

EXHIBIT “4”

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

NATIONAL RIFLE ASSOCIATION	:	
AMERICA, INC., et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:08-CV-03696
VILLAGE OF OAK PARK, et al.,	:	
	:	
Defendants.	:	
-----	:	

**DECLARATION OF DAVID H. THOMPSON IN SUPPORT OF
PETITIONER'S MOTION FOR
AWARD OF ATTORNEYS' FEES, COSTS, AND EXPENSES**

I, David H. Thompson, hereby declare as follows:

1. I submit this declaration in support of Plaintiff's motion for award of reasonable attorneys' fees as the prevailing party in this litigation. I am the Managing Partner of Cooper & Kirk, PLLC ("Cooper & Kirk" or "the Firm"), and

the Firm represented the National Rifle Association, Inc. ("NRA") in connection with this case.

2. I am Managing Partner of Cooper & Kirk and joined the firm at its founding in 1996. I have extensive trial and appellate experience in a wide range of matters. I am a member of the bars of the U.S. Supreme Court; U.S. Courts of Appeals for the Second, Third, Fourth, Fifth, Sixth, Ninth, Eleventh, and Federal Circuits; Courts of the State of New York and the District of Columbia; and the United States Court of Federal Claims. I am a *cum laude* graduate of the Harvard Law School and a *magna cum laude* graduate of Harvard College. This past semester, I taught a course entitled, the Art of the Washington Lawyer, at Georgetown University Law Center.

3. In my experience as Managing Partner of Cooper & Kirk, I have become familiar with the economics of law practice, billing rates, billing practices, and the setting and collection of legal fees in cases akin to the instant case in factual and legal complexity, in risk and expense levels, and in the degree of professional demands placed upon myself, my partners, my associates, and my staff. I have derived this knowledge from a variety of sources, including my personal experience negotiating fee agreements with sophisticated consumers of legal services and regularly representing clients on an hourly rate basis. Moreover, I

have significant experience related to billing practices for constitutional litigation including cases argued before the United States Supreme Court.

4. I am familiar with my firm's policies, practices, and procedures governing the recording and maintenance of time and expense reports. I am also familiar with Cooper & Kirk's standard hourly rates customarily charged for professional services delivered to clients who (a) hire the Firm for a particular case or matter on a pure hourly basis and generally pay their bills within 30 to 60 days; (b) assume responsibility for paying for all expenses; and (c) who agree to pay the Firm's hourly rates without regard to the outcome of the case.

5. In staffing this case, I endeavored to keep the number of personnel assigned to this case to the minimum reasonably necessary to represent the NRA in an efficient manner.

6. Attached as Exhibit A is a true and correct copy of the summary of attorneys' fees for Cooper & Kirk. These entries reflect the actual charges billed to the NRA and that the NRA paid to the Firm for its work in this matter. The entries were derived from entries in the Firm's Timeslips database which is maintained in the ordinary course of the Firm's business. The database entries are recorded at or about the time of the events recorded.

7. I have reviewed all of the time entries and expenditures for this case and in the exercise of billing judgment reduced or eliminated hours that I believe were potentially unproductive.

8. The hourly rates sought by Cooper & Kirk reflect the rate actually paid to the Firm in this case. Specifically, Mr. Cooper's current hourly rate is \$865/hour; and my current rate is \$565 hour. Thus, the hourly rates sought here reflect the rates actually paid to the Firm in typical arm's-length, market-rate transactions.

9. From the inception of the Firm's involvement in this case, I have had personal familiarity with the work performed by the attorneys assigned to this case. The Cooper & Kirk attorneys who performed services for the NRA and for whose work the NRA seeks reimbursement in this fee application are listed below:

a. Charles J. Cooper

Charles J. Cooper is a founding member and the chairman of Cooper & Kirk, PLLC. He has made multiple appearances before the United States Supreme Court and was named by The National Law Journal as one of the 10 best civil litigators in Washington. As discussed below, Mr. Cooper has significant experience in litigating Second Amendment cases.

In 1985 President Reagan appointed Mr. Cooper to the position of Assistant Attorney General for the Office of Legal Counsel. Mr. Cooper reentered private

practice in 1988, as a partner in the Washington, D.C. office of McGuire Woods. From 1990 until the founding of Cooper & Kirk in 1996, he was a partner at Shaw, Pittman, Potts & Trowbridge where he headed the firm's Constitutional and Government Litigation Group.

Mr. Cooper's practice is national in scope and is concentrated in the areas of constitutional and civil rights litigation.

Mr. Cooper's is especially experienced in challenges to legislation on constitutional grounds. He litigated the 1998 case *Clinton v. City of New York* to its conclusion in the Supreme Court, where the Line-Item Veto Act was struck as unconstitutional. 524 U.S. 417 (1998).

Mr. Cooper oversaw litigation in the landmark case of *McConnell v. Federal Election Commission*, a predecessor to the recent *Citizens United v. F.E.C.* case, where diverse groups including the California Democratic Party and the National Rifle Association challenged the constitutionality of the McCain-Feingold Act. 540 U.S. 93 (2003).

Mr. Cooper has argued in all but one of the federal courts of appeals.

Mr. Cooper's billing rate in 2009 was \$815/hour.

A full *curriculum vitae* for Charles J. Cooper is attached as Exhibit B.

b. David H. Thompson

I have considerable experience in constitutional matters, having litigated numerous cases involving the Second Amendment, freedom of speech, civil rights, voting rights, takings of property, and separation of powers issues. I have represented numerous clients before a majority of the federal courts of appeals, numerous district courts, and the Supreme Court.

I am currently representing the NRA in cases implicating the Second Amendment in Texas, Illinois, Kentucky, and Florida. I also advise the NRA on a range of other cases involving the Second Amendment.

My full *curriculum vitae* is attached as Exhibit C.

c. Jesse Panuccio

Jesse Panuccio was graduated from Harvard Law School in 2006 *magna cum laude* and served on the Harvard Law Review. He earned his B.A. from Duke University in 2003. After law school, Mr. Panuccio was Law Clerk to Judge (now Professor) Michael McConnell on the U.S. Court of Appeals for the Tenth Circuit. Following his clerkship, Mr. Panuccio joined Cooper & Kirk PLLC as an associate. He has since left to pursue public service as Deputy General Counsel to Governor Rick Scott of Florida.

10. Cooper & Kirk was well qualified to represent NRA, given its experience litigating Second Amendment matters. We have considerable expertise in Second Amendment litigation. Mr. Cooper argued in the Fifth Circuit a seminal case, *United States v. Emerson*, which held that the Second Amendment guarantees individuals the right to bear arms. 270 F.3d 203 (5th Cir. 2001). *Emerson* involved a challenge to the constitutionality of a federal law prohibiting, in some circumstances, the possession of firearms. Although that challenge did not succeed, *Emerson*, and the briefing in it, became a touchstone for future landmark constitutional jurisprudence on the Second Amendment. Mr. Cooper and I, with the assistance of our colleagues, have submitted amicus briefs in several other Second Amendment cases. *See, e.g., Silveira v. Lockyer*, 312 F.3d 1052 (9th Cir. 2002) (the Firm filed an amicus brief at the certiorari stage in the Supreme Court); *District of Columbia v. Heller*, 554 U.S. 570 (2008) (amicus brief filed on the merits). As noted above in the aftermath of *Heller*, Mr. Cooper and I have represented NRA in a number of cases implicating directly or indirectly issues relating to the Second Amendment. Indeed, since its founding, Cooper & Kirk has represented the NRA in key high-stakes, policy-oriented, constitutional litigations in over a dozen distinct cases.

11. Notwithstanding Cooper & Kirk's expertise in constitutional and Second Amendment litigation, its fees are lower than those of firms employing comparable talent. Attached as Exhibit D hereto is Law.com's May 11, 2009 article, "Cap on Legal Fees in Bankruptcy Alarms Firms." This article documents rates at the upper end of \$750 and \$995/hour. In comparison, the fees sought by the Firm are reasonable.

12. The hourly rates of the firms that filed amicus briefs in this very case in the Supreme Court demonstrate the reasonableness of Cooper & Kirk's fees. Moreover, no fewer than 16 *amici* briefs were filed on behalf of respondents Chicago-Oak Park. Some of these were submitted by attorneys at some of Chicago's (and the nation's) most prestigious and premium-priced law firms. These included O'Melveny & Myers LLP, Winston & Strawn LLP, Nixon Peabody LLP, Boies, Schiller & Flexner LLP, Munger, Tolles & Olsen LLP, Sidley Austin LLP, Dewey & Leboeuf LLP, and Wilmer Cutler Pickering Hale & Dorr LLP. Below we point to examples of these firms' hourly rates and note that they are entirely consistent with—indeed generally exceed—the hourly rates we have charged.


The National Law Journal regularly surveys and reports the fees of lawyers at national law firms. These surveys, which are made available for purchase, have

been cited in fee declarations in other cases, including *Heller v. District of Columbia*. Exhibits E through G, below, are from filings in that case. For example, Chicago firms Winston & Strawn and Jenner & Block bill \$513 and \$525 respectively for top associates. Exhibit E. For partners at these firms, hourly rates are higher. The average rate of partners at Winston & Strawn is \$638; at Jenner & Block, that number is \$655. Exhibit F. Rates for senior partners at these firms are significantly higher: some senior partners at Sidley Austin bill \$950 for an hour of their work. Exhibit G. At Chicago firms Winston & Strawn and Jenner & Block, some senior partners bill \$1,000 an hour. Exhibit F.

Although the contest over attorney's fees has not yet been resolved in the *District of Columbia v. Heller* cases in the United States District Court for the District of Columbia, recent government filings in that case in that case make plain that outside counsel, engaged to represent D.C., have "standard rates" for such litigation, and those rates are, for attorneys "11 to 20 years" out of law school, \$640/hr to \$800/hr; and for attorneys "20 + years" out of law school, \$760/hr to \$950/hr. *Parker v. Dist. of Columbia*, 478 F.3d 370 (D.C. Cir. 2007), Def.'s Not. Filing, ECF No. 79.

13. Cooper & Kirk was hired to provide limited, highly specific services that are part of the firm's core competency. In light of our general experience in constitutional litigation, our specific experience in litigating Second Amendment cases, and the higher rates charged by other firms with comparable national practices, the rates charged by the Firm in this matter and the fees sought for the Firm's work are reasonable.

I hereby swear the foregoing is true and accurate to the best of my knowledge:


David H. Thompson

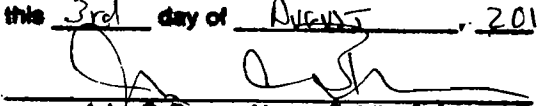
District of Columbia: SS
Subscribed and Sworn to before me,
this 3rd day of AUGUST, 2011

John C. Brown, Notary Public, D.C.
My commission expires May 14, 2012

EXHIBIT “A”

Institute for Legislative Action
National Rifle Association
11250 Waples Way Road
Fairfax, VA 22030

August 3, 2011

In Reference To: NRA v. Chicago

Payments Made

\$28,576.50

National Rifle Association

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Professional services

			<u>Hours</u>
12/17/08	JMP	Research re petition for initial petition for rehearing en banc.	0.90
03/18/09	CJC	Conference with D. Thompson re appeal strategy for incorporation issue.	0.40
	CJC	Review draft en banc petition to CA7.	0.50
	JMP	Conference with J. Panuccio re strategic options in Seventh Circuit.	0.40
	JMP	Review proposed initial en banc petition..	0.70
03/25/09	JMP	Review email re Seventh Circuit initial en banc strategy.	0.20
03/26/09	JMP	Review draft petition for initial hearing en banc in Seventh Circuit.	0.20
	DHT	Analyze petition for initial rehearing en banc.	0.30
04/08/09	JMP	Research re Seventh Circuit initial en banc petition.	1.00
05/18/09	JMP	Draft questions for Seventh Circuit moot.	0.60
	DHT	Review Seventh Circuit briefs and participate in moot court on incorporation.	3.40
06/02/09	DHT	Review Seventh Circuit decision and cert. petition.	0.40
06/03/09	DHT	Review and revise petition for certiorari.	2.20

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			<u>Hours</u>
06/10/09	DHT	Review cert petition.	1.30
06/17/09	JMP	Develop strategy for Supreme Court amicus support.	1.10
	DHT	Conferences re amicus briefs.	1.10
	CJC	Prepare for and participate in conference re amicus strategy.	1.20
07/29/09	JMP	Review draft of Halbrook reply brief in support of cert petition.	1.10
08/10/09	JMP	Review reply in support of petition for certiorari and draft comments re same.	4.70
08/11/09	JMP	Conferences with D. Thompson re reply in support of petition for certiorari; draft comments re same.	1.60
	DHT	Revise reply brief in Chicago case; conference with J. Panuccio re same.	1.40
09/30/09	DHT	Conferences re Supreme Court strategy.	0.70
	JMP	Conference with D. Thompson re cert. grant.	0.70
10/02/09	BSK	Research how to use Privileges or Immunities Clause history to bolster our Due Process incorporation argument.	3.10
10/16/09	CJC	Conferences with D. Lehman, Clement, D. Thompson re amicus strategy.	1.30
10/16/09	DHT	Develop Supreme Court incorporation strategy; conferences re same.	1.60

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			<u>Hours</u>
11/04/09	DHT	Review Supreme Court brief.	0.90
	JMP	Review NRA's initial draft Supreme Court brief.	0.30
11/05/09	DHT	Review and revise Supreme Court brief.	0.70
11/06/09	JMP	Review Supreme Court draft brief.	1.70
02/21/10	DHT	Prepare for moot court.	1.90
02/22/10	JMP	Prepare D. Thompson for moot court.	1.80
	DHT	Prepare for and participate in moot court.	3.80
07/05/11	JM	Familiarize and review standards and forms for fee declarations and motions for award of attorneys' fees and costs; confer with M. Miller on same; conduct research as to comparable attorney fees.	5.10
07/06/11	DHT	Prepare declaration in support of fee request.	0.60
	JM	Draft declaration for fee request.	4.20
07/07/11	JM	Draft declaration of attorneys' fees.	6.20
	MM	Draft declaration re attorneys' fees and costs.	4.10
07/11/11	JM	Edits to declaration in support of motion for attorneys' fees.	0.20
07/12/11	DHT	Revise declaration in support of fees.	3.90

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			<u>Hours</u>
08/03/11	DHT	Revise declaration in support of fees.	2.20
	JM	Revise declaration in support of fees.	0.80

	<u>Amount</u>
For professional services rendered	70.5 \$28,576.50

National Rifle Association

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Attorney/LA Summary - 2008

Name	Hours	Rate	Amount
Panuccio, Jesse	0.90	335.00	\$301.50
			<u>Amount</u>
Balance Due			\$301.50

Attorney/LA Summary - 2009

Name	Hours	Rate	Amount
Cooper, Charles	3.40	815.00	\$2,771.00
Koukoutchos, Brian	3.10	525.00	\$1,627.50
Panuccio, Jesse	14.30	345.00	\$4,933.50
Thompson, David	14.00	515.00	\$7,210.00
			<u>Amount</u>
Balance Due			\$16,542.00

Attorney/LA Summary - 2010

Name	Hours	Rate	Amount
Panuccio, Jesse	1.80	375.00	\$675.00
Thompson, David	5.70	535.00	\$3,049.50
			<u>Amount</u>
Balance Due			\$3,724.50

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Attorney/LA Summary - 2011

Name	Hours	Rate	Amount
Malchow, Joseph	16.50	205.00	\$3,382.50
Miller, Marissa	4.10	205.00	\$840.50
Thompson, David	6.70	565.00	\$3,785.50

Amount

Balance Due

\$8,008.50

Total amount of this bill

\$28,576.50

National Rifle Association

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Institute for Legislative Action
National Rifle Association
11250 Waples Way Road
Fairfax, VA 22030

August 3, 2011

In Reference To: Incorporation Matter

Please return this page with your remittance to:

Cooper & Kirk, PLLC
1523 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Wired funds should be addressed as follows:

Wachovia Bank, N.A.
1500 K Street, N.W.
Washington, D.C. 20005
ABA No. 054001220
Cooper & Kirk, PLLC
Acct. No. 2000020774903

EXHIBIT “B”

CHARLES J. COOPER
Cooper & Kirk, PLLC
1523 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 220-9600

PROFESSIONAL EXPERIENCE

- Present** Partner, Cooper & Kirk, PLLC, Washington, D.C.
Civil litigation and federal administrative law practice.
- 1990-1996** Partner, Shaw, Pittman, Potts & Trowbridge, Washington, D.C.
Civil litigation and federal administrative law practice.
- 1988-1990** Partner, McGuire, Woods, Battle & Boothe, Washington, D.C.
Civil litigation and federal administrative law practice.
- 1985-1988** Assistant Attorney General, Office of Legal Counsel. Headed office responsible for providing formal legal opinions and informal legal advice to the President and executive branch departments and agencies, including other components of the Department of Justice.
- 1986-1988 Chairman, Domestic Policy Council's Working Group on Federalism (subcabinet level interagency working group responsible for advising the President and Cabinet members on issues relating to federal-state relations; principal author of the working group's 1986 "Report on the Status of Federalism in America" and Executive Order No. 12612 on Federalism).
- 1987-1988 Member, Policy Review Group for the National Security Council (subcabinet level interagency working group responsible for reviewing and advising the National Security Council on certain classified matters).
- 1987-1988 Member, Planning and Coordinating Group for the National Security Council (subcabinet level interagency working group responsible for reviewing and advising the National Security Council on certain classified matters).

- 1982-1985** Deputy Assistant Attorney General, Civil Rights Division. Supervised all of the Division's appellate litigation (including personally briefing and arguing selected cases) and the Division's trial litigation in the areas of public education, housing, and institutionalized persons.
- 1981-1982** Special Assistant to the Assistant Attorney General, Civil Rights Division. Assisted the Assistant Attorney General in the supervision of all facets of the Division's work, including trial and appellate litigation.
- 1979-1981** Associate, Long, Aldridge & Norman, Atlanta, Georgia. General corporate litigation practice in state and federal courts.
- 1978-1979** Law Clerk to Justice (now Chief Justice) William H. Rehnquist, United States Supreme Court, Washington, D. C.
- 1977-1978** Law Clerk to Judge Paul H. Roney, United States Court of Appeals for the Fifth (now Eleventh) Circuit, St. Petersburg, Florida.

COMMISSIONS AND ASSOCIATIONS

- 2003-Present** Member, Academe and Policy Research Senior Advisory Committee to the Department of Homeland Security
- 1998-2005** Member, Standing Committee on Rules of Practice and Procedure of the Judicial Conference of the United States
- 1996-Present** Member, American Academy of Appellate Lawyers
- 1994-Present** Member, The Federalist Society (Steering Committee, Washington Lawyers Chapter); Former Chairman, Civil Rights Practice Group
- 1993-Present** Member, The American Law Institute.
- 1994-1996** Co-Chairman, Advisory Council on Self-Determination and Federalism to Governor George Allen of Virginia.
- 1991-1994** Public Member, Administrative Conference of the United States.
- 1991-1993** Commission Member, National Commission on Judicial Discipline and Removal (appointed by President Bush).
- 1990-1992** Commission Member, National Commission on Responsibilities

for Financing Postsecondary Education (appointed by President Reagan).

BAR MEMBERSHIPS

Admitted to practice before the U.S. Supreme Court; U.S. Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, District of Columbia, and Federal Circuits; Courts of the States of Alabama and Georgia, and the District of Columbia; and the United States Court of Federal Claims.

EDUCATIONAL BACKGROUND

Legal

J.D., University of Alabama School of Law (May 1977)

Academic Performance: 2.72/3.00 (first in class)

Alabama Law Review

Editor-in-Chief (1976-1977)

Editorial Board Member (1975-1976)

Awards and Honors

John B. Knox Award (for graduate with highest academic average in section)

Order of the Coif

Dean M. Leigh Harrison Award for Scholarship

Hugo Black Scholar

Dean's Award for Service to Law School

Henderson M. Sommerville Award for Legal Writing

Omicron Delta Kappa (honorary society)

Jasons (senior honorary society)

Prelegal

B.S., Finance, University of Alabama

School of Commerce & Business Administration (May 1974)

Grade Point Average: 2.26/3.00 (Finance Honors Student)

PUBLICATIONS

"Federalism and the Telephone: The Case for Preemptive Federal Deregulation in the New World of Intermodal Competition," 6 *Journal on Telecommunications & High Technology Law* 293 (2008) (with Brian Stuart Koukoutchos).

"The State of the Judiciary: A Corporate Perspective," 95 *The Georgetown Law Journal* 1107 (April 2007) (with Larry D. Thompson).

"A Perjurer in the White House?: The Constitutional Case for Perjury and Obstruction of Justice as High Crimes and Misdemeanors," *Harvard Journal of Law & Public Policy*, (Spring 1999).

"The Geography of Race in Elections: Color-Blindness and Redistricting," *The Journal of Law and Politics* (Winter 1998).

"Term Limits for Judges?," 10 *The Journal of Law and Politics*, 669 (1997).

"Constitutional Constraints on the Government," published in *Litigating Against The Government: Leveling The Playing Field* (National Legal Center for the Public Interest (1996)).

"The Republican Congress and the Constitution in Foreign and Military Affairs," 2 *Common Sense* 75 (1995) (with Prof. John McGinnis).

"The Federal Judiciary, Life Tenure, and Self-Government," 4 *Cornell Journal of Law and Public Policy* 500 (1995).

"The Price of 'Political Independence': The Unconstitutional Status of the Legal Services Corporation," 4 *Boston University Public Interest Law Journal* 13 (1994) (with Michael A. Carvin).

"Harry Jaffa's Bad Originalism," 1994 *Public Interest Law Review* 189.

"The Legal Authority of the Department of the Treasury to Promulgate a Regulation Providing for Indexation of Capital Gains," 12 *Virginia Tax Review* 631 (Spring 1993) (with Michael A. Carvin and Vincent J. Colatriano).

"Independent of Heaven Itself: Differing Federalist and Anti-Federalist Perspectives on the Centralizing Tendency of the Federal Judiciary," 16 *Harvard Journal of Law & Public Policy* 119 (Winter 1993).

"A Note on Justice Marshall and *Stare Decisis*," 1992 *The Public Interest Law Review* 95.

"*Wards Cove Packing Co. v. Atonio*: A Step Toward Eliminating Quotas in the American Workplace," 14 *Oklahoma City University Law Review* 265 (Summer 1991).

"Executive Power Over Foreign and Military Policy: Some Remarks on the Founders' Perspective," 16 *Oklahoma City University Law Review* 265 (Summer 1991).

"How Separation of Powers Protects Individual Liberties," 41 *Rutgers Law Review* 789 (Spring 1989).

"A Slow Return To Constitutional Colorblindness," 47 *Legal Times* 27 (May 1, 1989).

"The Constitutionality of Drug Testing," *Federal Bar News & Journal* (October 1988).

"Presidential Powers in the Area of Foreign Affairs," 43 *University of Miami Law Review* 165 (September 1988).

"The Demise of Federalism," 20 *The Urban Lawyer* 239 (Spring 1988).

"*Stare Decisis*: Precedent and Principle in Constitutional Adjudication," 73 *Cornell Law Review* 801 (January 1988).

"The Line-Item Veto: The Framers' Intentions," published in *Revitalizing the Presidential Veto* (National Legal Center for the Public Interest (1988)).

"Comment on Arthur Schlesinger's 'After the Imperial Presidency,'" 47 *Maryland Law Review* 84 (Fall 1988).

"Raoul Berger, Constitutionalist," 4 *Benchmark* 183 (July-October 1987).

"The Collateral Attack Doctrine and the Rules of Intervention: A Judicial Pincer Movement on Due Process," 1987 *University of Chicago Legal forum* 155.

"Limited Government and Individual Liberty: The Ninth Amendment's Forgotten Lesson," 4 *Journal of Law & Politics* 63 (University of Virginia) (Summer 1987).

"Constitutional Adjudication and the Intentions of the Framers," 119 *Federal Rules Decisions* 553 (address before the judicial conference of the U.S. Court of Appeals for the District of Columbia Circuit, May 29, 1987).

"Landmarks of Constitutional Interpretation," 40 *Policy Review* 10 (Spring 1987) (with Nelson Lund).

"Application of Section 504 of the Rehabilitation Act of 1973 to persons with AIDS," published in *Aids and the Law* (Wiley Law Publications 1987).

"Survey of Legal Issues Related to Acquired Immune Deficiency Syndrome (AIDS)," published in *The Medical and Legal Implications of AIDS* (Virginia Bar Association, 1987).

"The First Amendment, Original Intent and The Political Process," 10 *Harvard Journal of Law & Public Policy* 15 (Winter 1987).

"The Tenth Amendment Under Fire," 73 *ABA Journal* 42 (May 1987).

"The Coercive Remedies Paradox," 9 *Harvard Journal of Law and Public Policy* 77 (Winter 1986).

Book Review, 24 *The Atlanta Lawyer* 17 (April-May 1980) (reviewing B. Woodward and S. Armstrong, *The Brethren*).

"The Attorney-Client Privilege in Alabama," 28 *Alabama Law Review* 641 (1977).

CONGRESSIONAL TESTIMONY

- 05/13/09 Testimony before the Subcommittee on Administrative Oversight and the Courts of the Senate Judiciary Committee on "What Went Wrong: Torture and the Office of Legal Counsel in the Bush Administration."
- 09/16/08 Testimony before the Subcommittee on the Constitution of the Senate Judiciary Committee on "Restoring the Rule of Law."
- 06/08/06 Testimony before the Committee on the Budget of the United States House of Representatives on H.R. 4890 - "The Legislative Line Item Veto Act of 2006."
- 05/02/06 Testimony before the Senate Budget Committee on S. 2381 -- "The Legislative Line Item Veto Act of 2006."

- 04/27/06 Testimony before the Subcommittee on the Constitution of the Committee on the Judiciary of the House of Representatives on "The Constitution and the Line Item Veto."
- 02/09/00 Testimony before the Subcommittee on the Constitution of the House Committee on the Judiciary on "The Applicability of the Americans with Disabilities Act (ADA) to Private Internet Sites."
- 11/09/98 Testimony before the Subcommittee on the Constitution of the House Committee of the Judiciary on the Background and History of Impeachment.
- 07/14/98 Testimony before the Committee on Energy and Natural Resources of the U. S. Senate on behalf of the Popular Democratic Party of Puerto Rico Concerning S. 472 and H.R. 856, the "United States-Puerto Rico Political Status Act."
- 02/27/96 Testimony before the Committee on the Judiciary of the U. S. Senate on behalf of The Pharmaceutical Research and Manufacturers of America Concerning S. 1277, The "Prescription Drug Equity Act."
- 03/24/95 Testimony before the Subcommittee on the Constitution, Federalism, and Property Rights of the Senate Committee on the Judiciary on The Tenth Amendment and the "Conference of the States."
- 01/23/95 Testimony before the Joint Economic Committee of the Congress of the United States on H.J. Res. 1, The Balanced Budget Constitutional Amendment.
- 06/15/94 Testimony before the Subcommittee on the Constitution of the Senate Judiciary Committee on "The President's Inherent Constitutional Authority to Exercise a Line-Item Veto."
- 05/25/94 Participant in voting rights roundtable discussion sponsored by Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary.
- 03/18/93 Testimony before the Subcommittee on Civil and Constitutional Rights of the House Committee on the Judiciary on H.R. 174, The "Voting Rights Extension Act of 1993."

- 03/24/92 Testimony before the Subcommittee on Judiciary and Education of the House Committee on the District of Columbia regarding the constitutionality of H.R. 2482, The District of Columbia Statehood Bill.
- 06/19/90 Testimony before the Senate Judiciary Committee on S. 34, The Judicial Prohibition Act, designed to reverse the Supreme Court's decision upholding judicial taxation in *Missouri v. Jenkins*, 495 U.S. 33 (1990).
- 08/01/89 Testimony before the Senate Judiciary Committee on legislation designed to reverse the Supreme Court's "flag burning" decision, *Texas v. Johnson*, 491 U.S. 397 (1989).
- 12/23/87 Testimony before the Senate Intelligence Committee on S. 1721 regarding Congressional Oversight of Intelligence Activities and proposed repeal of Hughes-Ryan Amendment.

SPEECHES AND DEBATES

Mr. Cooper has spoken on a wide variety of constitutional and legal policy topics, including issues relating to constitutional interpretation, federalism, separation of powers, presidential authority, religious liberty, voting rights, school desegregation, and banking regulation. A specific listing of lectures, speeches, debates, and symposia is available on request.

EXHIBIT “C”

DAVID H. THOMPSON
Cooper & Kirk, PLLC
1523 New Hampshire Avenue, N.W.
Washington, D.C. 20036
(202) 220-9659
dthompson@cooperkirk.com

PROFESSIONAL EXPERIENCE

2000-Present Cooper & Kirk, PLLC, Washington, D.C., Managing Partner
Civil litigation and federal administrative law practice.

Relevant Experience:

- Represent the National Rifle Association in constitutional litigation throughout the United States
- Represented Attorney General John Ashcroft before Congress
- Represent Proponents of California's Proposition 8
- Represent 38 of the falsely accused Duke lacrosse players
- Extensive trial and appellate experience in large commercial disputes

2011-Present Adjunct Faculty Member at Georgetown Law Center

1996-1999 Cooper & Kirk, PLLC, Washington, D.C., Associate
Civil litigation and federal administrative law practice.

1995-1996 Shaw Pittman, Washington, D.C., Associate

1994-1995 White & Case, New York, NY, Associate

EDUCATIONAL BACKGROUND

Harvard Law School, *cum laude* (1994)

Harvard College, *magna cum laude*, Phi Beta Kappa (1991)

BAR MEMBERSHIPS

Admitted to practice before the U.S. Supreme Court; U.S. Courts of Appeals for the Second, Third, Fourth, Fifth, Sixth, Ninth, Eleventh, and Federal Circuits; Courts of the State of New York and the District of Columbia; and the United States Court of Federal Claims.

EXHIBIT “D”



1 of 100 DOCUMENTS

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CORPORATE COUNSEL

Corporate Counsel (Online)

May 13, 2009 Wednesday

LENGTH: 610 words

HEADLINE: Cap on Legal Fees in Bankruptcy Alarms Firms

BYLINE: Amanda Bronstad, Special to the national_law_journal

BODY:

Lawyers representing directors and officers of IndyMac Bancorp Inc. are attempting to remove a cap on their billing rates, the latest example of how judges are scrutinizing hourly fees in large bankruptcies.

IndyMac, one of the nation's largest mortgage lenders, filed for Chapter 7 protection on July 31, 2008. Six law firms representing more than a dozen directors and officers recently appealed to the bankruptcy judge in the case to overturn a court-appointed monitor's decision to cap their fees at \$600 per hour.

Four of the firms - Washington's Covington & Burling and Williams & Connolly; Los Angeles-based Munger, Tolles & Olson; and New York's Willkie Farr & Gallagher - charge top rates of between \$750 and \$995 per hour, according to court documents.

The judge has declined to intervene.

Meanwhile, the trustee sought to reduce the hourly rates of some of its key lawyers for the remainder of the case. Most of their requests for compensation for the quarter that ended in March were approved on May 7.

EXPRESSIONS OF SURPRISE

Lawyers involved in the case, who agreed to speak anonymously, expressed surprise at the hourly rate cap, an unusual tactic in a bankruptcy proceeding. Still, moves involving hourly fees are becoming more common as judges in large bankruptcies have begun to question high billing rates.

"More and more judges are seeking to impose caps on hourly rates," said Joseph Eisenberg, a partner at Los Angeles-based Jeffer, Mangels, Butler & Marmaro, one of the firms representing the IndyMac bankruptcy trustee. The caps are due in part to rates that have reached \$1,000 per hour, he said.

Cap on Legal Fees in Bankruptcy Alarms Firms Corporate Counsel (Online) May 13, 2009 Wednesday

In most bankruptcies, judges approve legal costs but rarely interfere with a lawyer's hourly rates. But in February, a bankruptcy judge in Delaware refused to approve a \$1,100 hourly fee requested by Sidley Austin in the Tribune Co. bankruptcy. The judge ultimately approved a top hourly fee of \$925.

Lawyers involved in the IndyMac case said that they had not previously heard of any cap imposed on defense lawyers in bankruptcies. In most cases, discussions about hourly rates occur between lawyers and the directors-and-officers insurance carrier.

A decade ago, judges in bankruptcies frequently imposed caps on hourly rates, said Lynn LoPucki, a professor at the University of California at Los Angeles School of Law. But in recent years, many judges, in part because they feared lawyers would forum-shop to avoid caps, have been wary of rejecting a request for compensation based on a lawyer's hourly billing rate.

"Fee caps are a ghost of the past in the bankruptcy world," LoPucki said. "So it probably sends a shudder down the spine of any lawyer who works in the bankruptcy court to hear that there's somebody out there imposing fee caps."

Last fall, lawyers representing IndyMac's directors and officers, many of whom are named as defendants in related shareholder lawsuits, sought to obtain compensation from the bank's insurance carrier. U.S. Bankruptcy Judge Sheri Bluebond of the Central District of California referred the issue to Dickran Tevrizian, a retired federal judge for the Central District of California now at JAMS, a mediation and arbitration firm.

In December, Tevrizian, as the court-appointed monitor, set an aggregate cap of \$1 million per month and on his own initiative imposed an additional fee cap of \$600 per hour.

In court papers, defense lawyers argued that such a restriction was "fundamentally unfair" to directors and officers, "who are entitled to the best possible counsel to defend them against the slew of lawsuits and investigations relating to IndyMac's failure."

On Jan. 30, Bluebond refused to intervene.

LOAD-DATE: April 25, 2011

EXHIBIT “E”

Firms report their billing rates by associate class
Case 1:03-cv-00213-EGS Document 63-21 Filed 06/18/10 Page 1 of 3

Below is a sampling of hourly rates charged by law firms that establish billing rates based on associate class.
 The firms reported the data as part of The National Law Journal's 2009 survey of the nation's 250 largest law firms.

Firm Name	Principal or largest Office	Total number of attorneys	1st year	2d year	3d year	4th year	5th year	6th year	7th year	8th year
Alston & Bird	Atlanta	820	315	350	388	415	445	483	503	
Barnes & Thornburg	Indianapolis	483	210	220	230	245	250	260	270	280
Brinks Hofer Gilson & Lione	Chicago	179	240	260	280	305	335	360	385	405
Brownstein Hyatt Farber Schreck	Denver	223	185							
Bryan Cave	St. Louis	991	160	253	265	313	323	370	388	408
Burr & Forman	Birmingham Ala.	253	200							
Curtis Mallet-Prevost Colt & Mosie	New York	240	290	335	375	415	455	495	535	575
Davis Wright Tremaine	Seattle	455	152	158	174	184	195	203	217	222
Firm Name	Principal or largest Office	Total number of attorneys	1st year	2d year	3d year	4th year	5th year	6th year	7th year	8th year
Dickinson Wright	Detroit	226	185	190	205	215	225	235	250	
Dickstein Shapiro	Washington	362	278	343	393	393	438	438	488	488
Dinsmore & Shohl	Cincinnati	402	175	185	200	215	225	235	245	255
Edwards Angell Palmer & Dodge	Boston	506	245	265	278					
Fitzpatrick Cella Harper & Sinto	New York	179	275	300	325	350	370	385	405	420
Ford & Harrison	Atlanta	171	260							
Gardere Wynne Sewell	Dallas	298	210	230	260	280	300	320	340	370
Greenebaum Doll & McDonald	Louisville Ky.	164	150	160	170					
Harris Beach	Rochester N.Y.	183	148	170	200	200	230	230	250	
Hiscock & Barclay	Syracuse N.Y.	131	245	245	263	263	263	278	278	308
Hogan & Hartson	Washington	1151	300	340	370	405	435	465	495	525

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Firm Name	Principal or largest Office	Total number of attorneys	1st year	2d year	3d year	4th year	5th year	6th year	7th year	8th year
Holland & Hart	Denver	390	215	235	255	275	295	305	320	325
Jackson Kelly	Charleston W.Va.	171	160	175	185	195	205	215		
Jenner & Block	Chicago	443	325	370	400	435	475	495	525	525
Kelley Drye & Warren	New York	327	295	330	355	400	420	440	470	495
Kilpatrick Stockton	Atlanta	440	270	295	320	345	375	385	395	
Knobbe Martens Olson & Bear	Irvine Calif.	223	270	295	320	345	370			
Lewis Rice & Fingersh	St. Louis	117	170	195	230	255	275	290	300	310
Loeb & Loeb	New York	288	318	368	405					
Manatt Phelps & Phillips	Los Angeles	331	290	290	325	365	410	440	470	505
McElroy Deutsch Mulvaney & Carpenter	Morristown N.J.	212	145	170	180	190	195	200	205	215
Montgomery McCracken Walker & Rhoads	Philadelphia	119	220	230	250	270	285	305	330	355
Firm Name	Principal or largest Office	Total number of attorneys	1st year	2d year	3d year	4th year	5th year	6th year	7th year	8th year
Morris Manning & Martin	Atlanta	144	200	265	310	340	365	390	415	425
Nixon Peabody	New York	708	290	329	359	379	405	429	466	447
Patton Boggs	Washington	509	290	315	340	370	400	425	450	480
Perkins Coie	Seattle	608	272	286	313	322	347	355	396	419
Quarles & Brady	Milwaukee	415	204	220	238	249	260	275	304	301
Robinson & Cole	Hartford Conn.	210	210	220	230	240	250	265	285	300
Saul Ewing	Philadelphia	210	225	238	245	248	253	270	283	323
Schulte Roth & Zabel	New York	460	320	435	485	525	545	565	585	605
Sheppard Mullin Richter & Hampton	Los Angeles	469	285	320	350	380	405	430	450	470
Shumaker Loop & Kendrick	Toledo Ohio	210	195							
Snell & Wilmer	Phoenix	412	205	240	260	288				

Law Firm Name	Principal or largest Office	Total number of attorneys	1st year	2d year	3d year	4th year	5th year	6th year	7th year	8th year
Hillman & Worcester	Boston	165	265	300	325	345	365	385	435	
Thompson & Knight	Dallas	405	265	300	330	365	385	405	425	440
Winsend and Townsend and Crew	San Francisco	189	260	290	325	350	390	420	450	470
Miller & Berne	Cleveland	173	160							
Miller Price	Chicago	253	245	245	260	280	300	315	335	350
Winstead	Dallas	252	245	230	260	285	310	330	340	350
Winston & Strawn	Chicago	856	295	313	338	373	410	448	483	513

EXHIBIT “F”

A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2006 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information — including some not in the NLJ 250 — are listed in alphabetical order.

Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Adams and Reese	252.38	255	500	245	333.26	325	310	185		215								
Adorno & Yoss	308	300	525	225	351	350	300	155		225								
Alston & Bird	491	485	860	450	601	590	555	265		385	315	350	387.5	415	445	482.5	502.5	502.5
Arent Fox			755	420			485	260										
Armstrong Teasdale			450	320			315	175										
Baker Donelson Bearman	302	295	595	236	343	340	315	160		215								
Barries & Thornburg	345	350	615	375	395	395	390	210		240	210	220	230	245	250	260	270	280
Best Best & Krieger	310	300	550	310	421	425	380	185		245								
Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Bond Schoeneck & King	278	290	465	200	319	320	275	150		195								
Bowman and Brooke			500	250														
Briggs and Morgan	373	390	600	290	437	440	315	210		235								
Brinks Hofer Gilson & Lione	407	405	725	335	530	550	425	190		280	240	260	280	305	335	360	385	405
Broad and Cassel	307	295	475	260	372	375	350	175		248								
Brownstein Hyatt Farber Schreck	377	370	795	280	445	425	340	185		250	185							
Bryan Cave	448	430	765	355	541	530	550	160		330	160	252.5	265	312.5	322.5	370	387.5	407.5
Buchalter Nemer	399	400	625	270	467	475	430	195		300								
Buchanan Ingersoll & Rooney			1020	310			580	200										
Burr & Forman	314	325	490	275	352	350	335	200		300	200							

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Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr	
Butzel Long			700	285			395	200											
Carlton Fields	393	395	750	325	457	415	365	195			285								
Cozen O'Connor	415	390	880	300	488	440	695	220			320								
Curtis Mallet- Prevost Colt	522	515	785	675	730	710	575	290			435	290	335	375	415	455	495	535	575
Davis Wright Tremaine	346	355	775	310	474	415	445	210			305	152 5	157 5	173 5	184 5	194 5	203 5	216 5	222 5
Day Pitney	411		750	385	507	415	465	230			255								
Dickinson Wright			575	275			325	185				185	190	205	215	225	235	250	
Dickstein Shapiro	520	518	950	500	633	610	515	265			415	277 5	342 5	392 5	392 5	437 5	437 5	487 5	487 5
Dinsmore & Shohl	286	270	525	200	345	340	295	165			200	175	185	200	215	225	235	245	255
Dorsey & Whitney	335	310	795	245	520	510	545	165			300								
Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr	
Duane Morris	463.46	472.5	795	325	527.26	515	450	225			337.5								
Dykema Gossett			595	295	440		440	200											
Edwards Angell Palmer &	447	450	750	325	547	545	495	170			305	245	265	277 5					
Epstein Becker & Green	434	425	855	350	523	500	475	180			325								
Fitzpatrick Cella Harper & Scinto			810	470			440	275			385	275	300	325	350	370	385	405	420
Foley & Lardner	530	540	1035		631	620		275			400								
Ford & Harrison	391	420	595	340	466	468	370	245			308	260							
Fowler White Boggs	325	325	535	295	378	370	325	195			238								
Fox Rothschild	389	395	675	310	451	450	400	225			265								
Frost Brown Todd	274	275	490	200	317	310	245	160			185								

Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Gardere Wynne Sewell Gibbons	400	400	775	380	512	500	445	210		302	210	230	260	280	300	320	340	370
Godfrey & Kahn			700	365			425	220										
GrayRobinson			485	310			305	180										
Greenberg Traurig	442	430	850	345	534	545	575	200		340								
Greenebaum Doll & McDonald	252	330	505	225	300	365	235	150		195	150	160	170					
Harris Beach			475	250			275	140			147.5	170	200	200	230	230	250	
Hiscock & Barclay	313	311	650	195	352	347	430	150		217	245	245	262.5	262.5	262.5	277.5	277.5	307.5
Hodgson Russ	318	310	665	225	365	360	450	165		225								
Hogan & Harrison	340		990	385	675	660	550	150		405	300	340	370	405	435	465	495	525
Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Holland & Hart	349	345	615	295	412	405	360	175		268	215	235	255	275	295	305	320	325
Holme Roberts & Owen	355	345	635	285	415	410	530	170		265								
Hughes Hubbard & Reed			925	650			695	295										
Husch Blackwell Sanders	319.23	318	777	220	375.57	368	389	168		205								
Jackson Kelly	250.27	250	445	220	288.79	285	250	145		180	160	175	185	195	205	215		
Jackson Lewis	360	350	715	245	425	425	425	150		275								
Janner & Block			1000	525	655	625	535	325		400	325	370	400	435	475	495	525	525
Jones Walker Waechter			620	185			260	170										
Kelley Drye & Warren			875	450			545	265			295	330	355	400	420	440	470	495
Kilpatrick Stockton	425	425	700	375	515	495	425	225		295	270	295	320	345	375	385	395	

Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Knobbe Martens Olson & Lane Powell	337	365	680	390	492	480	380	270		295	270	295	320	345	370			
Lathrop & Gage			490	255			265	180										
Lewis Rice & Fingersh			450	250			210	140			170	195	230	255	275	290	300	310
Lindquist & Vennum	320	340	600	275	386	390	300	200		225								
Littler Mendelson	361	340	685	270	433	425	435	125		275								
Locke Lord Bissell & Liddell	458.06	480	1045	375	562.95	560	525	200		295								
Loeb & Loeb	566	575	950	475	667	650	550	285		425	317. 5	367. 5	405					
Lowenstein Sandler			785	425			500	230										
Luce Forward Hamilton &	410	420	650	360	496	490	540	240		290								
Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Manatt Phelps & Phillips	531	550	850	495	626	620	505	290		410	290	290	325	365	410	440	470	505
Marshall Dannehey Warner			400	140			310	125										
McAndrews Held & Malloy			625	310			290	220										
McCarter & English	396	395	700	350	472	468	395	205		315								
McDonnell Boehnen Hulbert &			670	295			270	225										
McElroy Deutsch Mulvaney &	200	215	500	295	275	250	250	145		170	145	170	180	190	195	200	205	215
McKenna Long & Aldridge			775	350	471		470	220										
Michael Best & Friedrich	305	300	620	235	383	375	305	190		225								
Miller Canfield Paddock	368	375	640	240	431	440	400	175		245								
Miller & Martin	305	350	610	220	330	375	315	180		230								

Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Montgomery McCracken Walker &	396		605	370	452		375	215			220	230	250	270	285	305	330	355
Moore & Van Allen	359	350	770	265	437	420	355	180		250								
Morris Manning & Martin	424	415	760	365	492	490	425	200		360	200	265	310	340	365	390	415	425
Nelson Mullins Riley &	340	325	850	275	394	380	405	190		245								
Nexsen Pruett			500	220			250	175										
Nixon Peabody	436	435	865	455	583	600	570	230		370	290	329	359	379	405	429	466	447
Oglethorpe Deakins Nash Smoak	347		625	400	386		290	195										
Patton Boggs	521	520	990	400	650	625	540	200		400	290	315	340	370	400	425	450	480
Pepper Hamilton			620	420			450	240										
Parkins Coie	424		815	265	518	515	525	195			272	286	313	322	347	355	396	419
Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Phelps Dunbar	212.62	252.5	450	170	255.87	355	260	130		165								
Phillips Lytle	250	255	475	240	340	335	415	150		230								
Polsinelli Shugart			600	250			275	185										
Quarles & Brady	353	365	625	285	422	425	375	200		245	204	220	238	249	260	275	304	301
Robinson & Cole	325	360	650	320	449	450	325	210		360	210	220	230	240	250	265	285	300
Roetzel & Andress	307	319	550	250	347	350	300	180		230								
Rutan & Tucker			635	335			400	225										
Saul Ewing	397	375	800	315	464	450	565	205		260	225	237. 5	245	247. 5	252. 5	270	282. 5	322. 5
Schulte Roth & Zabel			880	715			670	265			320	435	485	525	545	565	585	605
Schwabe Williamson & Wyatt	305	300	540	290	410	400	440	195		250								

Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Sedgwick Detert Moran & Sheppard Mullin Richter & Shumaker Loop & Kendrick	343	335	670	315	418	413	555	225		295								
Smith Gambrell & Russell			715	495			525	285			285	320	350	380	405	430	450	470
Snell & Wilmer	381		775	315	473		480	175			205	240	260	287.5				
Stinson Morrison Hecker	333	345	680	275	391	360	305	195		228								
Stoel Rives	369	375	600	310	430	415	375	190		265								
Strasburger & Price	331		610	325			365	210										
Sullivan & Worcester	520	525	800	470	629	618	560	285		365	285	300	325	345	365	385	435	
Sutherland Asbill & Brennan	403	390	800	420	563	510	480	220		320								
Firm Name	Firmwide Average	Firmwide Median	Partner High	Partner Low	Partner Average	Partner Median	Associate High	Associate Low	Associate Average	Associate Median	1st yr	2d yr	3d yr	4th yr	5th yr	6th yr	7th yr	8th yr
Taft Stettinius & Hollister			475	200	346		370	160										
Thompson Coburn			595	320			390	190										
Thompson & Knight	471	458	825	410	560	540	500	265		365	265	300	330	365	385	405	425	440
Townsend and Townsend	351	360	750	480	530	560	460	260		360	260	290	325	350	390	420	450	470
Ulmer & Berne	265		550	245	340		320	180			180							
Vedder Price	406	410	700	375	469	415	450	245		300	245	245	260	280	300	315	335	350
Venable	457	460	975	420	556	510	450	275		325								
Wiggin and Dana			650	360			410	220										
Williams Mullen			710	315	417.01		380	220										
Winstead	395		655	350	462		385	215			215	230	260	285	310	330	340	350
Winston & Strawn	498	480	995	400	638	630	670	210		345	295	312.5	337.5	372.5	410	447.5	482.5	512.5
Womble Carlyle Sandridge & Wyatt	212.8	130	750	300	461.7	465.1	415	140		280.9	130							
Tarrant & Combs	284	305	475	250	350	355	265	190		220								

EXHIBIT “G”

The BLT: The Blog of Legal Times

May 25, 2010

Sidley Austin Lobbying for Cayman Islands

Updated

Sidley Austin, which has served as counsel to the government of the Cayman Islands in the past, will now lobby the United States government for those Caribbean islands.

A team led by Sidley Austin partner Joseph Tompkins Jr. will represent the Cayman Islands' interests in Washington, according to an engagement letter filed with the Justice Department earlier this month. The letter says the firm will also represent the Cayman Islands in Europe and will assist the island government "in analyzing and addressing proposals made in the United States Congress and the Executive Branch that may have an impact upon the Cayman Islands."

The disclosure filing notes that the firm will seek to "correct any misinformation or misperceptions" about the Cayman Islands and monitor legislation that could "affect the ability of U.S. businesses and individuals to conduct business" there. The Cayman Islands are among the nations commonly referred to as tax havens.

The letter of engagement says Sidley's billing rates on the contract will range from \$200 per hour for new associates to \$950 per hour for senior partners. Nonlawyer professionals charge between \$100 and \$315 an hour, the letter said.

Tompkins said he has represented the Cayman Islands government in different matters since the mid-1980s, when he worked on a mutual legal aid treaty between the Cayman Islands and the United States. "Our relationship with them is just very special in the sense that they have relied on us for this 25-year period," he said. Tompkins said the new work involves "acting on their behalf broadly" in Washington, as well as in New York, Europe and Asia.

In a 2006 piece about the Cayman Islands for the publication *Managing Partner*, which can be read [here](#), Tompkins mentions his long professional relationship with the Cayman Islands government.

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