her clients. Jennifer was recognized as a "Top Up and Comer" in 2015 and 2016 and as a "Top Lawyer" in 2020 and 2017 by the *South Florida Legal Guide* based on peer nominations intended to recognize attorneys who are well-regarded in the legal profession, have years of experience and a distinguished record of achievement. In 2016, Jennifer received an AV® Preeminent™ Peer Review rating, the highest available mark for professional excellence from Martindale-Hubbell's Peer Review Ratings. In addition, the *Daily Business Review* named Jennifer to its "On the Rise" 2015 class, thereby recognizing her as one of 40 South Florida attorneys under the age of 40 "selected not only for what they've achieved thus far, but for what we believe they're likely to accomplish for the legal profession and for their respective communities in the future. In 2020, Jennifer was named a Hispanic Woman of Distinction by *Latina Style Magazine*, in partnership with Sylvester Comprehensive Cancer Center and *Latin Biz Today*. In 2021, Jennifer received the South Florida Legal Award from the South Florida Hispanic Chamber of Commerce, after being nominated by her alma mater, Florida International University. Jennifer has been named to the Florida *Super Lawyers* list since 2018 and has been selected for inclusion in *The Best Lawyers in America*© editions since 2020 in the Commercial Litigation category; and since 2023 in the Appellate Practice category. Additionally, she has been recognized in *Florida Trend's* Legal Elite each year since 2021. Most recently, Jennifer was named a Prestigious Women Award honoree by *South Florida Business & Wealth*.

She is also a member of a well-seasoned four-attorney team recently honored as the 2014 South Florida Litigation Department of the Year for Real Estate by the *Daily Business Review*. The DBR recognized Jennifer and her colleagues in the Miami office for, among other things, overcoming two motions for summary judgment in the case of *DEC v. The Aragon Group and Summersport Enter., LLC*, Case No. 11-29313, in the 17th Circuit Court, Broward County, Fla., where due to their efforts, the client saved its vision and contract for the purchase of the historic Dania Jai-Alai. Additionally, by devising and implementing aggressive, yet tactical, litigation strategies, Jennifer and her colleagues in the Miami office achieved resolution of multi-billion dollars' worth of commercial loans during the commercial foreclosure crisis that crippled South Florida real estate development resulting in the era dubbed the Great Recession.

Jennifer has also notably:

- Represented a company that offers resource services and products support for patients seeking services to address hair loss concerns in a matter involving the Lanham Act, the Ohio Trade Practices Act and common law and injunctive relief to enjoin unfair competition and false or misleading



advertising activity as well as libelous communications and tortious interference with business relationships.

- Represented an investment realty firm in a matter involving defamation, injurious falsehood, and tortious interference with contract.
- Represented an individual in a case alleging defamation per se predicated upon statements relating to grand theft, fraud and perjury.
- Obtained a dismissal with prejudice from the United States District Court for the Middle District of Florida on behalf of a national quick-service restaurant in a case that received national media attention where the plaintiffs filed a putative nationwide class action asserting claims for Sherman Act violations and unfair trade practices based upon alleged unfair pricing practices for quarter-pound hamburgers sold with and without cheese.
- Developed and implemented innovative legal strategies that resulted in the resolution of claims under the TCPA. *Fridman v. My Cosmetic Surgery, Inc.*, Case No. 16-15399 CA 20, 11th Judicial Circuit Court, Miami-Dade County, Florida
- Obtained dismissal of appeal in a heavily litigated case within approximately 60 days from the date the appeal was filed. *Bregman v. Pearce*, 2014 WL 1975178 (Fla. 3d DCA, Apr. 8, 2014).
- Defeated two motions for summary judgment in a case against the clients' former employee after filing a complaint alleging claims for anticipatory breach of an asset purchase agreement, misappropriation of trade secrets, tortious interference and unfair trade practices, among other claims. *Kresse & Asso., LLC et al. v. Thomas J. Kresse, et al.*, Case No. 13-28745, 11th Circuit Court, Miami-Dade County, Florida.
- Obtained precedent setting opinion from the Third District Court of Appeal reversing the trial court's entry of a final judgment enforcing a settlement agreement prior to payment of the statutory documentary stamp taxes and clarifying that promissory notes are unenforceable in Florida courts unless and until the statutory documentary stamp taxes are paid. *Solis v. Lacayo*, 86 So. 3d 1147 (Fla. 3d DCA 2012).
- Defeated a motion for temporary restraining order and preliminary injunction involving several restrictive covenants, including a non-compete agreement, and claims of misappropriation of trade secrets and unfair trade practices, thereby paving the way for settlement of the dispute without the need or expense of additional litigation. *Bankers Ins. Group, Inc. et al. v. Michael Whalen, AIA Holdings, Inc. et al.*, Case No. 11-5867, in the 6th Judicial Circuit Court, Pinella County, Florida.
- Developed and implemented legal strategies that resulted in the resolution of a case involving myriad issues under the Uniform Commercial Code and claims for damages of millions of dollars resulting from allegedly unauthorized transactions in a bank account. *Gilson v. TD Bank, N.A. et al.*, Case No. 10-cv-20535, United States District Court, Southern District of Florida.
- Developed and implemented legal strategies that resulted in the resolution of claims between banks and the United States government resulting from certain transactions involved in the Rothstein ponzi scheme. *TD Bank, N.A. v. United States of America; Regions Bank, et al.*, Case No. 10-cv-60044, United States District Court, Southern District of Florida.

- Won summary judgment on behalf of Seneca Insurance Company, Inc. in an action that arose from an allegedly unconstitutional search of the plaintiffs' residence by bail enforcement agents and subsequent attempts to apprehend a fugitive. *Tirreno v. Mott*, 453 F. Supp. 2d 562 (D. Conn. 2006)

In the Litigation-Real Estate category for U.S. News & World Report–Best Lawyers, a client stated that Jennifer is an "extremely professional and knowledgeable attorney to have as representation."

In addition to her work as a commercial litigator and appellate counsel, Jennifer also holds leadership positions and serves on several committees within the firm, including the Diversity Committee, the Credit Allocation Committee and the Associates Committee. Jennifer has also served as an Adjunct Professor of Constitutional Law in the Department of Politics and International Relations at Florida International University. Immediately prior to rejoining Buchanan in 2005, Jennifer worked with a boutique firm's Miami office representing and counseling the consumer finance division of a Fortune 100 company with respect to its Hispanic-language private label retail consumer and commercial credit card programs for compliance with various federal laws and regulations and provided legal review of Spanish language private label consumer and commercial credit card disclosures. After graduating with honors from law school, Jennifer secured one of two prestigious positions as a law clerk for the Hon. James Lawrence King of the United States District Court, Southern District of Florida. While in law school, she served on the Florida Law Review, was a judicial intern with Judge King and worked as a summer associate with Buchanan's Miami office.

Jennifer is fluent in Spanish.

## Related Services & Industries

---

**LITIGATION**

**APPELLATE**

**CONSUMER DEFENSE**

**FINANCE**

**INTERNATIONAL SERVICES**

## Education

---

University of Florida Levin College of Law, J.D., 2002, with honors, Florida Law Review

Florida International University, B.A., 1999, Dean's List; Pi Sigma Alpha: The National Political Science Honor Society; Certificate: Law, Ethics & Society, Political Science with Minors in International Relations and Criminal Justice

## Courts & Admissions

---

Florida

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the Middle District of Florida

U.S. District Court for the Northern District of Florida

U.S. District Court for the Southern District of Florida

## Affiliations

---

Appellate Court Rules Committee, The Florida Bar, Appointee

Third District Court of Appeal Historical Society, Board of Directors & Vice President

Rosemary Barkett Appellate American Inn of Court, Vice President

Florida Association for Women Lawyers -Miami Dade Chapter, Corporate Council Committee Member

Cuban American Bar Association, Member

Latin Builders Association, Member

Leadership Council on Legal Diversity, Fellow (2019)

Hispanic National Bar Association, Former Member

Women's Law Network, Former Member

Brazilian-American Chamber of Commerce of Florida, Former Member

TerraLex Worldwide Network of Independent Law Firms, Member

## Civic & Charitable

---

The Florida Bar Foundation, Fellow

Sylvester Comprehensive Cancer Center, University of Miami, Founding Member and Former Executive Board Member and Communications Chair, Young Philanthropists for Sylvester

President's Council, Florida International University, Chair Elect for the Worlds Ahead Faculty Award Committee, Executive Board and Member of the First Generation Scholarship Task Force

Sunset Elementary School, International Program, Volunteer

Saint Louis Catholic Church, Humanities Ministry & Camillus Casserole Ministry

Branches Thanksgiving Program, Volunteer

Habitat for Humanity, Volunteer

Our Lady of Lourdes Catholic High School, Volunteer

## Languages

---

Spanish

## Related Keywords

---

**DIVERSITY & INCLUSION COUNCIL**

**TELEPHONE CONSUMER PROTECTION ACT (TCPA)**



## Patrick D. Doran

Counsel

Email: [patrick.doran@bipc.com](mailto:patrick.doran@bipc.com)

p: 215 665 3802 Philadelphia, PA

### How Patrick Helps Clients

Patrick Doran handles a variety of consumer defense, contract and intellectual property litigation. Patrick primarily practices in the state and federal courts of Pennsylvania and New Jersey but has experience in federal courts across the nation. He has significant experience defending lawsuits against banks, mortgage lenders and servicers and auto finance companies. These include claims under the Telephone Consumer Protection Act (TCPA), Fair Debt Collection Practices Act (FDCPA) and Fair Credit Reporting Act (FCRA), as well as state unfair trade practices laws and lender liability claims.

Patrick also handles various intellectual property matters involving patent and trademark infringement, as well as commercial contract and lease disputes.

In addition, Patrick has prepared firm opinions on various issues, obtained positive results for prisoners in Section 1983 actions and has argued matters in multiple orphans courts of the Commonwealth on behalf of clients seeking legal guardianships.

Prior to joining Buchanan, Patrick completed a number of legal internships and assistantships while in law school, including an internship with the Philadelphia District Attorney's office where he prosecuted cases in the Municipal Court. He was also a legal intern in the compliance division of the Philadelphia Commission on Human Relations.

### What Clients Can Expect

Patrick conducts a careful examination of his clients' legal needs and desires, provides a thoughtful, thorough and honest assessment of the issues, and works closely with them on implementing an effective strategy to achieve their objectives. Patrick adheres to the principle of respectful discourse with his adversaries even to the most contentious negotiations but advocates in the courtroom with the steadiness, courage and zeal that his clients expect and deserve.

### Outside the Office

Born and raised by two passionate educators in the working-class community of Conshohocken, Pa.,

Patrick and his wife are raising three young, bright, rambunctious kids that keep him on his toes. Before coming to the law, Patrick received an undergraduate degree in Biology and spent nearly a decade as a stage actor. Patrick is passionate about theatre and the artists who sacrifice so much to create the stories that feed the soul and challenge our perspective on the world.

As a former stage actor, I understand the essential tasks at the heart of preparing for the various roles we play: zealous advocate, shrewd negotiator and embodiment of our client in the eyes of the Court.

## Proof Points

- Defeated a request for an injunction in New Hampshire federal court on plaintiff's patent infringement claim against client in the sporting goods industry, and assisted in negotiating positive resolution of the matter.
- Obtained summary judgment for bank client in New Jersey state court, defeating Plaintiff's consumer fraud act claims, and obtaining a victory on client's counterclaim.
- Obtained dismissal of various securities and RICO claims against developer client in New Jersey federal court.
- Managed and resolving more than 20 lender liability and FCRA matters on behalf of bank client.
- Managed a nationwide campaign to enforce a newly-issued patent relating to sporting goods through demand letters and patent infringement actions that to date has caused more than 120 competitors to cease all sales of infringing products, while recovering significant royalties for our client.
- Obtained dismissal of TCPA class action based on allegedly illegal fax communications
- Named to the Pennsylvania *Super Lawyers* list in 2019 and 2020.

## Related Services & Industries

---

**LITIGATION**

**CONSUMER DEFENSE**

**FINANCE**

## Education

---

Drexel University Thomas R. Kline School of Law, J.D., 2010, magna cum laude; Senior Articles Editor, Drexel Law Review; Member of the Drexel Environmental Law Society; Member of the Drexel International Law Society

LaSalle University, B.A., 2000, summa cum laude, Biology

## Courts & Admissions

---

New Jersey

Pennsylvania

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the District of New Jersey

U.S. District Court for the Eastern District of Pennsylvania

## Civic & Charitable

---

Executive Committee Member of Board of Directors at InterAct Theatre Company

Philadelphia VIP

EDPA Prisoner Civil Rights Pro Bono Panel

Whitemarsh Township Planning Commissioner

## Languages

---

Spanish

## Related Keywords

---

**FAIR CREDIT REPORTING ACT (FCRA)**

**FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)**

**TELEPHONE CONSUMER PROTECTION ACT (TCPA)**



## Anna E. Sanders

Associate

Email: [anna.sanders@bipc.com](mailto:anna.sanders@bipc.com)

p: 215 665 3957 Philadelphia, PA

### How Anna Helps Clients

Anna focuses her practice on complex commercial litigation matters. Her diverse experience has involved non-compete agreements, theories of alter ego liability, estate litigation, and COVID-19 service disruptions.

Following law school, Anna served as a judicial law clerk to the Honorable Denis P. Cohen in the Philadelphia County Court of Common Pleas. Prior to joining Buchanan, she defended clients in a wide range of civil lawsuits including premises liability, healthcare providers involving catastrophic losses with significant financial exposures, and general liability matters.

During her tenure at Boston College Law School, Anna served as a legal intern at the Middlesex County District Attorney's Office in the Appeals and Training Bureau, where she wrote two appellate briefs which were both filed with the Massachusetts Court of Appeals. One of the matters was granted oral arguments, which she successfully argued. She served as a judicial extern to the Honorable David T. Donnelly in the Boston Municipal Court, Brighton Division.

### What Clients Can Expect

Anna is committed to developing comprehensive and effective defense strategies throughout all stages of litigation. Clients can expect Anna to be a responsive, amicable, and diligent associate who prioritizes clients' goals throughout her work.

### Outside the Office

Anna lives in Philadelphia with her husband, Wellington. When not in the office, Anna enjoys exploring Philadelphia with friends and family.

## Related Services & Industries

---

**LITIGATION**

**HEALTHCARE LITIGATION**



## Education

---

Boston College Law School, J.D., 2018

Northeastern University, B.A., 2011, magna cum laude, Communication Studies

## Courts & Admissions

---

Massachusetts

New Jersey

Pennsylvania

U.S. District Court for the Eastern District of Pennsylvania

## Affiliations

---

Member of the Executive Committee and Former Corresponding Secretary, Louis D. Brandeis Law Society

Philadelphia Bar Association

## **EXHIBIT B**

Work Date	Name of Timekeeper	Discounted Rate	Hours	Amount Claimed	Narrative
4/26/2022	Southall, S.	560.00	1.00	560.00	Review and analyze background documentation.
4/29/2022	Doran, P.	475.00	1.80	855.00	Review complaint and background materials from client.
4/29/2022	Olmedo-Rodriguez, J.	560.00	2.70	1,512.00	Review of Complaint and docket in anticipation of initial meeting with clients and video conference with J. Centeno, S. Southall, L. Rang, J. Bologna and A. Chen to discuss preliminary factual background and procedural posture of case
4/29/2022	Southall, S.	560.00	2.10	1,176.00	Review and analyze background documentation to prepare strategy.
4/29/2022	Southall, S.	560.00	1.20	672.00	Confer with L. Rang, A. Chen, J. Centeno, J. Olmedo-Rodriguez and J. Bologna regarding background and status.
4/30/2022	Olmedo-Rodriguez, J.	560.00	0.50	280.00	Review overview of task list and next steps to advance preparation of response to Complaint, confirmation of upcoming deadlines, review Judge Middlebrooks' orders/specific procedures as well as the same information for paired Magistrate Judge and provide response to inquiries and recommendations on same (0.5).
4/30/2022	Southall, S.	560.00	1.90	1,064.00	Develop strategy for defense of case, including review of background documentation and docket entries.
5/2/2022	Doran, P.	475.00	3.00	1,425.00	Review MTD by Clinton, continue to review claims against Neustar and grounds for motions to dismiss, addressing strategy
5/2/2022	Sanders A. E.	255.00	0.70	178.50	Review and analyze pleadings to date
5/2/2022	Sanders A. E.	255.00	1.10	280.50	Review and analyze complaint to identify allegations and claims against Neustar to prepare response thereto
5/2/2022	Southall, S.	560.00	1.70	952.00	Review and analyze transactional documentation regarding NSS
5/2/2022	Southall, S.	560.00	0.50	280.00	Review and analyze orders entered by Court to ascertain applicable deadlines
5/2/2022	Southall, S.	560.00	2.50	1,400.00	Review and analyze complaint to evaluate potential motion to dismiss
5/3/2022	Doran, P.	475.00	1.30	617.50	Addressing indemnification issues and lit hold
5/3/2022	Olmedo-Rodriguez, J.	560.00	1.00	560.00	Team call with A. Chen, L. Rang, S. Southall, J. Bologna, and J. Centeno
5/3/2022	Sanders A. E.	255.00	2.10	535.50	Review and analyze relevant case law re pleading requirements of conspiracy claims in the 11th circuit
5/3/2022	Southall, S.	560.00	0.50	280.00	Analyze potential indemnification issues
5/3/2022	Southall, S.	560.00	0.50	280.00	Email communications with L. Rang and A. Chen regarding additional background documents and strategy
5/3/2022	Southall, S.	560.00	0.30	168.00	Confer with L. Rang regarding document retention issues
5/3/2022	Southall, S.	560.00	1.10	616.00	Confer with A. Chen, L. Rang, J. Olmedo-Rodriguez and J. Bologna regarding strategy and status
5/4/2022	Doran, P.	475.00	2.00	950.00	Review and analyze Complaint, draft and revise litigation hold for client
5/4/2022	Olmedo-Rodriguez, J.	560.00	0.20	112.00	Review order setting status conference and advance matters relating to attendance in person vs. over zoom and filing of pro hac vice papers (0.2)
5/4/2022	Sanders A. E.	255.00	3.40	867.00	Review and analyze relevant case law re RICO conspiracy claims in the 11th circuit
5/4/2022	Southall, S.	560.00	0.80	448.00	Revise and edit litigation hold
5/4/2022	Southall, S.	560.00	0.20	112.00	Review and analyze order entered by court scheduling conference
5/4/2022	Southall, S.	560.00	1.30	728.00	Communications with L. Rang, L. Lu and A. Chen regarding strategy and status
5/4/2022	Southall, S.	560.00	1.10	616.00	Review and analyze Transition Services Agreement, conferring with L. Rang regarding same
5/5/2022	Doran, P.	475.00	1.00	475.00	Review legal issues for motion to dismiss, litigation hold, and overlap with criminal investigation

5/5/2022	Olmedo-Rodriguez, J.	504.00	0.90	560.00	0.90	504.00	Strategy call with S. Southall, P. Doran, A. Chen and J. Bologna
5/5/2022	Sanders A. E.	255.00	4.40	255.00	4.40	1,122.00	Review and analyze relevant case law re theft of trade secrets to assist in preparing motion to dismiss
5/5/2022	Southall, S.	560.00	0.40	560.00	0.40	224.00	Communications with L. Lu, A. Chen and L. Rang regarding status and strategy
5/5/2022	Southall, S.	560.00	1.20	560.00	1.20	672.00	Develop strategy for motion to dismiss and defense of litigation
5/6/2022	Sanders A. E.	255.00	4.90	255.00	4.90	1,249.50	Review and analyze relevant case law re pleading standards for alleged violations of Stored Communications Act to prepare motion to dismiss
5/6/2022	Sanders A. E.	255.00	2.30	255.00	2.30	586.50	Review and analyze relevant case law re determining whether domain name system (DNS) is communication or of value pursuant to claims in complaint
5/6/2022	Southall, S.	560.00	1.60	560.00	1.60	896.00	Develop strategy for motion to dismiss
5/6/2022	Southall, S.	560.00	1.00	560.00	1.00	560.00	Confer with L. Lu and J. McNichols regarding background
5/6/2022	Southall, S.	560.00	0.80	560.00	0.80	448.00	Communications with L. Lu and L. Rang regarding status and strategy
5/8/2022	Sanders A. E.	255.00	0.80	255.00	0.80	204.00	Further review and analyze of Stored Communications Act allegations to prepare motion to dismiss
5/9/2022	Doran, P.	475.00	0.80	475.00	0.80	380.00	Address strategy for moving to dismiss RICO conspiracy claim against Neustar
5/9/2022	Sanders A. E.	255.00	4.90	255.00	4.90	1,249.50	Draft memorandum of law in support of motion to dismiss
5/9/2022	Sanders A. E.	255.00	3.70	255.00	3.70	943.50	Review and analyze relevant case law re adequately pleading conspiracy to violate RICO where the predicate acts are insufficiently alleged
5/9/2022	Southall, S.	560.00	0.80	560.00	0.80	448.00	Review and analyze relevant case law regarding specific personal jurisdiction in Florida
5/9/2022	Southall, S.	560.00	2.60	560.00	2.60	1,456.00	Review and analyze securities purchase agreement and unit purchase agreement to evaluate potential claims for breach of representations and warranties against NSS/Golden Gate
5/9/2022	Southall, S.	560.00	0.50	560.00	0.50	280.00	Draft and revise letter to NSS regarding litigation hold issues stemming from transfer of information and data
5/9/2022	Southall, S.	560.00	0.90	560.00	0.90	504.00	Review and analyze transition services agreement to provide required notice to NSS of litigation hold issues
5/9/2022	Southall, S.	560.00	0.30	560.00	0.30	168.00	Communications with A. Chen regarding litigation hold issues
5/9/2022	Southall, S.	560.00	0.50	560.00	0.50	280.00	Confer with L. Lu, A. Chen and L. Rang regarding strategy
5/10/2022	Doran, P.	475.00	1.50	475.00	1.50	712.50	Revise brief in support of motion to dismiss the Complaint
5/10/2022	Olmedo-Rodriguez, J.	560.00	0.80	560.00	0.80	448.00	Review personal jurisdiction allegations over Neustar and assess impact upon lack of personal jurisdiction analysis
5/10/2022	Sanders A. E.	255.00	7.70	255.00	7.70	1,963.50	Draft memorandum of law in support of motion to dismiss
5/10/2022	Sanders A. E.	255.00	0.10	255.00	0.10	25.50	Review and analyze Plaintiff's motion for extension of time
5/10/2022	Southall, S.	560.00	0.80	560.00	0.80	448.00	Communications with client regarding Florida contacts to evaluate potential motion to dismiss
5/11/2022	Doran, P.	475.00	1.20	475.00	1.20	570.00	Address motion to dismiss brief and specific responses to cyber torts, conferring with A. Sanders re personal jurisdictional issues
5/11/2022	Doran, P.	475.00	1.00	475.00	1.00	475.00	Review communications with client regarding cooperation with NSS, review contractual language and provide edits for proposed agreement
5/11/2022	Sanders A. E.	255.00	3.40	255.00	3.40	867.00	Draft jurisdictional arguments in motion to dismiss re lack of minimum contacts with Florida
5/11/2022	Sanders A. E.	255.00	5.20	255.00	5.20	1,326.00	Review and analyze relevant case law to determine inclusion of jurisdictional arguments in motion to dismiss
5/11/2022	Sanders A. E.	255.00	0.30	255.00	0.30	76.50	Draft motion to substitute appearance

5/11/2022	Sanders A. E.	255.00	0.40	102.00	Review and analyze defendants Fusion GPS, G. Simpson, and P. Fritsch's motion to dismiss
5/11/2022	Sanders A. E.	255.00	0.40	102.00	Review and analyze correspondence from client to evaluate inclusion of jurisdictional arguments in motion to dismiss
5/11/2022	Southall, S.	560.00	1.50	840.00	Review and analyze motions to dismiss filed by additional defendants
5/11/2022	Southall, S.	560.00	2.20	1,232.00	Review, analyze, revise and edit draft cooperation agreement, communicating with L. Lu regarding same
5/11/2022	Southall, S.	560.00	0.90	504.00	Communications with client regarding quantum of Florida contexts for analysis of potential personal jurisdiction argument
5/11/2022	Southall, S.	560.00	0.30	168.00	Communications regarding joint defense group meeting
5/12/2022	Sanders A. E.	255.00	0.90	229.50	Review and analyze relevant case law re court taking judicial notice of SEC filings at motion to dismiss stage of litigation
5/12/2022	Sanders A. E.	255.00	0.60	153.00	Review and analyze Transunion's SEC filings related to Neustar acquisition to include in motion to dismiss
5/12/2022	Sanders A. E.	255.00	3.60	918.00	Revise motion to dismiss
5/12/2022	Sanders A. E.	255.00	0.60	153.00	Review and analyze relevant case law re granting motion to dismiss due to vicarious liability not being a cause of action
5/12/2022	Southall, S.	560.00	4.20	2,352.00	Revise and edit motion to dismiss complaint
5/12/2022	Southall, S.	560.00	0.80	448.00	Draft and revise email to A. Chen and L. Rang regarding viability of personal jurisdiction defense
5/12/2022	Southall, S.	560.00	0.40	224.00	Confer with L. King and L. Rang regarding document retention issues
5/12/2022	Southall, S.	560.00	0.60	336.00	Confer with J. Martin and L. Rang regarding document retention issues
5/13/2022	Doran, P.	475.00	1.50	712.50	Revise Motion to Dismiss
5/13/2022	Sanders A. E.	255.00	2.90	739.50	Revise motion to dismiss
5/13/2022	Sanders A. E.	255.00	0.40	102.00	Review and analyze opinions by Judge Middlebrooks re granting motions to dismiss pursuant to failing to meet the heightened pleading standard for fraud
5/13/2022	Sanders A. E.	255.00	1.10	280.50	Review and analyze Judge Middlebrooks' opinions related to granting motion to dismiss pursuant to improperly named defendant
5/13/2022	Sanders A. E.	255.00	0.20	51.00	Review and analyze Transunion's SEC filings post-Neustar acquisition to include in motion to dismiss
5/13/2022	Southall, S.	560.00	5.90	3,304.00	Revise and edit motion to dismiss
5/15/2022	Sanders A. E.	255.00	0.90	229.50	Review and analyze relevant case law re determining whether IP addresses rise to "electronic communications" pursuant to Stored Communications Act
5/16/2022	Sanders A. E.	255.00	3.30	841.50	Analyze case law cited in memorandum of law in support of motion to dismiss to identify any supplemental sources of authority
5/16/2022	Sanders A. E.	255.00	0.90	229.50	Review and analyze relevant case law and Judge Middlebrooks' opinions re dismissing complaints due to improper "shotgun" pleadings
5/16/2022	Southall, S.	560.00	1.20	672.00	Revise and edit motion to dismiss
5/17/2022	Olmedo-Rodriguez, J.	560.00	0.40	224.00	Emails with A. Sanders re status of comments from client (0.2); review email from L. Lu and confer with S. Southall re same (0.2)
5/17/2022	Southall, S.	560.00	0.30	168.00	Communications with L. Lu and L. Rang regarding motion to dismiss
5/18/2022	Sanders A. E.	255.00	0.50	127.50	Review and analyze R. Joffe's draft motion to dismiss
5/18/2022	Sanders A. E.	255.00	1.40	357.00	Review and analyze relevant case law re court sua sponte dismissing improperly named defendant pursuant to Federal Rule of Civil Procedure 21
5/18/2022	Southall, S.	560.00	0.20	112.00	Revise and edit motion for pro hac vice admission

5/18/2022	Southall, S.	560.00	0.40	224.00	Review and analyze draft motion to dismiss by Joffe
5/18/2022	Southall, S.	560.00	0.30	168.00	Revise and edit motion to substitute
5/18/2022	Southall, S.	560.00	0.30	168.00	Revise and edit cooperation agreement
5/18/2022	Southall, S.	560.00	2.10	1,176.00	Revise and edit motion to dismiss
5/18/2022	Southall, S.	560.00	0.40	224.00	Participate in joint defense call regarding June 2 status conference
5/18/2022	Southall, S.	560.00	0.40	224.00	Confer with counsel for R. Joffe regarding motion to dismiss
5/18/2022	Southall, S.	560.00	0.20	112.00	Confer with L. Lu regarding cooperation agreement
5/18/2022	Southall, S.	560.00	0.40	224.00	Communications with J. Martin regarding litigation hold and availability of email
5/19/2022	Doran, P.	475.00	1.40	665.00	Address revisions to motion to dismiss and cooperation agreement
5/19/2022	Olmedo-Rodriguez, J.	560.00	4.10	2,296.00	Review and revise draft MTD
5/19/2022	Sanders A. E.	255.00	2.60	663.00	Review and analyze cited authority to ensure compliance with local rules of civil procedure and style guidelines
5/19/2022	Sanders A. E.	255.00	1.90	484.50	Revise Stored Communications Act arguments in memorandum of law in support of motion to dismiss
5/19/2022	Southall, S.	560.00	0.20	112.00	Email communications with Joffe's counsel regarding draft brief
5/19/2022	Southall, S.	560.00	0.90	504.00	Draft and revise joint defense and common interest agreement
5/19/2022	Southall, S.	560.00	0.20	112.00	Email communications with L. Lu regarding cooperation agreement
5/19/2022	Southall, S.	560.00	1.30	728.00	Revise and edit motion to dismiss
5/19/2022	Southall, S.	560.00	0.30	168.00	Confer with J. McNichols regarding common interest agreement and cooperation agreement
5/20/2022	Sanders A. E.	255.00	2.10	535.50	Finalize memorandum of law in support of motion to dismiss
5/20/2022	Southall, S.	560.00	0.80	448.00	Revise and edit litigation hold
5/20/2022	Southall, S.	560.00	0.20	112.00	Revise and edit cooperation agreement
5/20/2022	Southall, S.	560.00	1.10	616.00	Revise and finalize motion to dismiss
5/24/2022	Southall, S.	560.00	0.20	112.00	Communications with A. Chen regarding litigation hold
5/26/2022	Southall, S.	560.00	0.30	168.00	Communications with Joint Defense Group and A. Chen regarding proposed stipulation to adjourn FRCP 16 conference
5/31/2022	Southall, S.	560.00	0.20	112.00	Review and analyze order denying joint motion requesting to adjourn conference
6/1/2022	Olmedo-Rodriguez, J.	560.00	0.60	336.00	Attend Court-ordered Status Conference
6/1/2022	Southall, S.	560.00	0.40	224.00	Revise, edit and finalize letter to NSS regarding litigation hold issues
6/1/2022	Southall, S.	560.00	0.40	224.00	Confer with client regarding litigation hold
6/2/2022	Southall, S.	560.00	0.80	448.00	Prepare for and attend status conference
6/3/2022	Sanders A. E.	255.00	0.50	127.50	Revise litigation hold letter directed to Neustar Security Services per A. Chen's request
6/6/2022	Southall, S.	560.00	1.10	616.00	Revise and edit litigation hold for former Neustar employees
6/13/2022	Southall, S.	560.00	0.30	168.00	Communications with Joint Defense Group regarding status conference
6/15/2022	Southall, S.	560.00	0.50	280.00	Participate in joint defense call regarding consolidated briefing and proposed amended complaint
6/21/2022	Olmedo-Rodriguez, J.	560.00	0.20	112.00	Review overview and outline/breakdown of tasks and MTD arguments circulated by co-defendants' counsel and weigh in on page limits and topics set out for our client
6/22/2022	Sanders A. E.	255.00	2.10	535.50	Review and analyze first amended complaint to prepare response in opposition to same
6/22/2022	Sanders A. E.	255.00	0.10	25.50	Review order re: recusal of magistrate judge
6/22/2022	Sanders A. E.	255.00	0.10	25.50	Review court order re: scheduling conference
6/22/2022	Southall, S.	560.00	2.10	1,176.00	Review and analyze amended complaint to develop strategy for response

6/23/2022	Sanders A. E.	255.00	1.80	459.00	Review and analyze relevant case law re: dismissing an action with prejudice where an amended pleading fails to delineate allegations against multiple defendants
6/23/2022	Sanders A. E.	255.00	0.10	25.50	Review two orders re: motions to dismiss the original complaint
6/23/2022	Sanders A. E.	255.00	0.10	25.50	Correspond with counsel for Neustar Security Services re: strategy for motion to dismiss
6/23/2022	Sanders A. E.	255.00	0.40	102.00	Conference with counsel for Neustar Security Services and R. Joffe re: motion to dismiss strategy
6/23/2022	Southall, S.	560.00	0.90	504.00	Numerous communications with NSS and Joffe's counsel regarding motion to dismiss
6/23/2022	Southall, S.	560.00	0.50	280.00	Draft and revise email to A. Chen regarding status and strategy
6/23/2022	Southall, S.	560.00	1.00	560.00	Participate in joint defense call regarding motion to dismiss amended complaint
6/24/2022	Sanders A. E.	255.00	2.30	586.50	Draft section of omnibus motion to dismiss re: improperly pleading Neustar Inc. and Neustar Security Services are "Neustar" and therefore failing to separate allegations as to each distinct entity
6/24/2022	Southall, S.	560.00	1.30	728.00	Review and analyze summaries of motions to dismiss prepared by Clinton/Perkins Cole for use in motion to dismiss amended complaint
6/27/2022	Doran, P.	475.00	0.50	237.50	Address shotgun pleading as basis for dismissal
6/27/2022	Sanders A. E.	255.00	0.80	204.00	Review and analyze relevant case law re: identify cases where the court dismissed improper shotgun pleadings authored by counsel for plaintiff
6/27/2022	Sanders A. E.	255.00	1.40	357.00	Judge that granted motions to dismiss shotgun pleadings to incorporate in omnibus motion to dismiss
6/27/2022	Sanders A. E.	255.00	1.70	433.50	Draft section of omnibus motion to dismiss re: improperly pleading Neustar Inc. and Neustar Security Services are "Neustar" and therefore failing to separate allegations as to each distinct entity
6/27/2022	Southall, S.	560.00	0.40	224.00	Communications with JDG regarding briefing schedule and anticipated motion to dismiss
6/28/2022	Olmedo-Rodriguez, J.	560.00	0.30	168.00	Review court filings/order on status conference and status of docket
6/29/2022	Sanders A. E.	255.00	0.20	51.00	Revise section of omnibus motion to dismiss re: improperly pleading Neustar Inc. and Neustar Security Services are "Neustar" and therefore failing to separate allegations as to each distinct entity
6/29/2022	Sanders A. E.	255.00	0.80	204.00	Review and analyze counsel for NSS's draft section of the omnibus motion to dismiss
6/30/2022	Olmedo-Rodriguez, J.	560.00	0.70	392.00	Review and revise draft of Neustar argument for joint MTD and overview comments provided by A. Sanders
6/30/2022	Southall, S.	560.00	0.40	224.00	Communications with JDG regarding strategy
6/30/2022	Southall, S.	560.00	2.30	1,288.00	Revise and edit motion to dismiss amended complaint
7/1/2022	Olmedo-Rodriguez, J.	560.00	0.80	448.00	Review timing on motion for extension of time and assess next steps (0.3); Participate in defense counsel call to discuss strategy on MTD and motion for reconsideration of motion for extension of time (0.3); further strategy to assess next steps and status of filing if reconsideration is denied (0.2)
7/1/2022	Sanders A. E.	255.00	0.10	25.50	Review and analyze court mandated plaintiff's status report
7/1/2022	Sanders A. E.	255.00	3.70	943.50	Draft motion to dismiss amended complaint pursuant to court order denying proposed stipulation for extension
7/1/2022	Sanders A. E.	255.00	0.70	178.50	Review and analyze relevant case law to support dismissing Neustar pursuant to Fed. R. Civ. P. 23 as an improper party, where NSS as the proper party has been joined
7/1/2022	Sanders A. E.	255.00	0.10	25.50	Review and analyze court order denying the parties proposed joint stipulation re: response time to amended complaint

7/1/2022	Southall, S.	560.00	3.90	2,184.00	Draft and revise motion to dismiss Amended Complaint
7/1/2022	Southall, S.	560.00	0.40	224.00	Email communications with A. Chen regarding court orders and proposed strategy
7/1/2022	Southall, S.	560.00	0.40	224.00	Communications with JDG regarding second request for extension of time to file motion to dismiss
7/1/2022	Southall, S.	560.00	0.20	112.00	Review and analyze court order denying request for extension
7/1/2022	Southall, S.	560.00	0.60	336.00	Confer with JDG regarding court order denying request for extension
7/5/2022	Olmedo-Rodriguez, J.	560.00	0.70	392.00	Review and revise Neustar's portion of the Joint MTD (0.4); review and assess recusal order of additional magistrate judge (0.1); review emails from various co-defendants' counsel re timing/strategy for joint motion to dismiss (0.2)
7/5/2022	Sanders A. E.	255.00	2.30	586.50	Revise draft section of omnibus motion to dismiss for "Neustar Defendants"
7/5/2022	Southall, S.	560.00	0.30	168.00	Communications with JDG regarding motion to file oversized brief
7/5/2022	Southall, S.	560.00	0.50	280.00	Communications with J. McNichols regarding NSS/Neustar brief
7/5/2022	Southall, S.	560.00	0.60	336.00	Revise and edit portion of brief regarding shotgun pleadings
7/5/2022	Southall, S.	560.00	0.80	448.00	Revise and edit portion of motion to dismiss amended complaint relating to CFAA, DTSA and SCA
7/5/2022	Southall, S.	560.00	0.40	224.00	Confer with JDG regarding briefing
7/6/2022	Sanders A. E.	255.00	1.60	408.00	Draft motion to dismiss on issues relevant to Neustar, including being an improperly named defendant and shotgun pleadings
7/6/2022	Southall, S.	560.00	0.80	448.00	Revise and edit insert for motion to dismiss prepared by Neustar group
7/7/2022	Sanders A. E.	255.00	0.20	51.00	Review revised "Neustar defendants" section of omnibus motion to dismiss as received from Williams & Connolly LLP to ensure suggested comments were incorporated
7/7/2022	Sanders A. E.	255.00	1.20	306.00	Revise motion to dismiss on behalf of Neustar, including being an improperly named defendant and shotgun pleadings
7/7/2022	Southall, S.	560.00	1.90	1,064.00	Revise and edit independent motion to dismiss amended complaint
7/7/2022	Southall, S.	560.00	1.40	784.00	Review and analyze draft sections of joint motion to dismiss
7/8/2022	Olmedo-Rodriguez, J.	560.00	0.20	112.00	Strategize re filing motion for leave to file short separate MTD given arguments adverse to NSS and NSS's counsel's push back to joining brief with argument that NSS is the proper defendant
7/8/2022	Sanders A. E.	255.00	0.10	25.50	Review and analyze co-defendants' omnibus draft motion for leave to exceed page limit in defendants' omnibus motion to dismiss first amended complaint
7/8/2022	Southall, S.	560.00	1.10	616.00	Review, analyze and revise sections of omnibus motion to dismiss amended complaint
7/8/2022	Southall, S.	560.00	1.50	840.00	Numerous communications regarding motion to file oversized brief and ability to include Neustar request in it, including revising motion
7/9/2022	Southall, S.	560.00	1.90	1,064.00	Revise, analyze and revise omnibus motion to dismiss amended complaint
7/11/2022	Doran, P.	475.00	0.70	332.50	Review Neustar and NSS sections for MTD and discussions among common interest counsel
7/11/2022	Sanders A. E.	255.00	1.10	280.50	Per client request review and analyze relevant case law re: potential claims against NSS for failure to disclose all liabilities
7/11/2022	Southall, S.	560.00	0.60	336.00	Revise and edit Neustar specific section of Omnibus brief
7/11/2022	Southall, S.	560.00	0.40	224.00	Confer with J. McNichols regarding motion to dismiss
7/11/2022	Southall, S.	560.00	1.40	784.00	Review, analyze and revise draft omnibus brief
7/12/2022	Sanders A. E.	255.00	2.90	739.50	Review and analyze relevant case law re: asserting claim against NSS
7/12/2022	Southall, S.	560.00	2.20	1,232.00	Revise and edit omnibus brief to dismiss
7/12/2022	Southall, S.	560.00	0.50	280.00	Confer with Joint Defense Group regarding whether DNS data is publicly available



7/13/2022	Olmedo-Rodriguez, J.	560.00	0.20	112.00	Review communication from plaintiff's counsel proposing continuance of trial and other asks to be requested from court and assess impact of same on client's interests
7/13/2022	Southall, S.	560.00	1.80	1,008.00	Revise and edit briefs in support of motion to dismiss, both Omnibus and individualized supplemental brief
7/13/2022	Southall, S.	560.00	0.20	112.00	Email communications with plaintiff's counsel regarding case schedule
7/13/2022	Southall, S.	560.00	0.30	168.00	Confer with D. Kendall regarding oral argument on motion to dismiss
7/13/2022	Southall, S.	560.00	0.50	280.00	Confer with J. McNichols regarding litigation hold issues
7/13/2022	Southall, S.	560.00	0.40	224.00	Research various issues related to litigation hold, drafting email to client regarding same
7/14/2022	Olmedo-Rodriguez, J.	560.00	0.80	448.00	Strategize re comments on draft supp. MTD, timeline for filings and next steps
7/14/2022	Olmedo-Rodriguez, J.	560.00	0.30	168.00	Review/revise draft Suppl. MTD and provide comments on same
7/14/2022	Sanders A. E.	255.00	0.20	51.00	Review and analyze government defendants' motion to substitute party and motion to dismiss
7/14/2022	Sanders A. E.	255.00	0.20	51.00	Finalize individual motion to dismiss on issues relevant to Neustar
7/14/2022	Southall, S.	560.00	1.20	672.00	Revise, edit and finalize motion to dismiss amended complaint
7/15/2022	Olmedo-Rodriguez, J.	560.00	0.80	448.00	Attend and participate in R. 16 scheduling conference with all counsel (0.4); post R. 16 Scheduling Conference strategy session to assess impact of same on Neustar (0.2); confer with S. Southall re background info on new Magistrate Judge P. Hunt (0.2)
7/15/2022	Sanders A. E.	255.00	1.90	484.50	Review and analyze relevant case law re: asserting claim against NSS for contractual indemnity in Delaware
7/15/2022	Sanders A. E.	255.00	3.20	816.00	Review and analyze relevant case law re: choice of law for asserting claim against NSS
7/15/2022	Southall, S.	560.00	0.30	168.00	Draft and revise email to A. Chen regarding status and strategy
7/15/2022	Southall, S.	560.00	0.40	224.00	Participate in meet and confer with plaintiff's counsel regarding schedule
7/16/2022	Sanders A. E.	255.00	4.80	1,224.00	Review and analyze relevant case law re: asserting common law claim against NSS under Delaware law
7/18/2022	Sanders A. E.	255.00	0.80	204.00	Analysis of evidence required to prove indemnity claim against NSS
7/19/2022	Southall, S.	560.00	0.40	224.00	Analyze indemnification issues
7/20/2022	Sanders A. E.	255.00	1.10	280.50	Review and analyze relevant case law to determine if a conspiracy claim may form the basis for common law indemnification in Delaware
7/20/2022	Sanders A. E.	255.00	1.20	306.00	Review and analyze relevant case law to determine if a claim asserting violation of Computer Fraud and Abuse Act may form the basis for common law indemnification in Delaware
7/20/2022	Sanders A. E.	255.00	1.40	357.00	Review and analyze relevant case law to determine if a claim asserting violation of Stored Communications Act may form the basis for common law indemnification in Delaware
7/21/2022	Doran, P.	475.00	0.50	237.50	Review case orders and motions regarding motion to dismiss response
7/21/2022	Olmedo-Rodriguez, J.	560.00	0.20	112.00	Review joint defense communications from HRC's counsel re opposition to motion for continuance and reply in support of MTD and confer with S. Southall re Neustar's position on same
7/21/2022	Sanders A. E.	255.00	0.10	25.50	Review and analyze Plaintiff's motion to extend trial date
7/21/2022	Sanders A. E.	255.00	0.10	25.50	Review and analyze Plaintiff's motion for extension of time to file response to motions to dismiss
7/21/2022	Southall, S.	560.00	0.30	168.00	Confer with A. Chen regarding status and strategy
7/21/2022	Southall, S.	560.00	0.20	112.00	Review and analyze motion for extension of time to answer motion to dismiss and motion to adjourn trial filed by plaintiff as well as court order regarding motion for extension of time to answer motion to dismiss

7/22/2022	Sanders A. E.	255.00	0.10	25.50	Review court order denying plaintiff's motion to continue trial
7/26/2022	Olmedo-Rodriguez, J.	560.00	0.40	224.00	Participate in Joint Defense Call with all defense counsel to strategize and plan for joint reply in support of the MTD (0.3); follow up call with A. Sanders to discuss Neustar's independent reply and coordinating review/analysis of Neustar's contributions to joint reply given tight time line set out by Joint Defense Team (0.1)
7/26/2022	Sanders A. E.	255.00	0.30	76.50	Strategic joint defense conference re: coordinate reply to Plaintiff's opposition to pending motion to dismiss
8/4/2022	Sanders A. E.	255.00	0.90	229.50	Review and analyze Plaintiff's response in opposition to Defendants' joint motion to dismiss.
8/4/2022	Sanders A. E.	255.00	0.20	51.00	Review and analyze Plaintiff's response in opposition to motion to dismiss of Neustar, Inc.
8/5/2022	Sanders A. E.	255.00	0.40	102.00	Strategic defense conference with counsel for non-government defendants to prepare reply in support of joint motion to dismiss.
8/5/2022	Sanders A. E.	255.00	1.60	408.00	Review and analyze opinions authored by Judge Middlebrooks related to DNS and/or IP addresses to assist in replying to Plaintiff's opposition to joint motion to dismiss.
8/5/2022	Southall, S.	560.00	0.80	448.00	Multiple communications with counsel for NSS and Joffe regarding reply brief.
8/5/2022	Southall, S.	560.00	0.80	448.00	Draft and revise outline of reply regarding CFAA and SCA issues for omnibus brief.
8/5/2022	Southall, S.	560.00	0.20	112.00	Review, analyze and edit draft motion to file oversized reply brief.
8/5/2022	Southall, S.	560.00	0.40	224.00	Participate in JDG meeting regarding reply papers.
8/5/2022	Southall, S.	560.00	2.80	1,568.00	Review and analyze opposition papers to defendants' motions to dismiss.
8/6/2022	Sanders A. E.	255.00	4.90	1,249.50	Draft Stored Communications Act and Computer Fraud and Abuse Act sections of joint reply to Plaintiff's opposition to joint motion to dismiss.
8/6/2022	Sanders A. E.	255.00	1.30	331.50	Review and analyze case law cited in Plaintiff's opposition to joint motion to dismiss to prepare reply to same.
8/6/2022	Sanders A. E.	255.00	1.60	408.00	Further review and analyze of Plaintiff's opposition to joint motion to dismiss to prepare reply to same.
8/8/2022	Sanders A. E.	255.00	0.70	178.50	Review and analyze case law cited in Plaintiff's opposition to joint motion to dismiss in support of claim for violation of computer fraud and abuse act.
8/8/2022	Sanders A. E.	255.00	3.90	994.50	Draft reply in support of Neustar, Inc.'s individual motion to dismiss.
8/8/2022	Southall, S.	560.00	1.30	728.00	Revise and edit individual reply brief.
8/8/2022	Southall, S.	560.00	1.70	952.00	Revise and edit section on CFAA and SCA for omnibus brief.
8/8/2022	Southall, S.	560.00	0.50	280.00	Revise and edit section on DNS data for omnibus brief.
8/9/2022	Sanders A. E.	255.00	0.90	229.50	Revise joint reply in support of omnibus motion to dismiss as received from counsel for H. Clinton.
8/9/2022	Sanders A. E.	255.00	0.50	127.50	Revise draft individual reply in support of motion to dismiss to incorporate A. Chen's comments.
8/9/2022	Southall, S.	560.00	0.60	336.00	Revise and edit insert for omnibus reply brief.
8/9/2022	Southall, S.	560.00	1.70	952.00	Revise and edit individual reply in further support of motion to dismiss.
8/10/2022	Olmedo-Rodriguez, J.	560.00	1.80	1,008.00	Review Trump's Opposition to the Joint MTD
8/10/2022	Olmedo-Rodriguez, J.	560.00	0.70	392.00	Review opposition to Neustar's individual MTD
8/10/2022	Southall, S.	560.00	0.50	280.00	Revise and edit individual reply.
8/10/2022	Southall, S.	560.00	2.10	1,176.00	Revise and edit omnibus reply.
8/11/2022	Olmedo-Rodriguez, J.	560.00	0.70	392.00	Review final draft joint reply ISO joint MTD circulated by HRC's counsel and advance same for filing.
8/11/2022	Olmedo-Rodriguez, J.	560.00	0.30	168.00	Review final draft individual reply ISO individual MTD and advance same for filing.

8/11/2022	Sanders A. E.	255.00	0.40	102.00	Review and analyze updated joint reply in support of omnibus motion to dismiss as received from counsel for H. Clinton prior to filing.
8/11/2022	Southall, S.	560.00	0.30	168.00	Revise, edit and finalize individual reply.
8/11/2022	Southall, S.	560.00	1.10	616.00	Revise and edit omnibus reply.
8/15/2022	Olmedo-Rodriguez, J.	560.00	0.20	112.00	Review communications with OC and assess need to file corrected individual reply on MTD.
8/16/2022	Olmedo-Rodriguez, J.	560.00	0.40	224.00	Revise Corrected Reply on MTD and confer with S. Southall re same and advance same for filing
8/23/2022	Sanders A. E.	255.00	0.50	127.50	Review pleadings to identify potential timeline for ruling on defendants' joint motion to dismiss.
8/23/2022	Southall, S.	560.00	0.20	112.00	Email communications with A. Chen regarding status of various motions to dismiss.
9/2/2022	Olmedo-Rodriguez, J.	560.00	0.30	168.00	Preliminary review indemnification demand from R. Joffe.
9/2/2022	Southall, S.	560.00	0.30	168.00	Review and analyze demand for indemnification from R. Joffe.
9/6/2022	Southall, S.	560.00	0.30	168.00	Draft and revise email to A. Chen regarding R. Joffe demand for advancement.
9/6/2022	Southall, S.	560.00	0.50	280.00	Confer with J. McNichols regarding demand for advancement from R. Joffe.
9/8/2022	Olmedo-Rodriguez, J.	560.00	0.70	392.00	Review Order Granting Motion to Dismiss.
9/8/2022	Southall, S.	560.00	3.20	1,792.00	Analyze issues related to Joffe's demand for indemnification and advancement, including communications with client, review of pertinent documents and communications with NSS counsel.
9/9/2022	Sanders A. E.	255.00	0.30	76.50	Strategic analysis to determine plaintiffs' right to appeal order dismissing claims with prejudice where claims against some defendants were dismissed without prejudice.
9/9/2022	Sanders A. E.	255.00	0.10	25.50	Review correspondence received from co-defendants' counsel re: potential motion for sanctions.
9/9/2022	Sanders A. E.	255.00	1.10	280.50	Review and analyze court order granting joint motion to dismiss with prejudice.
9/9/2022	Southall, S.	560.00	1.90	1,064.00	Address issues related to Joffe demand for indemnification and advancement, including review of draft letter, communications with NSS counsel and communications with client.
9/9/2022	Southall, S.	560.00	1.10	616.00	Review and analyze opinion granting motions to dismiss.
9/12/2022	Sanders A. E.	255.00	0.30	76.50	Review and analyze correspondence and documents received from counsel for H. Clinton prior to joint defense call re: motion for sanctions.
9/12/2022	Southall, S.	560.00	0.60	336.00	Communications regarding potential sanctions motion.
9/12/2022	Southall, S.	560.00	0.50	280.00	Confer with client regarding Joffe demand for advancement and investment.
9/12/2022	Southall, S.	560.00	0.50	280.00	Confer with J. McNichols regarding Joffe demand for indemnification.
9/13/2022	Olmedo-Rodriguez, J.	560.00	0.30	168.00	Review correspondence from D. Kendall re next steps and potential basis for sanctions motion.
9/13/2022	Olmedo-Rodriguez, J.	560.00	0.30	168.00	Communicate with S. Southall to develop recommendation to client on motion for sanctions
9/13/2022	Southall, S.	560.00	0.80	448.00	Joint defense group meeting regarding potential sanctions motion.
9/14/2022	Southall, S.	560.00	0.90	504.00	Confer with J. McNichols regarding Joffe indemnification issues.
9/15/2022	Southall, S.	560.00	0.50	280.00	Draft and revise letter responding to demand for advancement from R. Joffe.
9/16/2022	Southall, S.	560.00	0.40	224.00	Revise, edit and finalize letter regarding advancement demand.
9/20/2022	Southall, S.	560.00	0.30	168.00	Communications with A. Chen regarding request for reimbursement from NSS.
9/20/2022	Southall, S.	560.00	1.20	672.00	Review, analyze and revise draft sanctions motion.
9/21/2022	Sanders A. E.	255.00	0.20	51.00	Review and analyze motion for sanctions filed by C. Dolan.
9/21/2022	Southall, S.	560.00	0.30	168.00	Confer with A. Chen regarding reimbursement of fees from NSS.

9/21/2022	Southall, S.	560.00	1.10	616.00	Review, analyze and revise draft sanctions motion.
9/27/2022	Southall, S.	560.00	0.40	224.00	Review and analyze recent J. Middlebrooks decision regarding appropriateness of rates.
9/27/2022	Southall, S.	560.00	1.20	672.00	Review, analyze and revise draft sanctions brief.
9/28/2022	Olmedo-Rodriguez, J.	560.00	1.30	728.00	Review draft Motion for Sanctions, Declaration
9/28/2022	Southall, S.	560.00	0.40	224.00	Draft and revise email to client regarding sanctions motion.
9/28/2022	Southall, S.	560.00	0.50	280.00	Participate in joint defense group meeting regarding sanctions.

# EXHIBIT 10

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF JOHN M. MCNICHOLS IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, John M. McNichols, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Williams & Connolly LLP (“W&C”), counsel of record for Security Services LLC, d/b/a Neustar Security Services (“NSS”), a Defendant in the above captioned matter.

2. W&C entered into a retention agreement with NSS in connection with the present litigation to serve as lead counsel. NSS agreed to pay all of W&C’s costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm’s customary rates.

3. Attached as Exhibit A are the law firm website biographies of the attorneys at W&C for whom NSS seeks attorneys’ fees. The biographies reflect the professional qualifications of those attorneys.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for NSS. NSS is not seeking reimbursement for the attorneys’ customary hourly rates. Instead, NSS seeks fees at discounted hourly rate for the attorneys as described in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings, Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19,

2022). Exhibit B also provides an accurate statement of the work provided by Greenberg Traurig during the periods for which discounted fees are sought.

5. Attached as Exhibit C is the law firm website biography of the attorney at Greenberg Traurig for whom NSS seeks attorneys' fees. The biography reflects the professional qualifications of that attorney.

6. Greenberg Traurig also entered into a retention agreement with NSS in connection with the present litigation to serve as local counsel. NSS agreed to pay all of Greenberg Traurig costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm's customary rates.

7. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint to the filing of NSS's initial motion to dismiss; the fees incurred between the filing of NSS's motion to dismiss to the Court's order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.

8. As reflected in Chart A, NSS incurred no fees during the first phase of the case. NSS was not named a defendant until filing of the amended complaint and therefore incurred no fees.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
John M. McNichols	\$700	0	\$0
Kathryn E. Garza	\$300	0	\$0
Allison S. Eisen	\$300	0	\$0
James E. Gillenwater	\$700	0	\$0

9. As reflected in Chart B, the discounted fees incurred by NSS from the filing of NSS’s initial motion to dismiss to this Court’s dismissal of the suit total \$50,950.

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
John M. McNichols	\$700	37.2	\$26,040
Kathryn E. Garza	\$300	43.2	\$12,960
Allison S. Eisen	\$300	20	\$6,000
James E. Gillenwater	\$700	8.5	\$5,950

10. As reflected in Chart C, the discounted fees incurred by NSS in connection with the motion for sanctions, to date, total \$2,270.

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
John M. McNichols	\$700	2.6	\$1,820
Kathryn E. Garza	\$300	0	\$0
Allison S. Eisen	\$300	1.5	\$450
James E. Gillenwater	\$700		

11. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A and Exhibit C for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

12. In connection with this case, counsel incurred necessary costs for electronic legal research. I understand that courts in this Circuit have held that legal research costs are not ordinarily taxable as costs under 28 U.S.C. § 1920, but are properly considered a component of attorneys’ fees. *Springer v. Convergys Corp.*, No. 3:03-CV-302-J-99MCR, 2006 WL 8439203, at \*2 (M.D. Fla. July 7, 2006). As such, in addition to the discounted fees set out above, NSS



requests an award of \$327.98 incurred for electronic legal research.

13. Consistent with local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff's counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff's counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

/s/ John M. McNichols  
John M. McNichols  
October 27, 2022

# EXHIBIT A



## John McNichols

Partner

[jmcnichols@wc.com](mailto:jmcnichols@wc.com)

D 202-434-5043

### Education

- University of Michigan Law School, J.D., cum laude, 2003: Executive Note Editor, Michigan Law Review; Semifinalist, Campbell Moot Court Competition
- Yale University, B.A., 2000

### Practice Focus

- Civil Litigation and Trial Practice
- Commercial Litigation
- Criminal Defense and Government Investigations
- Unfair Competition, Trade Secrets and Restrictive Covenants

### Recognitions

- AV Preeminent Peer Review Rated by Martindale-Hubbell

### Admissions

- Virginia
- District of Columbia
- Maryland
- United States Supreme Court
- United States Court of Appeals for the District of Columbia, First, Third, Fourth, Ninth, and Federal Circuits
- United States District Court for the Eastern District of Virginia, District of Maryland, District of Columbia, and District of Colorado
- United States Court of Federal Claims

John McNichols focuses his practice in trial litigation, with emphasis in trade secret disputes involving technology companies. John has multiple clients in the Dulles Technology Corridor, including Appian Corporation and Neustar Security Services. He has tried multiple civil cases in both state and federal court, representing both plaintiffs and defendants. Outside of his civil trial practice, John has also represented criminal defendants in multiple matters, including a recent conspiracy trial in federal court in Maryland resulting in a jury acquittal.

John is an Adjunct Professor of Evidence at the Antonin Scalia Law School at George Mason University, and an Associate Editor of *Litigation News*, where he writes the quarterly column on technology and the law. Before joining Williams & Connolly in 2005, he clerked for a year for Judge T. S. Ellis III of the U.S. District Court for the Eastern District of Virginia. John is also a former noncommissioned officer of the U.S. Army Special Forces.

### Representative Experience

Though all cases vary and none is predictive, John's experience includes:

- A three-week securities fraud bench trial in federal court in Delaware
- A one-week federal criminal trial on behalf of an insurance agent accused of fraud and money laundering
- A one-week federal criminal conspiracy trial premised on identity theft and automobile theft
- A one-week federal criminal conspiracy trial based on alleged fraudulent payroll claims against an insurance company
- A one-week civil trial in Virginia state court defending a military contractor against claims of unlawful termination
- A one-week commercial arbitration between an international lodging company and one of its franchisees
- A one-week commercial arbitration concerning a residential building contract

- Two commercial arbitrations between an international media company and its exclusive trademark licensee

## Resources

### Publications

- *How Do You Cross-Examine Siri If You Think She's Lying?*, March 2022
- *John McNichols Authors Article Explaining New Notice Standard for FLSA Collective Actions*, November 2021
- *John McNichols Authors Article Discussing Non-Fungible Tokens ("NFTs")*, November 2021
- *John McNichols Authors Article "Cryptocurrency: The Coin of the Future?"*, August 2021
- *Keeping One's Public Face Private*, June 2021
- *New Ethics Advice on Working from Home in a Pandemic*, June 2021
- *John McNichols Authors ABA's Litigation News Article: "Evidence of Juror Dishonesty Requires Evidentiary Hearing"*, January 2021
- *John McNichols Authors Article for ABA's Litigation News: "Law Firm Not Liable to Adverse Party for Groundless Suit"*, December 2020
- *Delaware's Daubert Standards for Toxic Tort Cases: An Issue of Nationwide Importance*, July 2020
- *John McNichols Authors Article on New Notice Standard Established in FLSA Collective Actions*, July 2020
- *New Ethics Advice on Working from Home in Pandemic*, July 2020
- *Best Practices in Veteran Hiring: Balancing Employer Risks and Goals with Applicant Rights*, May 2020
- *John McNichols Authors Article on Heightened Pleading Standards for Anonymous Online Activity*, April 2020
- *John McNichols Authors "First Amendment Bars Non-disparagement Clause in Settlement"*, December 2019
- *Transforming Veteran Hiring: The Legal Implications of the Defense Department's "Skillbridge" Program*, October 2019
- *John McNichols and Joshua Tully Co-Author "Tips for Using the Foundational Voir Dire"*, May 2019

### Presentations

- *Extraterritorial Application of U.S. Law under the Defend Trade Secrets Act*, September 2016

- *John McNichols and Chris Geyer Speak on Panel Hosted by the Federal Circuit Bar Association, September 2016*
- *Current Issues in D&O Liability & Insurance 2016, May 2016*



## Kathryn E. Garza

Associate  
kgarza@wc.com  
D 404-343-5722

### Education

- The University of Texas School of Law, J.D., with honors, 2020: Texas Law Review, Member
- The University of Texas, B.A., 2015

### Admissions

- District of Columbia

Kathryn received her Juris Doctor from the University of Texas School of Law, graduating with honors. After law school, Kathryn clerked for Judge Randy Crane of the United States District Court for the Southern District of Texas. Prior to law school, she spent three sessions working at the Texas House of Representatives. Kathryn is passionate about mentorship and serves on the board of Law Clerks for Diversity.

### Publications:

(Note) *Qui Tam Tension: The Appropriate Standard of Review in Government-Requested FCA Dismissals*, *Texas Law Review*



## Allison Eisen

Associate  
aeisen@wc.com  
D 202-434-5354

### Education & Honors

- New York University School of Law, J.D., *cum laude*, 2018; AnBryce Scholar; Articles Editor, *New York University Law Review*
- Duke University, B.A., 2015

### Bar & Court Admissions

- New York
- United States District Court for the Southern District of New York and for the Eastern District of New York

### Government Experience

- Law Clerk, Judge Ann M. Donnelly, United States District Court for the Eastern District of New York, 2020-2021

### Limitations

Admitted in New York. Practice in the District of Columbia supervised by members of the D.C. Bar as required by D.C. App. R. 49(c)(8).

# EXHIBIT B



Date	Timekeeper	Discount Rate	Time	Amount Claimed	Description
06/06/22	GARZA, KATHRYN E.	\$300.00	0.50	\$150.00	Call with M. Mestitz (Clinton Counsel) re: Trump v. Clinton update; attend weekly meeting.
06/15/22	GARZA, KATHRYN E.	\$300.00	0.50	\$150.00	Attend Trump v. Clinton common interest call.
06/21/22	GARZA, KATHRYN E.	\$300.00	0.50	\$150.00	Review amended complaint in Trump v. Clinton; circulate to client.
06/22/22	GARZA, KATHRYN E.	\$300.00	3.40	\$1,020.00	Review Trump v. Clinton amended complaint; prepare for weekly huddle; attend weekly huddle; perform follow up assignments.
06/23/22	GARZA, KATHRYN E.	\$300.00	3.60	\$1,080.00	Circulate summary of amended complaint; correspond re: Trump v. Clinton motion to dismiss organization; participate in joint defense group call; prepare for and participate in call with Neustar defendants to coordinate motion to dismiss drafting.
06/24/22	GARZA, KATHRYN E.	\$300.00	2.90	\$870.00	Draft motion to dismiss portions assigned to Neustar defendants.
06/26/22	GARZA, KATHRYN E.	\$300.00	1.00	\$300.00	Draft section of motion to dismiss for Trump v. Clinton case.
06/27/22	EISEN, ALLISON S.	\$300.00	2.30	\$690.00	Edit motion to dismiss section; draft language for insurer; attend call with K. Hughes and J. McNichols.
06/27/22	GARZA, KATHRYN E.	\$300.00	1.20	\$360.00	Revise motion to dismiss section.
06/28/22	EISEN, ALLISON S.	\$300.00	2.50	\$750.00	Draft motion to dismiss and discuss with team.
06/28/22	GARZA, KATHRYN E.	\$300.00	2.80	\$840.00	Discuss motion to dismiss draft with A. Eisen; meeting with A. Eisen and J. McNichols to discuss draft motion.
06/28/22	MCNICHOLS, JOHN M.	\$700.00	5.00	\$3,500.00	Review Trump amended complaint; review previous motions practice; review draft portion of motion to dismiss Trump amended complaint; discussion with A. Eisen re: draft motion to dismiss.
06/29/22	EISEN, ALLISON S.	\$300.00	3.00	\$900.00	Draft motion to dismiss and discuss with team; attend team huddle.
06/29/22	GARZA, KATHRYN E.	\$300.00	1.70	\$510.00	Revise motion to dismiss section; attend team meeting; participate in weekly huddle.
06/29/22	MCNICHOLS, JOHN M.	\$700.00	3.80	\$2,660.00	Review Trump amended complaint; revise motion to dismiss; review previous motions practice; legal research on federal statutory claims; attend status teleconference with comms team.
06/30/22	GARZA, KATHRYN E.	\$300.00	1.80	\$540.00	Revise motion to dismiss section; meeting with J. McNichols to review edits to motion to dismiss.
06/30/22	MCNICHOLS, JOHN M.	\$700.00	3.30	\$2,310.00	Revise draft motion to dismiss; discussion with K. Garza re: same; discussion to D. Kendall (Clinton Counsel) re: arguments about DNS data; emails with S. Southall (TransUnion counsel) re: Trump amended complaint and motion to dismiss; review comments on draft.
07/01/2022	EISEN, ALLISON S.	\$300.00	2.00	\$600.00	Edit motion to dismiss section and discuss with W&C team.
07/01/2022	GARZA, KATHRYN E.	\$300.00	6.30	\$1,890.00	Revise motion to dismiss section.
07/01/2022	GARZA, KATHRYN E.	\$300.00	0.50	\$150.00	Participate in joint defense call.
07/01/2022	MCNICHOLS, JOHN M.	\$700.00	1.60	\$1,120.00	Emails and Zoom call with defense group re: extension request; teleconference with A. Eisen and K. Garza re: next steps; revise draft motion to dismiss; emails with D. Kendall re: arguments about DNS data; emails with R. Joffe counsel and TransUnion counsel re: motion to dismiss.
07/05/2022	EISEN, ALLISON S.	\$300.00	1.00	\$300.00	Edit motion to dismiss section and discuss with W&C team.
07/05/2022	GARZA, KATHRYN E.	\$300.00	3.00	\$900.00	Participate in joint defense group call; revise motion to dismiss section.

Date	Timekeeper	Discount Rate	Time	Amount Claimed	Description
07/05/2022	MCNICHOLS, JOHN M.	\$700.00	0.90	\$630.00	Teleconference with defense group; emails with Clinton counsel re: draft of section on statutory claims; calls with K. Garza and A. Eisen re: drafting of motion to dismiss; emails with J. Gillenwater (Greenberg Traurig) re: local counsel representation in Southern District of Florida; emails with Neustar counsel (S. Southall) re: Neustar v. NSS as proper defendant and argument in common brief.
07/06/2022	EISEN, ALLISON S.	\$300.00	2.2	\$660.00	Send draft motion to dismiss to client; draft and send signature block to joint defense group; attend team huddle; further edit draft motion to dismiss.
07/06/2022	GARZA, KATHRYN E.	\$300.00	1.8	\$540.00	Attend weekly huddle; revise motion to dismiss to incorporate S. Southall's edits.
07/06/2022	MCNICHOLS, JOHN M.	\$700.00	0.40	\$280.00	Teleconference with comms group re: status of Trump v Clinton lawsuit; review draft motion briefing and edits from TransUnion counsel and Joffe counsel; emails with K. Hughes re: same; emails with K. Garza re: edits to motion briefing.
7/7/2022	EISEN, ALLISON S.	\$300.00	1	\$300.00	Edit NSS portion of motion to dismiss.
7/7/2022	GARZA, KATHRYN E.	\$300.00	2.8	\$840.00	Revise motion to dismiss section; correspond with JDG counsel.
7/7/2022	MCNICHOLS, JOHN M.	\$700.00	2.8	\$1,960.00	Emails and discussions with K. Garza re: motion briefing; review and revise draft section of motion to dismiss; emails with Neustar defendants' group re: same.
7/8/2022	MCNICHOLS, JOHN M.	\$700.00	1.3	\$910.00	Emails regarding motion to enlarge page limit on motion to dismiss; review draft motion to enlarge; call with S. Southall re: Neustar v. NSS and common briefing; emails with Perkins Coie counsel (N. Hart) re: common briefing.
7/9/2022	MCNICHOLS, JOHN M.	\$700.00	0.9	\$630.00	Review entire draft motion to dismiss prepared by Perkins counsel; emails with Kate Moran (Gibson Dunn) re: same.
7/11/2022	EISEN, ALLISON S.	\$300.00	1.5	\$450.00	Edit motion to dismiss section and discuss with W&C team.
7/11/2022	GARZA, KATHRYN E.	\$300.00	3.6	\$1,080.00	Review motion to dismiss draft; revise defendant-specific motion to dismiss section; correspond re the same; circulate the same to K. Meeks.
7/11/2022	MCNICHOLS, JOHN M.	\$700.00	1	\$700.00	Review revised draft motion to dismiss; emails with Kate Moran (Gibson Dunn) re: same; emails and teleconference with K. Garza and A. Eisen re: edits to draft motion; call with S. Southall re: Neustar section on motion to dismiss; emails regarding pro hac vice applications.
7/12/2022	EISEN, ALLISON S.	\$300.00	0.30	\$90.00	Review DNS statements in joint motion to dismiss.
7/12/2022	GARZA, KATHRYN E.	\$300.00	1.00	\$300.00	Rewrite motion to dismiss draft; circulate thoughts and edits.
7/12/2022	MCNICHOLS, JOHN M.	\$700.00	0.80	\$560.00	Emails with Kate Moran (Gibson Dunn) and K. Garza re: revisions to draft motion to dismiss and "shotgun pleading" argument; emails with J. Gillenwater re: pro hac vice applications; email with paralegal (A. McDonough) re: new filings in Trump matter; emails with K. Hughes re: attorneys' fee issue; emails with Joffe team and A. Eisen re: DNS data being publicly available in response to K. Moran inquiry; emails with Trump counsel P. Ticktin re: pre-trial schedule.
7/13/2022	EISEN, ALLISON S.	\$300.00	0.50	\$150.00	Attend team huddle.
7/13/2022	GARZA, KATHRYN E.	\$300.00	0.60	\$180.00	Attend weekly team huddle.
7/13/2022	GARZA, KATHRYN E.	\$300.00	0.20	\$60.00	Circulate invite for meet and confer re: scheduling report.
7/13/2022	MCNICHOLS, JOHN M.	\$700.00	1.10	\$770.00	Emails with K. Garza and Joffe team re: public availability of DNS data; emails with Clinton counsel and Trump counsel re: scheduling order; weekly teleconference with comms team re: developments in case; call with S. Southall (TU counsel) re: litigation hold; emails with K. Hughes re: same.

Date	Timekeeper	Discount Rate	Time	Amount Claimed	Description
7/14/2022	GARZA, KATHRYN E.	\$300.00	2.30	\$690.00	Review motion to dismiss for grammatical errors.
7/14/2022	MCNICHOLS, JOHN M.	\$700.00	0.10	\$70.00	Emails with Clinton counsel re: meet and confer with Trump counsel.
7/15/2022	EISEN, ALLISON S.	\$300.00	0.50	\$150.00	Prepare for and attend meet and confer with Trump counsel.
7/15/2022	GARZA, KATHRYN E.	\$300.00	0.50	\$150.00	Attend meet and confer re: scheduling report.
7/15/2022	MCNICHOLS, JOHN M.	\$700.00	0.50	\$350.00	Discussion with K. Garza re: meet and confer with Trump counsel re: moving trial date
7/20/2022	EISEN, ALLISON S.	\$300.00	0.1	\$30.00	Attend team huddle.
7/21/2022	MCNICHOLS, JOHN M.	\$700.00	0.2	\$140.00	Emails regarding Trump motion for extension of time and order by Judge Middlebrooks; emails regarding Trump filing of motion to continue; email from court resetting deadlines on pending motions.
7/22/2022	MCNICHOLS, JOHN M.	\$700.00	0.1	\$70.00	Emails regarding order on motion to substitute parties by United States of America.
7/25/2022	MCNICHOLS, JOHN M.	\$700.00	0.1	\$70.00	Call with J. Gillenwater re: representation of Christopher Steele; emails with K. Hughes re: same.
7/26/2022	GARZA, KATHRYN E.	\$300.00	0.3	\$90.00	Attend joint defense group meeting; circulate summary to team.
7/26/2022	MCNICHOLS, JOHN M.	\$700.00	0.3	\$210.00	Attend defense group teleconference; emails regarding defense group plan for reply brief.
08/05/2022	GARZA, KATHRYN E.	\$300.00	0.40	\$120.00	Attend joint defense group call.
08/05/2022	MCNICHOLS, JOHN M.	\$700.00	3.70	\$2,590.00	Review Trump opposition to motion to dismiss; emails with K. Hughes and M. Rodkin re: same; draft summary; emails and telephone call with TransUnion counsel re: same; defense group teleconference re: reply brief; emails with Clinton counsel re: same; review draft motion for page limit extension; draft reply brief; review motion for extension of time by USA.
08/06/2022	MCNICHOLS, JOHN M.	\$700.00	4.30	\$3,010.00	Review order on government request for extension of time; draft reply brief on DNS data; review case law cited in Trump opposition.
08/08/2022	MCNICHOLS, JOHN M.	\$700.00	0.10	\$70.00	Emails regarding draft reply brief.
08/09/2022	MCNICHOLS, JOHN M.	\$700.00	1.80	\$1,260.00	Review draft of DNS data section of reply brief in support of motion to dismiss; emails regarding draft reply brief; review complete draft reply brief; emails with Clinton counsel re: same; review order granting page limit extension; emails with K. Hughes and M. Rodman re: draft reply brief; review Judge Middlebrooks' order on Orbis Business Intelligence's request for an extension of time to answer.
08/10/2022	EISEN, ALLISON S.	\$300.00	0.50	\$150.00	Review of reply brief; attend joint defense call.
08/10/2022	MCNICHOLS, JOHN M.	\$700.00	0.30	\$210.00	Conference call with defense group re: draft reply brief; review draft reply brief; emails with J. Gillenwater re: potential authorities for argument on trade secret claim; emails with K. Hughes re: entity name in briefing.
08/11/2022	EISEN, ALLISON S.	\$300.00	1.20	\$360.00	Proofread and finalized reply brief.
08/11/2022	MCNICHOLS, JOHN M.	\$700.00	1.10	\$770.00	Review proposed final draft of reply brief in support of motion to dismiss Trump lawsuit; review new filings by co-defendants.
08/18/2022	MCNICHOLS, JOHN M.	\$700.00	0.10	\$70.00	Review motion to substitute party; review order from Judge Middlebrooks granting motion in part.
08/22/2022	MCNICHOLS, JOHN M.	\$700.00	0.10	\$70.00	Emails with K. Hughes re: status of case and forthcoming rulings.
08/26/2022	EISEN, ALLISON S.	\$300.00	0.70	\$210.00	Draft update on lawsuit for insurer.
08/26/2022	MCNICHOLS, JOHN M.	\$700.00	0.70	\$490.00	Emails with Kevin on Trump lawsuit; review summary of lawsuit by A. Eisen.
08/27/2022	EISEN, ALLISON S.	\$300.00	0.70	\$210.00	Edit update on lawsuit for insurer.

Date	Timekeeper	Discount Rate	Time	Amount Claimed	Description
08/27/2022	MCNICHOLS, JOHN M.	\$700.00	0.80	\$560.00	Revise summary of Trump lawsuit; emails with Allie re: same.
9/9/2022	EISEN, ALLISON S.	\$300.00	0.60	\$180.00	Read decision in Trump v. Clinton.
9/12/2022	MCNICHOLS, JOHN M.	\$700.00	0.40	\$280.00	Emails with Clinton counsel re: potential motion for sanctions against Trump; emails with K. Hughes re: same.
9/13/2022	EISEN, ALLISON S.	\$300.00	0.80	\$240.00	Attended JDG call to discuss sanctions.
9/13/2022	EISEN, ALLISON S.	\$300.00	0.10	\$30.00	Discussed sanctions briefing with HRC counsel.
9/13/2022	MCNICHOLS, JOHN M.	\$700.00	0.80	\$560.00	Emails with Sard Verbinnen re: media coverage of Trump lawsuit; teleconference with joint defense group re: sanctions motion
9/14/2022	MCNICHOLS, JOHN M.	\$700.00	1.40	\$980.00	Call with K. Hughes and M. Rodkin re: potential sanctions motion in Trump litigation.
7/5/2022	GILLENWATER, JAMES E.	\$700.00	0.60	\$420.00	Reviewed amended complaint and correspondence with team re: motion to dismiss.
7/8/2022	GILLENWATER, JAMES E.	\$700.00	0.20	\$140.00	Filed notice of appearance.
7/11/2022	GILLENWATER, JAMES E.	\$700.00	0.70	\$490.00	Prepared pro hac vice motions and correspondence with W & C re: same.
7/12/2022	GILLENWATER, JAMES E.	\$700.00	1.10	\$770.00	Prepared and filed pro hac vice motions and proposed orders and correspondence with court re: same; reviewed draft motion to dismiss.
7/13/2022	GILLENWATER, JAMES E.	\$700.00	1.90	\$1,330.00	Reviewed draft motion to dismiss and correspondence with W & C re: same.
7/26/2022	GILLENWATER, JAMES E.	\$700.00	0.30	\$210.00	Team call to discuss reply in support of motion to dismiss.
8/5/2022	GILLENWATER, JAMES E.	\$700.00	1.20	\$840.00	Reviewed Plaintiffs opposition to motion to dismiss and call with team to discuss reply.
8/9/2022	GILLENWATER, JAMES E.	\$700.00	0.60	\$420.00	Reviewed opposition to motion to dismiss and reviewed reply issues.
8/10/2022	GILLENWATER, JAMES E.	\$700.00	1.50	\$1,050.00	Reviewed draft reply and provided comments re: same.
8/11/2022	GILLENWATER, JAMES E.	\$700.00	0.40	\$280.00	Reviewed final draft reply.

TOTAL TIME: 113.00  
 TOTAL AMOUNT CLAIMED: \$53,220.00

# EXHIBIT C



## James E. Gillenwater

SHAREHOLDER  
gillenwaterj@gtlaw.com

MIAMI  
D +1 305.579.0767  
T +1 305.579.0500



James Gillenwater has represented clients such as Fortune 500 companies, world leaders, and Olympians in high-stakes international disputes, including trials and arbitrations. His litigation experience spans commercial and securities class actions, business disputes, intellectual property matters, and products liability cases. James has also handled complex white collar investigations and regulatory matters such as OFAC delistings and INTERPOL red notice cancellations. James's international representations focus on Latin America, and have involved Argentina, Bolivia, China, Colombia, the Dominican Republic, Guatemala, Haiti, Mexico, Panama, Spain, South Korea, Switzerland, Turkey, the United Kingdom, and Venezuela.

James has wide-ranging motion practice experience and has authored briefs for the U.S. Supreme Court, federal appellate and district courts, state courts, and a variety of government agencies. He has tried cases in both federal and state court and argued before courts across the country, including the U.S. Court of Appeals for the D.C. Circuit.

### Capabilities

[Litigation](#) | [Class Action Litigation](#) | [Commercial Litigation](#) | [International Arbitration & Litigation](#)  
| [Intellectual Property Litigation](#) | [Equine Industry Group](#)

### Experience

#### Representative Matters

- Won dismissal of civil RICO and theft of trade secrets lawsuit filed by former U.S. President on behalf of an American tech company. *See* Law360, [Trump's RICO Suit Against Clinton Dismissed As 'Manifesto'](#); Law.com, [Judge Trashes Trump's RICO Lawsuit Against Hillary Clinton](#), Perkins Coie.
- Won dismissal of a \$75 million putative fraud class action on behalf of a U.K. digital payment company. *See* Law360, [UK Payments Co. Escapes Claims It Aided \\$75M Forex Fraud](#).
- Argued and won summary judgment on behalf of a Chinese circuit board manufacturer in a multimillion-dollar international trademark infringement lawsuit. *See Shenzhen Kinwong Elec. Co. v. Kukreja*, 574 F. Supp. 3d 1191, 1195 (S.D. Fla. 2021).

- Secured suspension of INTERPOL Red Notice and release of client wrongfully imprisoned in Turkey in connection with the assassination of Haitian president. *See* [Greenberg Traurig Secures Samir Handal's Release from Turkish Prison and His Return to United States](#).
- Represented a Chinese tech company in a two-week breach of contract trial, precluding the plaintiff from recovering more than 99% of the damages sought, for which James's trial team was named 2019's most effective international litigators by the *Daily Business Review*. *See also* [Law360, 11th Circ. Won't Touch Damages In Electronics Sale Suit](#).
- Obtained dismissal of a federal securities fraud action against a national health care administration company. *See* [Law360, "Boilerplate' Mednax Stock Drop Suit Dismissed,"](#) and ["Mednax Wins Ax Of Investors' Securities Suit."](#)
- Secured dismissal of a consumer class action against an international resort operator on *forum non conveniens*. *See* [Law360, "Suit Over Sandals' Fake Local Taxes Dismissed By Fla. Court."](#)
- Argued and won numerous dispositive motions on behalf of a major transportation network company.
- Represented the former president and defense minister of a Latin American country in a month-long federal trial.°
- Obtained a seven-figure settlement in a federal breach of contract lawsuit on behalf of a Spanish agrochemical company.
- Represented professional soccer and rugby teams and athletes in antitrust actions, anti-doping cases, and disciplinary hearings before federal courts, judicial officers, and arbitral bodies, including the Court of Arbitration for Sport.
- Won dismissal of civil RICO and tort claims against a Latin American bank and its directors.°
- Achieved resolution of a series of mass tort cases for an international energy company.°
- Obtained dismissal of a federal securities fraud action against a major telecommunications company.°
- Navigated a DOJ Swiss bank investigation, ensuring the non-prosecution of a former executive.°
- Secured multiple OFAC sanctions delistings.°

°The above representations were handled by Mr. Gillenwater prior to his joining Greenberg Traurig, P.A.

## **Recognition & Leadership**

### **Awards & Accolades**

- Listed, *The Best Lawyers in America*, "Ones to Watch," Litigation - Securities, 2021-2022
- Listed, *Benchmark Litigation*, "40 & Under Hot List," 2022
- Listed, U.S. District Court for the Southern District of Florida, "Pro Bono Honor Roll," 2021
- [Law360, "Legal Lion," 2020](#)
- [Daily Business Review, member of "Most Effective," International Litigation team, 2019](#)

- Law360, "Legal Lion," 2018
- Capital Pro Bono High Honor Roll, 2015

## **Professional & Community Involvement**

- World Rugby Judicial Panelist, 2017-2018
- Athlete Representative, United States Olympic Committee Athletes' Advisory Council, 2010-2016
- United States National Rugby 7s Team
  - Player, 2006-2009; Captain, 2009
- Co-Founder, United States Rugby Players Association, 2016
- Albert Schweitzer Fellow, Durham, North Carolina, 2010-2011
- Fulbright Scholar, English Teaching Assistant, La Universidad Nacional de la Pampa, Santa Rosa, Argentina, 2007

## **Credentials**

### **Education**

- J.D., *magna cum laude*, Duke University School of Law, 2012
  - Order of the Coif
  - Note Editor, *Duke Law Journal*
  - Justin Miller Award for Citizenship
- B.S., *summa cum laude*, Vanderbilt University, 2005

### **Clerkships**

- U.S. District Court for the District of Connecticut

### **Admissions**

- Florida
- New York
- District of Columbia
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Eastern District of New York
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Eleventh Circuit



## Languages

- Spanish, Fluent
- French, Fluent

## News, Insights & Events

August 05, 2022 PRESS RELEASE

### **Greenberg Traurig Secures Samir Handal's Release from Turkish Prison and His Return to United States**

# EXHIBIT 11

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton, *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF STEVEN A. TYRRELL IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Steven A. Tyrrell, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a partner at Weil Gotshal & Manges LLP ("Weil"), counsel of record for Rodney Joffe in the above-captioned matter.

2. Prior to Plaintiff's filing of the above-captioned action in this District, I represented Joffe in other matters related to the same factual scenario that form the basis of Plaintiff's claims in this case. These include *United States of America v. Michael A. Sussmann*, Case No. 21-cr-582 (CRC) (D.D.C.), and *AO Alfa-Bank v. John Doe, et al.*, Civil Action No. 2021-10014165 (Fairfax Cnty. Cir. Ct.), which were pending in the District of Columbia and Virginia, respectively. Over the course of my representation of Joffe, which consisted of a substantial amount of work, I developed a detailed factual understanding of the underlying events, including highly-technical aspects of cyber security and DNS data. This knowledge was useful in developing responses to Plaintiff's claims in this matter, and allowed me to do so in an efficient matter.

3. After Plaintiff filed his case in this District, I obtained the assistance of other Weil attorneys to assist in responding to the complaint and amended complaint. Attached as Exhibit A

are the law firm website biographies of the attorneys at Weil for whom Joffe seeks attorneys' fees. The biographies reflect the professional qualifications of those attorneys. We were also assisted by a Senior Litigation Paralegal at Weil, Ann Merlin.

4. Weil entered into a retention agreement with Joffe in connection with the present litigation. Joffe agreed to pay all of Weil's costs, fees, and expenses incurred in connection with the present suit, and agreed to pay the firm's customary rates<sup>1</sup> (less a 10% discount), which for this matter are \$1,435.50, \$1,080, and \$756 per hour for attorneys, respectively, and \$387 for senior paralegals.<sup>2</sup>

5. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Joffe. Joffe is seeking reimbursement for the attorneys' customary hourly rates described in Paragraph 3. Exhibit B also provides an accurate statement of the work provided by Weil during the periods for which fees are sought.

6. Consistent with the discussion in the Memorandum in Support of Sanctions and the

---

<sup>1</sup> Joffe requests reimbursement at his counsel's ordinary non-local rates. Courts within this District and the Eleventh Circuit have recognized that out-of-market rates are appropriate where "use of an attorney from a higher-rate market who had extensive prior experience with a particular factual situation could be justified because of efficiencies resulting from that prior experience." *Achva Vahava, LLC v. Anglo Irish Bank Corp. PLC*, No. 10-80649-CIV, 2012 WL 13015034, at \*3 (S.D. Fla. Aug. 2, 2012) (quoting *Am. Civil Liberties v. Barnes*, 168 F.3d 423, 438 (11th Cir. 1999)). This is precisely that case. As explained in this declaration, Mr. Tyrrell has represented Joffe in multiple other matters regarding the same factual situation that forms the basis of Plaintiff's claims. As such, non-local rates are warranted given counsel's experience with the particular factual situation and that it "represented the same client[ ] in other related litigation." *Rogers v. Nacchio*, 2007 WL 1064314, at \*6 (S.D. Fla. Apr. 6, 2007). To do otherwise, particularly where Joffe had a meritorious personal jurisdiction defense, would "force [Joffe] to abandon [his] usual counsel, or require counsel to reduce their customary fees, simply because the lawsuit was filed in the Southern District of Florida." *Id.* at \*8; see also *Tiara Condo. Ass'n, Inc. v. Marsh USA, Inc.*, 697 F. Supp. 2d 1349, 1363 (S.D. Fla. 2010) (awarding "New York City rates" given firm's prior representation of client and "amount of time and work the firm had already invested"). Further, the requested rates are reasonable because counsel exercised billing judgment and completed work in an efficient manner, leveraging Mr. Tyrrell's prior experience. See Exhibit B. Weil's rates are typical of those charged by large New York-based law firms. See, e.g., *Angelo, Gordon & Co., L.P. v. MTE Holdings, LLC*, No. 20 MISC. 23, 2021 WL 1353756, at \*3 (S.D.N.Y. Apr. 12, 2021).

<sup>2</sup> Note that annual class year changes for Weil associates are effective as of the first of September. Thus, as of September 1, 2022, the associate rate for Leah Saiontz rose to \$882.

information provided in Exhibit B, I summarize below in Charts A, B, and C the fees associated with three different phases of the case: the fees incurred from the filing of the initial complaint up to the filing of Joffe’s initial motion to dismiss; the fees incurred between the filing of Joffe’s motion to dismiss up to the Court’s order dismissing the suit; and the fees incurred to date in connection with the motion for sanctions.

7. As reflected in Chart A, the fees incurred by Joffe from the filing of the initial complaint up to the filing of Joffe’s initial motion to dismiss total \$81,734.85.

8. As reflected in Chart B, the fees incurred by Joffe from the filing of Joffe’s initial motion to dismiss up to this Court’s dismissal of the suit total \$118,568.90.

9. As reflected in Chart C, the fees incurred by Joffe in connection with the motion for sanctions, to date, total \$25,434.90.

**Chart A: Fees incurred from Complaint to initial MTD**

<b>Timekeeper</b>	<b>Hours</b>	<b>Fees</b>
Steven A. Tyrrell	15.9	\$22,824.45
Edward Soto	1	\$1,435.50
Brian Liegel	27.3	\$29,484.00
Leah Saiontz	33.8	\$25,552.80
Ann Merlin (Senior Paralegal)	6.3	\$2,438.10

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Hours</b>	<b>Fees</b>
Steven A. Tyrrell	53.4	\$76,655.70
Ed Soto	0.5	\$717.50
Brian Liegel	16.4	\$17,712.00
Leah Saiontz	30.5	\$23,058.00
Ann Merlin	1.1	\$425.70

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Hours</b>	<b>Fees</b>
Steven A. Tyrrell	8.2	\$11,771.10
Brian Liegel	6.2	\$6,696.00
Leah Saiontz	7.9	\$6,967.80

10. Further, in connection with responding to Plaintiff’s complaint, Joffe incurred costs of \$200. An itemized copy of this expense, which represents the *pro hac vice* filing fee in this District, is attached hereto as Exhibit C.

11. I believe that the rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A and that non-local rates are appropriate given my prior representation of Joffe in related matters which allowed for efficient representation in this matter.

12. In connection with this case, counsel incurred necessary costs for electronic legal research. I understand that courts in this Circuit have held that legal research costs are not ordinarily taxable as costs under 28 U.S.C. § 1920, but are properly considered a component of attorneys’ fees. *Springer v. Convergys Corp.*, No. 3:03-CV-302-J-99MCR, 2006 WL 8439203,

at \*2 (M.D. Fla. July 7, 2006). As such, in addition to the fees set out above, Joffe requests an award of \$604.33 incurred for electronic legal research. Attached as Exhibit D is a true and correct copy of the amount incurred for electronic legal research.

13. Consistent with local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff's counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff's counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants' entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

/s/ Steven A. Tyrrell  
Steven A. Tyrrell, *admitted pro hac vice*  
**WEIL GOTSHAL & MANGES LLP**  
2001 M Street, N.W., Suite 600  
Washington, D.C. 20036  
Telephone: (202) 682-7000

*Counsel for Rodney Joffe*

DATE: October 26, 2022

# **EXHIBIT A**



Printed: October 04, 2022

Weil

# Steven A. Tyrrell

Partner Washington, D.C.

+1 202 682 7213

steven.tyrrell@weil.com



Steve Tyrrell serves as Managing Partner of the Firm's DC office and Co-Head of Weil's global White Collar Defense, Regulatory and Investigations practice. His practice focuses on white collar criminal defense, regulatory enforcement matters, and internal

investigations.

Steve previously served as Chief of the U.S. Department of Justice's Fraud Section from 2006 through 2009. In that capacity, he led the investigation, prosecution, and coordination of a broad range of sophisticated economic crime matters and enforcement initiatives, including matters involving the Foreign Corrupt Practices Act, corporate, securities, commodities and investment fraud, health care fraud, procurement fraud, stimulus and rescue fraud, mortgage fraud, consumer fraud, and identity theft. He also played a key role advising Department leadership on white collar crime-related legislation, crime prevention, public education and the Department's Financial Fraud Enforcement Task Force.

Prior to Steve's appointment as Chief of the Fraud Section in 2006, he served as Deputy Chief of the Counterterrorism Section of the Criminal Division, where he supervised a team of attorneys in connection with the investigation, prosecution, and coordination of a variety of international terrorism and terrorist financing matters. Steve also led a number of high-profile national security investigations and trained federal prosecutors and agents on relevant national security statutes, policies and practices.

Steve also served as an Assistant US Attorney in the US Attorney's Offices in the Southern District of Florida and the Northern District of New York. During his more than fifteen years as an Assistant US Attorney, Steve investigated and prosecuted a variety of criminal cases, with an emphasis on white collar matters, including but not limited to securities

## Practice Areas

- > White Collar Defense, Regulatory and Investigations
- > Securities Litigation

## Sectors

- > Financial Services
- > Healthcare and Life Sciences

## Admissions

- > US Court of Appeals 10th Cir.
- > District of Columbia
- > US Bank Court-Dist of Columbia
- > US Dist Court for DC
- > Eastern District New York
- > New York State
- > Southern District New York

## Education

- > SUNY Oneonta (B.A., 1980)
- > New York Law School (J.D., cum laude, 1983)

fraud, health care fraud, government contract fraud, bank fraud, tax fraud, FDA fraud, and public corruption, as well as related money laundering and asset forfeiture work. He also was lead counsel for the United States in nearly forty criminal jury trials.

In 2021, Steve was recognized among the Top 30 FCPA Practitioners in the United States by Global Investigations Review, which called him a “a sophisticated and nuanced lawyer who knows the ins and outs of the FCPA” and noted that he “has a declination record that few lawyers can match.” Steve is currently recognized in Chambers Global and Chambers USA as one of the leading lawyers nationally and in Washington, D.C. for white collar crime, government investigations, and FCPA expertise. Chambers notes that he “offers impressive experience handling big-ticket investigations” and has quoted sources calling him “incredibly smart and strategic,” “fantastic,” “calm and levelheaded,” with “a ton of experience and insight” and “impeccable integrity.” In 2015, The National Law Journal recognized Steve as one of its inaugural “Trailblazers” nationwide for his distinguished career in the white collar crime area, and in 2020 the same publication honored him as one of its “Trailblazers” in Washington, D.C., noting that he has long been “at the forefront of ... the investigation, prosecution, and defense of allegations of corporate crime.” Since 2013, Steve also has been recognized as a recommended lawyer for Corporate Investigations and White-Collar Criminal Defense by Legal 500 US, in which clients have praised him as, among other things, “patient and collaborative.” He is a recognized expert and frequent speaker on a host of white collar topics, including FCPA enforcement, securities fraud, corporate charging decisions, use of deferred and non-prosecution agreements, and monitors.

Early in his career, Steve served as Law Clerk to the Honorable Thomas J. McAvoy, United States District Court Judge for the Northern District of New York.

Steve is a graduate of New York Law School where he was the Research Editor of the Law Review.

### **Key Representations**

- Representing Vantage Drilling in connection with a DOJ and SEC investigation into alleged violations of the FCPA arising from the company’s dealings with Petrobras.
- Representing and conducting an internal investigation for Sanofi in a joint DOJ and SEC investigation of alleged FCPA violations in various countries in emerging markets.

- Representing a former employee of a major financial institution in connection with a DOJ criminal investigation into alleged manipulation of LIBOR.
- Represented HMT LLC in connection with a DOJ investigation into potential violations of the FCPA in Asia and South America, which resulted in a declination of prosecution under the DOJ's recently announced FCPA Pilot Program.
- Represented Innodata Inc. in connection with its disclosure to the DOJ and SEC of potential improper payments by employees of one of its foreign subsidiaries in Asia.
- Represented an India-based manufacturer of mining equipment in a joint DOJ and SEC investigation of alleged FCPA violations.
- Representing a senior executive of a global operator of retail department stores in a joint DOJ and SEC investigation of alleged FCPA violations in Central America and Asia.
- Representing two former employees of a multi-national spirits company in a joint DOJ and SEC investigation of alleged FCPA violations in Russia.
- Representing two senior executives of a global oil services industry company in a DOJ investigation of alleged violations of US export controls and sanctions laws.
- Conducted an internal investigation for a financial services company regarding allegations of improper payments in connection with its Nigerian operations.
- Represented a UK-based, global specialty chemicals company in a DOJ investigation of alleged violations of US export controls and sanctions laws.
- Designed and assisted in the implementation of anti-bribery and corruption policies and procedures for a UK-based, global specialty chemicals company.
- Designed and assisted in the implementation of anti-bribery and corruption policies and procedures for a multi-national telecommunications company.
- Designed and assisted in the implementation of anti-bribery and corruption policies and procedures for a multi-national financial services company.
- Designed and assisted in the implementation of anti-bribery and corruption policies and procedures for a global tax-free shopping and related financial services company.
- Designed anti-bribery and corruption policies and procedures for a multi-national family dining and entertainment company.
- Lead outside counsel for FCPA due diligence on Intel's acquisition of Altera Corp.
- Lead outside counsel for FCPA due diligence on Norwegian Cruise Line Holdings' acquisition of Prestige Cruises International.
- Lead outside counsel for FCPA due diligence on General Electric Co's. acquisition of Lufkin Industries.
- Lead outside counsel for FCPA due diligence on Oracle Corporation's acquisition of Acme Packet.
- Designed anti-bribery and corruption policies and procedures for a multi-national telecommunications equipment manufacturer.
- Lead outside counsel for FCPA due diligence on publicly traded, multi-national health care company's acquisition of the Eastern European operations of a competitor.

- Provided FCPA training for the Board of Directors of a global clothing manufacturer and retailer.
- Advising a global commercial aircraft leasing company on various anti-bribery and corruption compliance matters.
- Obtained dismissal of federal civil RICO action and related state claims brought by Greenpeace against The Dow Chemical Company.

## Awards and Recognition

- **Steven Tyrrell Named a Top FCPA Practitioner in the United States**  
Award Brief — Global Investigations Review 2021
- **Steven Tyrrell Named a Leading Lawyer for FCPA: Nationwide**  
Award Brief — Chambers USA
- **Steven Tyrrell Named a Leading Lawyer for White Collar Crime and Government Investigations: District of Columbia**  
Award Brief — Chambers USA
- **Steven Tyrrell Named a Leading Lawyer for FCPA in the United States**  
Award Brief — Chambers Global
- **Steven Tyrrell Named a "Recommended" Lawyer for Corporate Investigations and White-Collar Criminal Defense in the US**  
Award Brief — Legal 500 US

## Speaking Engagements

- **General Counsel Interview**  
Speaker(s): [Steven A. Tyrrell](#)  
December 1, 2021 — National Harbor, MD — White Collar practice co-head Steven Tyrrell appeared at ACI's 38th Annual International Conference on the FCPA to interview a panel of general counsel from leading multinationals on their outlook for the year ahead on enforcement, compliance, whistleblowing, and other risks to address.

## Latest Thinking

- **Litigation Trends 2022**  
Publication — By Weil's Litigation Department — Spring 2022
- **Litigation Trends 2021**  
Publication — By Weil's Litigation Department — March 2021
- **How to build a data driven compliance programme**  
Publication — Global Investigations Review — By [Steven A. Tyrrell](#) — December 10, 2020

## Firm News & Announcements

- **Weil Secures Dismissal for Computer Tech Executive Named in Trump Lawsuit**  
Litigation Win — September 15, 2022
- **Weil's 2022 Litigation Trends Report**  
Firm Announcement — April 06, 2022

➤ [Global Investigations Review Again Recognizes Weil as Among the Top International Investigations Firms in 2021](#)

Firm Announcement — November 12, 2021

---

Copyright © 2022 Weil, Gotshal & Manges LLP, All Rights Reserved. The contents of this website may contain attorney advertising under the laws of various states. Prior results do not guarantee a similar outcome. Weil, Gotshal & Manges LLP is headquartered in New York and has office locations in Beijing, Boston, Brussels, Dallas, Frankfurt, Hong Kong, Houston, London, Miami, Munich, New York, Paris, Princeton, Shanghai, Silicon Valley and Washington, D.C.

Printed: October 04, 2022

Weil

# Edward Soto

Partner Miami

+1 305 577 3177

edward.soto@weil.com



Ed Soto is Managing Partner of Weil's Miami office, and recently concluded serving for many years as Co-Head of the Firm's national Complex Commercial Litigation practice.

A senior trial partner, Ed concentrates his practice on the trial and supervision of complex commercial civil litigation, and has substantial experience in cases involving: antitrust, business torts, class actions, contracts, employment, fraud, insurance coverage, lender liability, products liability, professional liability, and securities litigation. He has also handled numerous internal investigations in these areas.

During more than 35 years of trial practice, Ed has established a consistent record of successful results in major complex cases in both state and federal courts and before arbitration panels. He has achieved successful outcomes for his clients at every phase of the litigation process – through case dispositive motions, trials, appeals, and settlements.

During the past few years, he has achieved significant victories on behalf of American Airlines, Inc., Citicorp Services, Inc., ESPN, Inc., ExxonMobil, Financial Guaranty Insurance Corp., Fiserv, Inc., General Electric Company, Lehman Brothers Holdings Inc., Procter & Gamble, Repsol, and UnitedHealth Group.

Ed's notable representations include:

- Serving as lead counsel to Procter & Gamble in the high-profile multi-district litigation, *In re Denture Cream Products Liability Litigation*, in which more than 150 plaintiffs alleged that they were injured through their use of the popular denture cream, Fixodent. In this action, Ed successfully won three separate motions to exclude plaintiffs' general causation experts, including an affirmation on appeal to the U.S. Court of Appeals for the Eleventh Circuit in the lead case, which led to all of the plaintiffs stipulating to a dismissal with prejudice.
- Successfully defending Dometic Corp., a leading manufacturer of gas absorption refrigerators, in two putative class actions in the Southern District of Florida alleging that the cooling units in several models of the company's refrigerators purportedly contained a latent defect. Won an order granting summary judgment dismissing

## Practice Areas

- > [Complex Commercial Litigation](#)
- > [International Arbitration](#)
- > [Appeals and Strategic Counseling](#)

## Areas of Focus

- > [Pro Bono](#)

## Sectors

- > [Retail & Consumer Products](#)
- > [Technology](#)
- > [Transportation and Automotive](#)

## Admissions

- > US Court of Appeals 11th Cir.
- > US Court of Appeals 3rd Cir.
- > US Court of Appeals 5th Cir.
- > State of Florida
- > Middle District Florida
- > Northern District Florida
- > New York State
- > Southern District Florida
- > US Supreme Court
- > DC Court of Appeals

## Education

- > Florida State University (B.A., 1974)
- > Columbia Law School (J.D., 1978)

the first lawsuit in its entirety and secured the denial of plaintiffs' motion for class certification and dismissal of the second lawsuit in its entirety as well.

- Successfully representing Nortek Global HVAC, LLC, a leading manufacturer of heating, ventilation and air conditioning equipment, in several putative class actions in Florida and Tennessee federal courts alleging that Nortek failed to disclose defects in its air conditioning equipment. Obtained denial of plaintiffs' motion for class certification in the Florida case, as well as the dismissal of all claims, with prejudice, in the Tennessee case.
- Serving as co-lead trial counsel to Financial Guaranty Insurance Corp. in connection with a six-week, contested trial in the chapter 9 bankruptcy case filed by the City of Detroit regarding the City's proposed plan of adjustment.
- Serving as lead trial counsel for global energy company Repsol in environmental litigation involving claims of "alter ego" and fraudulent conveyance. The Weil team secured a victory on all claims involving over \$1 billion in damages while also succeeding on Repsol's \$65 million counterclaim.
- Leading a team of trial lawyers to victory on behalf of Fiserv/Texas Data Control in a litigation brought by the Justice Department in a matter that was selected by the *National Law Journal* as the "Top Defense Victory of the Year."
- Serving as lead counsel for UnitedHealth Group in the successful defense of multi-billion dollar RICO and related conspiracy claims brought by a nationwide class of 700,000 doctors.
- Representing ExxonMobil in the successful defense of a putative nationwide class action brought by dealers alleging violations of the UCC and breach of contract with respect to gasoline pricing.
- Securing summary judgment for ESPN, Inc. in a litigation brought by boxing promoter Don King in connection with a documentary television program for which Mr. King sought \$2.5 billion in damages.

Ed has received numerous accolades throughout his career. He is regularly recognized in Chambers USA as a Band 1 lawyer for Commercial Litigation in Florida, where clients have praised him as an "amazing lawyer who has the rare combination of being able to keep focused on the big picture of a case while also mastering all of the underlying details," "great at handling large teams and is extremely passionate on behalf of his clients," "an outstanding strategic attorney [who] is very persuasive in court and is great at managing complex cases," and for "always thinking several steps ahead of the opponent." They also note his "impeccable instincts," "unlimited capacity for absorbing details" and "creative approach to legal issues," and described him as a "gifted advocate," "a first-rate lawyer" and "a top, top litigator." In addition, he has been recognized by Legal 500 as one of the Leading Lawyers nationwide for Commercial Litigation, with commentators calling him an "experienced partner" and "one of the most renowned trial lawyers in Florida." He has also

been named a national “Litigation Star” and a “Local Litigation Star” in Florida by Benchmark Litigation, as well as a “Best Lawyer” for Bet-the-Company Litigation, Commercial Litigation, and International Arbitration - Commercial by Best Lawyers in America. In 2020, Ed was recognized by South Florida’s Daily Business Review as a “Florida Trailblazer” who has been an “agent of change” during his career as a trial lawyer. In 2017, Ed was recognized by Law360 as an MVP for Class Action. Since 2006, Ed has been recognized as a Florida Super Lawyer, most recently in the areas of Securities Litigation and Civil Defense Litigation.

He also serves in leadership roles of various public service organizations. He is on the Executive Committee of the Lawyers’ Committee for Civil Rights Under Law, the Board of Directors of the Human Services Coalition, and the Chairman of the Board of Directors of Catalyst Miami. Ed has also served as a member of the Board of Trustees of the Ransom Everglades School, a member of the Board of Directors of Child Hope, Inc., and the Chairman of the Board of Directors of the Zoological Society of Florida. In 2022, in recognition of his significant pro bono work and contributions to these and other organizations over the years, Ed was honored by Chambers USA as its Pro Bono Lawyer of the Year in the publication’s annual Diversity & Inclusion Awards.

Ed is currently a member of the Firm’s Diversity Committee, Recruiting Committee, National Litigation Steering Committee, Computer Litigation Committee, National Associates Training Committee and E-Discovery Task Force.

Ed received a J.D. from Columbia Law School in 1978, and a B.A. from Florida State University in 1974.

## Awards and Recognition

- › **Edward Soto Named 2022 Pro Bono Lawyer of the Year**  
Award Brief — Chambers USA
- › **Edward Soto Named Daily Business Review “Florida Trailblazer”**  
Award Brief — Daily Business Review 2020
- › **Edward Soto Profiled as a 2017 Class Action MVP**  
Award Brief — Law360 2017
- › **Edward Soto Ranked Band 1 for Litigation: General Commercial, Florida**  
Award Brief — Chambers USA
- › **Edward Soto Named a “Recommended” Lawyer for Commercial Litigation in the U.S.**  
Award Brief — Legal 500 US



## Latest Thinking

› **Ruhlen and Recent Trends in Favor of Remand**

Alert — Class Action Monitor — By [Edward Soto](#), [Pravin R. Patel](#), [Mark Pinkert](#) and [Katie Black](#) — PDF — April 05, 2022

› **Full Daubert: Fifth Circuit Mandates Complete Evaluation of Expert Opinions at Class Certification**

Alert — Class Action Monitor — By [Edward Soto](#), [Pravin R. Patel](#) and [Daniel P. Guernsey](#) — PDF — Q3 2021

› **Supreme Court Clarifies Injury-in-Fact Requirements for Intangible Harms**

Publication — Bloomberg Law Professional Perspectives — By [Edward Soto](#), [Pravin R. Patel](#) and [Corey Brady](#) — PDF — August 2021

› **Eleventh Circuit Holds that a Statutory Violation is Insufficient for Standing and Settlement**

Alert — Class Action Monitor — By [Edward Soto](#), [Pravin R. Patel](#) and [Alli G. Katzen](#) — PDF — June 04, 2021

› **Litigation Trends 2021**

Publication — By Weil's Litigation Department — March 2021

## Firm News & Announcements

› **Weil Secures Dismissal for Computer Tech Executive Named in Trump Lawsuit**

Litigation Win — September 15, 2022

› **Edward Soto Named Pro Bono: Lawyer of the Year at Chambers Diversity & Inclusion: North America Awards 2022**

Firm Announcement — June 13, 2022

---

Copyright © 2022 Weil, Gotshal & Manges LLP, All Rights Reserved. The contents of this website may contain attorney advertising under the laws of various states. Prior results do not guarantee a similar outcome. Weil, Gotshal & Manges LLP is headquartered in New York and has office locations in Beijing, Boston, Brussels, Dallas, Frankfurt, Hong Kong, Houston, London, Miami, Munich, New York, Paris, Princeton, Shanghai, Silicon Valley and Washington, D.C.

Printed: October 04, 2022



# Brian Liegel

Associate Miami +1 305 577 3180 brian.liegel@weil.com



Brian Liegel is an associate in Weil's Complex Commercial Litigation and Appeals and Strategic Counseling practices.

Brian has substantial litigation experience across a broad range of disputes involving areas of law such as business torts, antitrust, fraud, product liability, regulatory investigations, environmental litigation, bankruptcy, and appeals.

Some of his recent notable experiences includes serving on Weil teams representing:

- Pilgrim's Pride in a series of federal class actions across the country brought by direct and indirect purchasers alleging the major chicken producers reduced output to raise the price of broiler chickens.
- National Public Finance Guarantee Corporation in connection with the Commonwealth of Puerto Rico's bankruptcy proceedings.
- Dometic, a major manufacturer of gas absorption refrigerators, in securing summary judgment and defeating class certification, as well as transfer and consolidation victories prior to those case dispositive rulings, in numerous putative nationwide consumer class actions in Florida and California federal courts alleging that the cooling units in several models of Dometic's refrigerators purportedly contained a latent defect.
- Nortek, a global manufacturer of HVAC systems, in multiple putative class actions in Florida and Tennessee federal courts alleging that Nortek failed to disclose defects in its air conditioning equipment. Brian and the Weil team obtained the denial of plaintiffs' motion for class certification in the Florida case, as well as the dismissal of all claims, with prejudice, in the Tennessee case

As a member of the Firm's Appeals and Strategic Counseling practice, Brian has represented clients in the United States Supreme Court, United States Courts of Appeals for the Second, Eleventh, and D.C. Circuits, and the Colorado Supreme Court.

## Practice Areas

- > Complex Commercial Litigation
- > Appeals and Strategic Counseling

## Appeals and Strategic Counseling

PRECISION | CREATIVITY | JUDGMENT

## Admissions

- > State of Florida
- > Middle District Florida
- > Northern District Florida
- > Southern District Florida
- > US Court of Appeals 11th Cir.
- > US Dist Court No. Illinois
- > US Ct App Federal Circuit

## Education

- > University of Miami (B.A., 2012)
- > Georgetown University Law Center (J.D., 2015)

Brian has been honored in the 2020-2023 editions of Best Lawyers: Ones to Watch for commercial litigation, and selected as a member of the Florida Board of Bar Examiner's Practice Analysis Panel, which will evaluate the knowledge, skills, and abilities that all newly licensed Florida lawyers should have to be admitted to the bar.

Brian also is an active participant in the Firm's pro bono initiatives. Most recently, Brian was appointed by the United States Court of Appeals for the Eleventh Circuit to represent an indigent individual on appeal and successfully overturned the denial of social security benefits. Brian has also worked with the Innocence Project, seeking to obtain post-conviction relief for a client based on new scientific evidence, and as part of a team of Weil attorneys which represented a victim of human trafficking, successfully allowing the client to have her criminal record expunged and vacated.

From September 2017 through September 2018, Brian served as a judicial clerk for the Honorable Adalberto Jordan of the United States Court of Appeals for the Eleventh Circuit.

## Awards and Recognition

- › **Brian Liegel Recognized as Best Lawyers: One to Watch Honoree**  
Award Brief — Best Lawyers 2020-2023

## Latest Thinking

- › **Third Circuit Cements Three-Way Split on Issue Classes**  
Publication | *Class Action Monitor* — By Drew Tulumello, Pravin R. Patel and Brian Liegel — PDF — January 19, 2022
- › **Supreme Court Holds That "But-For" Causation Is Not Required For Specific Jurisdiction**  
Publication — By Zack Tripp, Pravin R. Patel, Brian Liegel and Elaina Aquila — April 08, 2021
- › **Supreme Court Holds That "But-For" Causation Is Not Required For Specific Jurisdiction**  
Alert — *Class Action Monitor* — By Zack Tripp, Pravin R. Patel, Brian Liegel and Elaina Aquila — PDF — March 26, 2021
- › **Avoiding Unreviewable Surprises in Arbitration Agreements**  
Alert — *Class Action Monitor* — By Gregory Silbert, Brian Liegel and Nathalie A. Sosa — PDF — March 2020

## Firm News & Announcements

- › **Weil Secures Dismissal for Computer Tech Executive Named in Trump Lawsuit**  
Litigation Win — September 15, 2022
  - › **Weil Wins Appeal for Illumina Protecting Cutting-Edge DNA Sequencing Technology**  
Litigation Win — February 02, 2021
-

Copyright © 2022 Weil, Gotshal & Manges LLP, All Rights Reserved. The contents of this website may contain attorney advertising under the laws of various states. Prior results do not guarantee a similar outcome. Weil, Gotshal & Manges LLP is headquartered in New York and has office locations in Beijing, Boston, Brussels, Dallas, Frankfurt, Hong Kong, Houston, London, Miami, Munich, New York, Paris, Princeton, Shanghai, Silicon Valley and Washington, D.C.

Printed: October 04, 2022



# Leah Saiontz

**Associate Miami** +1 305 577 3134 leah.saiontz@weil.com

Leah Saiontz is an associate in Weil's Complex Commercial Litigation practice, based in the Firm's Miami office. Prior to joining the Litigation Department, Leah was an associate in Weil's Restructuring Department. She has substantial experience across a broad range of disputes, involving areas of law such as antitrust, fraud, and bankruptcy (particularly domestic and cross-border corporate restructuring, distressed financing, and distressed M&A).

Leah's notable recent experience includes representing, among others:

- **Brooks Brothers Group, Inc.** and its affiliates, the oldest apparel company in the United States, in their chapter 11 cases, Canadian proceeding under the Companies' Creditors Arrangement Act, and going-concern sale of their international businesses.
- **Topgolf International, Inc.** in connection with its out-of-court equity recapitalization and credit agreement amendment.
- **EP Energy Corporation**, and its affiliated debtors, a public oil and natural gas exploration and production company, in their chapter 11 cases involving approximately \$4.9 billion in funded debt obligations.
- The DIP Lender and Senior Secured Lender in the chapter 11 case of **George Washington Bridge Bus Station Development Venture**.
- Spanish energy company **Repsol** in connection with its complex environmental and bankruptcy litigation.

Leah received her B.A., magna cum laude, from Harvard College and received her J.D. from Harvard Law School.

## Practice Areas

- > [Complex Commercial Litigation](#)

## Admissions

- > New York State
- > State of Florida

## Education

- > Harvard College (B.A., 2016)
- > Harvard Law School (J.D., 2019)

## Firm News & Announcements

- > [Weil Secures Dismissal for Computer Tech Executive Named in Trump Lawsuit](#)  
Litigation Win — September 15, 2022

Boston, Brussels, Dallas, Frankfurt, Hong Kong, Houston, London, Miami, Munich, New York, Paris, Princeton, Shanghai, Silicon Valley and Washington, D.C.

## **EXHIBIT B**

Time Entry Detail

Date	Timekeeper	Rate	Time	Description
4/13/2022	Brian Liegel	\$1,080.00	2.3	Review and analyze RICO jurisdiction arguments in the Complaint
4/20/2022	Brian Liegel	\$1,080.00	.8	Participate in joint defense call
4/21/2022	Brian Liegel	\$1,080.00	.7	Review and analyze the S.D. FLA filing requirements and confer with S. Tyrrell re: extension to response to the Complaint
4/22/2022	Brian Liegel	\$1,080.00	1.1	Draft motion for extension of time
4/25/2022	Steven Tyrrell	\$1,435.50	.9	Communications with client and counsel for other defendants regarding case status; review and analyze related materials
4/25/2022	Brian Liegel	\$1,080.00	.3	Review and analyze Court order on Plaintiff's request for extension to amend
4/26/2022	Steven Tyrrell	\$1,435.50	.9	Review and revise draft motion for extension of time, motion for admission <i>pro hac vice</i> and related filings; communications regarding status of case and related matters
4/26/2022	Ann Merlin (Paralegal)	\$387.00	1.1	Review, revise, electronically file and download and distribute <i>pro hac vice</i> motion, motion for extension of time, notice of appearance, email correspondence with judge forwarding proposed orders
4/26/2022	Brian Liegel	\$1,080.00	1.4	Revise motion for extension of time, <i>pro hac vice</i> motion and proposed order; file same
4/27/2022	Steven Tyrrell	\$1,435.50	.4	Review and analyze miscellaneous filings in the case
4/28/2022	Steven Tyrrell	\$1,435.50	.4	Review and analyze miscellaneous filings in the case
4/29/2022	Steven Tyrrell	\$1,435.50	.3	Review and analyze miscellaneous filings in the case
5/02/2022	Steven Tyrrell	\$1,435.50	.3	Review and analyze miscellaneous filings in the case
5/03/2022	Steven Tyrrell	\$1,435.50	.4	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/04/2022	Steven Tyrrell	\$1,435.50	.3	Communications regarding preparation of motion to dismiss and scheduling order; Review and analyze miscellaneous filings in the case
5/04/2022	Brian Liegel	\$1,080.00	2.7	Review other defendants' motions to dismiss to identify arguments to adopt
5/04/2022	Leah Saiontz	\$756.00	3.7	Review other defendants' motions to dismiss to identify arguments to adopt; conference with B. Liegel re: same
5/05/2022	Steven Tyrrell	\$1,435.50	.3	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/05/2022	Brian Liegel	\$1,080.00	2.1	Draft outline of arguments for motion to dismiss
5/05/2022	Leah Saiontz	\$756.00	4.2	Draft outline of arguments for motion to dismiss; conference with B. Liegel re: same
5/06/2022	Steven Tyrrell	\$1,435.50	.5	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/06/2022	Brian Liegel	\$1,080.00	.2	Confer with S. Tyrrell regarding coordination with co-defendants
5/06/2022	Leah Saiontz	\$756.00	2.0	Draft outline of arguments for motion to dismiss
5/07/2022	Steven Tyrrell	\$1,435.50	.2	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/09/2022	Steven Tyrrell	\$1,435.50	.6	Review and analyze draft outline of arguments for motion to dismiss; review and analyze recent filings; miscellaneous communications re: same
5/09/2022	Brian Liegel	\$1,080.00	.8	Draft outline of arguments for motion to dismiss



5/09/2022	Leah Saiontz	\$756.00	4.1	Draft outline of arguments for motion to dismiss
5/10/2022	Steven Tyrrell	\$1,435.50	.4	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/10/2022	Leah Saiontz	\$756.00	3.5	Draft motion to dismiss
5/11/2022	Steven Tyrrell	\$1,435.50	.2	Review and analyze miscellaneous filings in the case
5/11/2022	Brian Liegel	\$1,080.00	1.1	Review and analyze co-defendant motions to dismiss to evaluate adoption of arguments
5/11/2022	Leah Saiontz	\$756.00	4.2	Draft motion to dismiss
5/12/2022	Brian Liegel	\$1,080.00	2	Revise draft of motion to dismiss
5/13/2022	Steven Tyrrell	\$1,435.50	.3	Review and analyze recent filings
5/13/2022	Brian Liegel	\$1,080.00	1.5	Revise motion to dismiss
5/13/2022	Leah Saiontz	\$756.00	7.2	Revise motion to dismiss
5/15/2022	Brian Liegel	\$1,080.00	3.1	Revise motion to dismiss
5/16/2022	Steven Tyrrell	\$1,435.50	.5	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/16/2022	Brian Liegel	\$1,080.00	2	Complete first draft of motion to dismiss
5/17/2022	Steven Tyrrell	\$1,435.50	.4	Communications regarding preparation of motion to dismiss; Review and analyze miscellaneous filings in the case
5/17/2022	Brian Liegel	\$1,080.00	.2	Correspond with S. Tyrrell re: status hearing
5/18/2022	Ed Soto	\$1,435.50	1	Review and comment on motion to dismiss; review of other related motions to dismiss in connection with same; correspondence re: same
5/18/2022	Steven Tyrrell	\$1,435.50	3.8	Review and revise draft motion to dismiss; related legal research; miscellaneous communications including with counsel to co-defendants re: same
5/18/2022	Brian Liegel	\$1,080.00	1.9	Participate in joint defense call re: upcoming status hearing; revise brief and confer with S. Tyrrell re: same
5/18/2022	Leah Saiontz	\$756.00	1.5	Revise motion to dismiss
5/19/2022	Steven Tyrrell	\$1,435.50	1	Miscellaneous communications regarding coordination with co-defendants on motion to dismiss arguments; review and analyze materials re: same; review and analyze recent filings
5/19/2022	Ann Merlin	\$387.00	5.2	Conduct citation check of motion to dismiss
5/19/2022	Brian Liegel	\$1,080.00	1.9	Revise motion to dismiss
5/19/2022	Leah Saiontz	\$756.00	2.4	Revise motion to dismiss
5/20/2022	Steven Tyrrell	\$1,435.50	2.7	Review, revise, and finalize motion to dismiss; review and analyze related materials and filings; miscellaneous communications re: same
5/20/2022	Brian Liegel	\$1,080.00	1.2	Revise and prepare motion to dismiss for filing
5/20/2022	Leah Saiontz	\$756.00	1	Finalize motion to dismiss for filing
5/23/2022	Steven Tyrrell	\$1,435.50	.3	Review and analyze miscellaneous recent filings
5/25/2022	Steven Tyrrell	\$1,435.50	.2	Review and analyze miscellaneous recent filings
5/26/2022	Steven Tyrrell	\$1,435.50	.2	Review and analyze miscellaneous recent filings
5/31/2022	Steven Tyrrell	\$1,435.50	.4	Review and analyze miscellaneous recent filings
6/01/2022	Steven Tyrrell	\$1,435.50	.2	Miscellaneous communications regarding upcoming status conference
6/02/2022	Steven Tyrrell	\$1,435.50	.8	Attend status conference by Zoom; miscellaneous communications re: same
6/03/2022	Steven Tyrrell	\$1,435.50	.5	Miscellaneous communications regarding scheduling next status conference, potential briefing schedule for renewed motions to dismiss, status of matter, and recent filings; review and analyze documents relating to same
6/06/2022	Steven Tyrrell	\$1,435.50	.2	Review and analyze recent filings
6/13/2022	Steven Tyrrell	\$1,435.50	.2	Miscellaneous communications with counsel for co-defendant

6/14/2022	Steven Tyrrell	\$1,435.50	.4	Miscellaneous communications with joint defense group regarding upcoming status conference and coordination of motions to dismiss anticipated amended complaint
6/15/2022	Steven Tyrrell	\$1,435.50	.8	Miscellaneous communications, including conference call with joint defense group, regarding upcoming status conference and coordination of motions to dismiss anticipated amended complaint
6/21/2022	Steven Tyrrell	\$1,435.50	.4	Review and analyze miscellaneous recent filings; communications re: same
6/22/2022	Steven Tyrrell	\$1,435.50	3.9	Review and analyze amended complaint; review and analyze related recent filings; miscellaneous communications with counsel for other defendants and others re: same
6/22/2022	Leah Saiontz	\$756.00	3.2	Review and analyze amended complaint with focus on new/amended arguments relevant to client
6/23/2022	Steven Tyrrell	\$1,435.50	1.7	Misc. Communications with client and other defense counsel regarding preparation of motion to dismiss amended complaint; review and analyze recent filings
6/23/2022	Brian Liegel	\$1,080.00	1.3	Participate in joint defense discussion re: briefing and analysis of amended complaint
6/23/2022	Leah Saiontz	\$756.00	1.2	Discuss response to amended complaint with counsel to co-defendants
6/24/2022	Brian Liegel	\$1,080.00	.3	Review and analyze co-defendants' outline for motion to dismiss brief
6/27/2022	Steven Tyrrell	\$1,435.50	1.1	Miscellaneous communications, including with other defense counsel, regarding preparation of motion to dismiss amended complaint; review and analyze recent filings
6/27/2022	Leah Saiontz	\$756.00	2.1	Draft motion to dismiss amended complaint
6/28/2022	Steven Tyrrell	\$1,435.50	.7	Miscellaneous communications including with client and other defense counsel, regarding preparation of motion to dismiss amended complaint; review and analyze recent filings
6/28/2022	Leah Saiontz	\$756.00	.4	Draft motion to dismiss amended complaint
6/29/2022	Steven Tyrrell	\$1,435.50	.6	Miscellaneous communications regarding preparation of motion to dismiss amended complaint; review and analyze recent filings
6/30/2022	Steven Tyrrell	\$1,435.50	1	Miscellaneous communications regarding request for extension of time to file motion to dismiss amended complaint and related matters; review draft stipulation re: same; review and analyze recent filings
6/30/2022	Brian Liegel	\$1,080.00	.5	Revise brief insert for co-defendant
6/30/2022	Leah Saiontz	\$756.00	2.8	Draft motion to dismiss amended complaint
7/01/2022	Steven Tyrrell	\$1,435.50	1.7	Miscellaneous communications regarding request for extension of time to file motion to dismiss amended complaint, draft of sections of motion to dismiss, and related matters; Review and analyze related materials and recent filings
7/01/2022	Brian Liegel	\$1,080.00	1.8	Revise individual motion and joint motion and participate in joint defense call re: same
7/01/2022	Leah Saiontz	\$756.00	5.5	Draft motion to dismiss amended complaint; participate in joint defense call re: same
7/05/2022	Steven Tyrrell	\$1,435.50	3.4	Miscellaneous communications, including conference call with defense counsel, regarding draft consolidated motion to dismiss, motion to increase page limit, and related matters; Review and analyze related materials; conduct legal research
7/05/2022	Brian Liegel	\$1,080.00	.3	Participate in joint defense call re: briefing

7/05/2022	Leah Saiontz	\$756.00	.8	Participate in joint defense call re: briefing; Review co-defendant draft of section of motion to dismiss
7/06/2022	Steven Tyrrell	\$1,435.50	3.1	Miscellaneous communications including with other defense counsel, regarding draft consolidated motion to dismiss and related matters; review and revise draft section of motion to dismiss; conduct legal research
7/06/2022	Brian Liegel	\$1,080.00	.8	Revise draft motion to dismiss
7/06/2022	Leah Saiontz	\$756.00	.5	Review co-defendant draft section of motion to dismiss
7/07/2022	Steven Tyrrell	\$1,435.50	2.6	Miscellaneous communications, including with other defense counsel, regarding draft consolidated motion to dismiss and related matters; review and revise draft section of motion to dismiss; miscellaneous legal research re: same; review motion for enlargement of page limit for motion to dismiss
7/07/2022	Brian Liegel	\$1,080.00	1.2	Revise motion to dismiss on personal jurisdiction and co-defendant's section of the joint motion
7/08/2022	Steven Tyrrell	\$1,435.50	3.8	Miscellaneous communications, including with other defense counsel, regarding draft consolidated motion to dismiss, motion for enlargement of page limit, and related matters; review and analyze related materials, including draft sections of motion to dismiss; conduct miscellaneous legal research re: same
7/08/2022	Ann Merlin	\$387.00	1.1	Cite check motion to dismiss for lack of personal jurisdiction
7/09/2022	Brian Liegel	\$1,080.00	1.4	Draft individual insert for motion to dismiss
7/11/2022	Brian Liegel	\$1,080.00	1.3	Revise individual section of motion to dismiss and coordinate with group on edits
7/12/2022	Steven Tyrrell	\$1,435.50	1.2	Review and provide additional edits to the joint motion to dismiss the amended complaint; Miscellaneous communications re: same
7/12/2022	Brian Liegel	\$1,080.00	1.3	Review and analyze revised motion to dismiss and respond to questions from counsel to co-defendant
7/13/2022	Ed Soto	\$1,435.50	.5	Review and comment on issues related to the proposed draft motion to dismiss; review and comment on correspondence related to same
7/13/2022	Steven Tyrrell	\$1,435.50	.6	Review and provide additional edits to the supplemental motion to dismiss the amended complaint; communications re: same
7/13/2022	Leah Saiontz	\$756.00	.2	Finalize motion to dismiss on personal jurisdiction
7/14/2022	Brian Liegel	\$1,080.00	.7	Revise brief and file motion to dismiss on personal jurisdiction
7/18/2022	Steven Tyrrell	\$1,435.50	1.4	Miscellaneous communications, including with client, regarding motion to dismiss and related matters; review and analyze recent filings
7/19/2022	Steven Tyrrell	\$1,435.50	1.4	Miscellaneous communications, including with client and other counsel, regarding status of matter, ongoing coordination, and related matters; review and analyze materials re: same
7/21/2022	Steven Tyrrell	\$1,435.50	.7	Miscellaneous communications, including with other defense counsel, regarding status of matter, ongoing coordination on preparation of reply in support of motion to dismiss, and related matters; and analyze recent filings
7/22/2022	Steven Tyrrell	\$1,435.50	.7	Miscellaneous communications, including with client, regarding status of case and related matters; review and analyze recent filings
7/25/2022	Steven Tyrrell	\$1,435.50	.2	Review recent filings

7/26/2022	Steven Tyrrell	\$1,435.50	.5	Miscellaneous communications, including call with other defense counsel, regarding coordination on preparation of reply in support of motion to dismiss and related matters
7/28/2022	Steven Tyrrell	\$1,435.50	.2	Miscellaneous communications regarding preparation of reply in support of motion to dismiss amended complaint
7/29/2022	Steven Tyrrell	\$1,435.50	.4	Miscellaneous communications regarding preparation of reply in support of motion to dismiss amended complaint and related matters
7/29/2022	Leah Saiontz	\$756.00	1	Draft reply in support of motion to dismiss based on lack of personal jurisdiction
8/05/2022	Steven Tyrrell	\$1,435.50	4.7	Miscellaneous communications, including Zoom conferences with joint defense group and specific co-defendants, regarding filings in opposition to motions to dismiss, preparation of reply in support of joint motion, and related issues; review and analyze filings and related materials
8/05/2022	Leah Saiontz	\$756.00	4.1	Draft response to reply re: personal jurisdiction
8/08/2022	Steven Tyrrell	\$1,435.50	3.3	Review, analyze and revise sections of reply in support of joint motion to dismiss; review and analyze draft reply in support of individual motion to dismiss for lack of personal jurisdiction; review and analyze related materials; review recent filings
8/08/2022	Brian Liegel	\$1,080.00	4.3	Draft reply in support of motion to dismiss
8/08/2022	Leah Saiontz	\$756.00	3.1	Draft reply in support of motion to dismiss; correspondence re: same
8/09/2022	Steven Tyrrell	\$1,435.50	2.7	Review and revise draft reply in support of individual motion to dismiss for lack of personal jurisdiction; review and analyze related materials; review recent filings; miscellaneous communications re: same
8/09/2022	Leah Saiontz	\$756.00	2.8	Draft response to reply re: personal jurisdiction; correspondence re: same
8/10/2022	Steven Tyrrell	\$1,435.50	3.4	Review and revise joint reply in support of motion to dismiss; review and revise reply in support of motion to dismiss on personal jurisdiction grounds; review and analyze related materials; miscellaneous communications, including Zoom conference with all defense counsel, re: same and related matters; review recent filings
8/10/2022	Leah Saiontz	\$756.00	1.7	Draft response to reply re: personal jurisdiction; correspondence re: same
8/11/2022	Steven Tyrrell	\$1,435.50	2.6	Review and provide final comments and edits for joint reply in support of motion to dismiss; review revise reply in support of motion to dismiss on personal jurisdiction grounds; review and analyze related materials; miscellaneous communications re: same and related matters; review recent filings
8/11/2022	Brian Liegel	\$1,080.00	1.2	Revise briefs on reply on motion to dismiss
8/11/2022	Leah Saiontz	\$756.00	1.1	Finalize and file motion to dismiss
8/12/2022	Steven Tyrrell	\$1,435.50	.6	Review recent filings
8/15/2022	Steven Tyrrell	\$1,435.50	.5	Review recent filings; misc. Communications re: same
8/16/2022	Steven Tyrrell	\$1,435.50	.4	Review recent filings
8/17/2022	Steven Tyrrell	\$1,435.50	.3	Review recent filings
8/18/2022	Steven Tyrrell	\$1,435.50	.5	Review recent filings
9/01/2022	Steven Tyrrell	\$1,435.50	.2	Review recent filings
9/06/2022	Steven Tyrrell	\$1,435.50	.2	Review recent filings
9/07/2022	Steven Tyrrell	\$1,435.50	.2	Review recent filings

9/08/2022	Steven Tyrrell	\$1,435.50	.6	Review recent filings; Miscellaneous communications, including with client, regarding order granting motion to dismiss
9/09/2022	Steven Tyrrell	\$1,435.50	1.8	Review order granting motions to dismiss; review and revise draft summary of order and next steps for client; Communications re: same; Communications with joint defense group regarding potential motion for sanctions
9/09/2022	Brian Liegel	\$1,080.00	1.9	Analyze court ruling and draft summary of same and appeal prospects
9/09/2022	Leah Saiontz	\$882.00	.9	Analyze court ruling and draft summary of same
9/12/2022	Steven Tyrrell	\$1,435.50	.6	Miscellaneous communications, including with joint defense group, regarding potential motion for sanctions; review and analyze related materials
9/13/2022	Steven Tyrrell	\$1,435.50	1.0	Miscellaneous communications, including with joint defense group, regarding potential motion for sanctions; review and analyze related materials
9/13/2022	Brian Liegel	\$1,080.00	.6	Participate in group discussion re sanctions motion
9/14/2022	Leah Saiontz	\$882.00	1.4	draft insert for sanctions motion
9/16/2022	Steven Tyrrell	\$1,435.50	.4	Communications regarding potential motion for sanctions
9/20/2022	Leah Saiontz	\$882.00	.8	Draft insert for sanctions motion
9/21/2022	Steven Tyrrell	\$1,435.50	1.7	Review draft motion for sanctions; communications re: same; review and analyze related materials
9/21/2022	Brian Liegel	\$1,080.00	.9	Revise sanctions motion
9/23/2022	Steven Tyrrell	\$1,435.50	.8	Review and analyze revised draft motion for sanctions; communications, including with client, re: same.
9/28/2022	Steven Tyrrell	\$1,435.50	.7	Communications with counsel for other defendants regarding sanctions motions; review and analyze revised draft motion and related materials
9/28/2022	Brian Liegel	\$1,080.00	.4	Participate in conversation with joint defense group re sanctions
9/29/2022	Leah Saiontz	\$882.00	4.8	Draft declaration in support of fee request
9/30/2022	Brian Liegel	\$1,080.00	2.4	Draft declaration in support of fee request and confer with S. Tyrrell re: same; revise motion for sanctions

## **EXHIBIT C**



-----Original Message-----

From: do\_not\_reply@psc.uscourts.gov <do\_not\_reply@psc.uscourts.gov>

Sent: Tuesday, April 26, 2022 12:44 PM

To: Merlin, Ann <Ann.Merlin@weil.com>

Subject: Pay.gov Payment Confirmation: FLORIDA SOUTHERN DISTRICT COURT

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: Financial Section at 305-523-5050.

Account Number: 4283419

Court: FLORIDA SOUTHERN DISTRICT COURT

Amount: \$200.00

Tracking Id: AFLSDC-15589786

Approval Code: 145485

Card Number: \*\*\*\*\*[REDACTED]

Date/Time: 04/26/2022 12:43:29 ET

NOTE: This is an automated message. Please do not reply

## **EXHIBIT D**



ID: 54613.0004  
CLIENT: RODNEY JOFFE  
MATTER: TRUMP CIVIL RICO CASE

PROFORMA # 12690315  
BILL #

ITEMIZED DISBURSEMENTS- 54613.0004 - TRUMP CIVIL RICO CASE

<u>DATE</u>	<u>NAME</u> <u>DESCRIPTION</u>	<u>DISB TYPE</u>	<u>DISB ID#</u>	<u>AMOUNT</u>
09/20/22	Saiontz, Leah ELECTRONIC RESEARCH NY LEXIS - SAIONTZ, LEAH 08/05/2022 ACCOUNT 424YN6CXS	S061	41137121	\$552.29
09/23/22	Muller, Michael ELECTRONIC RESEARCH PACER USAGE REPORT - NEW YORK OFFICE - AUGUST 2022	S061	41151218	\$39.00
09/26/22	Merlin, Ann ELECTRONIC RESEARCH MIAMI WESTLAW - MERLIN,ANN 08/08/2022 TRANSACTIONS: 15	S061	41139782	\$13.04
<b>TOTAL DISBURSEMENTS</b>				<b><u><u>\$604.33</u></u></b>

# EXHIBIT 12

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Donald J. Trump,

Plaintiff,

v.

Hillary R. Clinton *et al.*,

Defendants.

Civil Action No. 2:22-14102-DMM

**DECLARATION OF ENJOLIQUE A. LETT IN SUPPORT OF  
DEFENDANTS' MOTION FOR SANCTIONS AND FEES**

I, Enjoliqué A. Lett, declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a shareholder at Greenberg Traurig, P.A., counsel of record for Orbis Business Intelligence Ltd. in the above captioned matter.

2. Attached as Exhibit A are the law firm website biographies of the attorneys at Greenberg Traurig, P.A. for whom Orbis Business Intelligence Ltd. seeks attorneys' fees. The biographies reflect the professional qualifications of those attorneys.

3. Greenberg Traurig, P.A. entered into a retention agreement with Orbis Business Intelligence, Ltd. in connection with the present litigation. Orbis Business Intelligence Ltd. agreed to pay all of Greenberg Traurig, P.A.'s costs, fees, and expenses incurred in connection with the present suit.

4. Attached as Exhibit B is a true and correct copy of the hours worked by counsel for Orbis Business Intelligence Ltd. Orbis Business Intelligence Ltd. is not seeking reimbursement for the attorneys' customary hourly rates. Instead, Orbis Business Intelligence Ltd. seeks fees at discounted hourly rates for the attorneys as described in Exhibit B and below. These discounted hourly rates are consistent with the rates this Court concluded were reasonable in *Celsius Holdings*,

*Inc v. A SHOC Beverage, LLC*, No. 21-cv-80740, 2022 WL 3568042 (July 19, 2022). Exhibit B also provides an accurate statement of the work provided by Greenberg Traurig, P.A. during the periods for which discounted fees are sought.

5. Consistent with the discussion in the Memorandum in Support of Sanctions and the information provided in Exhibit B, I summarize below in Charts B and C the fees associated with two different phases of the case as applicable to Orbis Business Intelligence Ltd.: the fees incurred between the filing of Orbis Business Intelligence Ltd.’s motion to dismiss to the Court’s order dismissing the suit, and the fees incurred to date in connection with the motion for sanctions.

6. As reflected in Chart B, the discounted fees incurred by Orbis Business Intelligence Ltd. from the filing of Orbis Business Intelligence Ltd.’s motion to dismiss to this Court’s dismissal of the suit total \$40,675.

7. As reflected in Chart C, the discounted fees incurred by Orbis Business Intelligence Ltd. in connection with the motion for sanctions, to date, total \$9375.

**Chart A: Fees incurred from Complaint to initial MTD<sup>1</sup>**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Enjoliqué A. Lett	\$700	0	\$0
Akiesha G. Sainvil	\$450	0	\$0

---

<sup>1</sup> Defendant Orbis Business Intelligence Ltd. was not purportedly served with process until after Plaintiff’s filing of his Amended Complaint, therefore Defendant Orbis Business Intelligence Ltd. filed its Motion to Dismiss as to Plaintiff’s Amended Complaint. Accordingly, Defendant Orbis Business Intelligence Ltd. did not incur any fees from the original Complaint to co-defendants’ initial Motions to Dismiss.

**Chart B: Fees incurred initial MTD to dismissal**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Enjoliqué A. Lett	\$700	23.2	\$16,240
Akiesha G. Sainvil	\$450	54.3	\$24,435

**Chart C: Fees incurred to date on sanctions motion**

<b>Timekeeper</b>	<b>Discounted Fee</b>	<b>Hours</b>	<b>Fees</b>
Enjoliqué A. Lett	\$700	12.3	\$8,610
Akiesha G. Sainvil	\$450	1.7	\$765

8. I believe that the discounted rates claimed are reasonable given the professional qualifications of the billers as evidenced in Exhibit A for the Southern District of Florida market and given the rates approved by this Court in *Celsius*.

9. Consistent with local Rule 7.3, counsel sent the draft sanctions motion and draft supporting declarations to Plaintiff’s counsel on October 5, 2022. Defendants met and conferred in good faith with Plaintiff’s counsel by Microsoft Teams twice, on October 13 and October 26, 2022, but were unable to reach any agreement as to either the Defendants’ entitlement to or the amount of fees and expenses not taxable under 28 U.S.C. §1920 that are recoverable from Plaintiff and/or his counsel.

/s/ Enjoliqué A. Lett  
 Enjoliqué A. Lett

Dated: October 27, 2022

# EXHIBIT

“A”



## Enjoliqué Aytch Lett

SHAREHOLDER

Enjolique.Lett@gtlaw.com

### MIAMI

333 SE 2nd Avenue  
Suite 4400  
Miami, FL 33131  
+1 305.579.0640



<https://www.linkedin.com/in/enjoliqu%C3%A9-lett-0364641/>

## Litigation | Products Liability & Mass Torts | Pharmaceutical, Medical Device & Health Care Litigation | Commercial Litigation | Pharmaceutical, Medical Device & Health Care

Enjoliqué Aytch Lett leads bet-the-company litigation on behalf of drug and medical device manufacturers. She has worked as lead counsel in all aspects of mass tort and multi-district litigation, and has substantial experience and background defending high-profile clients in complex commercial litigation.

Enjoliqué is passionate about service and devotes her time and efforts to professional organizations and to the community as a whole. She serves as Pro Bono Chair for the South Florida Chapter of the Federal Bar Association and the DRI Products Liability Committee, and mentors students at the University of Miami and Florida International University. She also mentors a former prisoner returning to society through a partnership with the Southern District of Florida's Court Assisted Reentry (C.A.R.E.) Program.

### Concentrations

- Litigation
- Products liability
- Pharmaceutical, medical device, and health care litigation
- Medical malpractice
- Commercial litigation

---

### Experience

#### Representative Matters

- Won dismissal of lawsuit alleging civil RICO conspiracy and respondeat superior/vicarious liability claims filed by former U.S. President on behalf of British intelligence agency. *See* Law360, [Trump's RICO Suit Against Clinton Dismissed As 'Manifesto'](#); Law.com, [Judge Trashes Trump's RICO Lawsuit Against Hillary Clinton, Perkins Coie](#).
- Represents manufacturer of Chinese drywall in mass tort actions in the state and federal courts of Florida.



- Lead defense counsel for a hernia mesh medical device manufacturer in a high-profile MDL centralized in the District of New Hampshire against claims of strict product liability, negligence, breach of warranty, and other causes of action.<sup>o</sup>
- Lead a 20+ lawyer team representing a hernia mesh manufacturer in related state mass tort actions alleging strict product liability, negligence, breach of warranty, and other causes of action.<sup>o</sup>
- Represented sportswear giant, Under Armour, against a declaration judgment action where opponent attempted to show that its trademarks did not infringe on Under Armour's trademarks, and seeking the cancellation of Under Armour registered trademarks; prosecuted Under Armour's claims for trademark infringement, trademark dilution, unfair compensation, and cybersquatting under the Lanham Act, 15 U.S.C. § 1051, et seq.<sup>o</sup>

<sup>o</sup>The above representations were handled by Ms. Lett prior to her joining Greenberg Traurig, P.A.

---

## Recognition & Leadership

### Awards & Accolades

- Listed, *Florida Trend* magazine, "Legal Elite – Commercial Litigation," 2022
  - "Up and Comer," 2022
- Team Member, a *Law360* "Product Liability Practice Group of the Year," 2021
- Listed, *Legal 500 United States*, 2021-2022
  - Dispute Resolution - Product Liability, Mass Tort and Class Action - Defense: Pharmaceuticals and Medical Devices, 2021-2022
  - Dispute Resolution - Product Liability, Mass Tort and Class Action - Defense: Consumer Products (Including Tobacco), 2021
- Listed, The National Black Lawyers, "Top 40 Under 40," 2015-2020
- Listed, Cystic Fibrosis Foundation, "40 Under 40 Outstanding Lawyers of South Florida," 2018
- Listed, *Super Lawyers* magazine, *Florida Super Lawyers*, "Rising Stars," 2019-2021
- Recognized, *Daily Business Review*, Professional Excellence Awards, "Young Lawyer on the Rise," 2017
- Listed, *Legacy Miami* magazine, "Miami-Dade County's 40 Under 40 Black Leaders of Today and Tomorrow," 2014
- Listed, *Super Lawyers* magazine, *Georgia Super Lawyers*, "Rising Stars," 2011

### Professional & Community Involvement

- Member, Editorial Board, *The Atlanta Lawyer*, 2010-2016
- Member, The Atlanta Bar Association, 2007-2016
- Chair, DRI Product Liability Diversity Committee, 2016-2019
  - Chair, DRI Product Liability Philanthropic Activities, 2019-Present
- Board Member, Federal Bar Association, South Florida Chapter, 2016-Present
  - Chair, Pro Bono Committee, Federal Bar Association, South Florida Chapter, 2016-Present
- Member, Gate City Bar Association, 2007-2016
- Member, Georgia Association for Women Lawyers (GAWL), 2007-2014





- Member, Georgia Association of Black Women Attorneys (GABWA), 2004-Present
- Member, The Lawyers' Committee for Civil Rights Under Law's Election Protection, 2008-2012
- Miami City Lead, Leadership Council on Legal Diversity, 2018-Present
  - Fellow, Leadership Council on Legal Diversity, 2017
- Member, Wilkie D. Ferguson, Jr. Bar Association, 2012-Present
- Young Lawyers Division Leadership Academy, State Bar of Georgia, 2010

---

## Credentials

### Education

- J.D., *cum laude*, University of Georgia School of Law, 2007
  - Editor-in-Chief, *Georgia Journal of International & Comparative Law*
  - Regional Best Brief, Frederick Douglass Moot Court Competition
- B.A., American University, 2003

### Admissions

- Florida
- Georgia
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Middle District of Georgia

### Clerkship

- Hon. Marcia G. Cooke, U.S. District Court for the Southern District of Florida, 2012-2014

---

## News, Insights & Presentations

### News

- |                 |  |
|-----------------|--|
| <b>09.09.22</b> | <a href="#">Read the Doc: Judge Trashes Trump's RICO Lawsuit Against Hillary Clinton, Perkins Coie, National Law Journal</a> |
| <b>09.09.22</b> | <a href="#">Trump Vows to Appeal Dismissal of RICO Lawsuit Against Hillary Clinton, Perkins Coie, National Law Journal</a>   |
| <b>09.09.22</b> | <a href="#">Trump's RICO Suit Against Clinton Dismissed As 'Manifesto', Law360 Pulse</a>                                     |
| <b>04.21.21</b> | <a href="#">Greenberg Traurig Hires Holland &amp; Knight Litigator Amid Miami Expansion, Daily Business Review</a>           |
| <b>01.11.21</b> | <a href="#">Greenberg Traurig Sees Fast Growth in Products Liability Practice, Daily Business Review</a>                     |
| <b>11.20.20</b> | <a href="#">Akerman Mass Tort Litigator Jumps to Greenberg Traurig, Daily Business Review</a>                                |



## Insights

**05.27.21** | [Diversity, Equity, and Inclusion in Law Firms and Corporate Legal Departments](#), *Diversity Insider* | Published Article

**05.21.21** | [Businesses Must Prepare to Defend Against Covid-19 Lawsuits Despite Shields](#), *Bloomberg Law Daily Labor Report* | Published Article

## Presentations

**10.30.22** | Product Liability in the 21st Century, [International Bar Association \(IBA\) Annual Conference](#)

**06.17.22** | Speaker, Opening Remarks- AS/COA Women's Hemispheric Network Forum – Miami 2022, [AS/COA Women's Hemispheric Network Forum – Miami](#)

**03.11.22** | Panelist, [6th Annual Miami Law Class Action & Complex Litigation Forum](#)

**09.21.18** | MDL – To Centralize or Not to Centralize, That is the Question, [Trial Network](#), [Minneapolis Products Liability SuperCourse](#)



## Akiesha Gilcrist Sainvil

ASSOCIATE

Akiesha.Sainvil@gtlaw.com

### MIAMI

333 SE 2nd Avenue  
Suite 4400  
Miami, FL 33131  
+1 305.579.0642

## Litigation | Pharmaceutical, Medical Device & Health Care Litigation | Products Liability & Mass Torts | Pharmaceutical, Medical Device & Health Care

Akiesha Gilcrist Sainvil focuses her practice on defending medical device, pharmaceutical, and consumer products manufacturers in high-stakes complex products liability and mass torts litigation. She handles and manages all aspects of litigation, ranging from pre-suit matters through trial, and onwards through appeal. Akiesha understands that there are often nationwide or global business implications for clients in all litigation and works to strategically align her representation of clients with those needs.

Akiesha brings a broad range of industry experience to her practice, having also defended major retailers, automotive and transportation companies, financial and health care institutions, and insurance providers in complex commercial litigation matters throughout the country in federal and state courts (including appellate courts) and in arbitration. Akiesha also clerked for Judge D. Michael Fisher of the United States Court of Appeals for the Third Circuit. In drawing upon this experience, she is able to quickly adapt to ever-changing business needs and develop creative litigation strategies.

Akiesha is also active in her community. She devotes herself to the advancement and promotion of diversity in the legal profession through her service as a mentor and advocate for young and aspiring lawyers. She currently serves as Miami City Lead for the Leadership Council on Legal Diversity's Success in Law School Mentoring Program. She also devotes time to pro bono efforts and actively supports the Miami Children's Museum.

## Concentrations

- Pharmaceutical, medical device, and health care litigation
- Products Liability
- Multidistrict litigation
- Class and mass action litigation

---

## Experience

### Representative Matters

- Won dismissal of lawsuit alleging civil RICO conspiracy and respondeat superior/vicarious liability claims filed by former U.S. President on behalf of British intelligence agency. *See* Law360, [Trump's RICO Suit](#)



[Against Clinton Dismissed As 'Manifesto'; Law.com, Judge Trashes Trump's RICO Lawsuit Against Hillary Clinton, Perkins Coie.](#)

- Argued and won dismissal of a breach of warranty claim on behalf of medical device manufacturer of flush devices in state court product liability lawsuit.
- Key member of trial team that obtained a complete defense verdict following a two-week trial in July 2021 in a multimillion-dollar action involving cardiovascular intravascular device against our client, a medical device manufacturer of numerous life-saving devices and products.
- Represent manufacturer of flush medical devices against wrongful death suit involving product liability claims in state court.
- Defend medical device manufacturer of vascular devices against product liability claims in federal courts across the country.
- Served as National Coordinating Counsel for Fortune 50 Transportation Company.<sup>o</sup>
- Represented and defended manufacturers of various products, including HVAC systems, fire extinguishers, engines, and pharmaceutical drugs, against product liability actions in state and federal courts around the country.<sup>o</sup>
- Obtained summary judgment on behalf of a multinational retailing corporation in contract dispute in federal court.<sup>o</sup>
- Obtained dismissal on behalf of international banking and financial services institution in vehicle repossession class action in federal court.<sup>o</sup>

<sup>o</sup>The above representations were handled by Akiesha Gilcrist Sainvil prior to her joining Greenberg Traurig, P.A.

## Internships

- Judicial Intern, Honorable David S. Cercone, U.S. District Court for the Western District of Pennsylvania
- Certified Legal Intern, Immigration Clinic, University of Pittsburgh School of Law

---

## Recognition & Leadership

### Awards & Accolades

- Listed, *"The Best Lawyers in America: Ones to Watch,"* 2021-2023
  - Product Liability Litigation - Defendants, 2023
  - Mass Tort Litigation / Class Actions - Defendants, 2023
  - Commercial Litigation, 2021-2023
  - Alternative Dispute Resolution, 2021-2023
- Recognized, The National Black Lawyers, "Top 40 Under 40" Attorney in Florida, 2020-2022
- Recognized, *Daily Business Review*, Florida Legal Awards, "Diversity & Inclusion Honoree," 2022
- Listed, *Super Lawyers* magazine, *Florida Super Lawyers*, "Rising Stars," 2021-2022
- Team Member, a *Law360* "Product Liability Practice Group of the Year," 2021
- Recognized, Palm Beach Media Group's *Aventura Magazine*, "Top Lawyer," 2021-2022
- Recognized, *Legacy Magazine*, "40 Under 40: Black Leaders of Today and Tomorrow," 2020
- Selected, Leadership Council on Legal Diversity Program, "Pathfinder," 2017



## Professional & Community Involvement

- Leadership Council on Legal Diversity (LCLD)
  - City Lead - Miami, Success in Law School Mentoring Program, 2020–Present
  - City Lead – Miami, Alumni Group, 2020
  - LCLD Pathfinder Program Participant, 2017
- The Florida Bar
  - Member, Diversity & Inclusion Committee, 2022-2023
  - Fellow, Wm. Reece Smith, Jr. (WRS) Leadership Academy, Class IX, 2021-2022
- Dade County Bar Association
  - Member, Diversity & Inclusion Committee
  - Member, Federal Court Committee
- Playmakers Young Professionals Support Group, Miami Children’s Museum, 2019–Present
- Federal Bar Association
  - Member, South Florida Chapter
  - Member, Young Lawyers Division
- Museum Ambassadors, Children’s Museum of Pittsburgh
- Alumna, International Association of Defense Counsel Trial Academy, 2016
- Allegheny County Bar Association
  - Council Member, Homer S. Brown Division, 2014–2017
  - Diversity Committee Co-Chair, Young Lawyer’s Division, 2014–2015

---

## Credentials

### Education

- J.D., University of Pittsburgh School of Law, 2013
  - Senior Topics Editor, *Law Review*
- B.A., *cum laude*, University of Pittsburgh, 2010

### Admissions

- Florida
- Pennsylvania
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Western District of Pennsylvania
- U.S. Court of Appeals for the Third Circuit



## Clerkship

- Hon. D. Michael Fisher, U.S. Court of Appeals for the Third Circuit, 2013-2014

---

## News, Insights & Presentations

### News

- 09.09.22** [Read the Doc: Judge Trashes Trump's RICO Lawsuit Against Hillary Clinton, Perkins Coie, National Law Journal](#)
- 09.09.22** [Trump Vows to Appeal Dismissal of RICO Lawsuit Against Hillary Clinton, Perkins Coie, National Law Journal](#)
- 09.09.22** [Trump's RICO Suit Against Clinton Dismissed As 'Manifesto', Law360 Pulse](#)
- 06.22.22** [The Florida Bar Wm. Reece Smith, Jr., Leadership Academy, Class IX, Year in Review, Florida Bar News](#)
- 05.16.22** [Diversity: DEI Needs Attention At All Times, 'Not Just When People Are Watching,' Says Greenberg's Akiesha Sainvil, Daily Business Review](#)
- 11.20.20** [Akerman Mass Tort Litigator Jumps to Greenberg Traurig, Daily Business Review](#)

### Insights

- 01.18.22** [5 Trends to Watch in 2022 Pharmaceutical, Medical Device & Health Care Litigation | Published Article](#)
- 05.27.21** [Diversity, Equity, and Inclusion in Law Firms and Corporate Legal Departments, Diversity Insider | Published Article](#)
- 05.21.21** [Businesses Must Prepare to Defend Against Covid-19 Lawsuits Despite Shields, Bloomberg Law Daily Labor Report | Published Article](#)
- 01.01.13** [Undocumented Immigrants: Lack of Equal Protection and Its Impact on Public Health, Journal of Legal Medicine | Published Article](#)

### Presentations

- 05.19.22** [Honoree, Diversity and Inclusion: Individual, Daily Business Review \(DBR\) - Florida Legal Awards 2022](#)

# EXHIBIT

## “B”



Invoice No. : 1000083200  
File No. : 210459.010100  
Bill Date : September 14, 2022

Orbis Business Intelligence

**INVOICE**

Re: Orbis/Trump v. Clinton

Legal Services through August 31, 2022:

Total Fees: \$

**Current Invoice:** \$ \_\_\_\_\_

EAL:EC



Invoice No.: 1000083200  
 Re: Orbis/Trump v. Clinton  
 Matter No.: 210459.010100

Page 1

Description of Professional Services Rendered:

<u>DATE</u>	<u>TIMEKEEPER</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
08/01/22	Enjolie A. Lett	Prepare for and confer with client concerning defense strategy.	1.00	
08/01/22	Akiesha G. Sainvil	Strategy and introduction call with client concerning status of pending litigation, pertinent facts for motion to dismiss, and action plan for preparation of motion to dismiss	0.40	
08/03/22	Enjolie A. Lett	Review and analyze service documents to Orbis.	0.20	
08/04/22	Enjolie A. Lett	Correspond with client concerning questions regarding service.	0.10	
08/04/22	Akiesha G. Sainvil	Analyze status of matter in furtherance of development of strategy for and preparation of motion to dismiss, including review and attention to procedural posture of case based upon previous filings by other parties and reviewing and analyzing amended complaint	1.80	
08/05/22	Enjolie A. Lett	Contact Plaintiff's counsel to discuss an agreed upon response deadline for Orbis.	0.10	
08/05/22	Enjolie A. Lett	Further analyze service and waiver issues and correspond with client concerning same.	0.80	
08/08/22	Enjolie A. Lett	Attempted contact and correspond with Plaintiff's counsel concerning agreed upon deadline for the response to Plaintiff's Amended Complaint.	0.30	
08/09/22	Enjolie A. Lett	Revise Defendant Orbis' Unopposed Motion to Set Response Deadline and Proposed Order.	0.40	
08/09/22	Enjolie A. Lett	Review Order Granting In Part Defendant Orbis Business Intelligence Ltd.'s Motion to Set Response Deadline to Plaintiff's Amended Complaint.	0.10	
08/09/22	Enjolie A. Lett	Correspond with Plaintiff's counsel securing agreed upon response date.	0.10	
08/09/22	Akiesha G. Sainvil	Review correspondence concerning agreed deadline for response to Amended Complaint and drafting, reviewing, and revising unopposed motion and proposed order regarding same; Review and attention to prior pleadings of parties and continued review and analysis of amended complaint and party motions	2.60	
08/10/22	Akiesha G. Sainvil	Reviewing and assessing pleadings and attention to motion to dismiss strategy; correspondence with client concerning court order regarding motion to dismiss deadline and coordination for preparation of motion and declaration in support	2.40	
08/11/22	Akiesha G. Sainvil	Reviewing and assessing pleadings and attention to motion to dismiss strategy;	1.60	

Invoice No.: 1000083200  
 Re: Orbis/Trump v. Clinton  
 Matter No.: 210459.010100

Page 2

		coordination with client regarding declaration in support	
08/12/22	Akiesha G. Sainvil	Drafting, reviewing, and revising motion to dismiss; Reviewing and analyzing case law in support of arguments for motion to dismiss; Reviewing and assessing pleadings in furtherance of preparation of facts for motion to dismiss and declaration in support	5.60
08/13/22	Akiesha G. Sainvil	Drafting, reviewing, and revising motion to dismiss; reviewing and analyzing case law in support of arguments for motion to dismiss; continue reviewing and assessing pleadings in furtherance of preparation of motion to dismiss and declaration in support	2.90
08/14/22	Akiesha G. Sainvil	Drafting, reviewing, and revising declaration in support of motion to dismiss; Drafting, reviewing, and revising motion to dismiss; Reviewing and analyzing case law in support of arguments for motion to dismiss; Reviewing and assessing case pleadings in furtherance of preparation of motion to dismiss and declaration in support; Attention to local rules and procedure to ensure conformity in preparation for finalization and filing	4.30
08/15/22	Enjolique A. Lett	Revise Motion to Dismiss.	1.10
08/15/22	Enjolique A. Lett	Revise Declaration in support of the Motion to Dismiss.	0.30
08/15/22	Akiesha G. Sainvil	Prepare for and attend meeting with client concerning status of motion to dismiss and declaration in support; Drafting, reviewing, and revising motion to dismiss and declaration in support	4.70
08/16/22	Enjolique A. Lett	Multiple revisions of the Declaration of Chris Burrows in Support of Motion to Dismiss for Insufficiency of Service of Process and Lack of Personal Jurisdiction.	1.30
08/16/22	Enjolique A. Lett	Review correspondence from client concerning details of attempted service on Orbis.	0.10
08/16/22	Enjolique A. Lett	Draft Orbis Business Intelligence LTD's Corporate Disclosure Statement.	0.40
08/16/22	Akiesha G. Sainvil	Attention to, including drafting, reviewing, and revising, motion to dismiss, disclosure statement, and exhibits to motion to dismiss; Correspondence with client regarding service of process issue	5.40
08/17/22	Enjolique A. Lett	Multiple revisions of Orbis Motion to Dismiss Plaintiff's Amended Complaint.	4.00
08/17/22	Enjolique A. Lett	Research correct process and service of process under The Hague Convention.	0.60
08/17/22	Akiesha G. Sainvil	Correspondence with client concerning declaration in support of the motion to dismiss; Review and attention to motion to dismiss, including cite checks, proofreading, and finalizing document in preparation for transmittal to client	3.70
08/18/22	Enjolique A. Lett	Revise and finalize the Orbis Business Intelligence Ltd.'s Motion to Dismiss.	0.90

Invoice No.: 1000083200  
Re: Orbis/Trump v. Clinton  
Matter No.: 210459.010100

08/18/22	Enjolique A. Lett	Revise and finalize the Corporate Disclosure Statement for Orbis Business Intelligence Ltd.	0.20
08/18/22	Akiesha G. Sainvil	Finalizing motion to dismiss, corporate disclosure statement, and exhibits to motion to dismiss in preparation for filing;	3.80
08/19/22	Enjolique A. Lett	Correspondence with client concerning filings Review and respond to correspondence from the client.	0.30

---

Total Time: 51.50  
Total Fees: \$



Invoice No. : 1000095573  
File No. : 210459.010100  
Bill Date : October 3, 2022

Orbis Business Intelligence

**INVOICE**

Re: Orbis/Trump v. Clinton

Legal Services through October 3, 2022:

Total Fees: \$

**Current Invoice:** \$ \_\_\_\_\_

EAL:EC

Invoice No.: 1000095573  
 Re: Orbis/Trump v. Clinton  
 Matter No.: 210459.010100

Page 1

Description of Professional Services Rendered:

<u>DATE</u>	<u>TIMEKEEPER</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
09/02/22	Enjolique A. Lett	Review and analyze Plaintiff's Response in Opposition to Defendant Orbis' Motion to Dismiss and related exhibits, and correspond with Attorney Sainvil concerning strategy for reply.	0.90	
09/02/22	Akiesha G. Sainvil	Reviewing and assessing pleadings, blocking out strategy for Reply in Support of Motion to Dismiss, and preparing email to client summarizing pleadings and setting forth strategy for Reply Brief	1.40	
09/06/22	Enjolique A. Lett	Confer with Attorney Sainvil concerning arguments to address in the Reply Brief in Support of Orbis Business Intelligence's Motion to Dismiss.	0.40	
09/06/22	Enjolique A. Lett	Review case law regarding RICO's Nationwide Service-of-Process Rule conferring personal jurisdiction when the defendant is not served in the United States in preparation for Orbis Business Intelligence's Reply in Support of Its Motion to Dismiss.	0.60	
09/06/22	Akiesha G. Sainvil	Drafting, reviewing, and revising Reply in Support of Motion to Dismiss, including attention to Plaintiff's response brief and assessing case law essential to reply brief arguments	10.90	
09/07/22	Enjolique A. Lett	Draft and revise Orbis Business Intelligence's Reply in Support of the Motion to Dismiss.	5.30	
09/07/22	Akiesha G. Sainvil	Drafting, reviewing, and revising Reply in Support of Motion to Dismiss, including attention to Plaintiff's response brief and assessing case law essential to reply brief arguments	2.80	
09/08/22	Enjolique A. Lett	Review and analyze Order Granting Defendants' Motions to Dismiss and draft correspondence to client concerning same.	3.40	
09/08/22	Enjolique A. Lett	Revise and finalize Orbis Business Intelligence's Reply in Support of the Motion to Dismiss.	0.30	
09/12/22	Enjolique A. Lett	Confer with co-defendants' counsel concerning potential sanctions against Plaintiff.	0.30	
09/12/22	Enjolique A. Lett	Review decision of this Court imposing §1927 sanctions and a transcript of an interview of Plaintiff's counsel, Alina Habba in preparation for joint defense call on possible sanctions motions.	0.60	
09/13/22	Enjolique A. Lett	Attend joint defense meeting concerning potential sanctions motions in the Trump v. Clinton case.	0.70	

Invoice No.: 1000095573  
 Re: Orbis/Trump v. Clinton  
 Matter No.: 210459.010100

09/13/22	Enjolie A. Lett	Draft correspondence to client summarizing joint defense meeting and plan of action concerning potential sanctions motions.	1.20
09/13/22	Akiesha G. Sainvil	Prepare for and attend joint defense call concerning motion for sanctions.	0.60
09/21/22	Enjolie A. Lett	Review initial draft of Defendants' Joint Motion for Sanctions.	1.90
09/22/22	Enjolie A. Lett	Correspond with counsel for co-defendants concerning the Defendants' Joint Motion for Sanctions.	0.30
09/27/22	Akiesha G. Sainvil	Reviewing and assessing motion for sanctions and coordinated strategy regarding same among defendants	0.40
09/28/22	Akiesha G. Sainvil	Attend joint defense call regarding sanctions motion and preparation of notes regarding same	0.20
09/30/22	Enjolie A. Lett	Review and revise final draft of Defendants' Joint Motion for Sanctions.	1.00
09/30/22	Enjolie A. Lett	Begin preparation of Declaration in Support of Defendants' Motion for Sanctions and Fees.	1.70
			<hr/>
			<u>Total Time:</u> 34.90
			<u>Total Fees:</u> \$



Invoice No. : 1000124165  
File No. : 210459.010100  
Bill Date : October 27, 2022

Orbis Business Intelligence

**INVOICE**

Re: Orbis/Trump v. Clinton

Legal Services through October 27, 2022:

Total Fees: \$

**Current Invoice:** \$ \_\_\_\_\_

EAL:EC

Invoice No.: 1000124165  
 Re: Orbis/Trump v. Clinton  
 Matter No.: 210459.010100

Description of Professional Services Rendered:

<u>DATE</u>	<u>TIMEKEEPER</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
10/03/22	Enjolique A. Lett	Further finalization of Declaration and exhibits.	1.70	
10/05/22	Enjolique A. Lett	Correspond with co-Defendants' counsel concerning revised Declaration in Support of Motion for Sanctions.	0.20	
10/05/22	Enjolique A. Lett	Revise and finalize Declaration in Support of Motion for Attorney's Fees.	0.20	
10/06/22	Enjolique A. Lett	Correspond with clients concerning Defendants' Joint Sanctions Motion.	0.30	
10/12/22	Enjolique A. Lett	Attend Joint Defense Call in preparation for meet and confer with Plaintiff's counsel concerning the Joint Motions for Sanctions.	0.30	
10/13/22	Enjolique A. Lett	Meet and confer with Plaintiff's counsel concerning Motion for Sanctions.	0.30	
10/13/22	Akiesha G. Sainvil	Attend meet and confer call with counsel for Trump and other defense counsel concerning defendants' motion for sanctions, and prepare correspondence to client concerning same.	0.50	
10/17/22	Enjolique A. Lett	Finalize Declaration of Enjolique Lett in support of Motion for Sanctions in light of Rule 7.3 meet and confer.	0.30	
10/25/22	Enjolique A. Lett	Joint Defense Call regarding Plaintiff's objections to Sanctions Motion.	0.40	
10/25/22	Enjolique A. Lett	Review and analyze Plaintiff's Opposition to Defendants' Motion for Sanctions and exhibits.	0.30	
10/26/22	Enjolique A. Lett	Draft correspondence to the client regarding Plaintiff's Objections to Defendants' Motion for Sanctions, the parties subsequent meet and confer, and Plaintiff's counteroffer to seek the client's desired course of action concerning the Motion for Sanctions.	0.60	
			<u>Total Time:</u>	5.10
			<u>Total Fees:</u>	