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12 CITY OF LOS ANGELES

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14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

16 NATIONAL RIFLE ASSOCIATION OF ) Case No.: 19-cv-03212-SVW-GJS  
17 AMERICA; JOHN DOE, )  
18 ) **DECLARATION OF BENJAMIN CHAPMAN**  
19 Plaintiffs, ) **IN SUPPORT OF DEFENDANT CITY OF LOS**  
20 vs. ) **ANGELES' OPPOSITION TO PLAINTIFFS'**  
21 ) **MOTION FOR ATTORNEYS' FEES**  
22 CITY OF LOS ANGELES; ERIC )  
23 GARCETTI, in his official capacity as )  
24 Mayor of the City of Los Angeles; ) Date: June 15, 2020  
25 HOLLY L. WOLCOTT, in her official ) Time: 1:30 p.m.  
26 capacity as City Clerk of the City of Los ) Ctrm: 10A-First Street Courthouse  
27 Angeles, and DOES 1-10, ) Judge: Hon. Stephen V. Wilson

28 Defendants.

Action Filed: 04/24/2019

**DECLARATION OF BENJAMIN CHAPMAN**

I, Benjamin Chapman, declare and state as follows:

1. I am an attorney at law duly admitted to practice before the Courts of the State of California. I am a Deputy City Attorney, counsel of record for Defendant the City of Los Angeles (the “City”). I have personal knowledge of the facts set forth below, and, if called as a witness, could and would testify competently thereto.

2. I have been, and remain the sole attorney handling this case for the City since the Complaint was filed.

3. The first discussion of settlement in this matter was on December 16, 2019 during a telephone conversation between myself and Sean Brady. We discussed the City potentially repealing the ordinance at issue.

4. The City Council was on winter recess from December 13, 2019 to January 12, 2020. Accordingly, during that time period, it could not repeal the ordinance. On January 13, 2020, the first day Council was back, the Budget & Finance Committee approved a motion to repeal the ordinance. Matters typically go through a City Council Committee before reaching the full Council. On January 21, 2020, the City Council repealed the ordinance.

5. I reviewed the billing entries provided by Plaintiffs in support of their motion for attorney’s fees. ECF No. 52-10.

6. I then attempted to place them into buckets based on what they referenced. For example, I created a chart that contained all of the billing entries explicitly referencing the preliminary injunction motion or “MPI.” The chart of these entries is attached hereto as Exhibit A.

7. Similarly, I reviewed the billing entries and created a chart that contained all of the billing entries explicitly referencing the “opposition to the motion to dismiss,” the word “opposing,” or legal research where the subject matter was related to the opposition to the motion to dismiss. The chart of these entries is attached hereto as Exhibit B.

1 8. I also reviewed the billing entries and created a chart that contained all of  
2 the billing entries explicitly referencing the terms “settlement,” “stipulation,” or  
3 “judgment.” The chart of these entries is attached hereto as Exhibit C.

4 9. I also reviewed the billing entries and created a chart that contained all of  
5 the billing entries explicitly referencing entries related to trial preparation, including time  
6 spent preparing pre-trial documents. The chart of these entries is attached hereto as  
7 Exhibit D.

8 10. I also reviewed the billing entries and created a chart that contained all of  
9 the billing entries reflecting duplicative intraoffice meetings, telephone calls, and emails.  
10 I then highlighted the entry(s) that should be deducted because they represent the junior  
11 attorney’s time. And where one attorney billed more time than the other to a duplicative  
12 meeting, call, or email, the lowest amount of time was noted in parentheses and deducted.  
13 For example, on February 13, 2019, Chevront and Barvir each billed time to emailing  
14 each other. However, Chevront billed 0.40 hours and Barvir billed only 0.10 hours.  
15 Rather than deduct all of Chevront’s time as the junior attorney, I only deducted 0.10  
16 hours of her time. The chart of these entries is attached hereto as Exhibit E.

17 11. I also reviewed the billing entries and created a chart that contained all of  
18 the billing entries reflecting clerical work performed by paralegal Palmerin. The chart of  
19 these entries is attached hereto as Exhibit F.

20 12. C.D. Michel filed a declaration in support of a motion for attorney’s fees in  
21 *Linlor v. The National Rifle Association of America*, Case No. 17-cv-00203-MMA-JMA  
22 (S.D. Cal.), dated June 22, 2017. Paragraph 11 of the declaration indicates that the NRA  
23 has been a client of Michel & Associates for over two decades. A true and correct copy  
24 of this declaration is attached hereto as Exhibit G.

25 13. I also reviewed the billing entries and created a chart that contained all of  
26 the billing entries reflecting time spent drafting the Declaration of Anna Barvir. The chart  
27 of these entries is attached hereto as Exhibit H.  
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1 14. I also reviewed the billing entries and created a chart that contained all of  
2 the billing entries reflecting time spent drafting the memorandum of points and authorities  
3 in support of the fee motion. The chart of these entries is attached hereto as Exhibit I.

4 15. I also reviewed the billing entries and created a chart that contained all of  
5 the billing entries reflecting time spent, at least in part, reviewing time records. The chart  
6 of these entries is attached hereto as Exhibit J.

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8 I declare under penalty of perjury under the laws of the State of California that the  
9 foregoing is true and correct.

10 Executed on May 22, 2020 at Los Angeles, California.

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12 /s/Benjamin Chapman

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