

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|   |   |                      |
|---|---|----------------------|
| <b>NATIONAL RIFLE ASSOCIATION OF<br/>AMERICA, INC., et al.,</b> | ) |                      |
|   | ) |                      |
|   | ) |                      |
| <b>Plaintiffs,</b>  | ) |                      |
|   | ) |                      |
| <b>v.</b>   | ) | <b>No. 08 C 3696</b> |
|   | ) |                      |
| <b>THE VILLAGE OF OAK PARK</b>                                  | ) |                      |
|   | ) |                      |
| <b>Defendant.</b>   | ) |                      |
| <hr style="width: 45%; margin-left: 0;"/>                       |   |                      |
| <b>NATIONAL RIFLE ASSOCIATION OF<br/>AMERICA, INC., et al.,</b> | ) |                      |
|   | ) |                      |
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| <b>Plaintiffs,</b>  | ) |                      |
|   | ) |                      |
| <b>v.</b>   | ) | <b>No. 08 C 3697</b> |
|   | ) |                      |
| <b>THE CITY OF CHICAGO</b>                                      | ) |                      |
|   | ) |                      |
| <b>Defendant.</b>   | ) |                      |

**DEFENDANTS' RESPONSE TO PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES**

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Defendant City of Chicago (“City”), by its counsel, Stephen R. Patton, Corporation Counsel for the City of Chicago, and Defendant Village of Oak Park, by its counsel, Ranjit J. Hakim and Alexandra E. Shea of Mayer Brown, LLP (collectively, “Defendants”), hereby file their Response to Plaintiffs’ Motion for Attorneys’ Fees.

### INTRODUCTION

Plaintiffs ask this Court to award them a staggering \$2,195,323.29 in attorneys’ fees and costs pursuant to 42 U.S.C. § 1988, in addition to any further amounts they incur in pursuing their fees. This amount would be patently excessive and unprecedented in any case, but it is particularly unreasonable for a case in which absolutely no discovery occurred and which involved just one issue: Whether the Second Amendment is incorporated via the Fourteenth Amendment. The sheer number of lawyers Plaintiffs employed in this case is alone extraordinary, and the hours those attorneys recorded are unreasonable, particularly in light of the self-described expertise of Plaintiffs’ lead attorney, Stephen Halbrook, in Second Amendment and incorporation jurisprudence resulting from three decades of researching, writing, and litigating those issues. And Plaintiffs’ fee petition stands in stark contrast to that submitted by the plaintiffs in *McDonald v. City of Chicago*, which was litigated in lock-step with Plaintiffs’ case at every stage and was the case in which the Supreme Court granted *certiorari* and resulted in the decision which bestows prevailing party status on Plaintiffs here. Unlike Plaintiffs’ long roster of attorneys, *McDonald* was litigated with just one lead attorney and one local counsel, and their total fee recovery was \$399,950. There is simply no justifiable reason why Plaintiffs here needed approximately \$1.8 million more than the *McDonald* plaintiffs to litigate their case, especially when Supreme Court stated that the answer to the due process argument Plaintiffs claim warranted their special involvement was already “unmistakably” provided by *District of Columbia v. Heller*, 554 U.S. 570 (2008). See *McDonald v. City of Chicago*,

130 S.Ct. 3020, 3036 (2010).

At bottom, Plaintiffs' staffing of this case was unnecessary and unreasonable, and those excesses should not be shifted to Defendants. For the reasons discussed below, the Court should reduce Plaintiffs' lodestar calculation to \$580,783.54 and then further reduce that amount to no more than \$399,950, which is what the *McDonald* plaintiffs have demonstrated is a reasonable fee for a case of this nature.

### LEGAL STANDARD

Pursuant to 42 U.S.C. § 1988, the court, "in its discretion," may award "a reasonable attorney's fee as part of the costs" to a prevailing party in an action to enforce a provision of 42 U.S.C. § 1983. 42 U.S.C. § 1988. "The amount of the fee . . . must be determined on the facts of each case." *Hensley v. Eckerhart*, 461 U.S. 424, 429 (1983). In deciding what constitutes a reasonable award of attorneys' fees, the starting point is the "lodestar" analysis, which requires the court to multiply the number of hours reasonably spent by the prevailing party's attorneys by their reasonable hourly rates. *Id.* at 433. *See also City of Burlington v. Dague*, 505 U.S. 557, 559 (1992). The burden is on the party seeking fees to present evidence of the reasonableness of the hours worked and the requested rates. *Hensley*, 461 U.S. at 433.

"The determination of an attorney's 'reasonably hourly rate' is to be based on the 'market rate' for the services rendered." *Spegon v. Catholic Bishop of Chicago*, 175 F.3d 544, 554 (7<sup>th</sup> Cir. 1999). An attorney's "market rate is the rate that lawyers of similar ability and experience in the community normally charge their paying clients for the type of work in question." *Id.* at 555 (internal quotation marks and citation omitted). "The attorney's actual billing rate for comparable work is 'presumptively appropriate' to use as the market rate." *Id.* (quoting *People Who Care v. Rockford*

*Bd. of Educ., Sch. Dist. No. 205*, 90 F.3d 1307, 1310 (7<sup>th</sup> Cir. 1996)). If the attorney does not have an actual billing rate, “then the court should look to the next best evidence--the rate charged by lawyers in the community of ‘reasonably comparable skill, experience, and reputation.’” *People Who Care*, 90 F.3d at 1310 (quoting *Blum v. Stenson*, 465 U.S. 886, 895 n.11 (1984)). Attorneys seeking fees cannot rely solely on their own affidavits as evidence of the market rate. *See Blum*, 465 U.S. at 895 n.11. *See also Spegon*, 175 F.3d at 556 (“An attorney’s self-serving affidavit alone cannot satisfy the plaintiff’s burden of establishing the market rate for that attorney’s services.”). If the prevailing attorney provides evidence of the market rate, the burden shifts to the opposing party to show why a lower rate should be awarded. *See Uphoff v. Elegant Bath, Ltd.*, 176 F.3d 399, 407 (7<sup>th</sup> Cir. 1999). The court may make its own rate determination if the prevailing attorney fails to meet its evidentiary burden. *Id.* at 409.

The attorney must also submit evidence of the hours reasonably spent on the litigation. “Hours spent are not reasonably expended if they are excessive, redundant, or otherwise unnecessary.” *Stark v. PPM America, Inc.*, 354 F.3d 666, 674 (7<sup>th</sup> Cir. 2004). *See also Hensley*, 461 U.S. at 434 (noting that “cases may be overstaffed”). The prevailing attorney must make a good faith effort to exclude from the fee request any hours that were unnecessary or redundant. *Hensley*, 461 U.S. at 434. “Put another way, hours that an attorney would not properly bill to his or her client in the private sector cannot properly be billed to the adverse party under a fee-shifting statute such as” section 1988. *Spegon*, 175 F.3d at 552. The district courts “are encouraged to scrutinize fee petitions for duplicative billing when multiple lawyers seek fees.” *Schlacher v. Law Offices of Phillip J. Rotche & Assocs.*, 574 F.3d 852, 858 (7<sup>th</sup> Cir. 2009).

Once the court calculates the lodestar amount, the court may discount that amount based on

a number of factors, including evidence of fee “awards in similar cases.” *Hensley*, 461 U.S. at 430 n.3 (citing *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717-19 (5<sup>th</sup> Cir. 1974)). *See also id.* at 434 n.9 (expressly authorizing the court to consider the factors set forth in *Johnson*); *People Who Care*, 90 F.3d at 1310. The “essential goal in shifting fees (to either party) is to do rough justice, not to achieve auditing perfection. So trial courts may take into account their overall sense of a suit, and may use estimates in calculating and allocating an attorney’s time.” *Fox v. Vice*, 131 S.Ct. 2205, 2216 (2011). The district court’s determinations are given great deference and reviewed for an abuse of discretion because of “the district court’s superior understanding of the litigation and the desirability of avoiding frequent appellate review of what essentially are factual matters.” *Hensley*, 461 U.S. at 437.

## **ARGUMENT**

### **I. Defendants’ Objections To Plaintiffs’ Lodestar Calculations.**

#### **A. Objections to the Rate and Hours Submitted Stephen Halbrook.**

Plaintiffs seek a total of \$1,312,039.99 in fees and expenses for work performed by Stephen Halbrook alone.<sup>1</sup> *See* Plaintiffs National Rifle Association *et al.* Motion for Attorney’s Fees (“Pl. Motion.”), Ex. 1 at 2. Defendants object to the reasonableness of both the rate sought by Halbrook and the number of hours for which he seeks payment.

#### **1. The evidence does not support an hourly rate of \$800.**

Contrary to Plaintiffs’ assertions, the declaration submitted by Halbrook does not support his

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<sup>1</sup> Plaintiffs provide different totals for Halbrook’s fees and expenses in their Motion than that contained in their Memorandum in Support of Their Motion for Attorney’s Fees (“Pl. Mem.”). *See* Pl. Mem., Ex. 3 at 11 (listing Halbrook’s total fees and expenses as \$1,236,199.90). Because Plaintiffs’ Motion is the later filed document, Defendants rely on the fee number as stated therein.



requested hourly market rate of \$800. At the outset, Halbrook fails to demonstrate that his actual hourly billable rate is \$800. He does not state in his declaration that he has ever charged and/or received \$800 per hour for providing legal services to any client nor does he provide any evidence that he has ever been awarded \$800 per hour by a court for his legal services. Because the record is devoid of any evidence demonstrating that Halbrook's actual billing rate is \$800 per hour, he is not entitled to the presumption that \$800 is his market rate.

Indeed, the only evidence Halbrook provides regarding his actual hourly rate belies his claim to \$800 per hour. He asserts that "[s]ince 1997, I have charged the NRA [the client at issue here] a low hourly rate of \$225 with the motivation that I am performing services partially pro bono." Pl. Mem., Ex. 3 at 10. Halbrook further states that he charges other clients in firearms matters between \$400 and \$500 per hour and attaches a client bill reflecting work on a "McDonald Memo" at a \$500 hourly rate. *Id.* at 11 & Ex. I. Thus, based on Halbrook's own declaration, it is well within the Court's discretion to conclude that Halbrook's actual billable rate is between \$225 and \$500 per hour and deny his request for an hourly rate in this case above \$500.

Furthermore, Halbrook has failed to provide any evidence that \$800 is the market rate charged by lawyers with comparable skill, experience, and reputation, and the Court can therefore determine the appropriate market rate for Halbrook's services. *See People Who Care*, 90 F.3d at 1310. First, Halbrook's assertion in his declaration that \$800 is a "reasonable rate" is self-serving and cannot alone serve as the basis for his market rate. *See Blum*, 465 U.S. at 895 n.11; *Spegon*, 175 F.3d at 556. Second, Halbrook's claim to an \$800 hourly rate is completely unsubstantiated by any evidence whatsoever. He fails to include an affidavit from any attorney demonstrating that \$800 is the market hourly rate for an attorney with like skills, experience, and reputation in a similar case.

To the extent Halbrook is relying upon the affidavits of Paul Clement and Kevin P. Martin to establish his market rate, that reliance is misplaced. Neither Clement nor Martin ever attest that Halbrook is similar to them or any attorney at their firms in skill or experience, that they have a basis for determining what the market hourly rate for an attorney of Halbrook's skill and experience would be in a like case, or that \$800 would, in fact, be Halbrook's market hourly rate. And any assertion by Halbrook that his rate is comparable to that of Clement and Martin's partner, Stephen Poss, is not only unsubstantiated by any evidence but also contradicted by the fact that Clement and Poss work for large law firms and therefore command a different billable rate from that of a solo practitioner. Indeed, for Halbrook to assert that he is of like skill and experience as Clement and Poss calls into question the very need for Plaintiffs to retain them for the Supreme Court phase of the case rather than continue with Halbrook as their counsel.

Moreover, the information Halbrook does rely upon fails to establish that his market hourly rate is \$800. For example, Exhibit D to Halbrook's declaration is a declaration of an assistant attorney general for the District of Columbia that was filed in *Parker v. District of Columbia*, No. 03-0213, pending in the United States District Court for the District of Columbia, which identifies several law firms hired by the District in that case. Exhibit E is a Notice of Filing by the District in *Parker* which lists the ranges of rates of attorneys employed by the District in that case, and Exhibit G is a 2010 billing survey from the National Law Journal of attorney rates in various firms throughout the United States. None of those documents support Halbrook's contention that attorneys of like skill and experience in a similar case have a market hourly rate of \$800.

Finally, Halbrook's requested rate of \$800 is wildly excessive when compared to that of Alan Gura, who was the lead attorney in the companion litigation to this case, *McDonald v. City of*

*Chicago*. Gura, who was also the prevailing attorney in *Heller*, which recognized a Second Amendment right to a handgun in the home for purposes of self-defense, has established himself as a leading attorney in Second Amendment litigation and is therefore directly comparable to Halbrook, who states numerous times throughout his declaration that he is an experienced Second Amendment litigator. *See* Pl. Mem., Ex. 3 at 6-8, 10. In *McDonald*, the Court approved Gura's motion for attorneys' fees and costs, wherein his hourly rate was \$539.<sup>2</sup> *See* Joint Submission by Defendants City of Chicago and Village of Oak Park Pursuant to Local Rule 54.3(d)(5) dated September 26, 2011, a copy of which is attached hereto as Exhibit A, at Ex. 1. Even Gura's rate of \$539 is generous for Halbrook because, as discussed above, Halbrook's actual billable rate is not more than \$500. Moreover, Gura was the lead attorney for the *McDonald* plaintiffs throughout this litigation, while Plaintiffs retained Clement and Poss to handle the Supreme Court phase of the case.

For these reasons, the Court should reject Halbrook's request for a market hourly rate of \$800 and rule instead that he is entitled to an hourly rate between \$225 and \$500, but not more than \$539.

**2. Halbrook's hours are excessive and redundant and should be reduced.**

Plaintiffs' motion and supporting materials also demonstrate that Halbrook's asserted 1,632.80 hours spent on this litigation are excessive and redundant. *See* Pl. Motion, Ex. 1 at 2. At the outset, Halbrook details in his declaration his extensive experience in litigating cases arising under the Second Amendment and the many articles and books he has written on the Second and

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<sup>2</sup> Plaintiffs argue that Gura sought a fee of \$790 for his work in *Heller*, but they make no effort to explain why that is relevant here. It is not. First, *Heller* addressed a different issue, namely the original meaning and understanding of the Second Amendment. Second, the work in *Heller* actually made this case much simpler because much of the work done in that case was used and adopted by the *McDonald* plurality in finding incorporation through the Due Process Clause, an outcome the Supreme Court stated was all but inevitable after *Heller*. *See McDonald*, 130 S.Ct. at 3036. Thus, the difference in Gura's rate between *Heller* and *McDonald* is easily understood.

Fourteenth Amendments. *See* Pl. Mem., Ex. 3 at 6-8. He repeatedly asserts that he was “uniquely qualified” to litigate the issue of incorporation of the Second Amendment against state and local action due to his “over three decades of research and writing on the Second and Fourteenth Amendments.” *Id.* at 6. *See also id.* at 8 (his specific knowledge and background “allowed [him] uniquely to contribute to the presentation of the primary issue before the courts in this case”). Indeed, he summarizes his value to the case in this manner:

To litigate this case, it was not required that I ‘read up on’ the history, intent, and understanding of the Fourteenth Amendment regarding the protection of Second Amendment rights, or on the Supreme Court’s nineteenth and twentieth century jurisprudence on that subject specifically and on incorporation of the Bill of Rights guarantees generally. For three decades, I had already been researching and publishing books and law review articles on the subject and further had litigated cases on those issues. That made it possible to prepare the NRA briefs with the utmost efficiency, saving potentially hundreds of hours, and ensuring that the most advanced research was available to the Court.

*Id.* at 10. Despite Halbrook’s self-described expertise in Second Amendment history and jurisprudence and incorporation of the Bill of Rights, his declaration reveals that of the 1,632 hours for which he seeks fees, Halbrook spent 1,199.60 hours litigating the merits of incorporation at the three stages of the case. *See id.* at Ex. B. For the reasons described below, Halbrook’s claimed hours are wildly excessive and should be reduced accordingly. *See Tomazzoli v. Sheedy*, 804 F.2d 93, 97 (7<sup>th</sup> Cir. 1986) (affirming district court’s reduction of an attorney’s hours because the attorney’s stated experience in a matter belied her need for the time she billed).

**a. District Court and Court of Appeals**

According to Halbrook’s time records, he spent 609.9 hours in pre-litigation preparations and in litigating the matter before this Court and the Seventh Circuit. *See* Pl. Mem., Ex. 3 at Ex. B. By

comparison, Gura, who successfully litigated the case on behalf of the *McDonald* plaintiffs, spent only 174.3 hours at the same stages of the litigation. *See* Ex. A hereto at Ex. 2. In light of Halbrook's self-declared expertise in not only Second Amendment history and jurisprudence but also incorporation of the Bill of Rights, it is unreasonable for him to have spent 435.6 more hours than Gura in an action that was indistinguishable from *McDonald*. Indeed, the plaintiffs in all cases took the overriding position that the cases could be resolved by deciding the single dispositive legal issue (incorporation) without discovery, and all plaintiffs filed motions and briefs presenting that argument to the Court and asking for a prompt resolution. And in the Seventh Circuit, the appeals were consolidated and the matter was briefed and argued in a conventional fashion and on a single schedule as to all parties. As a result, the time spent by Halbrook in litigating this matter before this Court and the Seventh Circuit was clearly excessive, and the Court should limit Halbrook's hours to nothing more than what Gura expended in litigating before this Court and the Seventh Circuit as reflected on Gura's billing records.

And that number should be further reduced for work performed by Halbrook on tasks that were inconsequential, unsuccessful, and/or not reasonably necessary during the litigation in this Court and the Seventh Circuit. Defendants specifically object to work relating to Plaintiffs' unsuccessful opposition to reassignment of the cases in the district court,<sup>3</sup> and Plaintiffs' drafting of an unfiled brief opposing consolidation in the Seventh Circuit. Defendants further object to work relating to Plaintiffs' unsuccessful motion for hearing *en banc* in the Seventh Circuit, and to work related to Plaintiffs' motions to strike Defendants' jury demands, as that issue was inconsequential

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<sup>3</sup> In fact, reassignment and consolidation ultimately inured to Plaintiffs' benefit, as it allowed them to participate as a respondent in *McDonald* even though their petition for certiorari had not been granted.

to any relief ultimately attained by Plaintiffs. Finally, Defendants object to work relating to the filing of a notice of appeal that was later voluntarily dismissed by Plaintiffs.

**b. Supreme Court**

Halbrook seeks fees for 589.70 hours he spent on the Supreme Court phase of the case. *See* Pl. Mem., Ex. 3 at Ex. B. Plaintiffs, however, retained additional counsel, Goodwin Proctor and King & Spalding, to author Plaintiffs' brief and to argue the matter before the Supreme Court. Between those two firms, four attorneys (all with Supreme Court expertise) did significant work (at least 80 hours each), and at least nine other attorneys between those firms worked on the case, for a total of 482.4 hours. Thus, Plaintiffs spent a total of 1,072.1 hours on briefing and arguing the matter before the Supreme Court. By contrast, Gura's billing records reveal that he spent 405.9 hours litigating *McDonald* before the Supreme Court. *See* Ex. A hereto, Exs. 2 & 3. Gura's total hours are roughly commensurate with the total number of hours spent by Goodwin Proctor and King & Spalding combined.

Defendants, like Gura, were able to litigate the matter before the Supreme Court with dramatically less personnel than that used by Plaintiffs. Defendants' brief was written by two assistant corporation counsels with research assistance from two volunteer attorneys in the City's Law Department and attorneys at Mayer Brown, which represented Oak Park. *See* Declaration of Benna Ruth Solomon, a copy of which is attached hereto as Exhibit A, Ex.4, ¶ 12. Defendants' brief was edited by a deputy corporation counsel and one outside counsel retained for the Supreme Court case, and the case was argued by that outside counsel, who recorded a total of only 289.2 hours for the entire representation at an hourly rate of \$200. *See id.* ¶ 12; Declaration of James A. Feldman, a copy of which is attached hereto as Exhibit A, Ex. 3, ¶ 8.

Because Gura prevailed in *McDonald* having spent 405.9 hours in the Supreme Court phase of the case,<sup>4</sup> Plaintiffs cannot reasonably justify their expenditure of 1,072 total hours. Even though Halbrook litigated the case before this Court and the Seventh Circuit, Plaintiffs chose to hire experienced Supreme Court counsel to handle briefing in and oral argument before the Supreme Court, and their total hours for thirteen attorneys (482.4) are roughly equivalent to that expended by Gura. In *Schlacher*, 574 F.3d at 858, the Seventh Circuit affirmed the district court's conclusion "that it was unreasonable to require the defendant to pay for time that four attorneys had collectively put into the case because their work necessarily overlapped and one competent attorney would have sufficed." The same is true here: It was unnecessary for Halbrook to continue to log extraordinary hours when Plaintiffs retained Clement and Poss to handle the Supreme Court phase of the case. While Plaintiffs were free to allow Halbrook "to keep the meter running" even after they made the strategic decision to hire other counsel to litigate in the Supreme Court, it would be unjust to now saddle Defendants with the consequences of Plaintiffs' unnecessary staffing decision. As a result, Halbrook's time on Supreme Court matters was duplicative, unnecessary, and unreasonable, and the Court should reject his claim for 589.70 hours in its entirety.

### **3. Summary of Halbrook's Lodestar Calculation**

In accordance with the objections and parameters set forth above, Defendants submit that Halbrook's proper fee recovery under the lodestar analysis should be no more than as follows:

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<sup>4</sup> Plaintiffs attempt to argue that Gura did not prevail in *McDonald* because the Court did not accept his primary argument that the Second Amendment is incorporated through the Privileges or Immunities Clause of the Fourteenth Amendment instead of the Due Process Clause. Pl. Mem. at 13-14. That argument is not only irrelevant to the Court's inquiry here, but it is also incorrect because there is no question that Gura did argue in favor of incorporation via the Due Process Clause as well as the Privileges or Immunities Clause.

| <b>Phase</b>                             | <b>Hours</b> | <b>Rate</b> | <b>Total</b>        |
|--|--------------|-------------|---------------------|
| Pre-Litigation                           | 23.3         | 539         | \$12,558.70         |
| District Court- Merits                   | 65.5         | 539         | \$35,304.50         |
| Seventh Circuit-Merits                   | 85.5         | 539         | \$46,084.50         |
| Supreme Court                            | 0            | 539         | 0                   |
| District Court - Fee Entitlement         | 24           | 539         | \$12,936.00         |
| Seventh Circuit - Fee Entitlement        | 40.7         | 539         | \$21,937.30         |
| District Court - Fee Amount <sup>5</sup> | 54           | 539         | \$29,106.00         |
| <b>TOTAL</b>                             | <b>293</b>   | <b>539</b>  | <b>\$157,927.00</b> |

#### **4. Halbrook's Expenses<sup>6</sup>**

Halbrook seeks a total of \$5,799.99 in expenses. *See* Pl. Mem, Ex. 3 at Ex. C. Defendants object to the paralegal fees which total \$922.15. Paralegal fees are properly recovered as a part of attorneys' fees and are therefore calculated using the lodestar method. *See, e.g., Spegon*, 175 F.3d at 553-54. Plaintiffs provide no information pursuant to which Defendants or this Court can properly determine the hours spent by the paralegal(s) or the market rate(s) for the paralegal(s) performing the services or the reasonableness of either. As a result, Plaintiffs have not met their burden of proof, and the Court should therefore reject Halbrook's request for \$922.15 in paralegal fees. Accordingly, Halbrook should only recover \$4,877.84 in expenses.

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<sup>5</sup> Halbrook initially listed his time in litigating the fee amount as 54 hours, but Plaintiffs' motion increases his time to 152.2 hours. Defendants maintain that Halbrook is not entitled to any additional recovery beyond the 54 hours because such time, which occurred after Defendants notified Plaintiffs of their position on their fee request, was not reasonable.

<sup>6</sup> Defendants previously stated an objection to Plaintiffs' recovery for printing expenses related to the filing of their petition for certiorari in the United States Supreme Court. *See* Pl. Motion., Ex. 1. Defendants withdraw that objection.



**B. Objection to the Rate Submitted by Goodwin Proctor for Stephen Poss.**

Plaintiffs seek a total of \$207,529.62 in fees for work performed by attorneys at Goodwin Proctor. *See* Pl. Mem., Ex. 7.<sup>7</sup> Defendants object to this amount insofar as it reflects an hourly rate of \$880 for Stephen Poss. Although Plaintiffs present evidence that Poss's actual billing rate is \$880, Defendants submit that his rate should be reduced. First, as set forth above, Gura, the plaintiffs' counsel in *McDonald*, charged an hourly rate of \$539. Second, Exhibit J to Halbrook's declaration indicates that the usual hourly rate charged by an experienced Supreme Court practitioner representing a civil rights plaintiff during the period of this lawsuit is between \$725 and \$765, which was the rate charged by Paul M. Smith. *See id.*, Ex. 3 at Ex. J. Accordingly, Poss's rate is excessive and should be reduced to no more than \$765.

According to Defendants' calculations, the reduction in Poss's rate from \$880 to \$765 results in a fee award to Goodwin Proctor of \$202,227.50.

**C. Objections to Submissions by King and Spalding/Bancroft.**

Plaintiffs seek a total fee recovery for work done by King & Spalding and Bancroft PLLC in the amount of \$179,014.60. At the outset, even if the Court were not to reduce their recovery for the reasons explained below, Plaintiffs' calculations only support a fee recovery of \$178,324.60.<sup>8</sup> But Defendants object to even this recovery on two grounds. First, Defendants object to the claimed hourly rate of Paul Clement of \$1,020. For the same reasons set forth above in Part I.B with respect

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<sup>7</sup> As set forth in the Joint Statement submitted by the parties, Plaintiffs' original calculation for Goodwin's fee recovery contained several mathematical errors, and Defendants included therein the proper calculation, reduced to reflect the reduction in Poss's rate from \$880 to \$765, as argued herein. *See* Pl. Mot., Ex. A, at 6.

<sup>8</sup> Plaintiffs' records only reflect the following fees and expenses: \$157,433.50 in King & Spaulding fees; \$1,026.10 in King & Spaulding expenses; and \$19,865.00 in Bancroft fees.

to Poss, Clement's billable rate is excessive and should be reduced to at least \$765, which Plaintiffs' own submissions establish as the market rate for an experienced Supreme Court practitioner during this time period.

Second, Defendants object to an award of fees to King & Spaulding/Bancroft for their work on post-*McDonald* fee litigation. That work is redundant and excessive in light of the work performed by Halbrook (Plaintiffs' primary attorney), as well as Plaintiffs' local counsel, during that phase. Thus, for the same reasons Halbrook should not recover for his work on the Supreme Court phase of the case, King & Spaulding and Bancroft should not be allowed to recover the \$20,578 or the \$19,865 sought, respectively, for work on the fee issue. *See Schlacher*, 574 F.3d at 858.

When Clements's hourly rate is reduced to \$765 and the time for post-*McDonald* fee litigation is removed, King & Spaulding's reasonable fees and expenses total \$111,202.10. Because Bancroft only worked on post-*McDonald* fee litigation, it should recover nothing.

**D. Objections to Brenner, Ford, Monroe & Scott, Ltd. and Freeborn & Peters LLP.**

Defendants object to the lodestar calculations submitted by Brenner, Ford, Monroe & Scott, Ltd. ("Brenner") and Freeborn & Peters LLP ("Freeborn"), local counsel in the Chicago and Oak Park cases, respectively. *See* Pl. Mem. at 3, 7.

**1. Hourly Rate**

As discussed *supra*, the burden rests with the party seeking fees to establish the market hour rate for its attorneys. With respect to Brenner, Plaintiffs fail to demonstrate that the market hourly rate for Stephen Kolodziej is \$475 per hour. Kolodziej's first declaration does not establish that he has an actual billable rate. In his supplemental declaration, Kolodziej states that "he does not have a standard, fixed hourly rate" but instead varies his "fees depending upon the nature and complexity

of the case, the identity, circumstances and needs of the particular client, and the client's goals in the litigation." Plaintiffs' Supplemental Memorandum in Support of Plaintiffs' Motion for Attorney's Fees ("Pl. Sup. Mem."), Kolodziej Dec., ¶ 2. He asserts that he provided services to Plaintiffs at "a *discounted* rate of \$300 . . . motivated by a desire to assist the NRA." *Id.*, ¶ 3. If Kolodziej does not have a standard hourly rate, it calls into question why the rate he charged Plaintiffs – \$300 – is "discounted." The fact that Kolodziej billed Plaintiffs at \$300 per hour – in the absence of a standard hourly rate – is strong evidence that his hourly market rate is \$300.

Moreover, Kolodziej fails to submit any competent evidence that \$475 is a reasonable hourly rate for an attorney primarily performing local counsel functions. He asserts, based on his "experience practicing in Chicago for 18 years," that "the market rate for attorneys with [his] level of experience handling a case of this nature in 2008-2011 was in the range of \$450 to \$500 per hour." *Id.* ¶¶ 2, 5. But Kolodziej's statements are self-serving and cannot be considered. *See Blum*, 465 U.S. at 895 n.11; *Spagon*, 175 F.3d at 556. And Kolodziej fails to offer any affidavits attesting that the hourly market rate for attorneys serving as local counsel in federal civil rights litigation in Chicago is \$475.<sup>9</sup>

Although Defendants do not contest that Freeborn has submitted evidence of its attorneys' actual billing rates, Defendants submit that their services in the Oak Park case – along with that of

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<sup>9</sup> The only evidence Kolodziej cites in support of his requested hourly rate is the Laffey Matrix of the U.S. Department of Justice. Pl. Supp. Mem., Kolodziej Dec., ¶ 2 n.1. "The Laffey Matrix is a chart of hourly rates for attorneys and paralegals in the Washington, D.C. area that was prepared by the United States Attorney's Office for the District of Columbia to be used in fee-shifting cases." *Pickett v. Sheridan Health Care Ctr.*, 664 F.3d 632, 649 (7<sup>th</sup> Cir. 2011). Although the Seventh Circuit has not officially sanctioned its use in fee-shifting cases, the "[d]istrict courts in [the Seventh Circuit] have occasionally considered the Laffey Matrix when considering the reasonableness of hourly rates for fee awards" and "have viewed it with differing levels of praise and skepticism." *Id.* (collecting cases). In this instance, the Court should reject Kolodziej's reliance on the Laffey Matrix because he provides no evidence that he has ever used the Laffey Matrix as a basis for his hourly rate or that he has ever, in fact, charged \$475 per hour.

Kolodziej in the Chicago case – should be compensated at \$300 per hour. First, that is the actual rate Kolodziej charged Plaintiffs in the Chicago case to perform local counsel functions. Second, David Sigale, who performed a similar local counsel function for Gura in *McDonald*, charged and received \$300 per hour for his services. *See* Exhibit A hereto, Exs. 1, 2. Because *McDonald* and the present case were virtually indistinguishable from one another substantively and followed nearly identical procedural paths, Sigale’s rate, coupled with the rate Kolodziej actually charged his clients, is strong evidence that the market hourly rate for local counsel services in cases of this nature is \$300.

## **2. Billable Hours**

Defendants object to the reasonableness of the billable hours expended by Plaintiffs’ local counsel. First, to the extent Brenner and Freeborn performed any of the work identified in part I.A.2.a above, Defendants object to the hours expended by Brenner and Freeborn on those tasks. Second, Defendants object to Brenner and Freeborn each receiving a separate fee recovery for work performed on the merits after the cases were consolidated with *McDonald* in the Seventh Circuit. After the cases were consolidated in the Seventh Circuit, Plaintiffs filed joint briefs, and Halbrook argued the case on behalf of all Plaintiffs. Multiple local counsel were therefore unnecessary. For the same reason, Defendants object to Brenner and Freeborn each receiving a separate fee recovery for work performed on fee entitlement litigation after the Chicago and Oak Park cases were consolidated in the Seventh Circuit.

Finally, Defendants object to the reasonableness of the hours expended by Brenner and Freeborn in performing local counsel functions to the extent those hours exceed those billed by Sigale in *McDonald*. There can be no question that with respect to the merits litigation, *McDonald* is virtually indistinguishable from the instant case. In performing the local counsel function in

*McDonald*, Sigale billed only 235.1 hours. That is strong evidence that any hours expended over that amount are unreasonable and should not be compensated. Thus, Defendants submit that both Brenner's and Freeborn's local counsel hours during the merits phase of the case should be reduced to the amount of hours expended by Sigale, as reflected on his billing records. *See* Ex. A hereto, Ex. 2.

### 3. Summary of Lodestar Calculation for Brenner and Freeborn

Based on the foregoing objections to the hourly rates and billable hours submitted by Brenner and Freeborn, Defendants submit that the following is a reasonable lodestar calculation.

#### a. Brenner – Individual Recovery

| Phase  | Hours        | Rate       | Total              |
|--|--------------|------------|--------------------|
| Merits -- District Court and Seventh Circuit (pre-consolidation)         | 53.4         | 300        | \$16,020.00        |
| Fee Entitlement - District Court and Seventh Circuit (pre-consolidation) | 25.6         | 300        | \$7,680.00         |
| Fee Amount - District Court  | 24.3         | 300        | \$7,290.00         |
| <b>TOTAL</b>   | <b>103.3</b> | <b>300</b> | <b>\$30,990.00</b> |

**b. Freeborn – Individual Recovery**

| <b>Phase</b>   | <b>Hours</b> | <b>Rate</b> | <b>Total</b>       |
|--|--------------|-------------|--------------------|
| Merits -- District Court and Seventh Circuit (pre-consolidation)         | 78.2         | 300         | \$23,460.00        |
| Fee Entitlement - District Court and Seventh Circuit (pre-consolidation) | 25.6         | 300         | \$7,680.00         |
| Fee Amount - District Court <sup>10</sup>                                | 7            | 300         | \$2,100.00         |
| <b>TOTAL</b>   | <b>110.8</b> | <b>300</b>  | <b>\$33,240.00</b> |

**c. Joint Recovery by Brenner and Freeborn**

| <b>Phase</b>   | <b>Hours</b> | <b>Rate</b> | <b>Total</b>       |
|--|--------------|-------------|--------------------|
| Merits -- Seventh Circuit (post-consolidation)         | 42.7         | 300         | \$12,810.00        |
| Fee Entitlement - Seventh Circuit (post consolidation) | 35.8         | 300         | \$10,740.00        |
| <b>TOTAL</b>   | <b>78.5</b>  | <b>300</b>  | <b>\$23,550.00</b> |

**4. Expenses**

As to expenses, Defendants do not object to the \$417.10 claimed by Brenner. Defendants object to the \$36,430.72 in expenses sought by Freeborn. A primary driver of that amount is legal research fees associated with work on matters to which Defendants have objected above. It is also more than 4 times the amount of expenses (\$8,176.00) recovered by the *McDonald* plaintiffs. *See Spegon*, 175 F.3d at 559 (“A district court should disallow costs that are unreasonable either because

---

<sup>10</sup> Like Halbrook, Freeborn increased its time for litigating the fee amount by 18.20 hours. For the same reasons Defendants object to any increase in Halbrook’s time, *see supra* p. 12 n.5, they object to any increase for Freeborn.

they are excessive in amount or because they should not have been incurred at all.”). Although Defendants could argue that Plaintiffs’ cost recovery should be limited to that of the *McDonald* plaintiffs, certainly their recovery, in light of the duplicative nature of much of their work, should be no more than double those of the *McDonald* plaintiffs. Accordingly, Freeborn would be entitled to recover no more than \$16,352.00 in expenses.

**E. Objections to Cooper & Kirk.**

Defendants object to the entirety of the fees and expenses (\$28,576.50) claimed by Cooper & Kirk as duplicative and unnecessary. As set forth above in Part I.A, Plaintiffs were represented in the merits phase of this case by Halbrook in the district court and the Seventh Circuit and by thirteen additional lawyers from Goodwin Proctor and King & Spalding in the Supreme Court. There can be no question that these attorneys, many of whom are experienced Supreme Court litigators, were capable of representing Plaintiffs’ interests at the various stages of this case, and Plaintiffs identify no unique skill or ability that the lawyers from Cooper & Kirk possess that was essential to the litigation. And no attorney from that firm entered an appearance for Plaintiffs in the case or otherwise purported to represent Plaintiffs in court or in dealings with opposing counsel. This Court should therefore reject any fee recovery for Cooper & Kirk’s work.

**F. Lodestar Summary for All Attorneys**

Based on the aforementioned objections, Defendants submit that the proper recovery for Defendants using the lodestar methodology is as follows:

| <b>Name</b>                       | <b>Fees</b>         | <b>Expenses</b>    |
|-----------------------------------|---------------------|--------------------|
| Stephen Halbrook                  | \$157,927.00        | \$4,877.84         |
| Goodwin Proctor                   | \$202,227.50        | 0                  |
| King & Spalding                   | \$110,176.00        | \$1,026.10         |
| Bancroft PLLC                     | 0                   | 0                  |
| Brenner Ford (Individual)         | \$30,990.00         | \$417.10           |
| Freeborn & Peters<br>(Individual) | \$33,240.00         | \$16,352.00        |
| Combined Local Counsel            | \$23,550.00         | 0                  |
| Cooper & Kirk                     | 0                   | 0                  |
| <b>TOTAL</b>                      | <b>\$558,110.50</b> | <b>\$22,673.04</b> |

Thus, Plaintiffs' proper recovery in this case, using the Lodestar methodology, is no more than \$580,783.54.

## **II. Reduction to the Lodestar Amount Based on the Fee Recovery in *McDonald***

Even though the objections identified by Defendants in Part I, *supra*, properly reduce Plaintiff's lodestar calculation to \$580,783.54, that amount should be further reduced to no more than \$399,950 because that is the amount the *McDonald* plaintiffs petitioned for and received from this Court. Contrary to Plaintiffs' argument, *see* Pl. Mem. at 13, the Supreme Court stated in *Hensley* that after the Court determines the appropriate hourly rate and hours, that lodestar calculation can be further reduced for any number of factors, including evidence of fee "awards in similar cases." 461 U.S. at 430 n.3. *See also id.* at 434 n.9; *People Who Care*, 90 F.3d at 1310. And no case is more similar to the instant action than *McDonald*. They presented a single, dispositive issue: Whether the Second Amendment is incorporated through the Fourteenth Amendment. Indeed, the instant cases were so similar to *McDonald* that they were reassigned to this Court as related to



*McDonald* and proceeded on identical tracks through all stages of the litigation. Accordingly, the fee recovery by the *McDonald* plaintiffs from the City represents the best measure of the amount of fees and expenses reasonably necessary to obtain relief in this particular litigation.

Plaintiffs attempt to distinguish their litigation effort from that of the *McDonald* plaintiffs, but their efforts fail. They first try to distinguish the *McDonald* recovery by asserting that it was done pursuant to a settlement and that the “basis of the fee settlement between defendants and *McDonald* counsel is unknown.” Pl. Mem at 13. As the evidence submitted by Defendants demonstrates, however, technically there was no “settlement” between McDonald and the City; McDonald submitted a fee petition pursuant to section 1988 which the City did not oppose. *See* Ex. A. hereto at Ex. 1. Moreover, even to the extent the *McDonald* plaintiffs negotiated fees with the City, the number of hours Gura billed to this case as reflected on his actual billing records – 594.70 – is only 14.5 hours more than what he submitted to and was approved by the Court. *See id.* at Ex. 2.

Plaintiffs also assert that Defendants’ “argument is premised on the faulty assumption that the *McDonald* plaintiffs litigated this case in a superior manner and that the NRA just relied on them.” Pl. Mem. at 13. This too is incorrect. First, Defendants do not take the position that Plaintiffs are not entitled to a fee or should receive a reduced fee because of the *McDonald* fee recovery. Second, Defendants’ argument is not founded on the quality of the representation in *McDonald* versus that in the instant case. Instead, the *McDonald* fee award demonstrates that the instant cases, which raised the very same dispositive issue and proceeded along the identical track as *McDonald*, could have been successfully litigated for \$399,950, not the award of \$2,195,323.29 Plaintiffs seek in this case.

Finally, Plaintiffs argue that their litigation effort, which principally relied upon incorporation of the Second Amendment via the Due Process Clause, is what “won the case,” not Gura’s principal argument for incorporation through the Privileges or Immunities Clause. *Id.* Plaintiffs’ argument is misplaced, however, because Gura, as Plaintiffs concede, did argue incorporation under the Due Process Clause in addition to his Privileges or Immunities Clause argument, and nothing in the Court’s *McDonald* ruling suggests that Gura’s development of the former argument was insufficient in any way. But more importantly, their argument, even if true, is a red-herring because it is premised on the faulty notion that the type of argument (*i.e.*, Due Process versus Privileges or Immunities) is what determine the propriety of a fee award.<sup>11</sup> What is at issue is whether Plaintiffs’ fee expenditures are reasonable, and the *McDonald* fee recovery of \$399,950 is strong evidence that Plaintiffs’ request for nearly \$2.2 million in virtually indistinguishable litigation is unreasonable.

The Court should therefore reduce Plaintiffs’ lodestar calculation of \$580,783.54 and award Plaintiffs no more than the *McDonald* fee recovery of \$399,950.

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<sup>11</sup> Moreover, Plaintiffs submit no evidence that development of an argument for incorporation under the Due Process Clause (which Gura did as well) requires more time than presentation of an argument under the Privileges or Immunities Clause. Indeed, given Halbrook’s self-proclaimed expertise in the former, and the lack of any real precedent on the former, one could conclude that it does not.

## CONCLUSION

For the reasons set forth herein, Defendants submit that the Court should award Plaintiffs no more than \$399,950 as reasonable attorneys' fees pursuant to 42 U.S.C. § 1988.

Date: March 26, 2012

Respectfully submitted,

STEPHEN R. PATTON,  
Corporation Counsel for the City of Chicago

By: /s/ William Macy Aguiar  
Assistant Corporation Counsel

Michael A. Forti  
Mardell Nereim  
Andrew W. Worseck  
William Macy Aguiar  
Rebecca Alfert Hirsch  
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Constitutional and Commercial Litigation Division  
30 North LaSalle Street, Suite 1230  
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(312) 744-9018 / 6975 / 7129 / 4216  
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Chicago, IL 60606  
T: 312-782-0600  
F: 312-701-7711  
Attorneys for Defendant Village of Oak Park

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|   |   |                               |
|---|---|-------------------------------|
| <b>NATIONAL RIFLE ASSOCIATION OF<br/>AMERICA, INC., et al.,</b> | ) |                               |
|   | ) |                               |
|   | ) |                               |
| <b>Plaintiffs,</b>  | ) |                               |
|   | ) |                               |
| <b>v.</b>   | ) | <b>No. 08 C 3697</b>          |
|   | ) |                               |
| <b>THE CITY OF CHICAGO, et al.,</b>                             | ) | <b>Judge Milton I. Shadur</b> |
|   | ) | <b>Magistrate Judge Keys</b>  |
|   | ) |                               |
| <b>Defendants.</b>  | ) |                               |
| <hr style="width: 45%; margin-left: 0;"/>                       |   |                               |
| <b>NATIONAL RIFLE ASSOCIATION OF<br/>AMERICA, INC., et al.,</b> | ) |                               |
|   | ) |                               |
|   | ) |                               |
| <b>Plaintiffs,</b>  | ) |                               |
|   | ) |                               |
| <b>v.</b>   | ) | <b>No. 08 C 3696</b>          |
|   | ) |                               |
| <b>VILLAGE OF OAK PARK, et al.,</b>                             | ) | <b>Judge Milton I. Shadur</b> |
|   | ) | <b>Magistrate Judge Keys</b>  |
|   | ) |                               |
| <b>Defendants.</b>  | ) |                               |

**JOINT SUBMISSION BY DEFENDANTS CITY OF CHICAGO  
AND VILLAGE OF OAK PARK PURSUANT TO LOCAL RULE 54.3(d)(5)**

Dated: September 26, 2011

Respectfully submitted,

STEPHEN R. PATTON,  
Corporation Counsel for the City of Chicago

By:   
Assistant Corporation Counsel

Michael A. Forti  
Mardell Nereim  
Andrew W. Worseck  
William Macy Aguiar  
Rebecca Alfert Hirsch  
City of Chicago, Department of Law  
Constitutional and Commercial Litigation Division  
30 North LaSalle Street, Suite 1230  
Chicago, Illinois 60602  
(312) 744-9018 / 6975 / 7129 / 4216

Pursuant to Local Rule 54.3(d)(5), Defendants in Case Nos. 08 C 3696 and 08 C 3697 hereby submit the following declarations and other exhibits:

1. Document Nos. 100-104, filed in *McDonald v. City of Chicago*, 08-CV-3645
2. Billing Records of Gura & Possessky, PLLC in *McDonald v. City of Chicago*, 08-CV-3645
3. Declaration of James A. Feldman
4. Declaration of Benna Ruth Solomon
5. Declaration of Ranjit Hakim

**CERTIFICATE OF SERVICE**

I, William Macy Aguiar, an attorney, hereby certify that on this, the 26<sup>th</sup> day of September, 2011, I caused a copy of **Joint Submission by Defendants City of Chicago and Village of Oak Park Pursuant to Local Rule 54.3(d)(5)**, to be served by messenger delivery on:

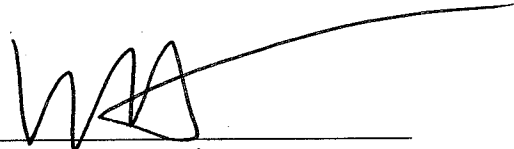
Stephen A. Kolodziej  
Brenner, Ford, Monroe & Scott, Ltd.  
33 North Dearborn Street, Suite 300  
Chicago, IL 60602

William N. Howard  
Freeborn and Peters  
311 South Wacker Drive  
Suite 3000  
Chicago, IL 60606

Ranjit Hakim  
Mayer Brown LLP  
71 South Wacker Drive  
Chicago, IL 60606

and by first-class United States mail, postage prepaid, on

Stephen P. Halbrook  
10560 Main Street  
Fairfax, VA 22030

  
\_\_\_\_\_  
William Macy Aguiar

# EXHIBIT A-1



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                        |   |                                  |
|------------------------|---|----------------------------------|
| OTIS McDONALD, et al., | ) | Case No. 08-C-3645               |
|                        | ) |                                  |
| Plaintiffs,            | ) | PLAINTIFFS' UNOPPOSED MOTION FOR |
|                        | ) | ATTORNEY FEES AND COSTS          |
| v.                     | ) | [42 U.S.C. § 1988]               |
|                        | ) |                                  |
| CITY OF CHICAGO,       | ) |                                  |
|                        | ) |                                  |
| Defendant.             | ) |                                  |
|                        | ) |                                  |
|                        | ) |                                  |

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**PLAINTIFFS' UNOPPOSED MOTION  
FOR ATTORNEY FEES AND COSTS [42 U.S.C. § 1988]**

NOW COME the Plaintiffs, OTIS McDONALD, ADAM ORLOV, COLLEEN LAWSON, DAVID LAWSON, SECOND AMENDMENT FOUNDATION, INC. and ILLINOIS STATE RIFLE ASSOCIATION, by and through LAW FIRM OF DAVID G. SIGALE, P.C. and GURA & POSSESSKY, PLLC, their attorneys, and, pursuant to 42 U.S.C. § 1988 and Local Rule 54.3 move this honorable Court for recovery of their of attorney's fees and costs. This motion is made upon the attached memorandum in support of said motion, the attached Joint Statement, the Court's file, and any other matter deemed relevant to the determination of the motion.

Counsel have met and conferred regarding this motion and understand that it will not be opposed by Defendant.

WHEREFORE, Plaintiffs respectfully request that the motion be granted, and that they be awarded fees and costs in the sum of \$399,950.00 as set forth in the Rule 54.3 Joint Statement.

Dated: September 19, 2011

Respectfully submitted,

Alan Gura (admitted pro hac vice)  
Gura & Possessky, PLLC  
101 N. Columbus Street, Suite 405  
Alexandria, VA 22314  
703.835.9085/Fax 703.997.7665

David G. Sigale (Atty. ID# 6238103)  
Law Firm of David G. Sigale, P.C.  
739 Roosevelt Road, Suite 304  
Glen Ellyn, IL 60137  
630.452.4547/Fax 630.596.4445

By: /s/ Alan Gura/  
Alan Gura

By: /s/ David G. Sigale/  
David G. Sigale

Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record for the plaintiffs, hereby certifies that on September 19, 2011, he served a copy of the foregoing, and this certificate of service, on:

Michael A. Forti  
Mardell Nereim  
Andrew W. Worseck  
William Macy Aguiar  
City of Chicago Department of Law  
Constitutional and Commercial Litigation Division 30 N.  
LaSalle Street, Suite 1230  
Chicago, IL 60602

by electronic means pursuant to Electronic Case Filing (ECF). Pursuant to FRCP 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/David G. Sigale  
David G. Sigale

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

OTIS McDONALD, et al.,

Plaintiffs,

v.

CITY OF CHICAGO,

Defendant.

) Case No. 08-C-3645

)

) MEMORANDUM OF POINTS AND

) AUTHORITIES IN SUPPORT OF PLAINTIFFS'

) UNOPPOSED MOTION FOR ATTORNEY

) FEES AND COSTS [42 U.S.C. § 1988]

)

)

)

)

)

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF  
PLAINTIFFS' UNOPPOSED MOTION FOR FEES AND COSTS**

1. On June 2, 2011, the Seventh Circuit determined that Plaintiffs were prevailing parties entitled to recover attorney fees and expenses in this case pursuant to 42 U.S.C. § 1988.

2. The Seventh Circuit's mandate issued on June 24, 2011, and was entered on this Court's docket June 27, 2011.

3. Federal courts employ the "lodestar" method for determining an attorney fee recovery under Section 1988. The "lodestar" is calculated by multiplying the reasonable amount of hours worked by a reasonable hourly fee, with some adjustments not here at issue in appropriate cases. *Perdue v. Kenny A.*, 130 S. Ct. 1662 (2010); *Hensley v. Eckerhart*, 461 U.S. 424 (1983).

4. Local Rule 54.3 sets forth a procedure governing the resolution of fee disputes. Defendant requires that the fee dispute be resolved by motion, and Plaintiffs have no objection to proceeding accordingly.

5. Pursuant to Local Rule 54.3, the parties have agreed on the Joint Statement referenced in Local Rule 54.3(e), which must be attached to the fee motion pursuant to Local Rule 54.3(f). *See* Exhibit A.

6. Local Rule 54.3(f) further provides: "Unless otherwise allowed by the court, the motion and any supporting or opposing memoranda shall limit their argument and supporting evidentiary matter to disputed issues." As no disputed issues remain among the parties, pursuant to the Rule, Plaintiffs cannot offer argument and evidence beyond the Joint Statement.

7. As Plaintiffs are entitled to their fees and costs, this unopposed motion should be granted, and Plaintiffs should be awarded their fees and costs as set forth in the Joint Statement.

Dated: September 19, 2011

Respectfully submitted,

Alan Gura (admitted pro hac vice)  
Gura & Possessky, PLLC  
101 N. Columbus Street, Suite 405  
Alexandria, VA 22314  
703.835.9085/Fax 703.997.7665

David G. Sigale (Atty. ID# 6238103)  
Law Firm of David G. Sigale, P.C.  
739 Roosevelt Road, Suite 304  
Glen Ellyn, IL 60137  
630.452.4547/Fax 630.596.4445

By: /s/ Alan Gura/  
Alan Gura

By: /s/ David G. Sigale/  
David G. Sigale

Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record for the plaintiffs, hereby certifies that on September 19, 2011, he served a copy of the foregoing, and this certificate of service, on:

Michael A. Forti  
Mardell Nereim  
Andrew W. Worseck  
William Macy Aguiar  
City of Chicago Department of Law  
Constitutional and Commercial Litigation Division 30 N.  
LaSalle Street, Suite 1230  
Chicago, IL 60602

by electronic means pursuant to Electronic Case Filing (ECF). Pursuant to FRCP 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/David G. Sigale  
David G. Sigale

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                       |   |                      |
|-----------------------|---|----------------------|
| OTIS McDONALD, et al, | ) | Case No. 08-C-3645   |
|                       | ) |                      |
| Plaintiffs,           | ) | JOINT STATEMENT      |
|                       | ) | [Local Rule 54.3(e)] |
| v.                    | ) |                      |
|                       | ) |                      |
| CITY OF CHICAGO,      | ) |                      |
|                       | ) |                      |
| Defendant.            | ) |                      |
|                       | ) |                      |
|                       | ) |                      |

---

**JOINT STATEMENT [LOCAL RULE 54.3(e)]**

Pursuant to Local Rule 54.3(e)(1) and (2), the parties submit the following:

| Atty            | Hours | Rate                         | Total        |
|-----------------|-------|------------------------------|--------------|
| _____           | _____ | _____                        | _____        |
| Alan Gura       | 580.2 | 539                          | 312,727.80   |
| David Sigale    | 235.1 | 300                          | 70,530.00    |
| Laura Possessky | 15.8  | 539                          | 8,516.20     |
|                 |       |                              | _____        |
|                 |       | <u>Attorney Fees:</u>        | 391,774.00   |
|                 |       | <u>Costs:</u>                | 8,176.00     |
|                 |       | <u>Total § 1988 Recovery</u> | \$399,950.00 |

Pursuant to Local Rule 54.3(e)(3), no disputes remain.

Pursuant to Local Rule 54.3(e)(4), the Defendant will not further appeal the underlying judgment upon which the motion for fees and expenses is based.

**CERTIFICATE OF SERVICE**

The undersigned, an attorney of record for the plaintiffs, hereby certifies that on September 19, 2011, he served a copy of the foregoing, and this certificate of service, on:

Michael A. Forti  
Mardell Nereim  
Andrew W. Worseck  
William Macy Aguiar  
City of Chicago Department of Law  
Constitutional and Commercial Litigation Division 30 N.  
LaSalle Street, Suite 1230  
Chicago, IL 60602

by electronic means pursuant to Electronic Case Filing (ECF). Pursuant to FRCP 5, the undersigned certifies that, to his best information and belief, there are no non-CM/ECF participants in this matter.

/s/David G. Sigale  
David G. Sigale



**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

OTIS McDONALD, ADAM ORLOV,  
COLLEEN LAWSON, DAVID LAWSON,  
SECOND AMENDMENT FOUNDATION, INC.,  
and ILLINOIS STATE RIFLE ASSOCIATION,

Plaintiffs,

v.

CITY OF CHICAGO and  
MAYOR RICHARD M. DALEY,

Defendants.

No. 08 CV 3645

**NOTICE OF MOTION**

TO: All Counsel of Record  
The Honorable Milton I. Shadur

You are hereby notified that on the 23<sup>rd</sup> day of **September**, 2011, at **9:15 A.M.**, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Milton I. Shadur, or any Judge sitting in his stead, in Courtroom 2303 of the Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL 60604, and then and there present Plaintiffs' Unopposed Motion for Attorney Fees and Costs [42 U.S.C. § 1988], a copy of which is attached.

/s/ David G. Sigale  
One of the Attorneys for Plaintiffs

Alan Gura  
Gura & Possessky, PLLC  
101 N. Columbus Street, Suite 405  
Alexandria, VA 22314  
703.835.9085/Fax 703.997.7665

David G. Sigale (Atty. ID# 6238103)  
Law Firm of David G. Sigale, P.C.  
739 Roosevelt Road, Suite 304  
Glen Ellyn, IL 60137  
630.452.4547/Fax 630.596.4445

**CERTIFICATE OF ATTORNEY AND NOTICE OF ELECTRONIC FILING**

The undersigned certifies that:

1. On September 19, 2011, the foregoing document was electronically filed with the District Court Clerk *via* CM/ECF filing system;
2. Pursuant to F.R.Civ.P. 5, the undersigned certifies that, to his best information and belief, there are no other non-CM/ECF participants in this matter.

/s/ David G. Sigale  
One of the Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 4.2  
Eastern Division**

Otis McDonald, et al.

Plaintiff,

v.

Case No.: 1:08-cv-03645  
Honorable Milton I. Shadur

City of Chicago, et al.

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Thursday, September 22, 2011:

MINUTE entry before Honorable Milton I. Shadur: Plaintiffs' Motion for attorney fees [100] is granted. Mailed notice(srn, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at [www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov).

# EXHIBIT A-2

**CONFIDENTIAL – SETTLEMENT DOCUMENT**

McDonald v. City of Chicago – Alan Gura

2008

|      |  |     |
|------|--|-----|
| 3.23 | Review Email Lawson                                      | 0.1 |
| 3.24 | Email D. Lawson  | 0.2 |
| 3.25 | Email A. Orlov   | 0.1 |
| 3.27 | Email D. Lawson  | 0.1 |
| 3.31 | Email D. Lawson re: clients                              | 0.2 |
| 4.1  | T/C {redacted – potential pltf}                          | 0.1 |
|      | Email D. Lawson re: clients                              | 0.2 |
| 4.4  | T/C Pearson, Quilici                                     | 0.3 |
|      | Email Gottlieb, Orlov                                    | 0.2 |
| 4.5  | Email C. Lawson  | 0.3 |
| 4.7  | Email D. Lawson  | 0.1 |
| 4.8  | T/C {potential pltf} McDonald,<br>Sigale                 | 0.2 |
| 4.12 | T/C Orlov  | 0.1 |
| 4.14 | Email Orlov  | 0.1 |
| 4.17 | T/C Quilici, Pearson, Sigale<br>coordinate Chicago visit | 0.3 |
| 4.18 | Emails to clients re: finalizing<br>Chicago meeting      | 0.1 |
| 4.19 | Draft complaint  | 1.5 |
| 4.23 | T/C clients confirming meeting                           | 0.1 |

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 4.3

|      |   |                      |      |
|------|---|----------------------|------|
| 4.25 | Reschedule meeting, T/C clients,<br>coordinate              | 0.2                  |      |
| 4.26 | Conf. w/ clients, D. Sigale, ISRA<br>Travel Chicago         | 3.0<br>6.0 / 2 = 3.0 |      |
| 4.29 | Engagement letters to clients                               | 0.2                  |      |
| 5.5  | Email D. Lawson   | 0.2                  |      |
| 5.14 | Email D. Lawson   | 0.2                  |      |
| 5.16 | Email D. Lawson   | 0.1                  |      |
| 5.19 | Email D. Lawson   | 0.2                  |      |
| 5.20 | Email D. Lawson   | 0.1                  |      |
| 5.21 | Draft Complaint, T/C Pearson                                | 0.2                  |      |
| 6.3  | T/C McDonald  | 1.5                  |      |
|      | T/C Quilici   | 0.5                  |      |
|      | T/C D. Sigale   | 0.2                  |      |
| 6.4  | T/C Quilici   | 0.1                  |      |
|      | Email C. Lawson   | 0.1                  |      |
| 6.5  | Email C. Lawson   | 0.1                  |      |
|      | Email D. Lawson and review<br>K31 denial and Mell situation | 0.2                  |      |
| 6.6  | T/C and email D. Lawson                                     | 0.2                  |      |
| 6.7  | Fax/calls McDonald, Quilici<br>re: registration             | 0.1                  |      |
| 6.11 | Review registration certificates<br>re-draft complaint      | 2.5                  |      |
|      | T/C D. Sigale   | 0.2                  |      |
|      | T/C A. Gottlieb   | 0.3                  |      |
|      | T/C R. Pearson  | 0.1                  |      |
|      | Update clients  | 0.2                  |      |
|      |   | 13.7                 | 18.0 |

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|-------|--|------|------|
| 6.12  | T/C D. Sigale re: complaint                                      | 0.1  |      |
|       | Emails D. Lawson   | 0.2  |      |
| 6.13  | T/C D. Sigale re: complaint                                      | 0.1  |      |
|       | T/C R. Pearson and review fax                                    | 0.1  |      |
|       | T/C A. Gottlieb  | 0.3  |      |
|       | Revise complaint   | 0.5  |      |
|       | T/C McDonald, Orlov, Lawson                                      | 0.2  |      |
| 6.14  | Draft Summary Judgment brief                                     | 1.0  |      |
| 6.15  | Review client emails   | 0.1  |      |
| 6.16  | Revise complaint   | 0.2  |      |
|       | T/C Sigale   | 0.2  |      |
|       | T/C Pearson, Quilici   | 0.1  |      |
| 6.17  | T/C D. Sigale  | 0.2  |      |
|       | T/C McDonald, Quilici, Pearson,<br>Orlov, revise complaint       | 0.3  |      |
| 6.18  | T/C D. Sigale  | 0.3  |      |
|       | T/C O. McDonald, review form, amend complaint                    | 0.2  |      |
|       | T/C V. Quilici, R. Pearson re filing                             | 0.2  |      |
| 6.19  | T/C D. Sigale  | 0.2  |      |
| 6.23  | T/C D. Sigale  | 0.2  |      |
| 6.25  | T/C D. Sigale  | 0.2  |      |
| 6.26  | Review Heller, T/C D. Sigale authorize filing                    | 0.2  |      |
|       | T/C D. Sigale, T/C and email plaintiffs re: filing<br>and update | 0.2  |      |
| 06.27 | Email V. Quilici re: appellate article and review                | 0.2  |      |
|       | Review and respond to Order                                      | 1.0  |      |
|       | T/C D. Sigale re: order  | 0.2  |      |
|       | Email/update clients   | 0.3  |      |
| 6.28  | Review/draft response to order                                   | 4.0  |      |
|       | T/C D. Sigale  | 0.2  |      |
|       |  | 11.2 | 29.2 |

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| 6.29 | Review NRA litigation  | 0.3 |
| 6.30 | Review NRA complaint and update clients                                | 0.5 |
|      | T/C D. Sigale re: order response/motions filing                        | 0.5 |
| 7.1  | Draft response to order  | 1.5 |
|      | T/C D. Sigale  | 0.2 |
| 7.7  | Review order from District Court, relay and update clients, co-counsel | 1.0 |
| 7.10 | T/C D. Sigale  | 0.4 |
|      | T/C O. McDonald, A. Orlov, Lawsons                                     | 0.6 |
|      | Draft SJ Brief   | 2.0 |
| 7.11 | Research/Draft SJ Brief  | 2.5 |
|      | T/C D. Sigale  | 0.2 |
| 7.14 | Research/Draft SJ Brief  | 2.5 |
| 7.15 | Research/Draft SJ Brief  | 0.5 |
| 7.16 | Research/draft SJ Brief  | 2.0 |
|      | Review answer  | 0.5 |
|      | T/C D. Sigale re: answer and strike motion, strategy                   | 0.3 |
|      | Update clients and email V. Quilici                                    | 0.2 |
| 7.17 | Email D. Sigale re: status conference and follow up, and T/C re same   | 0.3 |
| 7.18 | Draft/research SJ Brief  | 1.5 |
| 7.19 | Draft/research SJ Brief  | 2.0 |
| 7.22 | Review Chicago re-assignment motion, and T/C D. Sigale re: same        | 0.5 |
|      | Research/draft SJ Brief, separate statement UMF                        | 2.0 |
| 7.23 | Email clients re: Chicago legal strategy forum                         | 0.1 |
|      | Review Oak Park motion to reassign                                     | 0.1 |
|      | Research/draft SJ Brief  | 1.0 |
|      | T/C A. Gottlieb re: update   | 0.2 |

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23.4 52.6



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| 7.25 | Review Oak Park submission   | 0.1       |
|      | T/C D. Sigale  | 0.2       |
| 7.26 | Research/draft SJ Brief  | 12.0      |
| 7.27 | Revise/research/draft SJ Brief   | 0.6       |
| 7.28 | Draft SJ Declarations  | 0.5       |
|      | T/C D. Sigale re: updates and planning   | 0.2       |
| 7.29 | Revise SJ Brief  | 0.2       |
|      | T/C McDonald   | 0.5       |
|      | Email clients re: declarations and edit  | 0.2       |
|      | T/C D. Sigale re: updates and planning motion  | 0.5       |
|      | Review NRA motion/behavior   | 0.1       |
| 7.30 | Revise/draft SJ brief and emails/TC D. Sigale<br>re: research and planning of brief            | 1.0       |
| 7.31 | Revise/draft/file SJ brief   | 5.0       |
|      | Calls/emails w/ D. Sigale re SJ  | 1.1       |
| 8.1  | T/C D. Sigale re: hearing outcome and plan   | 0.2       |
| 8.4  | T/C D. Sigale re: Oak Park issues  | 0.2       |
| 8.18 | T/C D. Sigale re: hearing, and post hearing review<br>and plan response/strategy               | 1.0       |
| 8.29 | T/C D. Sigale re: city answer issues   | 0.2       |
| 9.5  | Email D. Sigale re: discovery conference   | 0.1       |
| 9.8  | Email D. Sigale re: discovery conference   | 0.1       |
| 9.9  | T/C D. Sigale prepare for status call and discuss<br>dispositive motion options, discovery     | 0.7       |
|      | Review city's new answer   | 0.1       |
|      | T/C Lawsons  | 0.3       |
|      | Conference Call w/ opposing counsel, Oak Park,<br>D. Sigale re: narrowing issues, status conf. | 0.8       |
|      | T/C O. McDonald re update  | 0.2       |
|      |  | 26.1 78.7 |

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| 9.10  | T/C D. Sigale re: issue narrowing motion   | 0.2 |
| 10.20 | Revise/review Rule 16 motion and email D. Sigale   | 1.0 |
| 10.23 | Review NRA motions   | 0.5 |
|       | T/C D. Sigale re: NRA motions and response   | 0.4 |
| 10.27 | T/C Conference call w/ D. Sigale, NRA, Oak Park, Chicago.  | 1.0 |
|       | Follow up T/C D. Sigale re: conference and court appearance  | 0.4 |
| 10.28 | T/C D. Sigale re: outcome of hearing and plans   | 0.3 |
| 11.7  | T/C D. Sigale re: court appearance   | 0.1 |
| 11.13 | T/C D. Sigale re: courtesy copy issue w/ judge   | 0.1 |
| 12.4  | Review court orders and opinions   | 0.5 |
|       | T/C D. Sigale re: appellate strategy and plans   | 1.0 |
|       | Notify clients re: court outcome   | 0.2 |
|       | Research interlocutory appellate issues  | 2.0 |
|       | Review NRA brief   | 0.2 |
| 12.9  | T/C D. Sigale re: court appearance, appellate plan   | 0.2 |
| 12.11 | Draft/revise docketing statement   | 0.3 |
| 12.12 | T/C and email D. Sigale re: docketing statement and related issues                                 | 0.4 |
| 12.17 | Review defendant's proposed order of dismissal and T/C w/ D. Sigale re: same and notices of appeal | 0.3 |
| 12.18 | T/C D. Sigale re: need for second appeal, strategy   | 0.5 |
|       | Email client re: appellate status  | 0.5 |
| 12.21 | Research and draft jurisdictional brief and appeal merger issues research                          | 0.5 |
| 12.22 | Research and draft jurisdictional brief  | 4.0 |
|       | T/C D. Sigale re: jurisdictional brief and appeal issues   | 0.6 |

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15.2 93.9

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| 12.23 | Draft jurisdictional brief/finalize<br>and T/C D. Sigale re: same | 0.2 |
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| 12.31 | Review docketing statement and T/C D. Sigale<br>re: docketing statement | 0.2 |
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**2009**

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| 1.5 | T/C D. Sigale re: appeal progress and amici | 0.4 |
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| 1.9 | T/C E. Wydra re: amicus   | 0.2 |
|     | T/C S. Loose re: appendix | 0.2 |
|     | Draft appellate brief     | 1.0 |

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| 1.13 | Draft appellate brief | 0.2 |
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| 1.14 | Draft appellate brief | 0.3 |
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| 1.15 | Conf. w/ A. Orlov | 0.7 |
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| 1.16 | T/C w/ S. Loose re: motion to consolidate<br>and amicus issues | 0.2 |
|      | Review motion to consolidate and T/C D. Sigale<br>re: same     | 0.3 |

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| 1.17 | Draft appellate brief                 | 1.0 |
|      | T/C D. Sigale re: consolidation order | 0.1 |

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| 1.18 | Email NRA counsel re: consolidation | 0.3 |
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| 1.19 | Draft appellate brief   | 4.0 |
|      | T/C R. Gardiner, S. Kolodziej                                 | 0.1 |
|      | T/C D. Kopel  | 0.2 |
|      | Review NRA email re consolidation and<br>discuss w/ D. Sigale | 0.4 |

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| 1.20 | Prepare appendix | 1.0 |
|------|------------------|-----|

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|------|-----------------------|-----|
| 1.23 | Draft appellate brief | 1.0 |
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| 1.24 | Email D. Sigale re: appellate brief | 0.1 |
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| 1.25 | T/C D. Sigale re: appellate brief | 0.2 |
|      | Revise appellate brief            | 1.2 |

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| 1.26 | Email and T/C D. Sigale re: brief | 0.2 |
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13.7    107.6

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| 1.27         | Draft/revise appellate brief, finalize                       | 4.0 |
| 1.28         | Finalize/prepare/file appellate brief                        | 2.0 |
|              | Email clients re: brief                                      | 0.1 |
| 1.29         | Email D. Kopel, C. Conte, S. Halbrook re: other side's amici | 0.1 |
|              | T/C S. Kolodziej re: IJ amicus                               | 0.1 |
|              | T/C S. Loose re: amicus consent issues                       | 0.2 |
|              | Follow up email to S. Loose, other counsel re amici issues   | 0.2 |
|              | Email C. Neily re: IJ amicus                                 | 0.1 |
|              | Review Motion to Recall Mandate and T/C D. Sigale re: same   | 0.2 |
| 1.30         | Email D. Sigale re: NRA brief                                | 0.1 |
| 2.2          | Email NRA counsel, amici re: coordination                    | 0.2 |
|              | Email D. Kopel re: defense arguments                         | 0.1 |
|              | Review Calabresi article re: incorporation                   | 0.2 |
| 2.9          | Email w/ D. Lawson   | 0.1 |
| 2.18         | Review defense motion for additional time                    | 0.1 |
| 2.20         | Email D. Sigale re: new schedule                             | 0.1 |
| Mar 18, 2009 | T/C D. Sigale re: time motion and review                     | 0.2 |
| Mar 22, 2009 | Order on time motion and T/C D. Sigale                       | 0.2 |
| Apr 12, 2009 | Oversize Brief Motion and T/C D. Sigale                      | 0.3 |
| Apr 17, 2009 | Review city brief  | 0.8 |
|              | Email city amici consents                                    | 0.1 |
|              | Update clients   | 0.1 |
| Apr 20, 2009 | Review and research en banc issues and response              | 4.6 |
|              | T/C D Sigale re en banc                                      | 0.2 |
| Apr 21, 2009 | T/C D Sigale re en banc                                      | 0.2 |

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14.6      122.2

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|--------------|--|------------|
| Apr 22, 2009 | Email halbrook re extension request                    | 0.1        |
|              | Read/analyze Appellees' Brief                          | 1.0        |
| Apr 24, 2009 | Review argument calendaring and rules                  | 0.2        |
|              | T/C D. Sigale and update clients                       | 0.2        |
| Apr 25, 2009 | Email clients re argument                              | 0.1        |
|              | T/C O. McDonald  | 0.2        |
| Apr 27, 2009 | T/C D. Sigale re argument                              | 0.2        |
|              | Review NRA motion and Rule 28(j) letter                | 0.2        |
|              | Email halbrook re argument                             | 0.2        |
| Apr 28, 2009 | Email T. Gaziano re moot set up                        | 0.2        |
|              | T/C and email D. Sigale re: schedule and amicus briefs | 0.2        |
| Apr 29, 2009 | Order granting extension                               | 0.1        |
|              | T/C D. Sigale re: new schedule                         | 0.1        |
|              | Review other sides' amici briefs                       | 1.0        |
| Apr 30, 2009 | Email D. Lawson  | 0.1        |
|              | Email S. Halbrook re: argument                         | 0.1        |
| May 1, 2009  | Schedule moot  | 0.1        |
|              | T/C D. Kendall   | 0.2        |
| May 4, 2009  | Review belated amicus br. of Il. Muni. League          | 0.2        |
| May 6, 2009  | Email T. Gaziano re moot                               | 0.2        |
|              | NRA letter to clerk                                    | 0.1        |
| May 7, 2009  | Reply  | 4.2        |
|              | Email D. Sigale re: reply                              | 0.1        |
| May 8, 2009  | Conf w/ Kendall re history                             | 0.5        |
|              | Email D. Gans  | 0.1        |
|              | Denial of en banc petition                             | 0.1        |
| May 9, 2009  | Reply Brief  | 2.0        |
| May 11, 2009 | Email D. Sigale re: reply                              | 0.1        |
|              | Reply Brief  | 5.5        |
|              |  | 17.6 139.8 |

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|--------------|---|-------|
| May 12, 2009 | Reply Brief                               | 4.8   |
| May 13, 2009 | Reply Brief                               | 7.0   |
| May 14, 2009 | Reply Brief finalize and file             | 2.3   |
| May 18, 2009 | Prep and attend moot court and debrief    | 4.0   |
|              | T/C David Sigale re argument and moot     | 0.2   |
| May 20, 2009 | Email Chicago Atty's set up moot court    | 0.2   |
|              | T/C D. Sigale re moot Chicago             | 0.1   |
| May 22, 2009 | Prepare for oral argument                 | 3.0   |
| May 24, 2009 | T/C D. Sigale re coordinating schedule    | 0.2   |
|              | for moot/lunch                            |       |
|              | Prepare for oral argument                 | 4.5   |
| May 25, 2009 | Prepare for argument                      | 2.0   |
|              | Moot court with D. Sigale, D. Simon,      | 2.5   |
|              | C. Hogue                                  |       |
| May 26, 2009 | Prepare for and conduct oral argument     | 2.0   |
|              | 7th circuit                               |       |
|              | Conference with clients and co counsel re | 1.7   |
|              | argument and forward plans                |       |
| May 28, 2009 | T/C A. Cockle re cert petition prep       | 0.2   |
| Jun 2, 2009  | Review Seventh Circuit opinion            | 1.0   |
|              | Prepare cert. petition                    | 2.0   |
| Jun 3, 2009  | Review appendix first proof               | 0.2   |
|              | Review NRA cert. petition                 | 0.9   |
|              | T/C D. Sigale                             | 0.3   |
|              | Prepare cert. petition                    | 3.0   |
|              | T/C A. Gottlieb                           | 0.3   |
|              |   | 42.4  |
|              |   | 182.2 |

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|---------------|---|-----|
| Jun 4, 2009   | Prepare cert. petition  | 6.5 |
| Jun 5, 2009   | Prepare cert. petition  | 5.0 |
| Jun 6, 2009   | Prepare cert. petition  | 7.0 |
| Jun 7, 2009   | Prepare cert. petition  | 3.0 |
|               | T/C E. Wydra re: petition   | 0.5 |
| Jun 9, 2009   | Finalize last proof cert. petition  | 1.0 |
| Jun 18, 2009  | Amicus letter to Supreme Court Clerk  | 0.1 |
|               | Email amici and opposing counsel re consent request                                   | 0.1 |
| June 22, 2009 | Review Texas amici memo and email S. Jordan re: deadlines                             | 0.1 |
| Jun 24, 2009  | Email GOA re amicus and email J. Ho re conference call                                | 0.1 |
| Jun 29, 2009  | Review Texas draft  | 0.2 |
| Jun 30, 2009  | Emails J. Ho, S. Jordan Texas amicus  | 0.1 |
| Jul 6, 2009   | Email J. Ho S. Jordan, and clients  | 0.1 |
| Jul 9, 2009   | T/C D. Kendall re amicus brief  | 0.3 |
|               | Review amicus filings   | 0.2 |
|               | Email S Halbrook re mandate   | 0.1 |
| Jul 24, 2009  | T/c cockle re schedule, D. Sigale re schedule, O. McDonald and M. Weisman re schedule | 0.5 |

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24.9 207.1

|              |   |               |       |
|--------------|---|---------------|-------|
| Aug 5, 2009  | Review city opposition brief  | 1.0           |       |
| Aug 7, 2009  | Review city opposition brief and draft reply  | 2.0           |       |
| Aug 8, 2009  | Draft reply brief   | 2.5           |       |
| Aug 10, 2009 | Draft reply brief   | 0.5           |       |
|              | T/C D. Sigale re scheduling   | 0.1           |       |
| Aug 12, 2009 | Email CAC staff re: input   | 0.1           |       |
| Aug 13, 2009 | Review D. Gans email and respond  | 0.2           |       |
|              | Draft reply brief   | 2.0           |       |
| Aug 14, 2009 | Review NRA reply brief  | 0.2           |       |
| Aug 15, 2009 | Draft/revise reply brief, circulate v.1<br>and review edits, feedback                             | 5.0           |       |
|              | Email D. Sigale, T. Huff  | 0.1           |       |
|              | Email clients re: reply briefing  | 0.1           |       |
| Aug 16, 2009 | Draft/revise reply brief, circulate v. 2 and 3<br>and review edits, feedback, finalize to printer | 5.0           |       |
|              | Email D. Sigale, T. Huff  | 0.1           |       |
| Aug 17, 2009 | Review proofs and final print of reply brief  | 1.0           |       |
| Aug 24, 2009 | Emails w/ const. law professors re: P or I<br>strategy  | 0.7           |       |
| Sep 25, 2009 | Email D. Sigale re: Nordyke impact  | 0.1           |       |
| Sep 29, 2009 | Travel to Chicago   | 3.0 / 2 = 1.5 |       |
|              | T/C D. Sigale re cert.  | 0.1           |       |
| Sep 30, 2009 | Conf. w/ clients re cert grant  | 1.0           |       |
|              | T/C & email T. Drake-Zinnerman re: GULC 0.1<br>moot   |               |       |
|              | Conf. w/ D. Sigale  | 0.2           |       |
|              |   | 23.5          | 230.6 |



|              |   |               |
|--------------|---|---------------|
| Oct 1, 2009  | T/C B. Solomon re: extension of time and amici consent            | 0.2           |
|              | T/C D. Schmutter  | 0.1           |
|              | Email R. Barnett re: amici  | 0.3           |
|              | Email J. Eastman, Email N. Dranias, C. Bolick                     | 0.1           |
|              | T/C O. McDonald   | 0.2           |
|              | T/C A. Orlov  | 0.2           |
|              | Email A. Winkler re: UCLA moot                                    | 0.1           |
|              | Return from Chicago   | 3.0 / 2 = 1.5 |
| Oct 2, 2009  | Review K. Lash discussion   | 0.3           |
|              | Emails T. Huff  | 0.1           |
|              | Emails post-Heller listserv                                       | 0.2           |
| Oct 5, 2009  | T/C O. McDonald   | 0.2           |
|              | Merits Cases Counsel of Record Form                               | 0.1           |
| Oct 7, 2009  | Email R. Dowlut   | 0.1           |
|              | T/C C. Mellor   | 0.2           |
|              | Designation of Record   | 0.2           |
| Oct 7, 2009  | T/c E. Wydra re conference  | 0.4           |
|              | Emails IJ, Cato, CAC and P or I people re: P or I conference      | 0.2           |
| Oct 9, 2009  | T/c T. Gaziano re amici and 14th amendment arguments and theories | 0.4           |
| Oct 10, 2009 | Conf. w/ R. Barnett re 14th amendment research                    | 2.0           |
| Oct 11, 2009 | Emails re amici conference setup                                  | 0.2           |
| Oct 12, 2009 | T/c D. McEnerny re respondents status                             | 0.2           |
|              | T/c D. Kilmer re research on argument issues, A. Gottlieb         | 0.2           |
|              | Conference with P or I amici                                      | 2.0           |

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9.7      240.3

|               |   |     |
|---------------|---|-----|
| Oct 13, 2009  | Email S. Poss re: NRA   | 0.4 |
|               | Consent letter re amici   | 0.2 |
|               | Email B. Solomon re respondent issues   | 0.1 |
|               | T/c e Garvey at heritage re amici conference  | 0.1 |
|               | T/c {redacted} re potential interest by immigrant community in case                           | 0.2 |
|               | T/c N. Katyal   | 0.1 |
|               | T/c e Jaffe re amicus   | 0.4 |
|               | Tc/ J. Payton NAACP briefing  | 0.5 |
|               | Emails J. Henderson and L. Keane re amicus  | 0.1 |
|               | T/c Otis McDonald   | 0.1 |
| Oct 14, 2009  | Emails B. Solomon S. Loose re answer  | 0.1 |
|               | T/c D. Kendall re SG and amici  | 1.0 |
|               | T/c R. Pilon re amici   | 0.3 |
|               | T/c e. Price-foley re amici   | 0.5 |
|               | Emails I. Shapiro, R. Levy re professors participation in amici                               | 0.1 |
|               | Email E. Garvey re conference organization  | 0.1 |
|               | Emails A. Korwin re amici   | 0.1 |
|               | Emails r. Barnett re Johnson proposal research  | 0.2 |
|               | T/c D. Hardy re p or I research   | 0.2 |
|               | Email R levy, I Shapiro, R Pilon, C Bolick, N dranias and IJ re coordination of amicus briefs | 0.1 |
| Oct 15, 2009  | T/c and emails W. Van Alstyne re amicus brief   | 0.2 |
|               | Emails opposing counsel re oak park status  | 0.1 |
|               | Emails E. Price-Foley re amici efforts  | 0.1 |
|               | Emails NRA counsel re amici consent issues  | 0.1 |
|               | Emails D Schmutter re JPFO brief  | 0.1 |
|               | Emails T. Sandefeur re PLF amicus   | 0.1 |
| Oct 17, 2009  | Research/write petitioners brief  | 5.0 |
| Oct. 18, 2009 | Amicus conference call  | 2.1 |
|               | Conf. w/ C. Neily   | 0.2 |
|               | Review letter from B Solomon and emails A. Hyman  | 0.1 |
|               | Emails D. Moran ISRA re argument plans  | 0.2 |

13.2 253.5

|              |   |     |
|--------------|---|-----|
| Oct 19, 2009 | Emails C Neily, E. Price-Foley re immigration issues                | 0.2 |
|              | Emails G. Hoffman, E. Jaffe re fairman-berger                       | 0.1 |
|              | T/c Mountain States re amicus brief and review letter               | 0.2 |
|              | Emails J. Harrow re Harvard moot                                    | 0.1 |
|              | Emails C. Conte, D. Schmutter re amici                              | 0.1 |
| Oct 20, 2009 | Research/write petitioners brief                                    | 7.0 |
|              | Emails E Jaffe C Neily E Wydra re fairman/Berger issues             | 0.2 |
|              | T/c M. Martin Heartland Institute re amicus brief<br>and procedures | 0.3 |
|              | T/c O. McDonald   | 0.1 |
|              | Emails Cockle re Joint Appendix                                     | 0.1 |
| Oct 21, 2009 | Conf. w/ D. Hardy   | 0.3 |
|              | Petitioners brief research and write                                | 4.0 |
| Oct 22, 2009 | Conf. w SG, DOJ officials, D Kendall re DOJ involvement             | 3.0 |
| Oct 24, 2009 | Research/write petitioner's brief                                   | 4.0 |
| Oct 25, 2009 | Petitioners' brief  | 7.0 |
| Oct 26, 2009 | Emails R. Barnett, B Dowlut, S Poss, S Halbrook                     | 0.2 |
|              | Petitioners' brief  | 7.0 |
| Oct 27, 2009 | Joint appendix prep and emails cockle and B Solomon                 | 0.2 |
|              | Petitioners' brief  | 3.5 |
|              | Review Texas memo and T/C S. Jordan                                 | 0.2 |
| Oct 28, 2009 | Petitioners brief   | 4.0 |
|              | Emails b Solomon re extension schedule                              | 0.2 |
|              | Email T. Huff re immigration issues                                 | 0.1 |
|              | T/c D. Sigale re schedule   | 0.1 |
| Oct 29, 2009 | Conf. w/ {redacted} re<br>possibility of {redacted} amicus          | 0.3 |
|              | Emails Renea Hicks re possible amicus                               | 0.1 |
| Nov 1, 2009  | T/c R Barnett re research   | 1.1 |
|              | Petitioner's Brief  | 5.0 |
| Nov 2, 2009  | Draft/revise petitioners brief                                      | 7.4 |
|              | T/c Otis McDonald   | 0.1 |

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56.2 309.7

|              |  |      |
|--------------|--|------|
| Nov 3, 2009  | Research & draft petitioners brief   | 2.5  |
|              | Emails research assistant and Prof Barnett   | 0.1  |
| Nov 5, 2009  | Petitioners brief  | 4.3  |
|              | Email M. Lawrence re article   | 0.1  |
| Nov 6, 2009  | Petitioners brief  | 12.0 |
| Nov 7, 2009  | Petitioners Brief, emails R McNamara, R. Barnett<br>re edits, C. Cramer re research, T. Huff,<br>D. Sigale and | 8.2  |
|              | T/C D. Sigale  | 0.2  |
| Nov 8, 2009  | Petitioners brief  | 5.0  |
|              | Emails R. Barnett  | 0.2  |
|              | Email B. Solomon   | 0.1  |
|              | Email B. McNamara, C. Neily, W. Mellor   | 0.2  |
|              | Email E. Price-Foley   | 0.1  |
|              | Email Cockle   | 0.1  |
|              | Review Joint Appendix proof  | 0.2  |
| Nov 9, 2009  | Petitioners brief  | 13.0 |
|              | Emails K. Martin, S. Poss, S. Halbrook re cover  | 0.1  |
|              | Emails D. Sigale, T. Huff, C. Neily, R. McNamara<br>re edits   | 0.2  |
|              | Email D. Gans  | 0.1  |
|              | Email H. Sasser re amicus  | 0.1  |
|              | Emails R. Barnett  | 0.5  |
|              |  |      |
| Nov 10, 2009 | Petitioners brief, including revision for first proof<br>and edits   | 12.0 |
|              | Emails D. Sigale, T. Huff, R. Barnett,<br>L. Possessky,  | 0.2  |
|              | T/c I. Shapiro   | 0.4  |
| Nov 11, 2009 | Review first proof and edits   | 2.0  |
|              | Review Chicago request for extension of time<br>and oppose   | 1.5  |

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63.4 373.1

|               |  |     |
|---------------|--|-----|
| Nov 12, 2009  | Cockle calling in edits and scheduling final   | 1.0 |
|               | Conf. w/ T. Huff, R. Barnett, D. Gans  | 0.2 |
|               | Conf. w/ I Shapiro   | 0.2 |
|               | Conf. w/ J. Ho   | 0.1 |
|               | Conf. w/ S. Poss   | 1.0 |
|               | Review first proof   | 0.4 |
| Nov 13, 2009  | Review NRA draft and email S Poss  | 0.5 |
|               | Email J Payton, D Ho re amicus brief   | 0.2 |
|               | Emails C Neily, I Shapiro, R Levy, R Barnett,<br>R. Pilon  | 0.4 |
|               | Review first proof and edit  | 1.0 |
| Nov 14, 2009  | Email D. Lawson  | 0.1 |
|               | Email B. Adkins research assistant re papers   | 0.2 |
|               | Email I. Shapiro, J. Black re P or I issues  | 0.1 |
|               | Email D. Gans re: edits  |     |
| Nov. 15, 2009 | Review C. Neily edits, L. Possessky edits,<br>D. Sigale edits  | 1.0 |
|               | Revise draft re Hall language and emails w/<br>C. Neily R. Barnett re same, and emails re: Lash<br>theory of Bingham | 1.1 |
|               | Revise proof, final edits  | 1.5 |
|               |  |     |
| Nov. 16, 2009 | T/C Cockle entering final edits and completing<br>brief on both proofs   | 1.5 |
|               | T/C D. McNerney Supreme Court re confirm file  | 0.2 |
|               | Review second proof set  | 0.5 |
|               | Emails S. Jordan re: states' brief   | 0.2 |
|               | Emails & messages re: NSSF brief L. Grollman   | 0.2 |
|               | Review Rutherford Brief  | 0.1 |

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11.7 384.8

|               |   |     |
|---------------|---|-----|
| Nov. 17, 2009 | T/C clients re brief filing and discuss case fwd    | 1.0 |
|               | Emails J. Sweeney, P. Guttman re                    | 1.0 |
|               | legislators amicus, notice issues, conflict issues  |     |
|               | Emails B. Solomon, L. Grollman re NSSF issues       | 0.2 |
|               | and consent going forward on Chicago side           |     |
|               | Review NRA Brief                                    | 0.3 |
|               | Email J. Ho re states brief                         | 0.1 |
|               | T/c T. Sandefeur PLF re amicus brief & argument     | 0.3 |
|               | Emails C. Bolick, N. Dranias, T. Caso, J. Eastman,  | 0.1 |
|               | T. Sandefeur, R. Pilon, I. Shapiro re P or I issues |     |
| Nov. 18, 2009 | Emails J. Ho re: state amicus brief issues          | 0.1 |
|               | Review Paragon Brief                                | 0.1 |
| Nov 19, 2009  | T/c Judicial Watch re notice and brief              | 0.1 |
|               | Email R. Barnett re: scholars brief                 | 0.1 |
|               | Review Nordyke and Heartland briefs                 | 0.2 |
|               | T/c C. Levy re amicus from CFJ and follow up        | 0.2 |
|               | emails to other amici re placement                  |     |
|               | Conf. w/ A. Gottlieb, J. Versnel                    | 1.0 |
| Nov 20, 2009  | Review letter and T/C Huberman re ALEC brief,       | 0.2 |
|               | and emails b Solomón and S. Poss re same            |     |
|               | Review Michel Brief                                 | 0.2 |
| Nov 21, 2009  | Review IJ brief and T/c C. Neily                    | 0.3 |
|               | Email P. Mayor re: mootng at Harvard                | 0.1 |
|               | Conf. w/ A. Gottlieb, J. Versnel                    | 0.5 |
| Dec 7, 2009   | T/c J. Ho re motion                                 | 0.2 |
| Dec 8, 2009   | Review application for expanded brief and           | 0.1 |
|               | emails B. Solomon, S. Poss                          |     |
| Dec 10, 2009  | Review Aynes article                                | 0.2 |
| Dec 13, 2009  | Review Texas application to divide                  | 0.1 |
|               | argument  |     |
| Dec 29, 2009  | Letter to Marshal-Talkin re seating request         | 0.2 |

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6.9 391.7

|              |  |     |
|--------------|--|-----|
| Dec 30, 2009 | Review respondents brief, email clients and co counsel   | 0.7 |
|              | Emails B Solomon   | 0.1 |
|              | Email NRA re Replies   | 0.2 |
| Dec 31, 2009 | Reply Brief  | 0.4 |
|              | Conf. w/ R Barnett   | 0.3 |
| Jan 3, 2010  | Reply brief  | 2.0 |
| Jan 4, 2010  | T/c E. Wydra re argument and Chicago brief   | 0.4 |
|              | T/c R. Barnett re argument and brief   | 0.2 |
|              | T/c D. Sigale re NRA motion  | 0.3 |
|              | T/c P Clement re motion  | 0.2 |
|              | Research motion opposition   | 0.4 |
|              | T/c clients re NRA membership status and motion  | 0.2 |
|              | Review Chicago brief and draft response  | 2.0 |
|              | Emails D. McNerney re motion opposition  | 0.1 |
| Jan 5, 2010  | Read and respond to NRA motion   | 4.5 |
|              | Review educational fund amicus   | 0.1 |
|              | Emails D Sigale re NRA motion  | 0.1 |
|              | Emails E. Wydra, R. Barnett re NRA motion  | 0.1 |
|              | Review Chicago reply and draft opposition  | 2.0 |
| Jan 6, 2010  | Review Chicago amici briefs  | 1.0 |
|              | Emails D McNerney, counsel, D. Berman re late amicus brief   | 0.5 |
|              | T/c D Sigale, LAP re NRA, reply briefing   | 0.3 |
|              | Research and draft opp. to NRA motion  | 8.2 |
| Jan 7, 2010  | Research/draft opposition to NRA motion  | 4.1 |
|              | T/c I. Shapiro re NRA and reply brief  | 0.2 |
|              | Emails E. Wydra, R. Barnett, T. Huff, R. McNamara, D Sigale, I Shapiro re NRA and concepts for reply brief | 0.2 |
|              | Emails M. Stollenwerk re motion service and production   | 0.1 |
|              | Opp to amicus motion   | 0.3 |
|              |  |     |

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29.2 420.9

|              |  |      |       |
|--------------|--|------|-------|
| Jan 8, 2010  | Finalize opp to NRA motion   | 1.0  |       |
| Jan 9, 2010  | Review Chicago amici briefs  | 1.4  |       |
| Jan 10, 2010 | Reply brief research and draft                                     | 3.0  |       |
| Jan 11, 2010 | T/c D. Lawson  | 0.2  |       |
| Jan 12, 2010 | Opposition to amici motion   | 0.8  |       |
|              | T/C D. Sigale  | 0.2  |       |
| Jan 13, 2010 | Email D Sigale re reply  | 0.2  |       |
|              | Research/draft reply brief   | 6.4  |       |
| Jan 14, 2010 | Reply brief draft  | 0.7  |       |
| Jan 15, 2010 | Reply brief research and write                                     | 2.5  |       |
|              | Email j. blackman, I Shapiro, E Wydra,<br>r barnett re reply brief | 0.2  |       |
| Jan 16, 2010 | Research/draft reply brief   | 7.5  |       |
| Jan 17, 2010 | Research and draft reply brief                                     | 8.7  |       |
| Jan 18, 2010 | Reply brief  | 7.5  |       |
|              | T/c d Sigale re reply  | 0.1  |       |
|              | Emails J Blackman, I Shapiro re draft                              | 0.1  |       |
| Jan 19, 2010 | Review Kopel/Cramer article and respond                            | 0.5  |       |
|              | Email C. Lawson  | 0.1  |       |
|              | Email R. Barnett re: whence article                                | 0.1  |       |
|              | Reply Brief and circulate  | 2.0  |       |
| Jan 20, 2010 | Email & T/C D. Sigale re reply brief                               | 0.5  |       |
|              | Emails I. Shapiro, J. Blackman re Pandora                          | 0.2  |       |
|              | Email A. Orlov   | 0.1  |       |
|              | Email D. Young   | 0.1  |       |
|              | Emails D. Kendal re reply  | 0.2  |       |
| Jan 22, 2010 | Prepare and submit argument form                                   | 0.2  |       |
| Jan 23, 2010 | T/C D. Sigale  | 0.2  |       |
|              | Reply Brief update and circulate                                   | 2.5  |       |
|              |  | 47.2 | 468.1 |



|              |  |               |
|--------------|--|---------------|
| Jan 24, 2010 | T/c O. McDonald                                    | 0.4           |
|              | Reply brief revisions and draft                    | 5.6           |
|              | Email T.Huff re reply                              | 0.2           |
| Jan 25, 2010 | Review court order on divided argument             | 0.1           |
|              | T/C w/ clients re divided argument                 | 1.0           |
| Jan 26, 2010 | Emails R. Barnett, C. Neily re reply brief         | 0.4           |
|              | Email D. Sigale re: reply                          | 0.1           |
| Jan 27, 2010 | Reply brief  | 1.0           |
| Jan 28, 2010 | Reply brief final revisions on proofs and edits    | 6.2           |
| Jan 29, 2010 | Finalize proof with printer on reply brief         | 1.0           |
|              | Review NRA reply brief                             | 0.4           |
| Feb 1, 2010  | Emails Clients re day of argument plans            | 0.1           |
| Feb 3, 2010  | Emails B. Solomon, S. Poss re NRA brief            | 0.1           |
| Feb 5, 2010  | Emails T. Huff re: moots                           | 0.1           |
| Feb 6, 2010  | Emails, T/C W. Haun re reschedule moots            | 0.2           |
|              | Email D. McNerney re argument seat                 | 0.1           |
| Feb 7, 2010  | Emails T. Gaziano re: reschedule moots             | 0.1           |
| Feb 8, 2010  | Email T. Gaziano re: reschedule moots              | 0.1           |
| Feb 12, 2010 | T/C M. Zawickies U.S. S. Ct. re: argument          | 0.3           |
|              | T/C clients  | 0.2           |
|              | Travel to L.A. for moot                            | 6.0 / 2 = 3.0 |
| Feb 15, 2010 | Prepare for UCLA moot, review notes and briefs     | 3.0           |
| Feb 16, 2010 | UCLA Moot and follow-up conferences w/ moot judges | 2.0           |
|              |  | 25.7 493.8    |

|              |   |               |
|--------------|---|---------------|
| Feb 17, 2010 | Prepare for Heritage moot, review notes and briefs                      | 1.5           |
|              | Travel to Washington from L.A. moot                                     | 6.0 / 2 = 3.0 |
| Feb 18, 2010 | Review letter from U.S. S. Ct. Marshall and relay to clients            | 0.1           |
|              | Heritage Moot Court and follow up conf.                                 | 2.8           |
| Feb 19, 2010 | T/C w/ LAP re moot follow up  | 0.5           |
| Feb 21, 2010 | Prepare for moot court  | 1.0           |
|              | Review D. Sigale research re CRA 1875                                   | 0.2           |
| Feb 22, 2010 | R/T travel Boston for moot  | 6.0 / 2 = 3.0 |
|              | Harvard moot court and follow up conf. w/ judges                        | 2.0           |
| Feb 23, 2010 | Moot Court Catholic University and follow up with judges                | 2.0           |
|              | Argument prep   | 0.5           |
| Feb 24, 2010 | Moot Court Heritage and follow up with judges                           | 3.0           |
| Feb 25, 2010 | T/c R. Barnett re argument prep   | 0.8           |
|              | Conf. D. Sigale re moots  | 0.4           |
|              | email and t/c t. Gaziano re moots                                       | 0.4           |
|              | email to clients re argument day planning                               | 0.3           |
| Feb 26, 2010 | Moot court Georgetown Supreme Court Institute and follow up with judges | 2.0           |
|              | Conf. w/ R. Barnett   | 0.7           |
|              | Conf. w/ D. Sigale, L. Possessky post moot                              | 0.5           |
| Feb 27, 2010 | Prepare for argument  | 3.5           |
| Feb 28, 2010 | Prepare for argument  | 3.0           |
|              | Emails & T/C E. Wydra, R. Barnett                                       | 0.3           |
| Mar 1, 2010  | Conf. w/ clients  | 0.2           |
|              | Prepare for argument  | 4.5           |
|              |   | 36.2 530.0    |

|             |  |     |
|-------------|--|-----|
| Mar 2, 2010 | Prepare, argue case before Supreme Court | 4.0 |
|             | Conf. w/ clients post argument           | 2.0 |

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|--|-----|-------|
|  | 6.0 | 536.0 |
|--|-----|-------|

Expenses

|              |  |          |
|--------------|--|----------|
| 4/25/08      | Chicago Hampton Inn O'Hare                 | \$129.36 |
| 4/26/08      | American Airlines, ORD-DCA                 | \$296.50 |
| 1/28/09      | Fed Ex service of appellate brief          | \$310.41 |
| 1/28/09      | Fed Ex printing charges, app. brief        | \$234.06 |
| 5/25/09      | W Hotel Chicago                            | \$152.52 |
| 5/25/09      | Chicago Transit                            | \$ 5.00  |
| 5/25/09      | Chicago Parking Meter                      | \$ 4.00  |
| 5/25/09      | AA DCA/ORD                                 | \$225.20 |
| 5/25/09      | Meals, Chicago & Travel                    | \$196.19 |
| 06/9/09      | Cert. Petition Filing Fee/Svc Chg          | \$315.00 |
| 9/29/09      | American Airlines, DCA-ORD 9/29            | \$747.20 |
| 9/29/09      | Sheraton Four Points Chicago, 2 nights     | \$403.92 |
| 9/29-10/1/09 | Meals (incl w/ D. Sigale                   | \$260.15 |
| 9/29-10/1/09 | Cab fares (to/from airport and in Chicago) | \$ 63.00 |
| 3/1/10       | Capitol Hill Suites, S. Ct.:               | \$326.21 |

**CONFIDENTIAL – SETTLEMENT DOCUMENT**

McDonald v. City of Chicago – Alan Gura

2010

|              |  |           |
|--------------|--|-----------|
| May 25, 2010 | Emails w/ B. Solomon   | 0.1       |
| Jun 9, 2010  | Email D. Sigale re city settlement prospect                                  | 0.1       |
| Jun 20, 2010 | Email clients re decision day plans  | 0.2       |
| Jun 28, 2010 | Attend supreme court decision and<br>analyze decision                        | 1.5       |
|              | T/c D. Sigale, clients   | 0.2       |
|              | Conf w Otis McDonald, A Gottlieb,<br>J. Versnel                              | 1.0       |
|              | Conf. w/ a Gottlieb  | 1.0       |
| Jun 29, 2010 | Email B. Solomon re settlement   | 0.3       |
|              | T/c B. Solomon re settlement   | 1.0       |
|              | T/c O. McDonald  | 0.2       |
|              | T/c Mara Georges re settlement   | 0.7       |
|              | T/c R Pearson, D Moran, A Gottlieb re<br>Chicago proposals                   | 0.7       |
|              | Email D. Sigale re opinion   | 0.1       |
| Jul 3, 2010  | Email D. Sigale re: Buckhannon issues  | 0.2       |
| Jul 5, 2010  | Email D Lawson re registration   | 0.3       |
| Jul 6, 2010  | Email D. Sigale re: Benson impact  | 0.1       |
| Jul 13, 2010 | T/c O. McDonald re follow up,<br>registration compliance & ordinance issues  | 0.9       |
| Jul 30, 2010 | Review mandate, cost order from Supreme<br>Court and email re same D. Sigale | 0.2       |
| Aug 1, 2010  | Review 7th Cir order and email<br>B. Solomon, S. Loose re Rule 54 statement  | 0.2       |
|              |  | <hr/> 9.0 |

|              |   |     |      |
|--------------|---|-----|------|
| Aug 4, 2010  | Emails D. Sigale re: Rule 54 statement  | 0.1 |      |
| Aug 6, 2010  | Draft settlement numbers and<br>email M. Forti  | 0.3 |      |
| Aug 10, 2010 | Emails D. Sigale re NRA, Rule 54  | 0.1 |      |
| Aug 19, 2010 | Emails D. Sigale re settlement, R. 54   | 0.1 |      |
| Aug 20, 2010 | Draft Rule 54 statement   | 2.0 |      |
| Aug 24, 2010 | T/c M. Forti re settlement  | 0.1 |      |
|              | Email clients re end of case  | 0.2 |      |
|              | T/c O. McDonald   | 0.4 |      |
|              | Review 7th cir orders   | 0.1 |      |
|              | Email M. Forti re motion plan/ deadline   | 0.1 |      |
|              | T/c client re Buckhannon  | 0.1 |      |
| Aug 25, 2010 | Review 7 <sup>th</sup> Cir. Order and judgment  | 0.1 |      |
| Aug 30, 2010 | Email and t/c M. Forti re fee rates   | 1.0 |      |
| Sep 8, 2010  | T/c D. Sigale re cost bill  | 0.2 |      |
| Sep 10, 2010 | T/c D. Sigale re: settlement disc. w/ city  | 0.2 |      |
| Oct 12, 2010 | Review Shadur order   | 0.1 |      |
| Nov 30, 2010 | T/c D. Sigale re Rule54.3 fee issues  | 0.3 |      |
| Dec 1, 2010  | T/c D. Sigale re motion timing, settlement  | 0.2 |      |
| Dec 15, 2010 | T/c and email D. Sigale and corr w/ Forti<br>re joint statement                       | 0.7 |      |
| Dec 16, 2010 | emails forti re status and NRA briefing   | 0.2 |      |
|              | Review NRA briefing and status  | 0.5 |      |
|              | T/c D. Sigale and update clients re NRA<br>situation and plans going forward          | 1.0 |      |
| Dec 17, 2010 | Emails M. Forti and other city lawyers re:<br>fee litigation misconduct and procedure | 0.3 |      |
|              | T/c D. Sigale re fee litigation preparation   | 0.3 |      |
|              |   | 8.7 | 17.7 |

|              |  |          |
|--------------|--|----------|
| Dec 19, 2010 | Declaration and motion re abeyance of<br>NRA pending our participation             | 2.0      |
| Dec 20, 2010 | T/c D. Sigale re hearing   | 0.3      |
| Dec 21, 2010 | Review Shadur decision in NRA and<br>t/c D. Sigale, clients re same                | 0.5      |
| Dec 22, 2010 | Review Shadur NRA opinion  | 0.2      |
|              | Emails and T/c D. Sigale and clients re<br>preparation of fee litigation going fwd | 0.4      |
| Dec 24, 2010 | research/draft LR 54.3 motion  | 2.0      |
| Dec 25, 2010 | review Sigale edits and revise/finalize<br>LR 54.3                                 | 0.2      |
| Dec 26, 2010 | T/c and email D. Sigale re notice of motion<br>and NRA NOA                         | 0.1      |
|              | Update clients re fee situation  | 0.1      |
| Dec 27, 2010 | Email D. Sigale re motion for instructions   | 0.1      |
| Dec 29, 2010 | T/c D. Sigale re court appearance  | 0.2      |
| Jan 2, 2011  | Emails and T/c D. Sigale re time<br>extension and appellate situation              | 0.2      |
| Jan 3, 2011  | Review Shadur opinion  | 0.2      |
|              | Draft and file notice of appeal  | 0.1      |
|              | T/c D. Sigale re appeal  | 0.3      |
|              | T/c C. Neily re Buckhannon materials and<br>IJ amicus support                      | 0.2      |
| Jan 4, 2011  | Email D. Sigale re appeal strategy/timing  | 0.1      |
| Jan 6, 2011  | Review scheduling order  | 0.1      |
| Jan 7, 2011  | Review Shadur supplemental opinion   | 0.1      |
| Jan 10, 2011 | Email D. Sigale re supplemental order  | 0.1      |
| Jan 11, 2011 | Review Sigale drafts of initial appellate docs                                     | 0.1      |
|              |  | 7.6 25.3 |

|              |  |      |      |
|--------------|--|------|------|
| Feb 4, 2011  | Review research material and draft appellate brief               | 3.0  |      |
| Feb 8, 2011  | Review emails D. Sigale and respond re<br>brief research         | 0.1  |      |
|              | Emails C. Neily, S. Loose re amicus consent                      | 0.1  |      |
| Feb 9, 2011  | Emails D. Sigale re brief preparation                            | 0.1  |      |
| Feb 10, 2011 | Draft brief on appeal, review record<br>and finalize appendices  | 5.0  |      |
|              | Emails D. Sigale re appx, research and scheduling                | 0.1  |      |
|              | Emails C. Neily, S. Loose re amicus consent                      | 0.1  |      |
|              | Emails NRA attorneys re appx cooperation                         | 0.2  |      |
| Feb 11, 2011 | Research and draft appeals brief                                 | 5.1  |      |
|              | Emails D. Sigale re: brief                                       | 1.0  |      |
| Feb 12, 2011 | Research and draft appellate brief                               | 7.0  |      |
|              | Email and T/C w/ D. Sigale re cost argument                      | 0.5  |      |
| Feb 13, 2011 | Draft appellate brief, review DS comments                        | 6.0  |      |
| Feb 14, 2011 | Finalize filing of brief   | 0.5  |      |
|              | Various T/c and emails re filing prep and<br>related case issues | 0.5  |      |
| Feb 15, 2011 | Review NRA brief   | 0.4  |      |
| Feb 24, 2011 | Review IJ amicus brief   | 0.4  |      |
| Mar 3, 2011  | Email D. Sigale re reply brief                                   | 0.1  |      |
| Mar 9, 2011  | Review motion for extension and email<br>B. Solomon re same      | 0.1  |      |
| Mar 10, 2011 | Order granting city motion                                       | 0.1  |      |
| Apr 8, 2011  | Review second city time motion                                   | 0.1  |      |
| Apr 12, 2011 | Order on second city motion                                      | 0.1  |      |
| Apr 21, 2011 | City correspondence re: new argument time                        | 0.1  |      |
|              |  | 30.7 | 56.0 |

|              |  |     |      |
|--------------|--|-----|------|
| Apr 22, 2011 | T/c D. Sigale re argument date                                   | 0.2 |      |
|              | Emails B. Solomon re argument letter                             | 0.1 |      |
|              | Review city argument letter and draft letter<br>to clerk re same | 0.2 |      |
| Apr 25, 2011 | Draft correspondence to D. Sigale re argument                    | 0.1 |      |
| May 4, 2011  | Review appellee brief  | 0.4 |      |
| May 10, 2011 | T/c D. Sigale re reply brief                                     | 0.2 |      |
| May 11, 2011 | Emails D. Sigale re reply brief                                  | 0.1 |      |
| May 12, 2011 | Revise/draft reply brief on fees                                 | 0.3 |      |
|              | T/c D. Sigale re reply brief                                     | 0.2 |      |
| May 13, 2011 | Revise/draft appeal reply brief                                  | 6.5 |      |
| May 17, 2011 | NRA correspondence re argument                                   | 0.1 |      |
| June 2, 2011 | Review opinion and consult w/ D. Sigale,<br>clients              | 0.3 |      |
|              |  | 8.7 | 64.7 |

Expenses:

|      |  |        |  |
|------|--|--------|--|
| 6/28 | Lunch, Thunder Grill, Union St. D.C.             | 112.65 |  |
|      | (O. McDonald, A. Gottlieb, J. Versnel, F. Jones) |        |  |
| 6/28 | Parking, Union Station                           | 17.00  |  |
| 2/14 | Fed Ex brief delivery and service                | 413.47 |  |
| 2/14 | Return postage on App. Brief                     | 7.95   |  |
|      |  | 551.07 |  |



**CONFIDENTIAL – SETTLEMENT DOCUMENT**

**McDONALD v. CITY OF CHICAGO**

**TIME FOR LAURA A. POSSESSKY**

|  |     |
|--|-----|
| 11/11/2009 Review supreme court brief draft comments; email correspondence and call with Alan Gura                   | 3   |
| 12/03/2009 Reviewing brief and draft comments/proposed changes for brief.  | 3   |
| 01/06/2010 Review NRA motion for argument time split; email correspondence with Alan                                 | 0.3 |
| 02/18/2010 Attend moot at Heritage, provide support for moot and compile/note comments/ lines of question, critiques | 3.0 |
| 02/19/2010 call with Alan re moot and notes  | 0.5 |
| 02/26/2010 Lunch meeting with co-counsel   | 1   |
| 02/26/2010 Attend GULC moot  | 2   |
| 02/26/2010 Post-moot meeting with Alan Gura, David Sigale, debriefing  | 1   |
| 02/27/2010 Summarize moot notes; email comments to Alan  | 2   |

15.8

**CONFIDENTIAL – SETTLEMENT DOCUMENT**

**LAW FIRM OF DAVID G. SIGALE, P.C.**

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**SUMMARY OF SERVICES RENDERED AND COSTS EXPENDED**

For: Second Amendment Foundation, Inc.

Re: McDonald, et al v. City of Chicago (N.D. IL)

Through 6/27/10

4/1/08: **(0.2)** Review e-mail from co-counsel re: relevant briefs and pleadings in D.C. case as compared to our case.

4/25/08: **(1.3)** Conference with Richard Pearson and Victor Quilici re: lit. strategy, preparation for full client meeting.

4/26/08: **(3.0)** Conference with clients re: litigation strategy, process.

4/27/08: **(0.2)** E-mails to/from co-counsel re: Illinois requirements for engagement letters.

4/28/08: **(0.1)** Review e-mail from co-counsel re: engagement letters, ISRA.

5/5/08: **(0.1)** Review e-mails from co-counsel, David Lawson re: lit. strategy.

5/12/08: **(0.1)** Review e-mails from co-counsel, Adam Orlov, re: status of registration attempts, effect on pleadings.

5/19/08: **(0.3)** E-mails, telephone conferences to/from co-counsel re: constitutional breadth of Complaint.

6/3/08: **(0.5)** Telephone conference with Vic Quilici re: Cook County case involving Second Amendment and invoking D.C. case, potential impact on our case (0.3); Telephone conference with co-counsel re: informing of above-referenced Cook County litigation (0.2).

6/9/08: **(0.3)** Review Supreme Court live postings to see if opinion released in D.C. case.

6/11/08: **(0.6)** Review current draft of Complaint (0.4); Telephone conference with co-counsel re: edits, comments to complaint (0.2).

6/11/08: **(0.2)** Review e-mail from co-counsel re: litigation strategy, status of pleadings.

6/12/08: **(0.3)** Review latest draft of Complaint (0.2); Telephone conference with co-counsel re: preparation of Complaint (0.1).

6/13/08: **(0.1)** Telephone conference with co-counsel re: preparation of Complaint.

6/16/08: **(0.7)** Review Supreme Court live postings to see if opinion released in D.C. case (0.3); Draft e-mail to co-counsel re: status of Mell ordinance (0.2); Telephone conference with co-counsel re: strategy, preparation for filing (0.2).

6/17/08: **(0.6)** Review e-mail re: GOA organization, GOA website to see status of any potential filing (0.3); Telephone conference with Vic Quilici re: Mell ordinance (0.1); Telephone conference with co-counsel re: Complaint, Mell ordinance (0.2).

6/17/08: **(0.1)** Review e-mail from co-counsel re: status of pleadings, registration attempts.

6/18/08: **(0.6)** Additional review of federal law re: proper service on municipal corporations (0.3); Draft summonses (0.3).

6/18/08: **(0.5)** Review e-mails from Vic Quilici and co-counsel re: e-filing requirements (0.1); Review e-mails from co-counsel re: amendments to Complaint, lit. strategy, registration forms (0.4).

6/19/08: **(0.7)** Telephone conference with Clerk of District Court re: e-filing requirement (0.2); Review Supreme Court live postings to see if opinion released in D.C. case (0.3); Telephone conference with co-counsel re: strategy, preparation for filing (0.2).

6/19/08: **(0.2)** Review e-mails from David Lawson and Colleen Lawson re: City registration forms.

6/23/08: **(0.5)** Review Supreme Court live postings to see if opinion released in D.C. case (0.3); Telephone conference with co-counsel re: strategy, preparation for filing (0.2).

6/25/08: **(0.5)** Review Supreme Court live postings to see if opinion released in D.C. case (0.3); Telephone conference with co-counsel re: strategy, preparation for filing (0.2).

6/26/08: **(5.4)** Telephone conference with Clerk of Court re: e-filing, getting lowest case number (0.3); Review Supreme Court live postings to see if opinion released in D.C. case (0.3); Telephone conference with co-counsel re: filing of Complaint (0.2); E-file Complaint against City of Chicago (0.4); Go to Chicago re: serve process, file Gura *pro hac vice* application (3.8); Telephone conference with Pearson, Gottlieb, Gura re: Complaint filing, press disclosures (0.4). (COSTS: **(\$526.00)** \$350.00 – filing; \$95.00 – service of process; \$31.00 – parking; \$50.00 – *pro hac vice* application);

6/27/08: **(0.4)** Review Judge's Memorandum Order (0.2); T/C w/ co-counsel re: Order, response (0.2).

6/28/08: **(0.2)** Telephone conference with co-counsel re: Response to Order.

6/30/08: **(0.5)** Telephone conference with co-counsel re: Response to Order, filing of Motions.

7/1/08: **(0.2)** Telephone conference with co-counsel re: Response to Order, filing of Motions.

7/1/08: **(0.1)** Review Attorney appearances filed by City.

7/2/08: **(1.4)** Draft Local Rule 3.2 affiliate disclosures for SAF and ISRA (0.3); Telephone conference with Pearson re: affiliate disclosure (0.1); Telephone conference with Gottlieb re: SAF affiliate disclosure (0.1); Telephone conferences with Vic Quillici re: personal filing by Chicago attorneys (0.3); Final review of Response to 6/27 Order, draft NOF, e-file same (0.6) (COSTS: \$70.00 – courier delivery).

7/7/08: **(0.3)** Review, analyze Order of court (0.2); T/C w/co-counsel re: Order (0.1).

7/10/08: **(0.7)** Telephone conference with co-counsel re: Response to Order (0.4); Telephone conference with Mike Weisman of ISRA re: status of case, litigation strategy (0.3).

7/11/08: **(0.7)** Telephone conference with co-counsel re: Response to Order (0.2); Conference with clients (McDonald, Orlov, Lawsons, ISRA) re: status of case, litigation strategy (0.5).

7/16/08: **(0.7)** Review Answer of City of Chicago (0.4); Telephone conference with co-counsel re: City's answer, litigation strategy (0.3).

7/17/08: **(0.6)** Review court Orders dismissing Mayor Daley and setting status date (0.2); Draft e-mail to co-counsel re: developments, litigation strategy (0.2); Telephone conference with co-counsel re: developments, strategy (0.2).

7/22/08: **(0.5)** Review City of Chicago's Motion to Reassign case to ours (0.3); Telephone conference with co-counsel re: City's Motion (0.2).

7/24/08: **(0.5)** Review and compare Chicago and Oak Park ordinances for court appearance/Motion (0.4); Review Village of Oak Park's Motion to reassign NRA v. Oak Park case to ours (0.1).

7/25/08: **(4.0)** Appear in court for City of Chicago's Motion to Reassign NRA case (3.8); Telephone conference with co-counsel re: status of Motions, litigation strategy (0.2).

7/26/08: **(0.1)** Review web articles confirming City of Chicago relying on incorporation defense.

7/28/08: **(0.9)** Legal research re: Motion to Strike (0.7); Telephone conference with co-counsel re: status of preparation of Motion for Summary Judgment and Motion to Strike (0.2).

7/29/08: **(4.5)** Appear in court for Village of Oak Park's Motion to Reassign NRA case to ours (3.5); Initial review of Motion for Summary Judgment (0.5); Telephone conference with co-counsel re: status and litigation strategy re: pending and planned Motions (0.5).

7/30/08: **(0.3)** Telephone conferences, e-mails with co-counsel, legal research re: statute of limitations for handgun possession violations re: concerns of Plaintiff Orlov.

7/31/08: **(5.6)** Additional review of Motion for Summary Judgment (0.8); Draft Motion To Strike (2.1); Draft Notice of Motion (0.2); E-file Motion to Strike, Notice of Motion, Summary Judgment Motion, Statement of Facts, Memorandum in Support, Declarations and Exhibits (0.6); Prepare courtesy copies of pleadings for Judge, non-EMF parties (0.5); Review and analyze NRA's Motion to Vacate Reassignment in Oak Park case (0.3); Multiple telephone conferences and e-mails with co-counsel (1.1).

7/31/08: **(0.5)** Fax pleadings to non-EMF parties.

8/1/08: **(3.9)** Appear in Court for Motion to Vacate Reassignment (3.5); Telephone conference with co-counsel re: status, litigation strategy (0.2); Review article quoting Mayor Daley re: abandoning handgun ban and adopting amended ordinance (0.1).

8/4/08: **(0.5)** Review Appearance for Oak Park (0.1); Telephone conference with co-counsel re: strategy (0.2); Telephone conference with Oak Park attorney re: filings (0.2).

8/14/08: **(0.3)** Telephone conference with City of Chicago attorney re: Motion to Strike City's Answer, amended Answer by City.

8/18/08: **(3.6)** Appear in court for status re: pending Motions (3.0); Telephone conferences with co-counsel re: status of Motions, litigation strategy (0.6).

8/29/08: **(0.4)** Telephone conference with City of Chicago attorney re: amended Answer to Complaint (0.2); Telephone conference with co-counsel re: Answer by City, litigation strategy (0.2).

9/2/08: **(0.1)** Review correspondence from City of Chicago attorney re: amended Answer to Complaint.

9/3/08: **(0.3)** Telephone conference with Mike Weisman of ISRA re: status of case (0.2); Review e-mail and attachments from David Lawson re: re-registration applications (0.1).

9/5/08: **(0.5)** Review City's Amended Answer (0.2); Review correspondence from City of Chicago re: discovery/disclosure conference (0.1); Review e-mail from co-counsel re:

discovery/disclosure conference (0.1); Draft e-mail to City of Chicago re: discovery/disclosure conference (0.1).

9/8/08: **(0.2)** Review correspondence from City of Chicago re: discovery conference (0.1); E-mails to/from co-counsel re: discovery conference (0.1).

9/9/08: **(1.5)** Telephone conferences with co-counsel re: Rule 26 discovery conference (0.7); Conduct discovery conference with other attorneys (0.8).

9/10/08: **(3.1)** Appear at court status conference (2.8); Telephone conference with co-counsel re: status conference, litigation strategy (0.2); Review Court Order from Judge Shadur (0.1).

10/13/08: **(2.5)** Draft Rule 16 Motion re: incorporation issue.

10/14/08: **(1.5)** Additional Legal research (including relevant scholarly articles and City of Chicago's brief in pending *Patrick* case) and editing for Rule 16 incorporation Motion.

10/16/08: **(0.2)** Review City's discovery requests.

10/20/08: **(0.2)** E-mails with co-counsel re: edits, preparations to file Rule 16 Motion to Narrow Issues.

10/21/08: **(0.9)** Draft Notice of Motion (0.2); File Motion to Narrow Issues with Clerk of Court (0.2); Draft correspondence to Judge Shadur re: Motion to Narrow (0.3); Draft e-mail to clients re: Motion to Narrow Issues, status (0.2).

10/23/08: **(0.4)** Telephone conference with co-counsel re: NRA's Motions, proposed conference call.

10/24/08: **(0.1)** Review e-mail, letter re: Rule 16 conference call.

10/27/08: **(1.7)** Review NRA's Motion to Strike Jury Demand (0.2); Review NRA's Rule 16 Motion (0.1); Conduct conference call with co-counsel, opposing counsel re: Rule 16 Motions (1.0); Telephone conference with co-counsel re: litigation strategy re: incorporation Motion, upcoming Court appearance (0.4).

10/28/08: **(4.6)** Appear in court for our Rule 16 Motion to Narrow Legal Issues, other Motions (3.9); Telephone conference with co-counsel re: court appearance, status, strategy (0.3); Telephone conference with client McDonald re: status (0.2); Draft status e-mail to client Gottlieb (0.2).

11/4/08: **(0.3)** Draft correspondence to Judge Shadur re: Rule 16 Motion.

11/6/08: **(0.2)** Defendant e-mail to Defendant attorney re: status of striking jury demands (0.1); Telephone conference with Defendant's attorney re: Defendant's jury demands (0.1).

11/7/08: **(0.2)** Review Court Order re: upcoming 11/10/08 Court appearance (0.1); Telephone conference with co-counsel re: striking of 11/10/08 Court appearance (0.1).

11/13/08: **(0.2)** Review Court Order re: courtesy copy of Rule 126 Motion (0.1); Telephone conference with co-counsel re: Court Order (0.1).

12/3/08: **(0.1)** Review Court Order re: upcoming 12/4/08 Court appearance.

12/4/08: **(2.6)** Review Court's Orders denying incorporation Motions in all cases (0.4); Telephone conferences with co-counsel re: litigation strategy, appeal (1.0); Legal research re: appeals of Orders affecting injunctive relief (1.0); Review and edit Notice of Appeal (0.2).

12/5/08: **(0.5)** File Notice of Appeal (0.3); Draft e-mail to co-counsel re: Notice of Appeal (0.1); Review Short Record on Appeal from District Court to Seventh Circuit (0.1).

12/8/08: **(0.2)** Review NRA's incorporation brief as against Defendant for comparison and contrast.

12/9/08: **(4.1)** Appear in Court for status/Defendant's oral Motion to Dismiss (3.8); Conference with co-counsel re: litigation strategy, status of appeal (0.2); Review of Notice of Docketing (of 12/5/08 Appeal) from Clerk of Seventh Circuit Court (0.1).

12/10/08: **(0.2)** Review correspondence from Seventh Circuit Clerk re: docketing and briefing schedule of 12/5/08 Appeal (0.1); Review correspondence from Clerk of District Court re: instructions for record on appeal (0.1).

12/12/08: **(1.8)** Telephone conference with co-counsel re: docketing statement for appeal (0.4); E-mails with co-counsel re: docketing statement for appeal (0.1); Review Seventh Circuit Rules and draft docketing statement (0.5); Draft required Seventh Circuit Attorney Disclosure Statement (0.2); Review edited docketing statement from co-counsel (0.1); Draft correspondence to Clerk of Seventh Circuit re: docketing statement (0.3); Review Appearance of Defendant in Seventh Circuit (0.1); Review correspondence from Seventh Circuit Clerk requiring jurisdictional brief by 12/23/08 (0.1).

12/15/08: **(0.3)** Review proposed Order of Dismissal from Defendant (0.1); E-mail to co-counsel re: Defendant's proposed Order of Dismissal (0.2).

12/15/08: **(0.1)** Review NRA's Motion to drop Plaintiff.

12/16/08: **(0.6)** Amend docketing statement (0.2); Prepare for refiling (0.2); Draft correspondence to Clerk of Seventh Circuit Court re: amended docketing statement (0.2).

12/17/08: **(0.8)** Telephone conference with co-counsel re: proposed dismissal Order, Notice of Appeal (0.3); Draft Notice of Appeal (0.2); Telephone conference with, e-mail to Defendant's attorney re: Order of Dismissal, Notice of Appeal (0.3).

12/18/08: **(3.0)** Appear in Court for dismissal of case.

12/18/08: **(1.0)** Appear in Seventh Circuit Clerk's office re: questions of appeal, co-counsel's Seventh Circuit application (0.2); Conference with co-counsel re: second appeal, litigation strategy (0.5); File Notice of Appeal (0.3).

12/19/08: **(0.1)** Review of Notice of Docketing (of 12/18/08 Appeal) from Clerk of Seventh Circuit Court.

12/22/08: **(1.2)** Review Orders of Dismissal and Docket Entries from Judge Shadur (0.1); Telephone conferences with co-counsel re: litigation strategy of merging appeals if possible, jurisdictional brief (0.6); Legal research re: merging of appeals (0.5);

12/23/08: **(1.2)** Telephone conference with co-counsel re: possible amendments to jurisdictional brief (0.1); Prepare jurisdictional brief for filing (0.4); Telephone conference with courier re: filing of jurisdictional brief (0.2); Deliver jurisdictional brief to courier in blizzard for filing (0.5); Review correspondence from Seventh Circuit Clerk re: docketing and briefing schedule of 12/18/08 Appeal (0.1).

12/31/08: **(0.2)** Review docketing Statement (0.1); Telephone conference with co-counsel re: same (0.1).

1/2/09: **(0.5)** Draft Seventh Circuit Docketing Statement (0.3); Draft correspondence to Clerk of Seventh Circuit re: Docketing Statement (0.2).

1/5/09: **(1.9)** Telephone conference with co-counsel (0.4); Review court records for all cases re: status, briefing schedules (0.2); Draft Motion to Dismiss first appeal (0.5); Telephone conference with City of Chicago attorney re: dismissal of first appeal (0.2); Draft Certificate Regarding Transcripts for remaining appeal (0.4); Review and respond to e-mail from *amici* at Constitutional Accountability Center (0.2).

1/6/09: **(0.7)** Go to Brexis Courier for Seventh Circuit filings (0.3); Telephone conference with brief service re: preparation of Seventh Circuit brief (0.2); Telephone conference with client Lawson re: status, lit. strategy (0.2).

1/8/09: **(0.2)** Review and respond to e-mail from Constitutional Accountability Center re: *amici* brief, coordination with others.

1/16/09: **(0.3)** Review City's Motion to Consolidate (0.1); Telephone conference with co-counsel re: response to same (0.2).



1/17/09: **(0.2)** Review Order of Seventh Circuit Court consolidating NRA and our appeals (0.1); Telephone conference with co-counsel re: same (0.1).

1/19/09: **(0.4)** E-mails and telephone conference with co-counsel re: Appellate Brief, consolidation of cases.

1/20/09-2/6/09: **(1.0)** Review numerous e-mails re: consolidation, consent and filing of *amicus* briefs.

1/24/09: **(2.5)** Review, edit and revise Seventh Circuit brief (2.4); e-mail to co-counsel re: edits (0.1).

1/25/09: **(1.2)** Review, edit and revise new version of Seventh Circuit brief (1.0); Telephone conference with co-counsel re: edits (0.2).

1/26/09: **(1.0)** Review, edit and revise latest version of Seventh Circuit brief (0.6); Telephone conference with co-counsel (0.1); Review Seventh Circuit Rule re: fonts and spacing (0.2); e-mail to co-counsel re: edits, fonts (0.1).

1/28/09: **(0.1)** review e-mail from Constitutional Accountability Center re: formal request for consent to file *amici* brief.

1/29/09: **(0.3)** Review NRA's Motion to Recall Mandate (0.1); Telephone conference with co-counsel re: ramifications of same (0.1); E-mail *amici* at Constitutional Accountability Center re: consent for filing *amici* brief (0.1);

1/30/09: **(0.6)** Draft e-mail to co-counsel re: NRA brief (0.1); Review NRA Seventh Circuit brief (0.5).

2/9/09: **(0.4)** Review *amicus* brief of IL, IN and WI Legislators.

2/10/09: **(1.1)** Review *amicus* brief of Institute for Justice (0.5); Review Constitutional Accountability Center's *amicus* brief (0.6).

2/11/09: **(0.5)** Review *amicus* brief of Independence Institute, *et al.*

2/18/09: **(0.1)** Review e-mail and Motion from City attorney re: Motion for Extension of Time (0.1).

2/20/09: **(0.1)** E-mail to co-counsel re: Seventh Circuit granting City's Motion for Extension of Time, new briefing schedule.

3/18/09: **(0.2)** Review City's Motion for Extension of Time (0.1); Telephone conference with co-counsel re: City's Motion (0.1).

3/22/09: **(0.2)** Review Order of Court granting City's Motion for Extension of Time (0.1); E-mail to co-counsel re: granting of Motion (0.1).

4/4/09 **(0.1)** Review City's Motion to File Oversized Brief.

4/12/09: **(0.3)** Review Order of Court granting City's Motion for Oversized Brief (0.1); Telephone conference with co-counsel re: granting of City's Motion (0.3).

4/17/09 **(0.1)** Review e-mails re: City's *amicus* briefs.

4/20/09: **(2.2)** Review and analyze Nordyke decision (0.5); Review e-mails re: NRA Petition for hearing *en banc* (0.2); Review NRA's *en banc* Petition (0.3); Legal research re: NRA's *en banc* Petition (1.0); T/C w/ co-counsel re: NRA's Petition (0.2).

4/20/09: **(0.1)** Review e-mails re: *amicus* brief for City.

4/21/09: **(0.2)** T/C w/ co-counsel re: opposition to NRA *en banc* Petition.

4/22/09 **(2.0)** Review and analyze City's brief.

4/24/09: **(0.4)** Review Order of Court setting oral argument (0.1); Telephone conference with co-counsel re: oral argument (0.2); Draft status e-mail to clients (0.1).

4/27/09: **(0.4)** Review NRA's Motion for Extension of Time (0.1); Telephone conference with co-counsel re: same, strategy in light of Motion (0.2); Review City's letter to Clerk of Court re: Nordyke decision. (0.1).

4/28/09: **(0.9)** Review Chicago Board of Education *amicus* brief (0.5); Telephone conferences with co-counsel re: extension of briefing schedule (0.2); Draft e-mail to co-counsel re: City's *amicus* briefs (0.2).

4/29/09: **(1.3)** Review Order of Court granting extension of time for Reply briefs (0.1); Telephone conference with co-counsel re: granting of Motion, new briefing schedule (0.1); Review U.S. Conference of Mayors *amicus* brief and *amicus* brief of Historians and Scholars (1.1).

4/30/09: **(0.1)** Review City's Motion to File Corrected Brief.

5/4/09: **(0.8)** Review corrected brief of City (0.4); Review *amicus* brief of Illinois Municipal League (0.4).

5/6/09: **(0.1)** Review correspondence from NRA attorney to Clerk of Court re Nordyke and their request for *en banc* hearing.

5/7/09: **(0.2)** E-mails to/from co-counsel re: drafting, preparation of Reply brief.

5/8/09: **(0.2)** Review Order of Court denying en banc Petition (0.1); E-mail to co-counsel re: same (0.1).

5/11/09 **(0.1)** Review e-mails from co-counsel re: Reply brief.

5/12/09: **(1.0)** Begin to review Reply brief.

5/13/09: **(4.1)** Review and edit various drafts of Reply brief and have numerous phone conferences and e-mails with co-counsel, create required CD versions of brief.

5/14/09: **(3.7)** Have requisite copies of brief made (1.3); Appear at Clerk of 7<sup>th</sup> Circuit Court for filing of brief (2.1) (+1.4 N/C); Mail required courtesy copies to parties (0.3).

5/25/09: **(4.5)** Prepare for oral argument and participate in moot argument.

5/26/09: **(3.0)** Attend Seventh Circuit oral argument.

6/2/09: **(0.3)** Review decision of 7<sup>th</sup> Circuit.

6/3/09: **(0.8)** Review NRA Certiorari Petition to prepare for our Petition (0.5); Telephone conference with co-counsel re: Cert. Petition (0.3).

6/4/09: **(1.3)** Review initial draft of Petition for Certiorari.

6/5/09: **(0.5)** E-mails with co-counsel, *amici*, re: draft of Cert Petition.

6/7/09: **(1.0)** Review second draft of Cert Petition.

6/8/09: **(0.2)** Telephone conference with co-counsel.

6/23/09: **(0.2)** Review correspondence from City of Chicago re: request for extension of time for briefing (0.1); Telephone conference with co-counsel re: City's request for extension (0.1).

7/5/09: **(1.0)** Review *Amici* brief of 24 States to prepare for drafting of Reply Brief.

7/6/09: **(0.8)** Review California *amicus* Brief to prepare for drafting Reply brief (0.2); Review GOA *amicus* brief in preparing for drafting of Reply brief (0.6).

7/24/09: **(0.1)** Telephone conference with co-counsel re: scheduling.

8/5/09: **(0.9)** Review City of Chicago's Brief in Opposition.

8/10/09: **(0.1)** Telephone conference with co-counsel re: Reply Brief.

8/14/09: **(0.7)** Review CAC *Amicus* Brief to prepare for drafting of our Reply brief.

8/15/09: **(1.2)** Review, edit and revise Reply Brief.

8/16/09: **(0.7)** Review, edit and revise second draft of Reply Brief, e-mail to co-counsel.

8/17/09: **(0.4)** Review NRA Reply Brief re: applicability to our Reply Brief.

8/24/09 **(0.7)** Review e-mails re: *amici*, law professors re: P or I arguments.

9/25/09: **(0.1)** E-mail to co-counsel re; *Nordyke* rehearing, effect on our receiving Cert.

9/29/09: **(0.1)** Telephone conference with co-counsel re: granting of Cert.

9/30/09: **(1.2)** Conference with clients re: granting of Cert., schedule, litigation strategy (1.0);  
Conference with co-counsel re: litigation strategy (0.2).

10/10/09: **(0.2)** telephone conference with co-counsel re: anticipated NRA attempts for  
argument time, response.

10/12/09: **(1.5)** Attend telephonic P or I *amici* conference.

10/14/09: **(0.2)** Telephone conference with co-counsel re: NRA's new status as Respondent in  
Support.

10/28/09: **(0.1)** Telephone conference with co-counsel re: brief-writing, editing schedule, City's  
request for additional time, altering of schedule.

11/6/09: **(2.0)** Review current draft of Brief.

11/7/09: **(0.2)** Telephone conference with co-counsel re: Brief edits and comments.

11/9/09: **(0.2)** Review Gura-Huff e-mails re: organization of Brief as pertaining to review of  
same.

11/10/09: **(1.8)** Review latest version of Brief with new organization.

11/11/09: **(0.1)** Review City of Chicago's request and receipt of extension of time.

11/12/09: **(2.3)** Review and edit latest version of Brief, e-mail to co-counsel.

11/15/09: **(1.7)** Review latest version of Brief for final proofing, e-mail to co-counsel.

11/16/09: **(0.2)** Telephone conference with co-counsel re: edits, final proofing and filing.

11/30/09: **(0.1)** Conference with co-counsel re: argument date.

12/30/09: **(0.1)** Review e-mail from co-counsel re: City's *amici*, Reply strategy.

12/31/09: **(1.6)** Review City's Response brief.

1/4/10: **(1.2)** Review City's Response to Texas AG Motion for Divided Argument in order to respond to NRA's Motion (0.2); Review Gerstein treatise for Response to NRA Motion for Divided Time (0.3); E-mails with co-counsel re: Response to NRA Motion (0.4); Telephone conference with co-counsel re: strategy for responding to NRA Motion for Divided Argument (0.3).

1/5/10: **(4.4)** Review NRA's Motion for Divided Argument (0.4); E-mails with co-counsel re: NRA Motion (0.2); Legal research re: Response to NRA Motion for Divided Argument (1.8); Draft Response to Motion for Divided Argument (2.0);

1/6/10: **(0.5)** E-mail to co-counsel re: Response to NRA Motion (0.2); Telephone conference with co-counsel re: NRA Motion, Reply brief strategy (0.3).

1/7/10: **(1.2)** Review latest draft of Response to NRA Motion (0.2); E-mails with co-counsel re: comments, questions (0.3); Review "Kennedy" e-mails for Reply brief (0.7).

1/8/10: **(0.5)** Review strategy e-mails re: Reply brief.

1/9/10: **(7.5)** Begin to review City's *amicus* briefs and begin to draft Memorandum of *amicus* briefs for Reply.

1/12/10: **(0.4)** Review proposed amendment to Response to NRA Motion (0.1); Review Opposition Brief to *amicus* filing (0.1); Telephone conference with co-counsel re: opposition briefs (0.2).

1/13/10: **(2.9)** Complete review of City's *amicus* briefs and complete Memorandum of *amicus* briefs for Reply (2.7); Review *Twitchell* e-mail from co-counsel (0.2).

1/15/10: **(1.5)** Legal research re: *Twitchell*, 6<sup>th</sup> Amendment (1.0); Draft e-mail to co-counsel re: e-mail request (0.5).

1/17/10: **(1.7)** Review e-mail from co-counsel re: Kerr research (0.2); Research re: Kerr and treason (1.2); Draft e-mail to co-counsel re: research (0.3).

1/18/10: **(1.6)** Draft comments on City's brief (0.9); E-mail to co-counsel re: comments (0.3); E-mails with co-counsel re: follow-ups to Kerr research (0.3); Telephone conference with co-counsel re: Reply brief (0.1).

1/19/10: **(0.4)** Review new Supreme Court *Presley v. GA* decision for applicability to our case (0.3); E-mail to co-counsel re: same (0.1).

1/20/10: **(0.5)** Review e-mails re: Reply brief (0.3); Telephone conference with co-counsel re: Reply brief, strategy (0.2).

1/23/10: **(0.3)** Review e-mail from co-counsel to Clerk of Court re: our opposition briefs to Motions (0.1); Telephone conference with co-counsel re: briefs for NRA Motion for Divided Argument (0.2).

1/24/10: **(1.8)** Review latest draft of Brief, send comments to co-counsel.

1/26/10: **(0.2)** E-mails with co-counsel re: Reply brief.

1/28/10: **(0.8)** Review latest draft of Reply brief.

1/29/10: **(0.2)** Draft e-mail to co-counsel re: Reply brief comments.

2/21/10: **(3.2)** Review e-mails re: legal, historical questions from moots (1.0); Research re: Charles Sumner, Civil Rights Act of 1875 (2.0); Draft e-mail to co-counsel re: Sumner research (0.2).

2/23/10: **(0.7)** Review e-mails re: additional questions from moots.

2/26/10: **(3.0)** Appear at Georgetown University moot argument in preparation for Supreme Court argument (2.6); Conference with co-counsel re: legal strategy, comments of moot (0.4).

3/2/10: **(4.2)** Appear at U.S. Supreme Court for oral argument.

Various e-mails and telephone conferences with co-counsel, clients

TOTAL HOURS (through 6/27/10): 188.5

**COSTS**

|  |            |
|--|------------|
| Filing of Suit (6/26/08)                                 | \$ 350.00  |
| Service of Process – Scott Forrest Stern (6/26/08)       | \$ 95.00   |
| Parking (6/26/08)  | \$ 31.00   |
| <i>Pro hac vice</i> application (6/26/08)                | \$ 50.00   |
| Courier delivery (6/26/08)                               | \$ 70.00   |
| Fed Ex Kinkos for mass SJ/Exhibit Copying on 7/31/08:    | \$ 28.91   |
| Court Parking 7/25/08:                                   | \$ 20.00   |
| Court Parking 7/29/08:                                   | \$ 14.00   |
| Court Parking 8/1/08:                                    | \$ 14.00   |
| Court Parking 8/18/08:                                   | \$ 14.00   |
| Overnight Delivery to Judge Shadur 10/21/08              | \$ 12.60   |
| Court Parking 10/28/08:                                  | \$ 14.00   |
| Notice of Appeal (12/5/08)                               | \$ 455.00  |
| Court Parking 12/9/08:                                   | \$ 20.00   |
| Taxis for Court/Return from Court (12/18/08):            | \$ 34.00   |
| Train to Court (12/18/08)                                | \$ 9.50    |
| Notice of Appeal (12/18/08)                              | \$ 455.00  |
| Brexis Courier (for jurisdiction brief) (12/18/08)       | \$ 112.50  |
| Brexis Courier (for Motion to Dismiss, other filings)    | \$ 112.50  |
| Fedex Kinko's (preparation of copies of Brief) (5/14/09) | \$ 304.28  |
| Courthouse Parking (5/14/09)                             | \$ 14.00   |
| U.S.P.S. – mailing of required brief copies (5/14/09)    | \$ 42.05   |
| Parking for Moot Argument Prep. (5/25/09)                | \$ 28.00   |
| Courthouse Parking (5/26/09)                             | \$ 17.00   |
| Southwest Airlines roundtrip (2/25/10, 3/2/10)           | \$ 148.30  |
| Supershuttle 2/25/10                                     | \$ 39.00   |
| Hotel  | \$ 1287.24 |
| Trans. to airport  | \$ 57.00   |
| Airport Parking  | \$ 98.00   |

|                     |                   |
|---------------------|-------------------|
| <b>TOTAL COSTS:</b> | <b>\$ 3848.88</b> |
|---------------------|-------------------|

**LAW FIRM OF DAVID G. SIGALE, P.C.**

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**SUMMARY OF SERVICES RENDERED AND COSTS EXPENDED**

**For: Second Amendment Foundation, Inc.**

**Re: McDonald, et al v. City of Chicago (N.D. IL, CA7, USSC)**

**Through 6/2/11**

**6/9/10 (0.1) Review e-mail from co-counsel re: settlement discussion with City counsel.**

**6/28/10 (1.0) Review Supreme Court's Opinion.**

**6/28/10 (0.3) Conference with clients re: practical impact of Opinion as pertaining to registration of firearms.**

**6/29/10 (0.2) E-mails with co-counsel re: clients and registration in light of language of Opinion, City's public response.**

**7/1/10 (0.3) Review proposed new Chicago ordinance for impact on case.**

**7/3/10 (2.8) Legal research of *Buckhannon* and related/subsequent cases re: legal strategy for obtaining fees (1.8); E-mails with co-counsel re: *Buckhannon*, legal strategy (1.0).**

**7/6/10 (0.6) Review NRA's *Benson* case re: effect on our case (0.2); E-mails with co-counsel, clients re: NRA's *Benson* case, effect on our case (0.4).**

**7/12/10 (0.2) Review official version of Chicago's new ordinance for effect on our case.**

**7/30/10 (0.4) Review Supreme Court's Mandate and award of costs, e-mail from co-counsel re: (0.1); Subsequent e-mails with co-counsel re: Mandate and *Buckhannon* decision, fee issue with City (0.3).**

**8/2/10 (0.2) Review e-mails with co-counsel and City attorneys re: Seventh Circuit Statement for Proceedings on Remand.**

**8/4/10 (0.4) Review Seventh Circuit Rule 54 Notice of Positions on Remand (0.1); Draft, review e-mails to/from co-counsel re: Seventh Circuit Statement for Proceedings on Remand (0.3).**



8/10/10 (0.2) E-mails with co-counsel re: NRA and Seventh Circuit Statement.

8/18/10 (1.0) Draft Seventh Circuit (Rule 54) Statement of Proceedings on Remand.

8/19/10 (0.1) Review e-mail from co-counsel re: fee, settlement discussions with City.

8/22/10 (0.2) Review Rule 54 Positions of other parties to suit.

8/25/10 (0.2) Review Seventh Circuit's Order and Judgment.

8/31/10 (0.4) Review/draft e-mails from/to co-counsel re: details for Bill of Costs in Seventh Circuit (0.2); Telephone conference with Clerk of Seventh circuit re: Bill of Costs requirements (0.2).

9/7/10 (0.2) Draft Seventh Circuit Bill of Costs.

9/8/10 (0.4) Appear at Seventh Circuit Clerk for filing of Bill of Costs, discussion of certain allowable costs (0.2), telephone conference with co-counsel re: costs of brief preparation for addition to Bill (0.2).

9/10/10 (0.3) Conference with City attorney re: settlement of fee issue, response to our demand (0.1); Telephone conference with co-counsel re: conversation with City attorney (0.2).

9/16/10 (0.2) Review Mandate and Bills of Costs from Seventh Circuit (0.1); Telephone conference with Clerk of Seventh Circuit re: Bills of Costs (0.1).

10/8/10 (0.1) Review e-mail from Judge Shadur's Clerk re: disposition of case upon remand.

10/12/10 (0.2) Review Order of Judge Shadur dismissing case as moot (0.1); E-mails with co-counsel re: dismissal of case, "starting of clock" for fee petition (0.1).

11/30/10 (0.5) Telephone conferences with co-counsel re: pre-fee Petition rules for Northern District of Illinois (0.3); Review Local Rule 54.3 for fee request requirements (0.2).

12/15/10 (0.1) Review proposed co-counsel letter to City attorney re: request for response to our fee settlement demand.

12/16/10 (0.1) Draft e-mail to co-counsel re: comment to proposed letter to City attorney.

12/17/10 (1.7) Review e-mails between City attorney and co-counsel re: Judge Shadur's briefing schedule re: fees in NRA/Chicago case, our complete lack of knowledge of same (0.3); Review Order and "prevailing party" briefs filed by NRA and City (1.1); Telephone conference with co-counsel re: fee issues (0.3).

12/20/10 (2.3) E-mails with co-counsel, review e-mails between co-counsel and City re: fee issue, upcoming Court appearance (0.8); Telephone conference with co-counsel re: fee issue (0.2); Draft Motion to Stay NRA fee proceedings (1.1); Draft Notice of Motion (0.2).

12/21/10 (3.9) Appear in Court for NRA/Chicago status re: fee proceedings, including lengthy conference with City attorney re: our fee issues (3.7); Telephone conference with co-counsel re: Court appearance (0.2).

12/22/10 (0.9) Review Judge Shadur's opinion in NRA fee dispute (0.2); Draft e-mail to City attorneys re: Motion for Stay in NRA case (0.1); E-mails with co-counsel, client (0.4); Telephone conference with co-counsel re: legal strategy (0.2).

12/25/10 (0.5) Review draft Motion for Instructions on Fees (0.3); Draft and review e-mails to/from co-counsel re: Fee Motion (0.2).

12/26/10 (0.5) Review edited version of Motion for Instructions on Fees (0.2); E-mails with co-counsel re: strategy for Motion (0.3).

12/27/10 (1.0) E-mails with co-counsel, City attorney re: Motion for Instructions on Fees (0.5); Draft Motion to Withdraw Motion for Stay in NRA case and Notice of Filing of same (0.4); Review NRA's Notice of Appeal (0.1).

12/27/10 (0.3) Draft correspondence to Judge Shadur re: withdrawal of 12/28/10 Motion, presentation of Motion for Instructions on Fees for 12/29/10.

12/28/10 (0.1) Telephone conference with Judge's Clerk re: withdrawal of Motion for 12/28/10, filing of Motion for presentation on 12/29/10.

12/29/10 (3.5) Appear in Court for our Motion for Instructions on Fees (3.3); Telephone conference with co-counsel re: Court appearance (0.2).

1/2/11 (0.2) Telephone conference with co-counsel re: lack of Order re: fees, legal strategy for dealing with same.

1/3/11 (0.3) Review Order of court denying us "prevailing party" status and fees.

1/4/11 (0.2) Review Docketing/Transcript Information sheet (0.1); E-mails with co-counsel re: appeal schedule, strategy (0.1).

1/4/11 (0.1) Review Notice of Appeal.

1/6/11 (0.1) Review Order of Seventh Circuit re: scheduling for Briefs.

1/7/11 (0.2) Review District Court's Supplemental Order.

1/10/11 (0.1) E-mail to co-counsel re: Supplemental Order.

1/11/11 (0.9) Draft Docketing Statement (0.4); Draft Corporate Disclosure Statement (0.3); E-mails to co-counsel re: Docketing Statement and court transcripts (0.2).

1/11/11 (0.3) Draft correspondence to Clerk of Court re: Docketing and Corporate Disclosure Statements.

1/18/11 (0.5) Draft Transcript Information Sheet for filing (0.2); Draft correspondence to District Judge's court reporter re: necessary transcripts for appeal (0.3).

1/18/11 (0.2) Draft correspondence to Clerk of Court re: Transcript Information Sheet.

1/24/11 (0.1) Review correspondence from NRA to City re: Appendices for Seventh Circuit Briefs.

2/4/11 (0.2) Review e-mails re: coordination with NRA of Brief Appendices and oral arguments.

2/7/11 (0.6) Additional legal research into *Buckhannon*-related and –citing cases for Appellants' brief.

2/8/11 (2.6) Additional legal research into *Buckhannon*-related and –citing cases for Appellants' brief (1.4); E-mails with co-counsel re: Appellants' Brief, strategy (0.4); Review Albiston and Neilsen article on statistical impact of *Buckhannon* decision (0.8).

2/9/11 (0.2) E-mails with co-counsel re: preparation and filing of Appellants' Brief.

2/10/11 (2.0) Additional legal research into *Buckhannon*-related and –citing cases for "declaratory relief" portion of Appellants' brief (1.3); E-mails with co-counsel, NRA counsel re: Appendices, Appellants' Brief (0.7).

2/11/11 (1.4) E-mails with co-counsel re: declaratory relief argument of Appellants' Brief (0.6); Review draft of initial sections of Appellants' Brief (0.5); E-mails with co-counsel re: comments on initial portion, strategy (0.3).

2/12/11 (0.5) E-mails with co-counsel re: "costs" argument (0.3); Telephone conference with co-counsel re: "costs" argument (0.2).

2/13/11 (3.1) Analyze and edit Appellants' brief for 2/14/11 filing (2.2); Additional legal research re: "costs" argument (0.8); Draft e-mail to co-counsel re: "costs" cases (0.1).

2/14/11 (0.7) File required electronic version of Appellants' Brief with Clerk of Court (0.3); Telephone conferences with co-counsel (0.4).

**2/15/11 (1.0)** Review and analyze NRA brief in consolidated cases (0.8); Draft e-mail to co-counsel re: e-filing and *Riviera* case (0.2).

**2/24/11 (0.8)** Review Institute for Justice *amicus* Brief.

**3/3/11 (0.1)** Review e-mail from co-counsel re: Reply brief.

**3/9/11 (0.1)** Review City's Motion for Extension of Time for Appellee's Brief.

**3/10/11 (0.1)** Review Order of Court granting City's Motion for Extension of Time.

**4/8/11 (0.1)** Review City's second Motion for Extension of Time for Appellee's Brief.

**4/12/11 (0.1)** Review Order of Court granting City's second Motion for Extension of Time.

**4/21/11 (0.1)** Review correspondence from City attorney re: scheduling of oral argument.

**4/22/11 (0.3)** Telephone conference with co-counsel re: potential oral argument dates for correspondence to Clerk of Court (0.2); Review e-mail from City attorney re: scheduling of oral argument (0.1).

**4/25/11 (0.1)** Review correspondence from co-counsel re: scheduling of oral argument.

**4/30/11 (1.6)** Review and analyze City's Appellee Response brief in order to draft Reply.

**5/10/11 (8.7)** Legal research based on cases and issues raised in City's Response brief, and begin to draft Appellants' Reply Brief (8.5); Telephone conference with co-counsel re: Reply Brief (0.2).

**5/11/11 (4.7)** Continue to draft Reply brief (4.5); E-mails with co-counsel re: edits to Reply Brief (0.2).

**5/12/11 (1.2)** Continue to draft and edit Reply Brief (1.); Telephone conferences with co-counsel re: Reply Brief (0.2).

**5/13/11 (1.2)** Make final edits to Reply Brief (1.0); File electronic copy of Appellants' Reply Brief with Clerk of Court (0.2).

**5/17/11 (0.1)** Review correspondence from NRA attorney re: scheduling of oral argument.

**5/18/11 (0.2)** Draft correspondence to Clerk of Court re: Appellants' Reply Brief.

**5/19/11 (0.3)** Have requisite copies made of Appellants' Reply Brief in proper form.

5/20/11 (0.2) FedEx copies of Appellants' Reply Brief to Clerk of Court.

5/25/11 (0.2) E-mails and telephone conference with co-counsel re: scheduling of Seventh Circuit argument.

6/2/11 (0.3) Review Seventh Circuit Opinion and Order, e-mail to clients, telephone conference with co-counsel.

Various e-mails and telephone conferences with co-counsel, clients

TOTAL HOURS (through 6/2/11): 61.4

COSTS

|  |          |
|--|----------|
| Court Parking (12/21/10)                   | \$ 24.00 |
| Fed Ex to Judge's Chambers (12/27/10)      | \$ 13.84 |
| Court Parking (12/29/10)                   | \$ 21.00 |
| Rosemary Scarpelli (transcripts) (1/27/11) | \$ 46.60 |
| Fed Ex to Clerk of Court (5/19/11)         | \$ 30.85 |

|              |           |
|--------------|-----------|
| TOTAL COSTS: | \$ 136.29 |
|--------------|-----------|

# EXHIBIT A-3

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**NATIONAL RIFLE ASSOCIATION OF  
AMERICA, INC., et al.,**

**Plaintiffs,**

**v.**

**THE CITY OF CHICAGO, et al.,**

**Defendants.**

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)

**No. 08 C 3697**

**Judge Milton I. Shadur  
Magistrate Judge Keys**

**DECLARATION OF JAMES A. FELDMAN**

1. I, James A. Feldman, have personal knowledge of the following facts stated herein and could and would testify thereto if called as a witness in this matter:

2. I am an attorney licensed to practice law in the District of Columbia since 1983. I am also admitted to practice in the Supreme Court of the United States, the United States Courts of Appeals for the District of Columbia and Seventh Circuits, and the District of Columbia Court of Appeals.

3. I currently operate a solo practice in Washington, D.C., specializing in Supreme Court and appellate litigation. In addition to my law practice, I also am currently a Lecturer in Law at the University of Pennsylvania Law School, where I teach a seminar on Supreme Court Practice and Process. In the Spring of 2011, I taught a seminar on Supreme Court Litigation as an adjunct faculty member at Georgetown University Law Center.

4. From 1989 to 2006, I was an Assistant to the Solicitor General at the United States Department of Justice, an office with responsibility for representing the federal government in cases in the United States Supreme Court. I have argued 46 cases before the Court and have been primarily

responsible for briefing more than one hundred others on the merits and for many hundreds of certiorari-stage briefs in opposition and other filings. From 1987-1989, I served with Judge Lawrence Walsh as an Associate Independent Counsel with the Office of Independent Counsel (Iran-Contra). From 1986-1987, I worked at the law firm of Wilmer Cutler & Pickering (now WilmerHale). I graduated from the Harvard Law School, where I was President of the *Harvard Law Review*. I also served as a law clerk to Justice William J. Brennan, Jr., of the United States Supreme Court, and Judge J. Skelly Wright of the United States Court of Appeals for the District of Columbia Circuit.

5. I have been awarded the Attorney General's Distinguished Service Award, the Department of Justice John Marshall Award for Outstanding Legal Achievement for Handling of Appeals, and the Federal Bar Association's Justice Tom C. Clark Award for outstanding accomplishments as a federal government lawyer.

6. Through my experience litigating in the Supreme Court and working with others who do so, I am familiar with the amount of work necessary to properly research and prepare briefs, present oral argument, and otherwise effectively litigate cases in the Supreme Court, including cases having factual and/or legal issues or complexities similar to the instant case. I am also familiar with how to effectively staff such cases, including the number of attorneys necessary to assign to a matter in order to effectively litigate it in the Supreme Court.

7. I was retained to assist Respondents Chicago and Oak Park in litigating this case in the United States Supreme Court. My work included performing legal research; reviewing Petitioner's and NRA's briefs, the 32 amicus briefs submitted in support of Petitioner, the 2 amicus briefs submitted on behalf of neither party, and the 17 amicus briefs submitted in support of Respondents, and determining which briefs and arguments merited response; and participating in

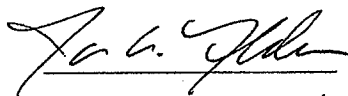


drafting and editing the merits brief submitted by Respondents. I also presented oral argument on behalf of those Respondents.

8. Attached as Exhibit A hereto is a true and correct copy of the invoices I submitted in connection with my representation of Respondents, which detail the work I performed and the number of hours spent on that work. I charged an hourly rate of \$200.00, and I billed for all of the work reflected in Exhibit A. The total number of hours charged is 289.2, and the total fee charged is \$57,840.00. I also charged \$409.60 in expenses. I have been fully paid by the City for these charges. The nature and amount of work reflected in Exhibit A was appropriate and permitted me to effectively represent Respondents in the Supreme Court.

9. Prior to my work on this case, I did not have experience litigating matters involving the Second Amendment or the incorporation of rights through either the Fourteenth Amendment's Due Process Clause or Privileges or Immunities Clause.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.



James A. Feldman

9/23/11

Date

Professional Services Rendered  
City of Chicago  
October 1-31, 2009

ATT: Benna Solomon, Esq.  
Deputy Corporation Counsel, Appeals Div.  
30 North LaSalle St., Suite 800  
Chicago, IL 60602

Invoice # 737  
Date: 11/4/09

Total time: 19.1 hrs. Rate (JAF): \$200/hr Total Amount Due: \$3,820.00

| Date     |     | Project     |   | Hours |
|----------|-----|-------------|---|-------|
| 10/01/09 | JAF | cert grants | Conf w/Solomon re sched & strategy for cert grants        | 0.20  |
| 10/02/09 | JAF | cert grants | Conf w/Solomon re Lewis & McDonald                        | 0.70  |
| 10/05/09 | JAF | McDonald    | Review McDonald briefs                                    | 3.50  |
| 10/08/09 | JAF | McDonald    | Tel Conf re McDonald w/team                               | 2.00  |
| 10/09/09 | JAF | McDonald    | Email re possible Rosenthal amicus brief                  | 0.20  |
| 10/14/09 | JAF | McDonald    | Research, email re strucutre of McDonald argument         | 1.10  |
| 10/15/09 | JAF | McDonald    | Res & mem re Sub. D/P argument                            | 0.50  |
| 10/15/09 | JAF | McDonald    | Res & mem re "liberty interest" & choice of firearms      | 0.50  |
| 10/19/09 | JAF | McDonald    | Prep for SG meeting                                       | 1.00  |
| 10/21/09 | JAF | McDonald    | Prep SG mtg re current 2d Am cases & likely pet'r args    | 1.00  |
| 10/21/09 | JAF | McDonald    | Review P or I cases, phone conf re SG mtg, memo on SG mtg | 2.30  |
| 10/22/09 | JAF | McDonald    | Prep re local-fed programs for SG mtg                     | 0.50  |
| 10/22/09 | JAF | McDonald    | Final prep for SG mtg & mem re fed interests              | 0.50  |
| 10/23/09 | JAF | McDonald    | SG meeting re McDonald                                    | 1.20  |
| 10/27/09 | JAF | McDonald    | Memo on basic D/P args & 50 state survey                  | 0.70  |
| 10/29/09 | JAF | McDonald    | Phone conf re amici                                       | 1.70  |
| 10/30/09 | JAF | McDonald    | Res.incorp cases & grounds for incorp B of Rights         | 1.50  |

**James A. Feldman**

Attorney at Law

3750 Oliver Street, N.W.

Washington, D.C. 20015

Tel: (202) 686-6607 Fax: (202) 686-2832

FID# 27-1332312 PLEASENOTE NEW FID NUMBER

Professional Services Rendered  
 City of Chicago  
 November 1-30, 2009

ATT: Benna Solomon, Esq.  
 Deputy Corporation Counsel, Appeals Div.  
 30 North LaSalle St., Suite 800  
 Chicago, IL 60602

Invoice # 739a  
 Date: 1/13/10

Total time: 39 hrs. Rate (JAF): \$200/hr Total: \$7,800.00  
 Expenses: 215.20

Total Amount Due: \$8,015.20

| Date     |     | Project  | Hours |
|----------|-----|----------|-------|
| 11/01/09 | JAF | McDonald | 3.00  |
| 11/02/09 | JAF | McDonald | 1.00  |
| 11/03/09 | JAF | McDonald | 0.30  |
| 11/10/09 | JAF | McDonald | 0.30  |
| 11/11/09 | JAF | McDonald | 1.00  |
| 11/11/09 | JAF | McDonald | 1.40  |
| 11/15/09 | JAF | McDonald | 1.50  |
| 11/18/09 | JAF | McDonald | 4.50  |
| 11/18/09 | JAF | McDonald | 0.30  |
| 11/19/09 | JAF | McDonald | 3.00  |
| 11/20/09 | JAF | McDonald | 7.00  |
| 11/20/09 | JAF | McDonald | 1.00  |
| 11/23/09 | JAF | McDonald | 2.00  |
| 11/24/09 | JAF | McDonald | 1.00  |
| 11/24/09 | JAF | McDonald | 1.20  |
| 11/25/09 | JAF | McDonald | 3.50  |

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Tel: (202) 686-6607 Fax: (202) 686-2832

FID# 27-1332312 PLEASENOTENEWFIDNUMBER

Professional Services Rendered  
 City of Chicago  
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ATT: Benna Solomon, Esq.  
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 30 North LaSalle St., Suite 800  
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Invoice # 739a  
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Total time: 39 hrs. Rate (JAF): \$200/hr Total: \$7,800.00  
 Expenses: 215.20

Total Amount Due: \$8,015.20

| Date     |     | Project  |   | Hours |
|----------|-----|----------|---|-------|
| 11/27/09 | JAF | McDonald | Rev McDonald amicus briefs              | 1.00  |
| 11/28/09 | JAF | McDonald | Rev & summarized McDonald amicus briefs | 2.00  |
| 11/29/09 | JAF | McDonald | Rev & summarized McDonald amicus briefs | 4.00  |

## Expenses:

Air fare D.C. to Chicago/return for conference re McDonald 11/19-11/20 ..... \$215.20  
 Southwest Ticke #5262163733907 (Ticketless confirmation attached)

**James A. Feldman**

Attorney at Law

3750 Oliver Street, N.W.

Washington, D.C. 20015

Tel: (202) 686-6607 Fax: (202) 686-2832

FID# 27-1332312

Professional Services Rendered  
 City of Chicago  
 December 1-31, 2009

ATT: Benna Solomon, Esq.  
 Deputy Corporation Counsel, Appeals Div.  
 30 North LaSalle St., Suite 800  
 Chicago, IL 60602

Invoice # 740a  
 Date: 1/13/10

Total time: 94.35 hrs. Rate (JAF): \$200/hr Total Amount Due: \$18,870.00

| Date     |     | Project  |  | Hours |
|----------|-----|----------|--|-------|
| 12/01/09 | JAF | McDonald | Rev & comment ami brfs, historians brief           | 3.00  |
| 12/01/09 | JAF | McDonald | Discuss amicus participation of SG and others      | 1.00  |
| 12/02/09 | JAF | McDonald | Conf call w/ Oak Park amici - Sidley Austin        | 1.10  |
| 12/03/09 | JAF | McDonald | Amicus part memo                                   | 0.50  |
| 12/04/09 | JAF | McDonald | Mem re proposed congressional amicus brf & email   | 1.00  |
| 12/09/09 | JAF | McDonald | Reviewed draft brief                               | 1.50  |
| 12/10/09 | JAF | McDonald | Reviewed draft brief                               | 2.50  |
| 12/11/09 | JAF | McDonald | Reviewed draft brief                               | 4.00  |
| 12/12/09 | JAF | McDonald | Edited draft brief                                 | 6.00  |
| 12/13/09 | JAF | McDonald | Edited draft brief                                 | 10.25 |
| 12/14/09 | JAF | McDonald | Edited & research draft brief                      | 7.00  |
| 12/15/09 | JAF | McDonald | Congressional briefing                             | 1.00  |
| 12/15/09 | JAF | McDonald | Res int'l sources, "B of R" terms, other res       | 4.25  |
| 12/15/09 | JAF | McDonald | Edited draft brief                                 | 3.00  |
| 12/16/09 | JAF | McDonald | Edited draft brief                                 | 11.00 |
| 12/17/09 | JAF | McDonald | Reviewed draft brief                               | 2.00  |
| 12/18/09 | JAF | McDonald | Draft brief - Kennedy Heller q's, edit framing-era | 4.00  |
| 12/19/09 | JAF | McDonald | Rev & edit McDonald brief                          | 8.00  |
| 12/20/09 | JAF | McDonald | Rev & edit McDonald brief, resp to div arg mot     | 3.00  |
| 12/21/09 | JAF | McDonald | Rev & edit brief                                   | 6.00  |

**James A. Feldman**

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FID# 27-1332312

Professional Services Rendered

City of Chicago

December 1-31, 2009

ATT: Benna Solomon, Esq.  
Deputy Corporation Counsel, Appeals Div.  
30 North LaSalle St., Suite 800  
Chicago, IL 60602

Invoice # 740a

Date: 1/13/10

Total time: 94.35 hrs. Rate (JAF): \$200/hr Total Amount Due: \$18,870.00

| <i>Date</i> |     | <i>Project</i> |  | <i>Hours</i> |
|-------------|-----|----------------|--|--------------|
| 12/22/09    | JAF | McDonald       | Rev & edit brief                           | 3.00         |
| 12/24/09    | JAF | McDonald       | Rev amicus drafts; read & edit page proofs | 4.00         |
| 12/25/09    | JAF | McDonald       | Rev & edit page proofs                     | 3.00         |
| 12/26/09    | JAF | McDonald       | Rev & edit page proofs                     | 1.00         |
| 12/27/09    | JAF | McDonald       | Rev & edit page proofs                     | 0.75         |
| 12/28/09    | JAF | McDonald       | Rev & edit page proofs                     | 0.50         |
| 12/29/09    | JAF | McDonald       | Rev & edit page proofs                     | 1.00         |
| 12/30/09    | JAF | McDonald       | Rev & edit page proofs, amicus drafts      | 1.00         |

**James A. Feldman**  
 Attorney at Law  
 3750 Oliver Street, N.W.  
 Washington, D.C. 20015  
 Tel: (202) 686-6607 Fax: (202) 686-2832  
 FID# 27-1332312

Professional Services Rendered  
 City of Chicago  
 January 1-31, 2010

ATT: Benna Solomon, Esq.  
 Deputy Corporation Counsel, Appeals Div.  
 30 North LaSalle St., Suite 800  
 Chicago, IL 60602

Invoice # 742  
 Date: 3/5/10

Total time: 31.25 hrs. Rate (JAF): \$200/hr Total Amount Due: \$6,250.00

| <i>Date</i> |     | <i>Project</i> |  | <i>Hours</i> |
|-------------|-----|----------------|--|--------------|
| 01/04/10    | JAF | McDonald       | Read and commented on amicus briefs      | 3.00         |
| 01/05/10    | JAF | McDonald       | Read and commented on amicus briefs      | 4.50         |
| 01/18/10    | JAF | McDonald       | Reviewed TS amicus briefs - arg prep     | 1.00         |
| 01/19/10    | JAF | McDonald       | Reviewed PI treatises - arg prep         | 3.00         |
| 01/20/10    | JAF | McDonald       | Moot court prep, rev. bsac               | 2.00         |
| 01/21/10    | JAF | McDonald       | Mayor's press conf, moot court prep      | 3.00         |
| 01/25/10    | JAF | McDonald       | Reviewed 14th Am leg hist                | 3.50         |
| 01/27/10    | JAF | McDonald       | Reviewed 14th Am leg hist                | 3.50         |
| 01/28/10    | JAF | McDonald       | Reviewed treatises, historical materials | 2.50         |
| 01/29/10    | JAF | McDonald       | Reviewed reply brief                     | 2.00         |
| 01/30/10    | JAF | McDonald       | Reviewed reply briefs                    | 3.25         |

**James A. Feldman**

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Washington, D.C. 20015

Tel: (202) 686-6607 Fax: (202) 686-2832

FID# 27-1332312

Professional Services Rendered

City of Chicago

February 1-28, 2010

ATT: Benna Solomon, Esq.  
 Deputy Corporation Counsel, Appeals Div.  
 30 North LaSalle St., Suite 800  
 Chicago, IL 60602

Invoice # 744

Date: 3/6/10

Total time: 94.0 hrs. Rate (JAF): \$200/hr Total: \$18,800.00  
 Expenses: 194.40

Total Amount Due: \$18,994.40

| Date     |     | Project  |  | Hours |
|----------|-----|----------|--|-------|
| 02/01/10 | JAF | McDonald | Reviewed reply briefs, arg prep  | 5.00  |
| 02/02/10 | JAF | McDonald | Arg prep - reviewed treatises, civ. rights act                           | 6.00  |
| 02/03/10 | JAF | McDonald | Arg prep - reviewed leg history of 14th Am, etc                          | 5.00  |
| 02/07/10 | JAF | McDonald | Arg prep - reviewed leg hist, etc.                                       | 1.00  |
| 02/08/10 | JAF | McDonald | Arg prep - reviewed incorporation cases, etc.                            | 6.50  |
| 02/09/10 | JAF | McDonald | Arg prep - reviewed scholarly critique, etc.                             | 5.00  |
| 02/11/10 | JAF | McDonald | Arg prep - reviewed moot court prep, etc.                                | 4.00  |
| 02/12/10 | JAF | McDonald | Phila moot court & post-moot critique                                    | 4.50  |
| 02/14/10 | JAF | McDonald | Arg prep - reviewed tsac, etc.   | 1.50  |
| 02/15/10 | JAF | McDonald | Arg prep - handgun facts, develop questions, etc.                        | 3.00  |
| 02/16/10 | JAF | McDonald | Arg prep - Chicago laws, develop questions, review answers               | 6.00  |
| 02/17/10 | JAF | McDonald | Prep moot court - key texts, English rights, unincorporated rights, etc. | 2.00  |
| 02/18/10 | JAF | McDonald | Prep for Chi moot court - incorp. of substantive rights, etc.            | 4.00  |
| 02/19/10 | JAF | McDonald | Chi moot court   | 4.00  |
| 02/21/10 | JAF | McDonald | Arg prep - q's & a's   | 2.00  |
| 02/22/10 | JAF | McDonald | Arg prep - substantive d/p, state restrictions, etc.                     | 2.50  |



**James A. Feldman**

Attorney at Law

3750 Oliver Street, N.W.

Washington, D.C. 20015

Tel: (202) 686-6607 Fax: (202) 686-2832

FID# 27-1332312

## Professional Services Rendered

City of Chicago

February 1-28, 2010

ATT: Benna Solomon, Esq.  
 Deputy Corporation Counsel, Appeals Div.  
 30 North LaSalle St., Suite 800  
 Chicago, IL 60602

Invoice # 744

Date: 3/6/10

Total time: 94.0 hrs. Rate (JAF): \$200/hr Total: \$18,800.00  
 Expenses: 194.40

Total Amount Due: \$18,994.40

| Date     |     | Project  |   | Hours |
|----------|-----|----------|---|-------|
| 02/23/10 | JAF | McDonald | Arg prep - state restrictions on gun rights, etc.                 | 8.00  |
| 02/24/10 | JAF | McDonald | DC moot court & critique  | 4.00  |
| 02/25/10 | JAF | McDonald | Arg prep - PI Clause, etc.  | 6.00  |
| 02/26/10 | JAF | McDonald | Arg prep - procedural history, English rights, etc.               | 6.00  |
| 02/28/10 | JAF | McDonald | Arg prep - q's & a's, PI Clause, relation to <i>Heller</i> , etc. | 8.00  |

## Expenses:

Air fare D.C. to Chicago for *McDonald* moot court 2/18/10.....102.70  
 Southwest Ticket #5262175712746 (Ticketless confirmation attached)

Air fare return Chi to DC for *McDonald* moot court 2/20/10..... 91.70  
 Southwest Ticket #5262175714059 (Ticketless confirmation attached)

Total expenses.....\$194.40

**James A. Feldman**

Attorney at Law

3750 Oliver Street, N.W.

Washington, D.C. 20015

Tel: (202) 686-6607 Fax: (202) 686-2832

FID# 52-1332312

**Professional Services Rendered**

City of Chicago

March 1-31, 2010

ATT: Benna Solomon, Esq.  
 Deputy Corporation Counsel, Appeals Div.  
 30 North LaSalle St., Suite 800  
 Chicago, IL 60602

Invoice # 747

Date: 4/20/2010

Total time: 11.5 hrs. Rate (JAF): \$200/hr Total Amount Due: \$2,300.00

| Date     |     | Project  |                               | Hours |
|----------|-----|----------|-------------------------------|-------|
| 03/01/10 | JAF | McDonald | Argument preparation          | 8.00  |
| 03/02/10 | JAF | McDonald | Oral argument                 | 2.50  |
| 03/09/10 | JAF | McDonald | Mtg re post-McDonald planning | 1.00  |

# EXHIBIT A-4

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**NATIONAL RIFLE ASSOCIATION OF  
AMERICA, INC., et al.,**

**Plaintiffs,**

**V.**

**THE CITY OF CHICAGO, et al.,**

**Defendants.**

**No. 08 C 3697**

**Judge Milton I. Shadur**  
**Magistrate Judge Keys**

## **DECLARATION OF BENNA RUTH SOLOMON**

I, Benna Ruth Solomon, have personal knowledge of the following facts stated herein and could and would testify thereto if called as a witness in this matter:

1. I have been an attorney licensed to practice law in the State of Illinois since 1991. I was admitted in the District of Columbia in 1980. I am also admitted to practice in the Supreme Court of the United States and the United States Courts of Appeals for the District of Columbia, Third, Sixth, and Seventh Circuits.

2. From July 2005 to the present, I have served as the Deputy Corporation Counsel for the Appeals Division of the City of Chicago's Department of Law, and from February 1991 to July 2005, I was the Chief Assistant Corporation Counsel of the Appeals Division. The Appeals Division handles all appellate work for the City of Chicago. We appear regularly in the Illinois Appellate Court, the Illinois Supreme Court, the United States Court of Appeals for the Seventh Circuit, and the United States Supreme Court, and occasionally in other courts. Our caseload includes the full range of municipal issues. In addition to party briefs filed on behalf of the City and City officials, we occasionally file amicus curiae briefs in cases that present legal issues of importance to the City.

3. Prior to joining the Law Department in 1991, I served for five years as the Chief Counsel of the State and Local Legal Center in Washington, D.C. That organization represented seven (and ultimately eight) national organizations of state and local government officials, including the U.S. Conference of Mayors, the National Governor's Association, the National Conference of State Legislatures, and others. In that capacity, I filed just short of 100 amicus briefs in the Supreme Court in cases affecting state and local governments. And for five years before that, I served as an Attorney-Advisor in the Office of Legal Counsel of the U.S. Department of Justice. That office provides advice to the President, the Attorney General, and other Cabinet officials on issues of federal law. The prior two years I served as a law clerk to Supreme Court Justice Byron R. White and Judge James L. Oakes of the United States Court of Appeals for the Second Circuit.

4. I have argued at least 23 cases before the Seventh Circuit and three cases before the Supreme Court. I have also supervised the legal work on more than 1,854 appellate briefs for the City.

5. The Appeals Division comprises a Deputy Corporation Counsel, a Chief Assistant Corporation Counsel, a Senior Counsel, and approximately seven or eight Assistant Corporation Counsel. Typically, each appeal is assigned to a single Assistant Corporation Counsel or Senior Counsel, and both the Deputy and the Chief Assistant Corporation Counsel work on every appeal.

6. Through my experience, I am familiar with the amount of work necessary to research and prepare briefs, present oral argument, and otherwise effectively litigate cases in both the Supreme Court and the Seventh Circuit, including cases having legal issues or complexities similar to the instant case. As a result, I am also familiar with how to staff such cases, including the number of attorneys necessary for effective litigation.

7. It is extremely unusual for me to assign more than one Assistant Corporation Counsel to a case. In general, I find it inefficient, and I believe that a better brief can be produced if one attorney takes longer to draft a brief than if the work is divided up. In more than 20 years, I can recall only four cases in which more than one Assistant Corporation Counsel was assigned to a case at the same time (this excludes briefs in which only a week or less was allowed to prepare our brief, cases in which an attorney left or was leaving the Division, and other unusual situations). This was one of the exceptions, although not because of the work necessary in the Seventh Circuit. Instead, my decision to allow one of the attorneys who handled the case in the district court to work on the appellate brief along with an Assistant Corporation in the Appeals Division was intended to afford the experience to him and ensure that he would be up to speed if the case went to the Supreme Court.

8. The appeals at issue involved three consolidated lawsuits challenging various restrictions that the City and the Village of Oak Park placed on the possession of firearms, including the ban of handguns. The appellants filed their opening briefs in the Seventh Circuit on January 28, 2009, and five amicus briefs in support of the appellants were filed by February 6, 2009.

9. Although the two Assistant Corporation Counsel assigned to this case had done some research on issues we believed would be involved, no one concentrated exclusively on this case until mid-February because the Assistants assigned to the case were working on other cases. Once the draft was prepared, I reviewed and edited the brief and considered comments on the draft provided by counsel for the Village of Oak Park as well as amici for the City. Our brief was filed on April 30, 2009. I also coordinated the review of four amicus briefs on behalf of the City.

10. I argued the case before the Seventh Circuit on May 26, 2009. I stood for one moot court on May 21, 2009. I estimate that I spent approximately 15 hours preparing in advance of the moot court and another 15-20 hours between the moot court and the argument.

11. The petitions for certiorari were filed on June 3 and 9, 2009. Our brief in opposition was filed on August 5, 2009. The extension of time in which to file was requested because of other work I was handling for two other Supreme Court cases as well as developments expected in the cases claimed to be in conflict with the Seventh Circuit's decision. We also devoted some time to reviewing the eight amicus briefs filed in support of the petitions.

12. Some work was done on our brief as soon as the Supreme Court granted certiorari. The same two Assistant Corporation Counsel who worked on the case in the Seventh Circuit continued to work on the case. Neither worked full-time on the case until after McDonald and the NRA filed their briefs on November 16, 2009. Thirty-two amicus briefs were submitted in support of McDonald and the NRA. In addition to the two Assistant Corporation Counsel, two first-year volunteer attorneys in the Law Department and attorneys at Mayer Brown, which represented Oak Park, contributed some research. I reviewed and edited the draft of respondents' brief. I was also involved in coordinating 16 of the 17 amicus briefs filed in support of respondents.

13. For the Supreme Court proceeding, the City also employed outside counsel, James A. Feldman, to assist with preparing respondents' brief. At the time the case was pending in the Supreme Court, the City was the respondent in Lewis v. City of Chicago, No. 08-974, also pending in the Supreme Court, on nearly the same exact schedule. The cases were granted the same day; the briefs were filed 16 days apart; and the cases were argued eight days apart. In ordinary circumstances, supervising the filing of two Supreme Court merits briefs and presenting two oral arguments, in addition to running the Appeals Division, might have been do-able even on that schedule, but beginning September 4, 2009, the other supervisor in Appeals began a nearly four-month maternity leave. She returned to the office on December 28, two days before our brief was

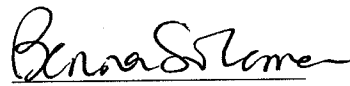
due. When it became clear that the cases would be argued in the same session, I asked Mr. Feldman to argue McDonald before the Supreme Court.

14. Prior to my work on this case, I had never worked on any case involving the Second Amendment or the incorporation of rights through either the Fourteenth Amendment's Due Process Clause or Privileges or Immunities Clause, nor had I given these issues much thought.

15. The City's staffing in both the Seventh Circuit and Supreme Court cases was sufficient to address adequately and effectively the issues raised in those appeals.

16. Attorneys in the Appeals Division or other attorneys in the Law Department working on an appeal do not precisely keep time of the hours they spend on our cases. We do have daily calendars and other documents, such as motions for extension of time in this and other cases, that disclose the general time-frame in which we are working on any particular matter.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

  
Benna Ruth Solomon



# EXHIBIT A-5

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

**NATIONAL RIFLE ASSOCIATION  
OF AMERICA, INC., et al.,**

**Plaintiffs,**

**vs.**

**VILLAGE OF OAK PARK,**

**Defendant.**

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)

**No. 08 CV 3696**

**Judge Milton I. Shadur**

**AFFIDAVIT OF RANJIT HAKIM**


I, Ranjit Hakim, state as follows:

1. I am an associate in the law firm of Mayer Brown LLP. My office is located at 71 S. Wacker Dr., Chicago, IL 60606.
2. Mayer Brown LLP was retained by the Village of Oak Park (the "Village") to represent the Village, on a pro bono basis, in the above-captioned litigation brought by the National Rifle Association.
3. The City of Chicago was also sued by the National Rifle Association in a similar action.
4. Mayer Brown LLP coordinated closely with the City of Chicago on joint defenses and briefing.
5. The cases against the City of Chicago and against the Village were consolidated on appeal.

6. Although Mayer Brown LLP generated no bills in connection with this matter, the attorneys staffed to this matter kept time records that were maintained in the ordinary course by an accounting function. This function also tracked expenses related to this matter. Attached to this affidavit is a true and correct copy of the costs associated with defending the Village in this litigation. Some of the verbal descriptions of time have been redacted to protect privileged attorney-client communications and privileged & confidential litigation strategies.

7. The hourly rates reflected in the attached chart accurately show the hourly rates Mayer Brown LLP charges and collects for its attorneys.

Signed under the penalties of perjury this 26 day of September, 2011.

  
\_\_\_\_\_  
Ranjit Hakim

STATE OF ILLINOIS

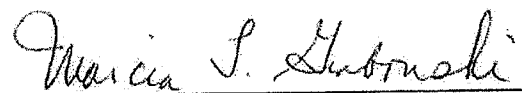
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) ss.

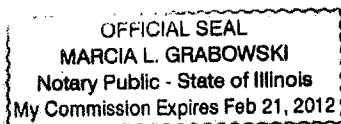
COUNTY OF COOK

)

Subscribed and sworn to before me  
this 26<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 2/21/12



| Pro Bono Time Worked Analysis |        |      |                      |            |               |              |         |            |            |            |   |
|-------------------------------|--------|------|----------------------|------------|---------------|--------------|---------|------------|------------|------------|---|
| Trans Date                    | Office | Dept | Employee             | Hours      |               |              | Value   |            | Billed Amt | WIP Status | Description   |
|                               |        |      |                      | Base Hours | To Bill Hours | Billed Hours | Std Amt | Base Amt   |            |            |   |
| 12/04/08                      | 10     | LIT  | Shea, Alexandra E.   | 2.00       |               | 2.00         |         | \$590.00   | \$0.00     | B          | Attended client meeting with Oak Park; Researched Worked with Docketing re court documents.   |
| 12/04/08                      | 10     | 17   | Kadish, Marc R.      | 2.00       |               | 2.00         |         | \$950.00   | \$0.00     | B          | (NRA Lawsuits) Meet with Village Counsel and outside counsel.   |
| 12/04/08                      | 10     | LIT  | Germann, Hans J.     | 1.50       |               | 1.50         |         | \$735.00   | \$0.00     | B          | Meeting with Oak Park counsel. Review Oak Park materials.   |
| 12/04/08                      | 10     | LIT  | Muench, John E.      | 1.75       |               | 1.75         |         | \$1,303.75 | \$0.00     | B          | Preparation for meeting with Oak Park representative regarding ; Began  |
| 12/05/08                      | 10     | LIT  | Shea, Alexandra E.   | 1.75       |               | 1.75         |         | \$516.25   | \$0.00     | B          | Continued researching working on appearance.  |
| 12/05/08                      | 10     | LIT  | Germann, Hans J.     | 1.50       |               | 1.50         |         | \$735.00   | \$0.00     | B          | Review decision on motion for summary judgment, confer ; review complaint, research   |
| 12/07/08                      | 10     | LIT  | Shea, Alexandra E.   | 0.50       |               | 0.50         |         | \$147.50   | \$0.00     | B          | Reviewed Judge Shadur's decision.   |
| 12/08/08                      | 10     | 32   | Silverman, Robert D. | 0.25       |               | 0.25         |         | \$22.50    | \$0.00     | B          | Electronic filing of appearance in case no. 08 C 3696 for A. Shea/ M. Kadish.   |
| 12/08/08                      | 10     | 17   | Kadish, Marc R.      | 2.50       |               | 2.50         |         | \$1,187.50 | \$0.00     | B          | (NRA Cases) Confer with John Muench and Hans Germann; call to Drew Worsecck; review Shaders decision and complaints in case; meet with Alexa Shea   |
| 12/08/08                      | 10     | LIT  | Germann, Hans J.     | 1.75       |               | 1.75         |         | \$857.50   | \$0.00     | B          | Review Chicago pleadings, conference call with D. Worsecck; confer ; research   |
| 12/08/08                      | 10     | LIT  | Shea, Alexandra E.   | 3.25       |               | 3.25         |         | \$958.75   | \$0.00     | B          | Completed and filed appearance forms for M. Kadish and myself; Worked with the Northern District and Docket Department re admission; Reviewed Complaint and Judge Shadur's orders; Met with M. Kadish |
| 12/08/08                      | 10     | LIT  | Muench, John E.      | 1.50       |               | 1.50         |         | \$1,117.50 | \$0.00     | B          | Work regarding issues relating to the Oak Park case, and conferences with H. Germann and M. Kadish  |
| 12/09/08                      | 10     | 17   | Kadish, Marc R.      | 2.00       |               | 2.00         |         | \$950.00   | \$0.00     | B          | (NRA cases) Court appearance with Alexa Shea before Judge Shadur.   |
| 12/09/08                      | 10     | LIT  | Germann, Hans J.     | 0.50       |               | 0.50         |         | \$245.00   | \$0.00     | B          | Confer re. status hearing, call with D. Worsecck from City of Chicago.  |
| 12/09/08                      | 10     | LIT  | Shea, Alexandra E.   | 2.75       |               | 2.75         |         | \$811.25   | \$0.00     | B          | Attended Court hearing with M. Kadish; Discussed with City of Chicago's counsel; Discussed with H. Germann; Worked with Docket Department re court file.  |
| 12/10/08                      | 10     | 17   | Kadish, Marc R.      | 0.50       |               | 0.50         |         | \$237.50   | \$0.00     | B          | (NRA handgun cases) Exchange of e-mails   |
| 12/11/08                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       |               | 0.25         |         | \$73.75    | \$0.00     | B          | Continued reviewing emails and documents pertaining to NRA case; Reviewed Draft Order.  |
| 12/11/08                      | 10     | LIT  | Germann, Hans J.     | 0.25       |               | 0.25         |         | \$122.50   | \$0.00     | B          | Emails  |
| 12/11/08                      | 10     | 17   | Kadish, Marc R.      | 1.25       |               | 1.25         |         | \$593.75   | \$0.00     | B          | (NRA handgun cases) Exchange of emails.   |
| 12/12/08                      | 10     | LIT  | Germann, Hans J.     | 0.25       |               | 0.25         |         | \$122.50   | \$0.00     | B          | Review fax from Chicago.  |
| 12/12/08                      | 10     | LIT  | Shea, Alexandra E.   | 1.25       |               | 1.25         |         | \$368.75   | \$0.00     | B          | with H. Germann. Discussed order  |
| 12/15/08                      | 10     | LIT  | Shea, Alexandra E.   | 1.00       |               | 1.00         |         | \$295.00   | \$0.00     | B          | Worked on room reservation for meeting with Chicago's attorneys.  |

| Pro Bono Time Worked Analysis |        |      |                    |            |               |              |            |            |            |
|-------------------------------|--------|------|--------------------|------------|---------------|--------------|------------|------------|------------|
| Item Date                     | Office | Dept | Employee           | Hours      |               |              | Value      |            |            |
|                               |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |
| 12/17/08                      | 10     | 17   | Kadish, Marc R.    | 0.50       | 0.50          | 0.50         | \$237.50   | \$237.50   | \$0.00     |
| 12/18/08                      | 10     | 17   | Germann, Hans J.   | 0.75       | 0.75          | 0.75         | \$367.50   | \$367.50   | \$0.00     |
| 12/18/08                      | 10     | 17   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     |
| 12/18/08                      | 10     | 17   | Kadish, Marc R.    | 0.25       | 0.25          | 0.25         | \$118.75   | \$118.75   | \$0.00     |
| 01/02/09                      | 10     | 17   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | \$0.00     |
| 01/02/09                      | 10     | 17   | Muench, John E.    | 0.75       | 0.75          | 0.75         | \$558.75   | \$558.75   | \$0.00     |
| 01/02/09                      | 10     | 17   | Germann, Hans J.   | 0.50       | 0.50          | 0.50         | \$245.00   | \$245.00   | \$0.00     |
| 01/02/09                      | 10     | 17   | Kadish, Marc R.    | 0.75       | 0.75          | 0.75         | \$356.25   | \$356.25   | \$0.00     |
| 01/06/09                      | 10     | 17   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | \$0.00     |
| 01/06/09                      | 10     | 17   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | \$0.00     |
| 01/06/09                      | 10     | 17   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | \$0.00     |
| 01/09/09                      | 10     | 17   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     |
| 01/12/09                      | 10     | 17   | Germann, Hans J.   | 2.50       | 2.50          | 2.50         | \$1,225.00 | \$1,225.00 | \$0.00     |
| 01/12/09                      | 10     | 17   | Shea, Alexandra E. | 3.25       | 3.25          | 3.25         | \$958.75   | \$958.75   | \$0.00     |
| 01/13/09                      | 10     | 17   | Kadish, Marc R.    | 2.50       | 2.50          | 2.50         | \$1,187.50 | \$1,187.50 | \$0.00     |
| 01/13/09                      | 10     | 17   | Germann, Hans J.   | 2.25       | 2.25          | 2.25         | \$1,102.50 | \$1,102.50 | \$0.00     |
| 01/13/09                      | 10     | 17   | Shea, Alexandra E. | 3.00       | 3.00          | 3.00         | \$885.00   | \$885.00   | \$0.00     |
| 01/14/09                      | 10     | 17   | Muench, John E.    | 2.25       | 2.25          | 2.25         | \$1,676.25 | \$1,676.25 | \$0.00     |
| 01/14/09                      | 10     | 17   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | \$0.00     |
| 01/15/09                      | 10     | 17   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     |
| 01/15/09                      | 10     | 17   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | \$0.00     |
| 01/15/09                      | 10     | 17   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     |
| 01/15/09                      | 10     | 17   | Shea, Alexandra E. | 1.50       | 1.50          | 1.50         | \$442.50   | \$442.50   | \$0.00     |
| 01/21/09                      | 10     | 17   | Kadish, Marc R.    | 1.25       | 1.25          | 1.25         | \$593.75   | \$593.75   | \$0.00     |
| 01/21/09                      | 10     | 17   | Germann, Hans J.   | 0.75       | 0.75          | 0.75         | \$367.50   | \$367.50   | \$0.00     |
| 01/22/09                      | 10     | 17   | Shea, Alexandra E. | 1.75       | 1.75          | 1.75         | \$516.25   | \$516.25   | \$0.00     |
| 01/22/09                      | 10     | 17   | Kadish, Marc R.    | 1.00       | 1.00          | 1.00         | \$475.00   | \$475.00   | \$0.00     |
| 01/22/09                      | 10     | 17   | Germann, Hans J.   | 1.25       | 1.25          | 1.25         | \$612.50   | \$612.50   | \$0.00     |

(NRA Lawsuits) Review orders.  
 Attend hearing on Oak Park case.  
 Reviewed court docket entries.  
 Emails re meeting.  
 Met with M. Kadish and H. Germann to discuss  
 Preparation for conference call with Mayer Brown team.  
 Confer  
 Confer with Muench, Germann and A. Shea, email to D. Gossett.  
 Confer with Chicago counsel  
 Respond to emails  
 Reviewed Motion to Consolidate; Communicated with Chicago's counsel.  
 Worked with Bocker Department and secretary to become admitted to the 7th Circuit; Corresponded with City of Chicago's counsel  
 Research, review materials, memoranda, prior briefs  
 Worked on getting admitted to 7th Circuit.  
 (NRA Handgun) Meeting with City of Chicago - prepare for cases  
 Meeting with Chicago materials.  
 Reviewed documents and cases  
 Participated in meeting with City of Chicago's counsel.  
 Preparation for meeting with City of Chicago  
 Review and respond to email from potential amicus.  
 Corresponded with M. Kadish; Reviewed file notes.  
 Review and respond to emails re. amicus brief.  
 Worked with group  
 Discussed case status with H. Germann;  
 Participated in Chicago conference call.  
 (Handgun ordinance) Participate in monthly conference call cases.  
 Conference call.  
 Met with R. Heise from Oak Park, H. Germann, J. Muench, and M. Kadish  
 (NRA Handgun) Confer with Ray Heise, Village attorney from Oak Park; email from Alexa Shea.  
 Meeting with Oak Park.

## Pro Bono Time Worked Analysis

| Tran Date | Office | Dept | Employee           | Hours      |               |              | Value   |            |            | WIP Status | Description  |
|-----------|--------|------|--------------------|------------|---------------|--------------|---------|------------|------------|------------|--|
|           |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt | Base Amt   | Billed Amt |            |  |
| 01/27/09  | 10     | LIT  | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         |         | \$295.00   | \$295.00   | \$0.00     | Communicated with NPA's lawyers and S. Loose from Chicago re filings.  |
| 01/27/09  | 10     | LIT  | Germann, Hans J.   | 0.50       | 0.50          | 0.50         |         | \$245.00   | \$245.00   | \$0.00     | amicus briefs. Review emails re.   |
| 01/28/09  | 10     | LIT  | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         |         | \$295.00   | \$295.00   | \$0.00     | Responded to emails from co-counsel, Plaintiff's counsel, and attorneys desiring to file amicus briefs.  |
| 01/28/09  | 10     | LIT  | Germann, Hans J.   | 3.50       | 3.50          | 3.50         |         | \$1,715.00 | \$1,715.00 | \$0.00     | Review emails re. amicus briefs, review appellant briefs. Research for response brief.   |
| 01/28/09  | 10     | LIT  | Germann, Hans J.   | 5.00       | 5.00          | 5.00         |         | \$2,450.00 | \$2,450.00 | \$0.00     | Review appellant briefs and research, prepare for response brief. Confer with S. Loose.  |
| 01/29/09  | 10     | LIT  | Shea, Alexandra E. | 0.75       | 0.75          | 0.75         |         | \$221.25   | \$221.25   | \$0.00     | Discussed with H. Germann.   |
| 01/29/09  | 10     | LIT  | Germann, Hans J.   | 0.50       | 0.50          | 0.50         |         | \$245.00   | \$245.00   | \$0.00     | Review dockets, confer   |
| 02/02/09  | 10     | LIT  | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         |         | \$295.00   | \$295.00   | \$0.00     | Communicate with R. Heiss, attorney for Oak Park; Discussed with H. Germann and J. Muench; Reviewed Pacer for status; Communicated with City of Chicago's counsel. |
| 02/02/09  | 10     | LIT  | Germann, Hans J.   | 0.25       | 0.25          | 0.25         |         | \$122.50   | \$122.50   | \$0.00     | Confer   |
| 02/03/09  | 10     | LIT  | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         |         | \$295.00   | \$295.00   | \$0.00     | Participated in conference call with amicus curiae and Chicago.  |
| 02/04/09  | 10     | LIT  | Germann, Hans J.   | 0.25       | 0.25          | 0.25         |         | \$122.50   | \$122.50   | \$0.00     | Emails re. schedule, amicus briefs.  |
| 02/05/09  | 10     | LIT  | Germann, Hans J.   | 0.50       | 0.50          | 0.50         |         | \$245.00   | \$245.00   | \$0.00     | Confer with amicus counsel. Email re. amicus, brief responsibilities.  |
| 02/08/09  | 10     | LIT  | Germann, Hans J.   | 0.50       | 0.50          | 0.50         |         | \$245.00   | \$245.00   | \$0.00     | Review Chicago outline, email from Chicago, and prior amicus brief, email re. same.  |
| 02/08/09  | 10     | LIT  | Muench, John E.    | 2.25       | 2.25          | 2.25         |         | \$1,676.25 | \$1,676.25 | \$0.00     | Preparation for meeting with City on 2/9   |
| 02/09/09  | 10     | LIT  | Shea, Alexandra E. | 4.50       | 4.50          | 4.50         |         | \$1,327.50 | \$1,327.50 | \$0.00     | Reviewed Amicus Briefs; Met with Chicago's counsel to discuss  |
| 02/09/09  | 10     | LIT  | Germann, Hans J.   | 2.25       | 2.25          | 2.25         |         | \$1,102.50 | \$1,102.50 | \$0.00     | Review briefs and outline. Meeting with Chicago counsel  |
| 02/09/09  | 10     | LIT  | Muench, John E.    | 2.75       | 2.75          | 2.75         |         | \$2,048.75 | \$2,048.75 | \$0.00     | Preparation for meeting with City lawyers  |
| 02/12/09  | 10     | LIT  | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         |         | \$73.75    | \$73.75    | \$0.00     | Reviewed article re hand gun litigation.   |
| 02/13/09  | 10     | LIT  | Hakim, Ranjit J.   | 3.00       | 3.00          | 3.00         |         | \$1,110.00 | \$1,110.00 | \$0.00     | Review Heller and briefing.  |
| 02/16/09  | 10     | LIT  | Hakim, Ranjit J.   | 3.00       | 3.00          | 3.00         |         | \$1,110.00 | \$1,110.00 | \$0.00     | Review precedent and articles.   |
| 02/17/09  | 10     | LIT  | Shea, Alexandra E. | 0.75       | 0.75          | 0.75         |         | \$221.25   | \$221.25   | \$0.00     | Communicated with internal attorneys re  |
|           |        |      |                    |            |               |              |         |            |            |            | Worked with S. Loose from City of Chicago on motion for extension of time; Discussed with R. Heiss; Reviewed   |

| Pro Bono Time Worked Analysis |        |      |                    |            |               |              |            |            |  |            |
|-------------------------------|--------|------|--------------------|------------|---------------|--------------|------------|------------|--|------------|
| Tran Date                     | Office | Dept | Employee           | Hours      |               | Value        |            | WIP Status | Description  | Billed Amt |
|                               |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   |  |            |
| 02/20/09                      | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | Began working on Joint Defense Agreement; Communicated with M. Forte from Chicago.   | \$0.00     |
| 02/20/09                      | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$740.00   | 7th circuit briefing.  | \$0.00     |
| 02/22/09                      | 10     | UT   | Muench, John E.    | 2.25       | 2.25          | 2.25         | \$1,675.25 | \$1,675.25 | Work regarding arguments for appellee brief in Seventh Circuit.  | \$0.00     |
| 02/22/09                      | 10     | UT   | Muench, John E.    | 1.75       | 1.75          | 1.75         | \$1,303.75 | \$1,303.75 | Preparation for 2/25 meeting.  | \$0.00     |
| 02/25/09                      | 10     | UT   | Shea, Alexandra E. | 4.50       | 4.50          | 4.50         | \$1,327.50 | \$1,327.50 | Reviewed NRA's 7th Circuit brief; Met with MB team ; participated in conference call   | \$0.00     |
| 02/25/09                      | 10     | 17   | Kadish, Marc R.    | 1.00       | 1.00          | 1.00         | \$475.00   | \$475.00   | Monthly conference call ; speak to John and Hans, Drew Worzeck.  | \$0.00     |
| 02/25/09                      | 10     | UT   | Germann, Hans J.   | 0.75       | 0.75          | 0.75         | \$367.50   | \$367.50   | Review briefs, meet  | \$0.00     |
| 02/25/09                      | 10     | UT   | Hakim, Ranjit J.   | 6.00       | 6.00          | 6.00         | \$2,220.00 | \$2,220.00 | Meeting with A. Shea, J. Muench, H. Germann ; review opposition 7th Circuit briefs.  | \$0.00     |
| 02/26/09                      | 10     | UT   | Hakim, Ranjit J.   | 7.00       | 7.00          | 7.00         | \$2,590.00 | \$2,590.00 | Read literature.   | \$0.00     |
| 02/26/09                      | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | Communicated with internal MB team   | \$0.00     |
| 03/02/09                      | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$740.00   | Worked with T. Williams re files.  | \$0.00     |
| 03/03/09                      | 10     | UT   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | Federation argument post-Heller.   | \$0.00     |
| 03/03/09                      | 10     | UT   | Hakim, Ranjit J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | Conference call with Chicago counsel   | \$0.00     |
| 03/03/09                      | 10     | UT   | Hakim, Ranjit J.   | 5.50       | 5.50          | 5.50         | \$2,035.00 | \$2,035.00 | Telephone call with S. Loose and city attorneys ; call with S. Bray; review outline and Second Amendment inquiry.                              | \$0.00     |
| 03/03/09                      | 10     | UT   | Shea, Alexandra E. | 2.50       | 2.50          | 2.50         | \$737.50   | \$737.50   | Communicated with S. Loose ; Arranged for conference call and conference room; Participated in conference call ; Communicated with R. Heiss re | \$0.00     |
| 03/04/09                      | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$740.00   | K&E certificate in Second Amendment research.  | \$0.00     |
| 03/05/09                      | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,480.00 | \$1,480.00 | Telephone calls with city attorneys.   | \$0.00     |
| 03/11/09                      | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | Communicated internally re brief status and research.  | \$0.00     |
| 03/11/09                      | 10     | UT   | Hakim, Ranjit J.   | 6.50       | 6.50          | 6.50         | \$2,405.00 | \$2,405.00 | Response to ; telephone call with attorneys for Chicago.   | \$0.00     |
| 03/13/09                      | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | Communicated with M. Kadish, R. Heiss, J. Muench, and H. Germann   | \$0.00     |
| 03/13/09                      | 10     | UT   | Hakim, Ranjit J.   | 7.00       | 7.00          | 7.00         | \$2,590.00 | \$2,590.00 | Historical research  | \$0.00     |
| 03/13/09                      | 10     | UT   | Germann, Hans J.   | 0.50       | 0.50          | 0.50         | \$345.00   | \$345.00   | Confer re brief  | \$0.00     |
| 03/13/09                      | 10     | UT   | Hakim, Ranjit J.   | 5.25       | 5.25          | 5.25         | \$1,942.50 | \$1,942.50 | Historical research.   | \$0.00     |
| 03/17/09                      | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | Communicated with Chicago's counsel and internal counsel.  | \$0.00     |
| 03/17/09                      | 10     | UT   | Hakim, Ranjit J.   | 8.00       | 8.00          | 8.00         | \$2,960.00 | \$2,960.00 | Extension filing; equal protection argument; historical research   | \$0.00     |
| 03/18/09                      | 10     | UT   | Hakim, Ranjit J.   | 8.00       | 8.00          | 8.00         | \$2,960.00 | \$2,960.00 | Draft historic insert; further research  | \$0.00     |
| 03/18/09                      | 10     | UT   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | Review ; call client.  | \$0.00     |
| 03/20/09                      | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$370.00   | Review   | \$0.00     |

## Pro Bono Time Worked Analysis

| Time Date | Office | Dept | Employee           | Hours      |               | Value        |            | WIP Status | Description |
|-----------|--------|------|--------------------|------------|---------------|--------------|------------|------------|-------------|
|           |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt  |
| 03/23/09  | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00      |
| 03/24/09  | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,480.00 | \$1,480.00 | \$0.00      |
| 03/25/09  | 10     | UT   | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         | \$295.00   | \$295.00   | \$0.00      |
| 03/25/09  | 10     | UT   | Hakim, Ranjit J.   | 4.50       | 4.50          | 4.50         | \$1,665.00 | \$1,665.00 | \$0.00      |
| 03/26/09  | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,480.00 | \$1,480.00 | \$0.00      |
| 03/27/09  | 10     | UT   | Hakim, Ranjit J.   | 3.50       | 3.50          | 3.50         | \$1,295.00 | \$1,295.00 | \$0.00      |
| 03/30/09  | 10     | UT   | Hakim, Ranjit J.   | 7.00       | 7.00          | 7.00         | \$2,590.00 | \$2,590.00 | \$0.00      |
| 03/31/09  | 10     | UT   | Hakim, Ranjit J.   | 6.00       | 6.00          | 6.00         | \$2,220.00 | \$2,220.00 | \$0.00      |
| 04/01/09  | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | \$0.00      |
| 04/01/09  | 10     | UT   | Hakim, Ranjit J.   | 5.50       | 5.50          | 5.50         | \$2,035.00 | \$2,035.00 | \$0.00      |
| 04/02/09  | 10     | UT   | Hakim, Ranjit J.   | 7.00       | 7.00          | 7.00         | \$2,590.00 | \$2,590.00 | \$0.00      |
| 04/02/09  | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | \$0.00      |
| 04/03/09  | 10     | 17   | Segel, Helene F.   | 0.25       | 0.25          | 0.25         | \$62.50    | \$62.50    | \$0.00      |
| 04/03/09  | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$740.00   | \$0.00      |
| 04/03/09  | 10     | UT   | Shea, Alexandra E. | 4.50       | 4.50          | 4.50         | \$1,327.50 | \$1,327.50 | \$0.00      |
| 04/03/09  | 10     | UT   | Hakim, Ranjit J.   | 0.50       | 0.50          | 0.50         | \$185.00   | \$185.00   | \$0.00      |
| 04/06/09  | 10     | UT   | Shea, Alexandra E. | 1.50       | 1.50          | 1.50         | \$442.50   | \$442.50   | \$0.00      |
| 04/07/09  | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00      |
| 04/07/09  | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,480.00 | \$1,480.00 | \$0.00      |
| 04/08/09  | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$370.00   | \$0.00      |
| 04/09/09  | 10     | UT   | Hakim, Ranjit J.   | 0.50       | 0.50          | 0.50         | \$185.00   | \$185.00   | \$0.00      |
| 04/10/09  | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00      |
| 04/13/09  | 10     | UT   | Shea, Alexandra E. | 0.75       | 0.75          | 0.75         | \$221.25   | \$221.25   | \$0.00      |
| 04/13/09  | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$370.00   | \$0.00      |
| 04/14/09  | 10     | UT   | Shea, Alexandra E. | 7.00       | 7.00          | 7.00         | \$2,065.00 | \$2,065.00 | \$0.00      |
| 04/14/09  | 10     | UT   | Hakim, Ranjit J.   | 3.00       | 3.00          | 3.00         | \$1,110.00 | \$1,110.00 | \$0.00      |
| 04/15/09  | 10     | UT   | Shea, Alexandra E. | 7.50       | 7.50          | 7.50         | \$2,212.50 | \$2,212.50 | \$0.00      |
| 04/15/09  | 10     | UT   | Germann, Hans J.   | 4.50       | 4.50          | 4.50         | \$2,205.00 | \$2,205.00 | \$0.00      |
| 04/15/09  | 10     | 34   | Tanzer, David J.   | 0.50       | 0.50          | 0.50         | \$45.00    | \$45.00    | \$0.00      |



## Pro Bono Time Worked Analysis

| Tran Date | Office | Dept | Employee           | Hours      |               |              | Value      |          | WIP Status | Description   |
|-----------|--------|------|--------------------|------------|---------------|--------------|------------|----------|------------|---|
|           |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt |            |   |
| 04/15/09  | 10     | UT   | Hakim, Ranjit J    | 6.00       | 6.00          | 5.00         | \$2,220.00 | \$0.00   | B          | City attorneys; meeting with H. Germann and A. Shea; call with citations.   |
| 04/15/09  | 10     | UT   | Muamench, John E.  | 1.25       | 1.25          | 1.25         | \$931.25   | \$0.00   | B          | Work on draft Seventh Circuit response brief  |
| 04/16/09  | 10     | UT   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$0.00   | B          | Review draft 7th Circuit brief.   |
| 04/16/09  | 10     | UT   | Hakim, Ranjit J.   | 12.00      | 12.00         | 12.00        | \$4,440.00 | \$0.00   | B          | Draft revision; cite checking; editing; proofreading. Communicated with R. Heise and his office staff; Assisted in finalizing brief; Responded to requests for information. |
| 04/16/09  | 10     | UT   | Shea, Alexandra E. | 6.00       | 6.00          | 6.00         | \$1,770.00 | \$0.00   | B          | Final editing; preparation for printing; meeting with: S. Loose and B. Solomon.   |
| 04/17/09  | 10     | UT   | Hakim, Ranjit J.   | 3.00       | 3.00          | 3.00         | \$1,110.00 | \$0.00   | B          | Continued to assist with final issues on 7th Circuit Brief;   |
| 04/17/09  | 10     | UT   | Shea, Alexandra E. | 2.00       | 2.00          | 2.00         | \$590.00   | \$0.00   | B          | Responded to requests.  |
| 04/20/09  | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$0.00   | B          | Reviewed emails   |
| 04/20/09  | 10     | UT   | Hakim, Ranjit J.   | 1.50       | 1.50          | 1.50         | \$555.00   | \$0.00   | B          | Read Nordyke; meet with H. Germann ; research   |
| 04/21/09  | 10     | UT   | Hakim, Ranjit J.   | 2.50       | 2.50          | 2.50         | \$925.00   | \$0.00   | B          | Call with city regarding response.  |
| 04/21/09  | 10     | UT   | Germann, Hans J.   | 0.50       | 0.50          | 0.50         | \$245.00   | \$0.00   | B          | Conference call with Chicago  |
| 04/22/09  | 10     | UT   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$0.00   | B          | Review draft 28(j) letter.  |
| 04/23/09  | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$0.00   | B          | Communicated with R. Hakim  |
| 04/23/09  | 10     | UT   | Hakim, Ranjit J.   | 3.00       | 3.00          | 3.00         | \$1,110.00 | \$0.00   | B          | Review historian brief and call with attorneys; sign 28j and review.  |
| 04/26/09  | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,430.00 | \$0.00   | B          | Revise amicus briefs.   |
| 04/27/09  | 10     | UT   | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         | \$295.00   | \$0.00   | B          | Spoke with R. Heise<br>; Worked with R. Hakim re oral argument form; Communicated with B. Solomon; Worked to T. Williams re letter to R. Heise.                             |
| 04/27/09  | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$0.00   | B          | Revise Board of Education/LCAV brief; revise Winnetka brief   |
| 04/28/09  | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$0.00   | B          | Responded to email requests re oral arguments; Communicated with R. Heise.  |
| 04/30/09  | 10     | UT   | Hakim, Ranjit J.   | 0.25       | 0.25          | 0.25         | \$92.50    | \$0.00   | B          | Call with city  |
| 05/04/09  | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$0.00   | B          | Motion to correct brief and meet with city to resign.   |
| 05/04/09  | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$0.00   | B          | Reviewed emails   |
| 05/08/09  | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$0.00   | B          | Oral argument preparation.  |
| 05/14/09  | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$0.00   | B          | Completed 7th Circuit forms re oral arguments; Discussed forms with Court Clerk.  |
| 05/19/09  | 10     | UT   | Hakim, Ranjit J.   | 0.50       | 0.50          | 0.50         | \$185.00   | \$0.00   | B          | Second Nordyke 28j letter.  |
| 05/19/09  | 10     | UT   | Shea, Alexandra E. | 1.00       | 1.00          | 1.00         | \$295.00   | \$0.00   | B          | Reviewed and analyzed   |
| 05/21/09  | 10     | UT   | Germann, Hans J.   | 4.50       | 4.50          | 4.50         | \$2,205.00 | \$0.00   | B          | Review briefs; prepare for moot argument; attend argument   |
| 05/21/09  | 10     | UT   | Hakim, Ranjit J.   | 7.00       | 7.00          | 7.00         | \$2,590.00 | \$0.00   | B          | Read reply briefs; outline arguments; moot.   |
| 05/21/09  | 10     | UT   | Shea, Alexandra E. | 3.50       | 3.50          | 3.50         | \$1,032.50 | \$0.00   | B          | Met with City of Chicago attorneys and Ray Heise for practice oral arguments; Reviewed briefs.  |
| 05/22/09  | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$0.00   | B          | Oral argument Q and As.   |
| 05/25/09  | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$740.00   | \$0.00   | B          | Oral argument Q and As.   |

## Pro Bono Time Worked Analysis

| Trans Date | Office | Dept | Employee           | Hours      |               |              | Value      |            |            | WIP Status | Description   |
|------------|--------|------|--------------------|------------|---------------|--------------|------------|------------|------------|------------|---|
|            |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |            |   |
| 05/26/09   | 10     | UT   | Shea, Alexandra E. | 4.00       | 4.00          | 4.00         | \$1,180.00 | \$1,180.00 | \$0.00     | B          | Prepared for attending oral arguments; Attended oral arguments; Discussed with City of Chicago's counsel and client Oak Park. |
| 05/26/09   | 10     | UT   | Germann, Hans J.   | 1.75       | 1.75          | 1.75         | \$857.50   | \$857.50   | \$0.00     | B          | 7th Circuit oral argument.  |
| 05/26/09   | 10     | UT   | Hakim, Ranjit J.   | 2.50       | 2.50          | 2.50         | \$925.00   | \$925.00   | \$0.00     | B          | Oral argument.  |
| 05/27/09   | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     | B          | Discussed   |
| 05/27/09   | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     | B          | Discussed   |
| 05/27/09   | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | \$0.00     | B          | Reviewed Seventh Circuit decision; Communicated with R. Heise's office staff; Communicated with R. Hakim                      |
| 06/03/09   | 10     | UT   | Hakim, Ranjit J.   | 1.50       | 1.50          | 1.50         | \$555.00   | \$555.00   | \$0.00     | B          | Review cert. petition; discuss  |
| 06/04/09   | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$370.00   | \$0.00     | B          | Amicus cert. briefs.  |
| 06/05/09   | 10     | UT   | Shea, Alexandra E. | 0.75       | 0.75          | 0.75         | \$221.25   | \$221.25   | \$0.00     | B          | Discussed   |
| 06/08/09   | 10     | UT   | Shea, Alexandra E. | 0.50       | 0.50          | 0.50         | \$147.50   | \$147.50   | \$0.00     | B          | Corresponded with R. Heise;   |
| 06/09/09   | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,480.00 | \$1,480.00 | \$0.00     | B          | Opposition to cert. petition outline.   |
| 06/10/09   | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$370.00   | \$370.00   | \$0.00     | B          | Review amicus briefs and consents.  |
| 06/10/09   | 10     | UT   | Germann, Hans J.   | 0.25       | 0.25          | 0.25         | \$122.50   | \$122.50   | \$0.00     | B          | Review emails re. amicus.   |
| 06/10/09   | 10     | 17   | Kadish, Marc R.    | 0.75       | 0.75          | 0.75         | \$356.25   | \$356.25   | \$0.00     | B          | (Oak Park) Second amendment case; emails with Ranjit Hakim; confer with Chris Walsh read emails.                              |
| 06/11/09   | 10     | UT   | Hakim, Ranjit J.   | 6.00       | 6.00          | 6.00         | \$2,220.00 | \$2,220.00 | \$0.00     | B          | meet with Chicago   |
| 06/17/09   | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     | B          | Communicated with R. Heise and R. Hakim   |
| 06/19/09   | 10     | UT   | Hakim, Ranjit J.   | 3.00       | 3.00          | 3.00         | \$1,110.00 | \$1,110.00 | \$0.00     | B          | Emailed R. Heise  |
| 06/23/09   | 10     | UT   | Shea, Alexandra E. | 0.25       | 0.25          | 0.25         | \$73.75    | \$73.75    | \$0.00     | B          | Cert. opposition outline.   |
| 06/26/09   | 10     | UT   | Shea, Alexandra E. | 2.50       | 2.50          | 2.50         | \$73.75    | \$73.75    | \$0.00     | B          | Communicated with internal and external counsel   |
| 06/26/09   | 10     | UT   | Hakim, Ranjit J.   | 2.50       | 2.50          | 2.50         | \$925.00   | \$925.00   | \$0.00     | B          | Discussed with R. Heise and with R. Hakim; Participated in conference call with Chicago and amici attorneys.                  |
| 07/03/09   | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     | B          | Call with Ray Heise; amicus brief group call.   |
| 07/06/09   | 10     | UT   | Hakim, Ranjit J.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     | B          | Call with City  |
| 07/15/09   | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$415.00   | \$415.00   | \$0.00     | B          | Call with City regarding cert. opp.   |
| 07/16/09   | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$415.00   | \$415.00   | \$0.00     | B          | Call with City  |
| 07/22/09   | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     | B          | Call with R. Heise  |
| 07/23/09   | 10     | UT   | Germann, Hans J.   | 0.50       | 0.50          | 0.50         | \$257.50   | \$257.50   | \$0.00     | B          | Call with client  |
| 07/24/09   | 10     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     | B          | Edit cert. opp. brief; research due process arguments.  |
| 07/28/09   | 10     | UT   | Germann, Hans J.   | 1.00       | 1.00          | 1.00         | \$515.00   | \$515.00   | \$0.00     | B          | Review, comment on draft cert. opposition.  |
| 07/28/09   | 10     | UT   | Hakim, Ranjit J.   | 7.00       | 7.00          | 7.00         | \$2,905.00 | \$2,905.00 | \$0.00     | B          | Call with City; edits to cert. opp. brief; meeting with H. Germann; draft footnotes; call with R. Heise.                      |
| 07/29/09   | 10     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          | Revisions to cert. opp. brief; calls with City and Oak Park.  |
| 07/30/09   | 10     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$415.00   | \$415.00   | \$0.00     | B          | Edits to cert. opp. brief.  |
| 07/31/09   | 10     | UT   | Hakim, Ranjit J.   | 1.25       | 1.25          | 1.25         | \$518.75   | \$518.75   | \$0.00     | B          | Final proof opp. cert. brief.   |
| 08/04/09   | 10     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Review proof of cert. opp. brief.   |
| 08/05/09   | 10     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Review cert. opp. brief; brief to client.   |

## Pro Bono Time Worked Analysis

| Tran Date |    | Office | Dept | Employee           | Hours      |               |              | Value      |            |            | WIP Status | Description   |
|-----------|----|--------|------|--------------------|------------|---------------|--------------|------------|------------|------------|------------|---|
|           |    |        |      |                    | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |            |   |
| 08/13/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Review reply to cert. opp.<br>Call with Oak Park to discuss   |
| 08/18/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     | B          | Reviewed Supreme Court Order; Discussed with R. Hakim; participated in conference call with R. Hakim and R. Heise   |
| 09/30/09  | 10 | UT     | UT   | Shea, Alexandra E. | 0.75       | 0.75          | 0.75         | \$251.25   | \$251.25   | \$0.00     | B          | Cert granted in McDonald; review call with Village Attorney and City of Chicago; draft letter for Oak Park counsel. |
| 09/30/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 1.50       | 1.50          | 1.50         | \$622.50   | \$622.50   | \$0.00     | B          | (NRA Oak Park) Review exchange emails with Ranjit Hakim; email to team;   |
| 09/30/09  | 10 | UT     | UT   | Kadish, Marc R.    | 0.50       | 0.50          | 0.50         | \$237.50   | \$237.50   | \$0.00     | B          | Call with B. Solomon, call with R. Heise regarding research.  |
| 10/07/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Call with B. Solomon, call with R. Heise regarding research.  |
| 10/08/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          | discussions.  |
| 10/09/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Research for McDonald response brief.   |
| 10/14/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 5.00       | 5.00          | 5.00         | \$2,075.00 | \$2,075.00 | \$0.00     | B          | Negotiate amicus consents.  |
| 10/19/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     | B          | Call with B. Solomon  |
| 10/20/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$415.00   | \$415.00   | \$0.00     | B          | Review articles.  |
| 10/21/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     | B          | research  |
| 10/22/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 8.00       | 8.00          | 8.00         | \$3,320.00 | \$3,320.00 | \$0.00     | B          | Draft response brief sections.  |
| 10/27/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          | Call with R. Heise; draft response outline.   |
| 10/28/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          | criticism.  |
| 10/29/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          | Call B. Solomon   |
| 10/30/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Call with Benna Solomon   |
| 11/04/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     | B          | Amicus calls.   |
| 11/05/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Negotiate extension on response brief with parties and clerk.   |
| 11/12/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 1.00       | 1.00          | 1.00         | \$415.00   | \$415.00   | \$0.00     | B          | Amici logistics; research.  |
| 11/15/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     | B          | Call with R. Heise; review petitioners and NRA's briefs.  |
| 11/16/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 6.00       | 6.00          | 6.00         | \$2,490.00 | \$2,490.00 | \$0.00     | B          | Review petitioners' briefs; outline response; call with R. Heise; call with B. Solomon.                             |
| 11/17/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 9.00       | 9.00          | 9.00         | \$3,735.00 | \$3,735.00 | \$0.00     | B          | Meeting with City; meeting to review and revise outline.  |
| 11/20/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 6.00       | 6.00          | 6.00         | \$2,490.00 | \$2,490.00 | \$0.00     | B          | Read amicus briefs in support of petitioner; call with S. Looze.  |
| 11/23/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 10.00      | 10.00         | 10.00        | \$4,150.00 | \$4,150.00 | \$0.00     | B          | Review petitioner's, NRA's and amicus briefs; research  |
| 11/24/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 5.00       | 5.00          | 5.00         | \$2,075.00 | \$2,075.00 | \$0.00     | B          | research.   |
| 11/28/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 5.00       | 5.00          | 5.00         | \$2,075.00 | \$2,075.00 | \$0.00     | B          | Research for draft response.  |
| 11/30/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 5.00       | 5.00          | 5.00         | \$2,075.00 | \$2,075.00 | \$0.00     | B          | research.   |
| 12/01/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          |   |
| 12/01/09  | 10 | 34     | 34   | Serrante, Zanete   | 1.00       | 1.00          | 1.00         | \$95.00    | \$95.00    | \$0.00     | B          | research for draft.   |
| 12/02/09  | 10 | UT     | UT   | Hakim, Ranjit J.   | 4.00       | 4.00          | 4.00         | \$1,660.00 | \$1,660.00 | \$0.00     | B          |   |

## Pro Bono Time Worked Analysis

| Tran Date | Office | Dept | Employee             | Hours      |               | Value      |         | WIP Status | Description   |
|-----------|--------|------|----------------------|------------|---------------|------------|---------|------------|---|
|           |        |      |                      | Base Hours | To Bill Hours | Base Amt   | Std Amt |            |   |
| 12/03/09  | 10     | UT   | Hakim, Ranjit J.     | 6.50       | 6.50          | \$2,697.50 | \$0.00  | B          | research  |
| 12/04/09  | 10     | UT   | Hakim, Ranjit J.     | 6.00       | 6.00          | \$2,490.00 | \$0.00  | B          | research; call with R. Heise                                      |
| 12/05/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | research  |
| 12/07/09  | 10     | UT   | Hakim, Ranjit J.     | 4.00       | 4.00          | \$1,660.00 | \$0.00  | B          | research and  |
| 12/08/09  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | research  |
| 12/08/09  | 90     | 32   | Miller, Brian C.     | 1.00       | 1.00          | \$95.00    | \$0.00  | B          | Filing motion for more words; edits.                              |
| 12/08/09  | 90     | UT   | Netter, Brian D.     | 0.75       | 0.75          | \$292.50   | \$0.00  | B          | Completed filing at the Supreme Court per Brian Netter's request. |
| 12/09/09  | 10     | UT   | Hakim, Ranjit J.     | 0.75       | 0.75          | \$311.25   | \$0.00  | B          | research; research;   |
| 12/10/09  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | research;   |
| 12/11/09  | 10     | UT   | Hakim, Ranjit J.     | 6.00       | 6.00          | \$2,490.00 | \$0.00  | B          | First draft on brief; edits.                                      |
| 12/13/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Edits to draft brief.   |
| 12/14/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Edits to draft brief and supplemental research.                   |
| 12/15/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Edits to draft.   |
| 12/16/09  | 10     | UT   | Hakim, Ranjit J.     | 2.50       | 2.50          | \$1,037.50 | \$0.00  | B          | Edits to draft brief.   |
| 12/17/09  | 10     | UT   | Hakim, Ranjit J.     | 2.50       | 2.50          | \$1,037.50 | \$0.00  | B          | Edits to draft brief.   |
| 12/18/09  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Edits to draft brief.   |
| 12/19/09  | 10     | UT   | Hakim, Ranjit J.     | 1.25       | 1.25          | \$518.75   | \$0.00  | B          | Edits to draft brief.   |
| 12/20/09  | 10     | UT   | Hakim, Ranjit J.     | 1.00       | 1.00          | \$415.00   | \$0.00  | B          | Edits to draft brief.   |
| 12/21/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Edits to draft brief.   |
| 12/22/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Edits to draft brief.   |
| 12/23/09  | 10     | UT   | Hakim, Ranjit J.     | 1.00       | 1.00          | \$415.00   | \$0.00  | B          | Edits to draft.   |
| 12/24/09  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Edits to draft.   |
| 12/27/09  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Edits to draft brief and proofing.                                |
| 12/28/09  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Proofing draft.   |
| 12/29/09  | 10     | UT   | Hakim, Ranjit J.     | 2.50       | 2.50          | \$1,037.50 | \$0.00  | B          | Edits to proof and spot cite checking.                            |
| 12/30/09  | 10     | UT   | Hakim, Ranjit J.     | 0.50       | 0.50          | \$207.50   | \$0.00  | B          | Prepare for moot court.   |
| 01/04/10  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Consult amici; review amicus                                      |
| 01/06/10  | 10     | UT   | Hakim, Ranjit J.     | 1.50       | 1.50          | \$622.50   | \$0.00  | B          | Discuss response to motion for divided argument; review amicus    |
| 01/11/10  | 10     | UT   | Hakim, Ranjit J.     | 0.50       | 0.50          | \$207.50   | \$0.00  | B          | briefs.   |
| 01/13/10  | 10     | UT   | Hakim, Ranjit J.     | 0.25       | 0.25          | \$103.75   | \$0.00  | B          | Call with R. Heise  |
| 01/21/10  | 10     | UT   | Hakim, Ranjit J.     | 0.50       | 0.50          | \$207.50   | \$0.00  | B          | Call with B. Solomon  |
| 01/27/10  | 10     | UT   | Hakim, Ranjit J.     | 0.25       | 0.25          | \$103.75   | \$0.00  | B          | Set up February moot court.                                       |
| 01/29/10  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Select moot court panelists; call with B. Solomon.                |
| 02/01/10  | 10     | UT   | Hakim, Ranjit J.     | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Review NRA and McDonald reply briefs.                             |
| 02/01/10  | 10     | UT   | Shea, Alexandra E.   | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Reviewed Supreme Court filings.                                   |
| 02/12/10  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Moot preparation and review.                                      |
| 02/15/10  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Update precedent; prepare for moot.                               |
| 02/17/10  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | \$830.00   | \$0.00  | B          | Moot preparation.   |
| 02/17/10  | 10     | UT   | Odorizzi, Michele L. | 3.00       | 3.00          | \$1,245.00 | \$0.00  | B          | Preparation for moot court.                                       |
| 02/18/10  | 10     | UT   | Shea, Alexandra E.   | 0.25       | 0.25          | \$103.75   | \$0.00  | B          | Prepared for practice oral arguments.                             |
| 02/19/10  | 10     | UT   | Hakim, Ranjit J.     | 1.75       | 1.75          | \$726.25   | \$0.00  | B          | Prepare for moot; review decision.                                |

| Pro Bono Time Worked Analysis |        |       |                      |            |               |              |            |            |            |
|-------------------------------|--------|-------|----------------------|------------|---------------|--------------|------------|------------|------------|
|                               |        | Hours |                      |            | Value         |              |            |            |            |
| Yr                            | Office | Dept  | Emp                  | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |
| Start Date                    |        |       |                      |            |               |              |            |            |            |
| 02/18/10                      | 10     | LIT   | Odorizzi, Michele L. | 1.00       | 1.00          | 1.00         | \$750.00   | \$750.00   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | WIP Status |
| 02/19/10                      | 10     | LIT   | Shea, Alexandra E.   | 2.75       | 2.75          | 2.75         | \$921.25   | \$921.25   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/19/10                      | 10     | LIT   | Hakim, Ranjit J.     | 5.50       | 5.50          | 5.50         | \$2,282.50 | \$2,282.50 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/19/10                      | 10     | LIT   | Odorizzi, Michele L. | 2.25       | 2.25          | 2.25         | \$1,687.50 | \$1,687.50 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/21/10                      | 10     | LIT   | Shea, Alexandra E.   | 1.50       | 1.50          | 1.50         | \$502.50   | \$502.50   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/22/10                      | 10     | LIT   | Hakim, Ranjit J.     | 1.25       | 1.25          | 1.25         | \$518.75   | \$518.75   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/23/10                      | 10     | LIT   | Shea, Alexandra E.   | 1.50       | 1.50          | 1.50         | \$502.50   | \$502.50   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/24/10                      | 10     | LIT   | Hakim, Ranjit J.     | 8.00       | 8.00          | 8.00         | \$3,320.00 | \$3,320.00 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/26/10                      | 10     | LIT   | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$83.75    | \$83.75    | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 02/26/10                      | 10     | LIT   | Hakim, Ranjit J.     | 1.75       | 1.75          | 1.75         | \$726.25   | \$726.25   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 03/01/10                      | 10     | LIT   | Shea, Alexandra E.   | 11.00      | 11.00         | 11.00        | \$3,685.00 | \$3,685.00 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 03/01/10                      | 10     | LIT   | Hakim, Ranjit J.     | 5.00       | 5.00          | 5.00         | \$2,075.00 | \$2,075.00 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 03/02/10                      | 10     | LIT   | Shea, Alexandra E.   | 17.75      | 17.75         | 17.75        | \$5,946.25 | \$5,946.25 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 03/02/10                      | 10     | LIT   | Hakim, Ranjit J.     | 10.00      | 10.00         | 10.00        | \$4,150.00 | \$4,150.00 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 03/03/10                      | 10     | LIT   | Shea, Alexandra E.   | 0.50       | 0.50          | 0.50         | \$167.50   | \$167.50   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 03/03/10                      | 10     | LIT   | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 06/28/10                      | 10     | LIT   | Shea, Alexandra E.   | 2.25       | 2.25          | 2.25         | \$753.75   | \$753.75   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 06/28/10                      | 10     | LIT   | Hakim, Ranjit J.     | 4.50       | 4.50          | 4.50         | \$1,867.50 | \$1,867.50 | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 06/29/10                      | 10     | LIT   | Shea, Alexandra E.   | 2.00       | 2.00          | 2.00         | \$670.00   | \$670.00   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 06/29/10                      | 10     | LIT   | Germann, Hans J.     | 1.50       | 1.50          | 1.50         | \$772.50   | \$772.50   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 06/29/10                      | 10     | LIT   | Hakim, Ranjit J.     | 2.00       | 2.00          | 2.00         | \$830.00   | \$830.00   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |
| 07/05/10                      | 10     | LIT   | Shea, Alexandra E.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     |
|                               |        |       |                      |            |               |              |            |            | B          |

Description  
Preparation for moot court.  
Attended practice oral arguments; Discussed with R. Hakim.  
Moot for Jim Feldman and meeting with brief team  
Moot court.  
Prepared and made arrangements to attend SCOTUS oral arguments.  
Moot research.  
Prepared for oral arguments attendance  
McDonald Moot (O'Melveny - DC); call with R. Heise; meeting with brief team and research.  
Prepared for Supreme Court Oral Arguments.  
Research  
Traveled to D.C. for Oral Arguments; Reviewed ; Communicated with R. Hakim  
Assist in prep for oral argument  
Flight to DC for argument  
Attended Supreme Court Oral Arguments; Discussed with R. Heise (Oak Park) and City of Chicago Attorneys; Traveled to Chicago.  
Attend oral argument; press; meeting with attorneys for City and Oak Park; travel from argument to Chicago; review with colleagues.  
Reviewed  
Call with city attorneys and Village of Oak Park attorney  
Began reviewing SCOTUS Opinion on case;  
Review McDonald opinion; communicate with Oak Park and City of Chicago attorneys  
Participated in conference call with client; Continued reviewing SCOTUS Opinion.  
Review Supreme Court decision. Conference call with R. Heise.  
Call with R. Heise ; meeting with H. Germann and A. Shea regarding decision and call; research  
Continued reviewing SCOTUS Opinion.

| Pro Bono Time Worked Analysis |        |      |                      |            |               |              |            |            |            |
|-------------------------------|--------|------|----------------------|------------|---------------|--------------|------------|------------|------------|
| Trans Date                    | Office | Dept | Employee             | Hours      |               |              | Value      |            |            |
|                               |        |      |                      | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |
| 07/15/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 07/21/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     |
| 07/21/10                      | 10     | LIT  | Hakim, Ranjit J.     | 2.00       | 2.00          | 2.00         | \$990.00   | \$990.00   | \$0.00     |
| 08/05/10                      | 10     | LIT  | Hakim, Ranjit J.     | 2.00       | 2.00          | 2.00         | \$990.00   | \$990.00   | \$0.00     |
| 08/05/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 08/17/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 08/18/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 08/18/10                      | 10     | LIT  | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$247.50   | \$247.50   | \$0.00     |
| 08/19/10                      | 10     | LIT  | Hakim, Ranjit J.     | 4.00       | 4.00          | 4.00         | \$1,980.00 | \$1,980.00 | \$0.00     |
| 08/20/10                      | 10     | LIT  | Hakim, Ranjit J.     | 1.00       | 1.00          | 1.00         | \$495.00   | \$495.00   | \$0.00     |
| 08/25/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 09/02/10                      | 10     | LIT  | Hakim, Ranjit J.     | 1.50       | 1.50          | 1.50         | \$742.50   | \$742.50   | \$0.00     |
| 09/02/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 09/14/10                      | 10     | LIT  | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$247.50   | \$247.50   | \$0.00     |
| 09/15/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 09/20/10                      | 10     | LIT  | Shea, Alexandra E.   | 2.25       | 2.25          | 2.25         | \$933.75   | \$933.75   | \$0.00     |
| 10/06/10                      | 10     | LIT  | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$247.50   | \$247.50   | \$0.00     |
| 10/12/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     |
| 10/14/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     |
| 10/19/10                      | 10     | LIT  | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     |
| 10/19/10                      | 10     | LIT  | Hakim, Ranjit J.     | 0.25       | 0.25          | 0.25         | \$123.75   | \$123.75   | \$0.00     |
| 10/21/10                      | 10     | LIT  | Hakim, Ranjit J.     | 2.50       | 2.50          | 2.50         | \$1,237.50 | \$1,237.50 | \$0.00     |
| 10/21/10                      | 10     | LIT  | Germann, Hans J.     | 0.50       | 0.50          | 0.50         | \$297.50   | \$297.50   | \$0.00     |
| 10/22/10                      | 10     | LIT  | Hakim, Ranjit J.     | 1.00       | 1.00          | 1.00         | \$495.00   | \$495.00   | \$0.00     |
| 10/25/10                      | 10     | 32   | Silverman, Robert D. | 0.25       | 0.25          | 0.25         | \$25.00    | \$25.00    | \$0.00     |

Reviewed  
 Continued reading SCOTUS opinion.  
 Discuss mandate response with City of Chicago; update research.  
 Calls with City of Chicago; review mandate from Seventh Circuit; draft and edit Rule 54 Statement.  
 Reviewed Circuit Rule 54 Notice; Discussed with R. Hakim; Transmitted same to client.  
 Discussed Rule 54 Statement with D. Dooley of Freeborn & Peters and with R. Hakim.  
 Communicated with D. Dooley of Freeborn & Peters and R. Hakim re Rule 54 Statement.  
 Calls with City and NRA regarding Rule 54 Statement.  
 Complete Rule 54 Statement; research  
 Revise Rule 54 Statement; research.  
 Communicated with clients; Reviewed Court order.  
 Calls with City  
 ; research.  
 Discussed attorney fees with opposing counsel and R. Hakim.  
 Review NRA bill of costs.  
 Communicated with R. Hakim  
 Communicated with D. Dooley re fees and further litigation; Discussed same with R. Hakim;  
 Call with D. Worsak  
 Communicated with R. Hakim and Court re Dismissal; Worked with Docket Department re same.  
 Discussed fees and conference call with D. Dooley; Discussed with R. Hakim.  
 Worked with opposing counsel on fees; Communicated with R. Hakim  
 Contact R. Heise  
 with A. Shea  
 Call with M. Forti  
 regarding fees; research  
 ; review and revise fees motion.  
 Review motion re: fees, review research  
 , confer  
 Meeting H. Germann  
 research.  
 Obtained information from court docket and electronic filing of appearance of R. Hakim in case no. 08 C 3696 for K. Beverly.



## Pro Bono Time Worked Analysis

| Iran Date | Office | Dept | Employee             | Hours      |               |              | Value      |            |            | WIP Status | Description  |
|-----------|--------|------|----------------------|------------|---------------|--------------|------------|------------|------------|------------|--|
|           |        |      |                      | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |            |  |
| 10/26/10  | 10     | UT   | Shea, Alexandra E.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     | B          | Met with R. Hakim ; Reviewed   |
| 10/25/10  | 10     | UT   | Hakim, Ranjit J.     | 1.00       | 1.00          | 1.00         | \$495.00   | \$495.00   | \$0.00     | B          | Meeting with A. Shea research.   |
| 10/25/10  | 10     | UT   | Beverly, Kanyatta S. | 0.75       | 0.75          | 0.75         | \$251.25   | \$251.25   | \$0.00     | B          | File appearance for R. Hakim in the Northern District.   |
| 10/25/10  | 10     | UT   | Hakim, Ranjit J.     | 2.50       | 2.50          | 2.50         | \$1,237.50 | \$1,237.50 | \$0.00     | B          | Attend attorneys fee hearings; meeting with R. Hirsch ; outline briefing;  |
| 10/26/10  | 10     | UT   | Shea, Alexandra E.   | 1.75       | 1.75          | 1.75         | \$726.25   | \$726.25   | \$0.00     | B          | Attended hearing in the Northern District. Discussed co-counsel and opposing counsel; Reviewed motions.  |
| 11/04/10  | 10     | UT   | Hakim, Ranjit J.     | 0.25       | 0.25          | 0.25         | \$123.75   | \$123.75   | \$0.00     | B          | Call with City   |
| 11/10/10  | 10     | UT   | Beverly, Kanyatta S. | 3.25       | 3.25          | 3.25         | \$1,088.75 | \$1,088.75 | \$0.00     | B          | Drafted notice of motion document. Formatting of motion and conversion into PDF. Made revisions to motion and notice of motion. Worked with docketing to file appearances. |
| 11/10/10  | 10     | UT   | Hakim, Ranjit J.     | 1.00       | 1.00          | 1.00         | \$495.00   | \$495.00   | \$0.00     | B          | Motion to extend time briefing regarding attorneys' fees; coordinate filing with City.   |
| 11/10/10  | 10     | 32   | Hinton, Beverly A.   | 0.25       | 0.25          | 0.25         | \$25.00    | \$25.00    | \$0.00     | B          | Filed Notice/Motion for Extension - 08 C 3696 for K. Beverly   |
| 11/10/10  | 10     | UT   | Shea, Alexandra E.   | 0.50       | 0.50          | 0.50         | \$207.50   | \$207.50   | \$0.00     | B          | Worked with R. Hakim and K. Beverly on motion and court filing.  |
| 11/10/10  | 10     | 32   | Baker, Alexis        | 0.75       | 0.75          | 0.75         | \$75.00    | \$75.00    | \$0.00     | B          | Delivered courtesy copy on a Special to Judge Shadur's Chambers Re: 08 C 3696 for R. Hakim.  |
| 11/22/10  | 10     | 32   | Hinton, Beverly A.   | 0.25       | 0.25          | 0.25         | \$25.00    | \$25.00    | \$0.00     | P          | Obtained docket sheet - 10 2927 for R. Hakim.  |
| 12/10/10  | 10     | UT   | Hakim, Ranjit J.     | 1.50       | 1.50          | 1.50         | \$742.50   | \$742.50   | \$0.00     | B          | Review brief contesting prevailing party status.   |
| 12/13/10  | 10     | UT   | Hakim, Ranjit J.     | 0.75       | 0.75          | 0.75         | \$371.25   | \$371.25   | \$0.00     | B          | Revise attorneys fee brief; call with Rebecca Hirsch.  |
| 12/15/10  | 10     | UT   | Hakim, Ranjit J.     | 2.00       | 2.00          | 2.00         | \$990.00   | \$990.00   | \$0.00     | B          | Revise attorneys fee brief; call with R. Hirsch; file attorneys fee brief.   |
| 12/15/10  | 10     | 32   | Knox III, Paul K.    | 0.50       | 0.50          | 0.50         | \$50.00    | \$50.00    | \$0.00     | B          | E-Filed Def.'s Memo. Contesting P's Status as Prevailing Party Entitled to Fees in 08 C 3696 for R. Hakim.   |
| 12/17/10  | 10     | UT   | Hakim, Ranjit J.     | 0.75       | 0.75          | 0.75         | \$371.25   | \$371.25   | \$0.00     | B          | Review NRA brief regarding attorneys fees.   |
| 12/20/10  | 10     | UT   | Shea, Alexandra E.   | 1.50       | 1.50          | 1.50         | \$622.50   | \$622.50   | \$0.00     | B          | Reviewed things in preparation for hearing.  |
| 12/20/10  | 10     | UT   | Hakim, Ranjit J.     | 1.25       | 1.25          | 1.25         | \$618.75   | \$618.75   | \$0.00     | B          | Review attorneys fee briefing and prepare for hearing.   |
| 12/21/10  | 10     | UT   | Hakim, Ranjit J.     | 1.50       | 1.50          | 1.50         | \$742.50   | \$742.50   | \$0.00     | B          | Hearing regarding prevailing party status and communication with R. Hesse  |
| 12/22/10  | 10     | UT   | Germann, Hans J.     | 0.25       | 0.25          | 0.25         | \$148.75   | \$148.75   | \$0.00     | B          | Review decision on NRA motion for fees.  |
| 12/22/10  | 10     | UT   | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     | B          | Discussed with R. Hakim.   |
| 12/25/10  | 10     | UT   | Shea, Alexandra E.   | 0.75       | 0.75          | 0.75         | \$311.25   | \$311.25   | \$0.00     | B          | Reviewed Court Order.  |
| 12/27/10  | 10     | UT   | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$247.50   | \$247.50   | \$0.00     | B          | Prepare for hearing regarding motion to hold in abeyance.  |
| 12/27/10  | 10     | UT   | Shea, Alexandra E.   | 0.25       | 0.25          | 0.25         | \$103.75   | \$103.75   | \$0.00     | B          | Communicated with Court re hearing. Communicated with R. Hakim   |
| 12/28/10  | 10     | UT   | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$247.50   | \$247.50   | \$0.00     | B          | Hearing regarding motion to hold in abeyance.  |
| 01/04/11  | 10     | UT   | Hakim, Ranjit J.     | 0.50       | 0.50          | 0.50         | \$247.50   | \$247.50   | \$0.00     | P          | Review   |
| 01/10/11  | 10     | UT   | Germann, Hans J.     | 0.25       | 0.25          | 0.25         | \$148.75   | \$148.75   | \$0.00     | P          | Review   |

## Expenses



## Pro Bono Time Worked Analysis

| Tran Date | Office | Dept | Employee                | Hours         |                 | Value    |          | WIP Status | Description   |
|-----------|--------|------|-------------------------|---------------|-----------------|----------|----------|------------|---|
|           |        |      |                         | Base Hours    | To Bill Hours   | Std Amt  | Base Amt |            |   |
|           |        |      |                         | Bill/pre bill | Distribution ID | Std Amt  | Base Amt |            |   |
| 12/11/08  | 19     | 19   | Other Disbursements     | 33950210      | 38283334        | \$150.00 | \$150.00 | \$0.00 B   | PAYEE: Clerk, United States Court; REQUEST#: 1005146; DATE: 12/11/2008. Petition for Admission to the General Bar |
| 12/19/08  | 19     | 19   | Other Disbursements     | 33966279      | 38345863        | \$16.66  | \$16.66  | \$0.00 B   | VENDOR: It's Your Serve; INVOICE#: 0808939; DATE: 12/19/2008  |
| 01/12/09  | 23     | 23   | Westlaw Research        | 33966279      | 39344023        | \$88.69  | \$88.69  | \$0.00 B   | - Court run 12/11-12/15/08<br>Westlaw Research performed by Shea, Alexandra E.                                    |
| 01/12/09  | 42     | 42   | Document Reproduction   | 33966279      | 39312251        | \$0.45   | \$0.45   | \$0.00 B   |   |
| 01/12/09  | 42     | 42   | Document Reproduction   | 33966279      | 39312307        | \$0.30   | \$0.30   | \$0.00 B   |   |
| 01/12/09  | 42     | 42   | Document Reproduction   | 33966279      | 39312201        | \$0.30   | \$0.30   | \$0.00 B   |   |
| 01/12/09  | 42     | 42   | Document Reproduction   | 33966279      | 39312233        | \$0.45   | \$0.45   | \$0.00 B   |   |
| 01/12/09  | 42     | 42   | Document Reproduction   | 33966279      | 39312241        | \$0.15   | \$0.15   | \$0.00 B   |   |
| 01/14/09  | 19     | 19   | Other Disbursements     | 33966279      | 39323691        | \$165.00 | \$165.00 | \$0.00 B   | PAYEE: Clerk, United States Court; REQUEST#: 1010835; DATE: 1/14/2009. Application fee for admission              |
| 01/15/09  | 42     | 42   | Document Reproduction   | 33966279      | 39328576        | \$0.30   | \$0.30   | \$0.00 B   |   |
| 01/16/09  | 19     | 19   | Other Disbursements     | 33966279      | 39401694        | \$50.00  | \$50.00  | \$0.00 B   | VENDOR: It's Your Serve; INVOICE#: 0500101; DATE: 1/16/2009   |
| 01/16/09  | 42     | 42   | Document Reproduction   | 33966279      | 39331960        | \$6.00   | \$6.00   | \$0.00 B   |   |
| 01/16/09  | 42     | 42   | Document Reproduction   | 33966279      | 39331683        | \$0.90   | \$0.90   | \$0.00 B   |   |
| 01/26/09  | 42     | 42   | Document Reproduction   | 33966279      | 39369532        | \$1.95   | \$1.95   | \$0.00 B   |   |
| 02/09/09  | 23     | 23   | Westlaw Research        | 33979758      | 39451919        | \$87.02  | \$87.02  | \$0.00 B   | Westlaw Research performed by Shea, Alexandra E.  |
| 02/16/09  | 23     | 23   | Westlaw Research        | 34048030      | 39581056        | \$9.72   | \$9.72   | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 02/25/09  | 10     | 10   | Business Meals          | 33979758      | 39527986        | \$8.70   | \$8.70   | \$0.00 B   | VENDOR: Shea, Alexandra E. INVOICE#: MBRM000139512050039  |
| 02/25/09  | 23     | 23   | Westlaw Research        | 34048030      | 39580241        | \$40.80  | \$40.80  | \$0.00 B   | DATE: 02/26/2009. Dinner.   |
| 03/17/09  | 23     | 23   | Westlaw Research        | 34048030      | 39742172        | \$37.31  | \$37.31  | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 03/18/09  | 23     | 23   | Westlaw Research        | 34048030      | 39742173        | \$267.97 | \$267.97 | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 03/20/09  | 23     | 23   | Westlaw Research        | 34048030      | 39742174        | \$81.17  | \$81.17  | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 03/31/09  | 23     | 23   | Westlaw Research        | 34048030      | 39841210        | \$649.78 | \$649.78 | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 04/02/09  | 23     | 23   | Westlaw Research        | 34048030      | 39841417        | \$10.80  | \$10.80  | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 04/06/09  | 42     | 42   | Document Reproduction   | 34048030      | 39805346        | \$7.35   | \$7.35   | \$0.00 B   |   |
| 04/06/09  | 42     | 42   | Document Reproduction   | 34048030      | 39776540        | \$1.20   | \$1.20   | \$0.00 B   |   |
| 04/14/09  | 23     | 23   | Westlaw Research        | 34048030      | 39927094        | \$27.72  | \$27.72  | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 04/24/09  | 151    | 151  | Proofreading - Internal | 34048030      | 39878154        | \$0.00   | \$0.00   | \$0.00 B   | Performed by Marchant, Brent C. for Hakim, Ranjit J.  |

## Pro Bono Time Worked Analysis

| Tran Date | Office | Dept | Employee                   | Hours      |               | Value        |          | WIP Status | Description   |
|-----------|--------|------|----------------------------|------------|---------------|--------------|----------|------------|---|
|           |        |      |                            | Base Hours | To Bill Hours | Billed Hours | Std Amt  |            |   |
| 04/16/09  | 19     | 19   | Other Disbursements        | 34048030   | 39954932      | \$50.00      | \$50.00  | \$0.00 B   | VENDOR: It's Your Serve; INVOICE#: 041509; DATE: 4/15/2009 - Court run: 4/1-4/15/09   |
| 04/16/09  | 23     | 23   | Westlaw Research           | 34048030   | 39917095      | \$10.80      | \$10.80  | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 04/23/09  | 42     | 42   | Document Reproduction      | 34048030   | 39914283      | \$0.15       | \$0.15   | \$0.00 B   |   |
| 04/23/09  | 42     | 42   | Document Reproduction      | 34048030   | 39914358      | \$1.65       | \$1.65   | \$0.00 B   |   |
| 04/23/09  | 42     | 42   | Document Reproduction      | 34048030   | 39914277      | \$7.65       | \$7.65   | \$0.00 B   |   |
| 04/23/09  | 42     | 42   | Document Reproduction      | 34048030   | 39914278      | \$6.75       | \$6.75   | \$0.00 B   |   |
| 04/28/09  | 93     | 93   | Mailing Charges - Office   | 34048030   | 39939431      | \$4.95       | \$4.95   | \$0.00 B   | Documents delivered to Oak Park, IL by Shea, Alexandra E.   |
| 04/30/09  | 9      | 9    | Local Transportation       | 34048030   | 39962831      | \$5.00       | \$5.00   | \$0.00 B   | VENDOR: Hakim, Ranjit INVOICE#: MBRM000112652090080 DATE: 05/01/2009 Cab fare from 30 North LaSalle to office.                            |
| 04/30/09  | 9      | 9    | Local Transportation       | 34048030   | 39962830      | \$5.00       | \$5.00   | \$0.00 B   | VENDOR: Hakim, Ranjit INVOICE#: MBRM000112652090080 DATE: 05/01/2009 Cab fare from office to 30 North LaSalle.                            |
| 05/14/09  | 42     | 42   | Document Reproduction      | 34048030   | 40040433      | \$0.15       | \$0.15   | \$0.00 B   |   |
| 06/11/09  | 42     | 42   | Document Reproduction      | 34048030   | 40200554      | \$4.05       | \$4.05   | \$0.00 B   |   |
| 06/11/09  | 42     | 42   | Document Reproduction      | 34048030   | 40200551      | \$4.50       | \$4.50   | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 07/23/09  | 23     | 23   | Westlaw Research           | 34065789   | 40559846      | \$131.40     | \$131.40 | \$0.00 B   |   |
| 07/28/09  | 42     | 42   | Document Reproduction      | 34065789   | 40467639      | \$0.30       | \$0.30   | \$0.00 B   |   |
| 07/28/09  | 42     | 42   | Document Reproduction      | 34065789   | 40467606      | \$0.30       | \$0.30   | \$0.00 B   |   |
| 07/29/09  | 23     | 23   | Westlaw Research           | 34065789   | 40559847      | \$297.68     | \$297.68 | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 07/29/09  | 42     | 42   | Document Reproduction      | 34065789   | 40475662      | \$0.30       | \$0.30   | \$0.00 B   |   |
| 07/31/09  | 42     | 42   | Document Reproduction      | 34065789   | 40487623      | \$5.70       | \$5.70   | \$0.00 B   |   |
| 10/21/09  | 23     | 23   | Westlaw Research           | 34123227   | 41027354      | \$290.09     | \$290.09 | \$0.00 B   | VENDOR: Miller, Brian C. INVOICE#: MBRM000125602090061 DATE: 12/28/2009 Completed filing at the Supreme Court per Brian Netter's request. |
| 12/08/09  | 9      | 9    | Local Transportation       | 34123227   | 41325964      | \$20.00      | \$20.00  | \$0.00 B   |   |
| 12/08/09  | 93     | 93   | Document Delivery - Office | 34123227   | 41233178      | \$11.37      | \$11.37  | \$0.00 B   | Documents delivered to Chicago, IL by Netter, Brian C.  |
| 12/10/09  | 23     | 23   | Westlaw Research           | 34135043   | 41444111      | \$45.79      | \$45.79  | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 12/11/09  | 42     | 42   | Document Reproduction      | 34123227   | 41245257      | \$9.90       | \$9.90   | \$0.00 B   |   |
| 12/14/09  | 93     | 93   | Document Delivery - Office | 34123227   | 41254229      | \$5.74       | \$5.74   | \$0.00 B   | Documents delivered to Charlottesville, VA by Serrante, Zanette   |
| 12/18/09  | 23     | 23   | Westlaw Research           | 34123227   | 41327088      | \$4.84       | \$4.84   | \$0.00 B   | Westlaw Research performed by Hakim, Ranjit J.  |
| 12/21/09  | 151    | 151  | Proofreading - Internal    | 34123227   | 41327482      | \$0.00       | \$0.00   | \$0.00 B   | Performed by Wismer, Glenn for Hakim, Ranjit J.   |
| 12/28/09  | 151    | 151  | Proofreading - Internal    | 34123227   | 41326913      | \$0.00       | \$0.00   | \$0.00 B   | Performed by Palumbo, Nicholas G. for Hakim, Ranjit J.  |

## Pro Bono Time Worked Analysis

|           |        | Hours |                              | Value      |               |              |             |
|-----------|--------|-------|------------------------------|------------|---------------|--------------|-------------|
| Tran Date | Office | Dept  | Employee                     | Base Hours | To Bill Hours | Billed Hours | Std Amt     |
|           |        |       |                              | Base Amt   | Billed Amt    | WIP Status   | Description |
| 12/28/09  | 151    | 151   | Profreading - Internal       | 34123227   | 41334112      | \$0.00       | \$0.00      |
| 01/28/10  | 19     | 19    | Other Disbursements          | 34163310   | 41488874      | \$15.00      | \$0.00      |
| 05/01/10  | 7      | 7     | Travel - Airfare             | 34163310   | 41755346      | \$203.40     | \$0.00      |
| 03/30/10  | 19     | 19    | Other Disbursements          | 34163310   | 41655249      | \$30.00      | \$0.00      |
| 02/02/10  | 19     | 19    | Other Disbursements          | 34163310   | 41655248      | \$20.00      | \$0.00      |
| 03/10/10  | 42     | 42    | Document Reproduction        | 34163310   | 41718126      | \$0.30       | \$0.30      |
| 08/20/10  | 19     | 19    | Other Disbursements          | 34295268   | 42656714      | \$25.00      | \$0.00      |
| 09/02/10  | 23     | 23    | Westlaw Research             | 34295268   | 42799318      | \$350.48     | \$350.48    |
| 10/25/10  | 23     | 23    | Westlaw Research             | 34295268   | 43033412      | \$138.13     | \$138.13    |
| 12/25/10  | 42     | 42    | Document Reproduction        | 34295268   | 43033182      | \$0.15       | \$0.15      |
| 01/05/11  | 21     | 21    | Automated Research - Outside | 3194590    | 43466329      | \$0.48       | \$0.48      |
| 01/13/11  | 23     | 23    | Westlaw Research             | 3194590    | 43504954      | \$111.84     | \$111.84    |
| 01/18/11  | 32     | 32    | Word Processing              | 3194590    | 43495883      | \$95.00      | \$95.00     |
| 01/18/11  | 42     | 42    | Document Reproduction        | 3194590    | 43479694      | \$3.90       | \$3.90      |
| 01/28/11  | 42     | 42    | Document Reproduction        | 3194590    | 43479449      | \$15.60      | \$15.60     |
| 01/28/11  | 42     | 42    | Document Reproduction        | 3194590    | 43479328      | \$18.90      | \$18.90     |
| 01/28/11  | 92     | 92    | Mailing Charges - Office     | 3194590    | 43484919      | \$3.66       | \$3.66      |
| 02/23/11  | OSS    | OSS   | Onsite Support Services      | 3194590    | 43657047      | \$25.00      | \$25.00     |
| 03/08/11  | OSS    | OSS   | Onsite Support Services      | 3194590    | 43729473      | \$50.00      | \$50.00     |
| 04/04/11  | 23     | 23    | Westlaw Research             | 3194590    | 43922673      | \$186.13     | \$186.13    |
| 04/05/11  | 23     | 23    | Westlaw Research             | 3194590    | 43922674      | \$294.19     | \$294.19    |
| 04/25/11  | 21     | 21    | Automated Research - Outside | 3194590    | 43989426      | \$0.88       | \$0.88      |

Performed by Wismer, Glenn for Hakim, Ranjit J.  
 VENDOR: University of Chicago Libraries (Various); INVOICE#: 11193; DATE: 1/4/2010 - ILL - AMERICAN DICTIONARY OF THE ENGLISH LANGUAGE  
 VENDOR: Hakim, Ranjit INVOICE#: M8RM000112652100106  
 DATE: 03/15/2010 Travelled to/from Washington, D.C. to attend oral argument.  
 VENDOR: University of North Carolina (Various); INVOICE#: 1310; DATE: 2/3/2010 - ILL - A LAW DICTIONARY, ADAPTED TO THE CONSTITUTION AND LAWS OF THE UNITED STATES OF AMERICA, AND OF THE SEVERAL STATES OF THE AMERICAN UNION, W/ REFERENCE  
 VENDOR: University of Montana; INVOICE#: 861319954; DATE: 1/13/2010 - ILL - AN AMERICAN DICTIONARY OF THE ENGLISH LANGUAGE/TITLE PAGE, COPYRIGHT, TERMS, PRIVILEGE,  
 VENDOR: University of Virginia (Various); INVOICE#: 971528; DATE: 8/3/2010 - ILL - A DICTIONARY OF THE ENGLISH LANGUAGE  
 Westlaw Research performed by Hakim, Ranjit J.  
 Westlaw Research performed by Hakim, Ranjit J.  
 VENDOR: Pacer Service Center; INVOICE#: M80025-Q43012; DATE: 1/5/2011 - Computer searches 10/1/10-12/31/10 Acct. ID# M80025  
 Westlaw Research performed by Hakim, Ranjit J.  
 Performed by Lockhart, Elena A. for Hakim, Ranjit J.  
 Documents delivered to Chicago, IL by Hakim, Ranjit J.  
 VENDOR: It's Your Serve; INVOICE#: 11011611; DATE: 2/23/2011  
 Courtesy copy to judge  
 VENDOR: It's Your Serve; INVOICE#: 11011711; DATE: 3/8/2011  
 Westlaw Research performed by Hakim, Ranjit J.  
 Westlaw Research performed by Hakim, Ranjit J.  
 VENDOR: Pacer Service Center; INVOICE#: M80025-Q43012; DATE: 4/25/2011 - Computer searches 1/1/11-3/31/11

## Pro Bono Time Worked Analysis

| Inn Date     | Office | Dept | Employee              | Hours      |               | Value        |            |            | WIP Status | Description |
|--------------|--------|------|-----------------------|------------|---------------|--------------|------------|------------|------------|-------------|
|              |        |      |                       | Base Hours | To Bill Hours | Billed Hours | Std Amt    | Base Amt   | Billed Amt |             |
| 04/25/11     | 42     | 42   | Document Reproduction | 3194590    | 43990865      | \$3.00       | \$3.00     | \$3.00     | \$0.00     | P           |
| GRAND TOTAL: |        |      |                       |            |               | \$4,225.79   | \$4,225.79 | \$4,130.79 | \$0.00     |             |