

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION

CHRISTOPHER FAIN and SHAUNTAE  
ANDERSON, individually and on behalf of  
all others similarly situated,

*Plaintiffs,*

v.

WILLIAM CROUCH, *et al.*,

*Defendants.*

CIVIL ACTION NO. 3:20-cv-00740  
HON. ROBERT C. CHAMBERS

**PLAINTIFFS' MOTION FOR  
ATTORNEYS' FEES AND EXPENSES**

Pursuant 42 U.S.C. § 1988, Federal Rule of Civil Procedure 54(d), and Local Rule 54.1, Plaintiffs respectfully move the Court to award reasonable attorneys' fees in the amount of \$817,661.25 and expenses in the amount of \$34,509.32 to Plaintiffs as the prevailing parties in this class action. In support of this Motion, Plaintiffs submit a contemporaneously filed Memorandum of Law and accompanying documentation.

\* \* \*

Dated: September 30, 2022

/s/ Walt Auvil

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was served electronically on September 30, 2022 on the following counsel for Defendants in this case:

Lou Ann S. Cyrus (WVSB # 6558)  
Roberta F. Green (WVSB #6598)  
Caleb B. David (WVSB #12732)  
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*Attorneys for Defendants William Crouch; Cynthia Beane; and West Virginia Department of Health and Human Resources, Bureau for Medical Services*

Dated: September 30, 2022

Respectfully submitted,

s/ Walt Auvil

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**DECLARATION OF AVATARA SMITH-CARRINGTON IN SUPPORT OF  
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND EXPENSES**

I, Avatara Smith-Carrington, declare as follows:

1. I am a Staff Attorney with Lambda Legal Defense and Education Fund, Inc. ("Lambda Legal"), and counsel for Plaintiffs in this litigation. I am licensed to practice law in the State of Maryland, and am practicing before this Court as a Visiting Attorney in accordance with the requirements of Local Rule of Civil Procedure 83.6. I submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees and Expenses. I make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.

2. Lambda Legal has extensive experience in the law surrounding the civil rights of transgender people. Lambda Legal is the oldest and largest legal organization committed to achieving full recognition of the civil rights of lesbian, gay, bisexual, and transgender ("LGBT") people and everyone living with HIV through impact litigation, education, and public policy work. Lambda Legal has been party counsel and counsel for *amici curiae* in numerous

constitutional and civil rights law challenges seeking equal treatment for transgender people.

Lambda Legal's work to secure equal treatment and dignity for transgender people has included:

A. Representing transgender individuals facing healthcare discrimination, *Kadel v. Folwell*, No. 1:19-cv-00272, --- F. Supp. 3d --- (M.D.N.C. 2022); *C.P. v. Blue Cross Blue Shield of Illinois*, No. 3:20-cv-06145-RJB (W.D. Washington); *Fain v. Crouch*, No. 3:20-cv-00740, --- F. Supp. 3d --- (S.D. W.Va. 2022); *Being v. Crum*, No. 3:19-cv-00060 (D. Ak.); *Fletcher v. State of Alaska*, 443 F. Supp. 3d 1024 (D. Alaska 2020); *Simonson v. Oswego Cty.*, No. 5:17-cv-01309-MAD-DEP (N.D.N.Y.); *Conforti v. St. Joseph's Healthcare System*, No. 2:17-cv-00050 (D.N.J.); *Esquivel v. State of Oregon*, No. 11C17487 (Or. Cir. Ct. 2011); *Lawrence v. Cobert*, No. 510-2014-00396X (E.E.O.C.).

B. Representing transgender athletes and students denied access to participation in scholastic sports, *B.P.J. v. West Virginia State Board of Education*, 550 F. Supp. 3d 347 (S.D.W. Va. 2021); *L.E. v. Lee*, No. 21-cv-00835 (M.D. Tenn.); *Hecox v. Little*, No. 20-35813 (9th Cir.) (*amicus*).

C. Representing transgender soldiers and prospective enlistees challenging the former President's ban on their open service in the military and seeking access to gender-confirming healthcare, *Karnoski v. Trump*, 926 F.3d 1180 (9th Cir. 2019).

D. Representing transgender students seeking access to restrooms matching their gender identity, *Adams v. St. Johns County School District*, No. 18-13592 (11th Cir.); *Evancho v. Pine-Richland Sch. Dist.*, 237 F. Supp. 3d 267 (W.D. Pa. 2017); *Carcaño v. McCrory*, 315 F.R.D. 176 (M.D.N.C. 2016).

E. Representing school administrators as *amici curiae* in cases involving transgender students' access to sex-separated facilities, *A.C. v. Martinsville Sch. Dist.*, No. 22-

1786 (7th Cir.); *Parents for Privacy v. Barr*, 949 F.3d 1210 (9th Cir. 2020); *Doe by & through Doe v. Boyertown Area Sch. Dist.*, 897 F.3d 518 (3d Cir. 2018); *Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034 (7th Cir. 2017); *Grimm v. Gloucester Cnty. Sch. Bd.*, 972 F.3d 586 (4th Cir. 2020), *as amended* (Aug. 28, 2020), cert. denied, 141 S. Ct. 2878, (2021); *Bd. of Educ. of the Highland Local Sch. Dist. v. United States Dep't of Educ.*, 208 F. Supp. 3d 850 (S.D. Ohio 2016).

F. Representing transgender employees facing anti-transgender job discrimination, *Roberts v. Clark Cty, Sch. Dist.*, 215 F. Supp. 3d 1001 (D. Nev. 2016) (*amicus*); *Chavez v. Credit Nation Auto Sales*, 49 F. Supp. 3d 1163, 1168 (N.D. Ga. 2014), *aff'd in part, rev'd in part sub nom. Chavez v. Credit Nation Auto Sales, LLC*, 641 F. App'x 883 (11th Cir. 2016) (*amicus*); *Glenn v. Brumby*, 663 F.3d 1312, 1314 (11th Cir. 2011); *Lopez v. River Oaks Imaging & Diagnostic Group, Inc.*, 542 F. Supp. 2d 653 (S.D. Tex. 2008).

G. Representing transgender prisoners denied basic respect for their gender identity, *Yoakam v. Virginia Dep't of Corrections*, No. 3:21-cv-31 (W.D. Va.); *Rosati v. Igbinoso*, 791 F.3d 1037 (9th Cir. 2015); *Hicklin v. Precynthe*, No. 4:16-CV-01357-NCC, 2018 WL 806764 (E.D. Mo. Feb. 9, 2018).

H. Representing transgender people seeking the ability to correct their identity documents, *Corbitt v. Taylor*, No. 21-10486 (11th Cir.) (*amicus*); *Fowler v. Stitt*, No. 22-cv-00115-GFK-SH (N.D. Okla.); *Campos v. Cohen*, No. 1:21-cv-00880 (M.D.N.C.); *Gore v. Lee*, No. 3:19-cv-00328 (M.D. Tenn.); *Ray v. McCloud*, 507 F. Supp. 3d 925 (S.D. Ohio 2020); *Arroyo Gonzalez v. Rossello Nevares*, 305 F. Supp. 3d 327 (D.P.R. 2018); *F.V. v. Barron*, 286 F. Supp. 3d 1131 (D. Idaho 2018).

3. Lambda Legal's work on behalf of transgender people also is integrally tied to Lambda Legal's nearly 50-year history of advancing sex and sexual orientation anti-discrimination doctrines on behalf of the LGBT community—many of which are the same or parallel to the doctrines advanced on behalf of transgender people. This work includes Lambda Legal's involvement as party counsel, and on behalf of *amici curiae*, in leading Supreme Court cases addressing the rights of LGBT people. See *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020) (*amicus*); *Obergefell v. Hodges*, 135 S. Ct. 2584 (2015) (party counsel); *United States v. Windsor*, 133 S. Ct. 2675 (2013) (*amicus*); *Christian Legal Soc'y Chapter of the Univ. of Cal., Hastings Coll. of the Law v. Martinez*, 561 U.S. 661 (2010) (*amicus*); *Lawrence v. Texas*, 539 U.S. 558 (2003) (party counsel); *Romer v. Evans*, 517 U.S. 620 (1996) (party counsel).

4. Lambda Legal also has experience handling both putative and certified class action suits, including *Bostic v. Schaefer*, 760 F.3d 352 (4th Cir. 2014) (counsel for plaintiff-intervenor class); *Diaz v. Brewer*, 656 F.3d 1008 (9th Cir. 2011) (counsel for plaintiff class certified in subsequent proceedings); *Thornton v. Comm'r of Soc. Sec.*, 570 F. Supp. 3d 1010 (W.D. Wash. 2020) (counsel for plaintiff class); *Ely v. Saul*, 572 F. Supp. 3d 751 (D. Ariz. 2020), appeal dismissed (Nov. 2, 2021) (counsel for plaintiff class); *Being v. Crum*, No. 3:19-cv-00060 (D. Alaska filed March 4, 2019) (counsel for putative plaintiff class); *Birchfield v. Armstrong*, No. 4:15-cv-00615, 2017 WL 1433032 (N.D. Fla. Mar. 23, 2017) (counsel for plaintiff class); *Torres v. Rhoades*, No. 3:15-cv-00288-bbc (N.D. Ill. filed May 13, 2015) (counsel for putative plaintiff class); *Inniss v. Aderhold*, No. 1:14-cv-01180-WSD (N.D. Ga. filed April 22, 2014) (counsel for putative plaintiff class); *Lee v. Orr*, No. 1:13-cv-08719, 2014 WL 683680 (N.D. Ill. Feb. 21, 2014) (counsel for plaintiff class); *East v. Blue Cross & Blue*

*Shield of La.*, No. 3:14-CV-00115 (M.D. La. filed Feb. 20, 2014) (counsel for putative plaintiff class).

5. Lambda Legal is a 501(c)(3) public interest law firm that does not charge its clients, and therefore relies in part upon fees awarded by the courts.

6. Lambda Legal worked closely with co-counsel The Employment Law Center, PLLC (“ELC”) and Nichols Kaster, PLLP (“Nichols Kaster”) to bring this litigation challenging the refusal of Defendants William Crouch, Cynthia Beane, and the West Virginia Department of Health and Human Resources, Bureau for Medical Services (collectively, “Defendants”) to provide Medicaid coverage for gender-confirming surgical care as treatment for gender dysphoria while covering the same kinds of treatments for cisgender participants who require that care for other reasons—thus discriminating on the basis of sex and transgender status. Lambda Legal’s role in this litigation was indispensable given its highly specialized expertise in constitutional and federal statutory law, and specifically, in litigation challenging discriminatory exclusions in health insurance plans.

7. Counsel for Plaintiffs reasonably staffed this case commensurate to its complexity and significance to hundreds if not thousands of transgender Medicaid participants throughout the state. Plaintiffs’ counsel worked to avoid duplication of effort, and used attorneys with appropriate expertise or experience to handle various litigation tasks.

8. To avoid duplicative work or the inefficient use of resources, responsibilities were allocated among several different attorneys only when necessary, and according to the expertise and experience of each attorney. Attorneys at Lambda Legal took the lead in preparing the complaint and substantive merits briefing, based on their expertise in the constitutional and federal statutory claims and arguments in the case. Attorneys at Nichols Kaster offered

significant expertise on class action practice, key input on the briefing, and helped staff the extensive document and deposition discovery in the case. Walt Auvil, of The Employment Law Center, has 30 years of experience handling dozens of discrimination cases in state and federal courts throughout West Virginia and provided valuable input on strategy and guidance on local procedure.

**I. Experience of Counsel in this Case**

9. I, Avatara Smith-Carrington, graduated from the University of Maryland Francis King Carey School of Law in 2019, and I have practiced law continuously since that time. I have worked full-time at Lambda Legal on civil rights cases for the LGBT community and people living with HIV since 2019. In addition to serving as lead counsel in this case, I also am counsel in, most relevant here, *B.P.J. v. West Virginia State Board of Education*, No. 21-cv-00316 (S.D. W.Va.), a federal lawsuit challenging West Virginia’s law banning girls and women who are transgender from participating in school sports and *Campos v. Cohen*, No. 21-cv-00880 (M.D.N.C.), a federal lawsuit which led to the elimination of North Carolina’s discriminatory policy requiring transgender people to have undergone “sex reassignment surgery” in order to obtain an accurate birth certificate. I also served as lead attorney on the matter *In re Anderson*, an administrative action which led to the removal of the exclusion of coverage for gender-confirming care from a Colorado group health plan with 33,000 members and more than 350 participating groups. A true and correct copy of my resume is attached hereto as Exhibit A.

10. Tara L. Borelli graduated from the University of California, Berkeley School of Law in 2001, and has practiced law continuously since that time, including at the Los Angeles office of Proskauer Rose, LLP and the Seattle law firm of Newman & Newman, LLP (now, Newman DuWors, LLP). Ms. Borelli has worked full-time at Lambda Legal on civil rights cases

for the LGBT community since 2006. Ms. Borelli has worked on an extensive number of cases involving equal treatment for transgender people, including most relevant here: serving as lead counsel in *Fletcher v. State of Alaska*, 443 F. Supp. 3d 1024 (D. Alaska 2020), in which she secured summary judgment for the plaintiff and eliminated the exclusion for gender-confirming surgical care in the Alaska state employee health plan; serving as lead counsel in *Kadel v. Folwell*, No. 19-cv-00272, --- F. Supp. 3d --- (M.D.N.C. 2022), securing summary judgment against state officials enforcing the blanket exclusion of gender-confirming care in the North Carolina state employee health plan; serving as counsel in *Being v. Crum*, No. 3:19-CV-00060-HRH (D. Alaska), a federal lawsuit and putative class action that secured removal of the exclusion of coverage for gender-confirming care in the State of Alaska's Medicaid program; and serving as lead counsel in *Adams v. St. Johns County School District*, No. 18-13592 (11th Cir.), securing judgment after a trial on behalf of a young transgender man seeking equal access to boys' restrooms at school. Ms. Borelli also was co-counsel in *Karnoski v. Trump*, 926 F.3d 1180 (9th Cir. 2019), which helped secure access to gender-confirming care for transgender service members and established that heightened scrutiny applies to discrimination based on transgender status.

11. In addition, among the putative and certified class action cases listed above, Ms. Borelli has been counsel in *Bostic v. Schaefer*; *Diaz v. Brewer*; *Ely v. Saul*; *Thornton v. Comm'r of Soc. Sec.*; *Being v. Crum*; *Birchfield v. Armstrong*; and *Inniss v. Aderhold*. (See ECF No. 248-6 (Borelli Resume).)

12. Carl S. Charles graduated from the University of Denver Sturm College of Law in Denver, Colorado in 2013, and has practiced law continuously since that time. Mr. Charles has practiced civil rights law at several nonprofit legal advocacy groups and government entities,

including the Jon L. Stryker and Slobodan Randjelovic LGBT & HIV Project at the American Civil Liberties Union, the New York City Commission on Human Rights, A Better Balance, and Lambda Legal. Mr. Charles has worked full-time at Lambda Legal on civil rights cases for the LGBT community since 2019. Mr. Charles has worked on several cases involving equal treatment for transgender people, including most relevant here: serving as lead counsel in *Being v. Crum*, No. 3:19-CV-00060-HRH (D. Alaska), a federal lawsuit and putative class action that secured removal of the exclusion of coverage for gender-confirming care in the State of Alaska's Medicaid program; counsel in *B.P.J. v. West Virginia State Board of Education*, No. 21-cv-00316 (S.D. W.Va.), a federal lawsuit challenging West Virginia's law banning girls and women who are transgender from participating in school sports; and counsel in *Kadel et al. v. Folwell et al.*, No. 19-cv-00272, --- F. Supp. 3d --- (M.D.N.C. 2022), securing summary judgment against state officials enforcing the blanket exclusion of gender-confirming care in the North Carolina state employee health plan. (*See* ECF No. 248-7 (Charles Resume).)

13. Sasha Buchert graduated from Willamette Law School in 2005 and has practiced law since 2007. Ms. Buchert has maintained a full-time practice in civil rights issues for lesbian, gay, bisexual, and transgender people since 2013. Prior to joining Lambda Legal, full-time, in 2017, Ms. Buchert practiced civil rights law at the Transgender Law Center. Ms. Buchert has worked on several cases involving equal treatment for transgender people, including most relevant here: *Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034 (7th Cir. 2017), a federal challenge to a school policy in Kenosha, Wisconsin prohibiting students from using restrooms in accordance with their gender identity; *Karnoski v. Trump*, 926 F.3d 1180 (9th Cir. 2019), which helped secure access to gender-confirming care for transgender service members and established that heightened scrutiny applies to discrimination based on transgender

status; *Gore v. Lee*, No. 19-cv-00328 (M.D. Tenn.), a federal challenge to the State of Tennessee's policy of denying birth certificate amendments of gender on birth certificates issued in the state; *Yoakam v. Virginia Dep't of Corrections*, No. 3:21-cv-31 (W.D. Va.); *L.E. v. Lee*, No. 3:21-cv-835 (M.D. Tenn), a federal challenge to the State of Tennessee's ban on the participation of transgender students in sex-specific sports in middle school and high school. (See ECF No. 248-8 (Buchert resume).)

14. Nora Huppert graduated from Columbia Law School in 2019 and has devoted her legal career to LGBT impact litigation. Ms. Huppert has worked on several cases involving equal treatment for transgender people, including most relevant here: *Being v. Crum*, No. 3:19-CV-00060-HRH (D. Alaska), a federal lawsuit and putative class action that secured removal of the exclusion of coverage for gender-confirming care in the State of Alaska's Medicaid program; *F.V. v. Jeppesen*, 477 F. Supp. 3d 1144 (D. Idaho 2020); and *Chandler v. Cal. Dep't of Corrs. & Rehab.*, 1:21-CV-01657-NE-HBK (E.D. Cal.) (representing Proposed Intervenors). (See ECF No. 248-9 (Huppert resume).)

15. Counsel for plaintiffs are not aware of other attorneys in West Virginia who were willing to pursue litigation in order to challenge Defendants' exclusion of gender-confirming surgical care in West Virginia's Medicaid Program—despite the fact that the exclusion of gender-confirming surgical care was adopted at least as early as 2004.

## **II. Time Expended**

16. Detailed itemized time-sheets for all time-keepers at Lambda Legal are attached as the following exhibits to my declaration: Exhibit B, time sheet for attorney Avatara Smith-Carrington; Exhibit C, time sheet for attorney Tara L. Borelli; Exhibit D, time sheet for attorney Carl S. Charles; Exhibit E, time sheet for attorney Sasha Buchert; Exhibit F, time sheet for

attorney Nora Huppert; and Ex. G, time sheet for paralegal Michèle Clanton-Lockhart. Counsel for plaintiffs have reviewed and have approved the time and charges set forth in the task-based itemized statement. As part of that process, we have exercised billing judgment to ensure that the time spent and expenses incurred were reasonable and necessary under the circumstances. We have eliminated unnecessary, duplicative, and excessive time.

17. As part of exercising billing judgment, we have eliminated 312.2 hours, amounting to \$112,917.50 in fees when multiplied by the local prevailing hourly rate by timekeeper.

18. The resulting hours Lambda Legal is claiming are summarized in the following chart, with rates calculated according to the prevailing market rates in the relevant community:

<b>Name</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
Avatara Smith-Carrington	372.5	\$275.00	\$102,437.50
Tara L. Borelli	544.3	\$475.00	\$258,542.50
Carl S. Charles	111.3	\$400.00	\$44,520.00
Sasha Buchert	22.1	\$450.00	\$9,945.00
Nora Huppert	46.6	\$275.00	\$12,815.00
Michèle Clanton-Lockhart	144.75	\$125.00	\$18,093.75
<b>Fees Subtotal:</b>			\$446,353.75

19. In reviewing and revising our time sheets, we made a number of additional adjustments to the time submitted in this fee application as well:

A. Plaintiffs seek no compensation for the time expended by two Lambda Legal senior attorneys who reviewed and edited pleadings in the case, including former Litigation Director Diana Flynn, and Deputy Legal Director for Litigation, Camilla Taylor. This constitutes a significant reduction because their many decades of experience would command higher hourly rates. Plaintiffs also omitted time from one of two paralegals who have worked on this case.

B. Lambda Legal counsel also eliminated virtually all time related to team meeting attendance for two of its attorneys. Additionally, Lambda Legal counsel have claimed no time relating to the preparation of this motion, despite dozens of hours expended to brief this fees and costs application, review and edit lengthy time sheets, and compile a global costs exhibit, even though all of that time is fully compensable.

20. When combined with the hours of our co-counsel, Nichols Kaster and the Employment Law Center, total hours spent by Plaintiffs' counsel on this case exceed 2438.44 resulting in more than \$817,661.25 in fees.

21. The participation of Lambda Legal counsel and staff in this action required a significant expenditure of time and organizational resources, and thus precluded other work that would have been done in its place.

22. Plaintiffs also achieved a high degree of success in the case, obtaining summary judgment on all of their claims, securing class certification, and obtaining permanent injunctive relief that will help all similarly situated transgender Medicaid participants.

23. The time reflected in the records submitted by Lambda Legal counsel and staff to this Court was the minimum necessary for the successful presentation of this matter. Although the litigation itself spanned approximately two years. Additionally, prior to filing the complaint, counsel vetted Mr. Fain's allegations, helping him collect relevant documents, and thoroughly examined relevant case law and facts. The parties engaged in significant and laborious discovery, propounding and responding to requests for production, interrogatories, and requests for admission. Plaintiffs' counsel also participated in multiple meet-and-confer efforts to secure appropriate responses to Plaintiffs' discovery requests. Several discovery issues were contested and required the parties to prepare for and participate in a telephonic conference with Judge

Eifert. Plaintiffs' counsel produced over 6,000 pages of documents and obtained approximately 22,000 pages of documents in written discovery from Defendants. Discovery also spanned depositions of Defendants' eight Rule 30(b)(6) designees, three named party witnesses, and four experts. Additionally, Plaintiffs had to subpoena multiple third-party Managed Care Organizations for the Medicaid program to obtain documents that Defendants were either unwilling or unable to produce, including multiple meet-and-confer conferences with those third parties to secure appropriate responses. Moreover, the summary judgment briefing in this case was complex and required significant mastery of both the relevant law and facts.

### III. Costs

24. Counsel in this case were careful to keep expenses as low as possible, and have not sought advances or reimbursement from Plaintiffs. Attached as Exhibit H is a table of non-taxable costs pursuant to 42 U.S.C. § 1988 incurred by Lambda Legal and Nichols Kaster in litigating this case, which would ordinarily be charged to a fee-paying client.<sup>1</sup> The Employment

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<sup>1</sup> The attached table of costs includes entries for deposition fees. Plaintiffs' counsel have divided the charges for these deposition fees, seeking two components as taxable costs in a contemporaneously-filed Bill of Costs pursuant to 28 U.S.C. § 1920, and seeking the remaining components under 42 U.S.C. § 1988. Invoices delineating the itemized charges are attached to the Bill of Costs.

**Section 1920 taxable costs:** The two deposition fee components sought in the Bill of Costs consist of fees for (i) the court reporter's attendance at the deposition; and (ii) a copy of the transcript. *See, e.g., Edwards v. McElliotts Trucking, LLC*, No. 3:16-cv-1879, 2018 WL 6531680, at \*3 (S.D.W. Va. Dec. 11, 2018), *aff'd sub nom. Edwards v. Cardinal Transp., Inc.*, 821 F. App'x 167 (4th Cir. 2020) (deposition transcript copies recoverable); *Ramonas v. W. Virginia Univ. Hosps.-E., Inc.*, No. 3:08-CV-136, 2010 WL 3282667, at \*8 (N.D.W. Va. Aug. 19, 2010) ("Court reporter fees and costs for one original and one copy of the transcript are recoverable under § 1920."). The total costs sought pursuant to Section 1920 are \$12,899.85.

**Section 1988 non-taxable costs:** Plaintiffs seek the remaining components of their deposition costs, which courts frequently approve for reimbursement, under Section 1988. *See e.g., Coggins v. Davis*, No. CV WGC-05-248, 2007 WL 9782488, at \*2 (D. Md. Aug. 22, 2007) (explaining in

Law Center does not seek to recover any costs in this action. Lambda Legal and Nichols Kaster incurred a total of \$34,509.32 in costs compensable under Section 1988.

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

Dated: September 30, 2022

/s/ Avatara Smith-Carrington  
Avatara Smith-Carrington

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the context of deposition costs that such expenses are evaluated under a different standard under Section 1988 than Section 1920). The total costs sought pursuant to Section 1988 are \$34,509.32.

Plaintiffs do not seek to double recovery, but should any cost listed in the Bill of Costs be denied under Section 1920, Plaintiffs seek those costs in the alternative under Section 1988.

# **EXHIBIT A**

# AVATARA SMITH- CARRINGTON

Socially conscious attorney committed to innovative and intentional work that examines and addresses the impact of discrimination on the lives of multiply-oppressed people.

## EXPERIENCE

### Staff Attorney

September 2021 to Present

### Tyron Garner Memorial Law Fellow

September 2019 to September 2021

### Lambda Legal Defense and Education Fund

- Lead counsel in **Fain v. Crouch**, a federal lawsuit and putative class action securing summary judgment and enjoining the exclusion of gender-confirming surgical care in West Virginia's Medicaid program.
- Counsel in **B.P.J. v. West Virginia Board of Education**, a federal lawsuit challenging West Virginia's law banning girls and women who are transgender from participating in school sports.
- Counsel in **Campos v. Cohen**, a federal lawsuit which led to the elimination of North Carolina's discriminatory policy requiring transgender people to have undergone "sex reassignment surgery" in order to obtain an accurate birth certificate.
- Counsel in **The Diversity Center v. Trump**, a federal lawsuit challenging the Trump administration's Executive Order on Combating Race and Sex Stereotyping that prohibits federal contractors and grantees from conducting workplace diversity trainings or engaging in grant-funded work that explicitly acknowledges and addresses the existence and persistence of structural racism and sexism in the United States.
- Member of the legal team that secured the release of two asylum seekers living with HIV whose detention at an ICE detention facility in eastern Texas placed them in grave danger of illness and/or death from COVID-19.
- Lead attorney on the matter **In re Anderson**, an administrative action that led to the removal of the exclusion of coverage for gender-confirming care from a Colorado group health plan with 33,000 members and more than 350 participating groups, as the Garner Fellow.

## CONTACT

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 202-804-6245

## BAR ADMISSION

Maryland

## COURT ADMISSIONS

U.S. Court of Appeals for the Fourth Circuit

U.S. District Court for the District of Maryland

## EDUCATION

University of Maryland Francis King Carey School of Law  
**J.D., 2019**

Associate Editor, Maryland Law Review  
Rose Zetzer Fellow

Rutgers, The State University of New Jersey  
**B.A., 2015**

## PROFESSIONAL ACTIVITIES

2020 - Present, Board Member, Transgender Education Network of Texas

2019 - Present, Advisory Board Member, Kairos Fellowship

## EXPERIENCE CONTINUED

### Researcher

January 2020 to June 2020

#### Institute for Technology Law & Policy at Georgetown Law

- Explored, analyzed, and provided written work on the use of risk and threat assessments in the K-12 setting.
  - My early research on algorithms and risk and threat assessments is acknowledged in "**Ableism And Disability Discrimination In New Surveillance Technologies**," which was released in May of 2022 after the project moved to the Center for Democracy and Technology.

### Linda Kennedy Fellow in Advocacy

September 2018 to May 2019

#### Homeless Persons Representation Project

- Participated in community-led, strategic policy advocacy aimed at funding the Ending Youth Homelessness Act and drafted policy recommendations for Maryland's agencies and nongovernmental entities that promote an end to homelessness in Maryland.

### Research Assistant to Professor. Taunya L. Banks

May 2018 to July 2019

#### Francis King Carey School of Law

- Researched, analyzed, and drafted memoranda pertaining to hostile work environment jurisprudence in both conventional tort law and constitutional law with an emphasis on remedies available for employees experiencing race- and/or gender-based verbal harassment in the workplace.

### Intern

May 2018 to August 2018

#### Whitman-Walker Health

- Researched and drafted memoranda, compliance guidelines, and informed consent forms to ensure competent and informed care for transgender people seeking medical interventions.

### Case Alert Author

August 2017 to January 2018

#### ABA Standing Committee on Federal Judicial Improvements' Media Alerts Project

- Drafted and edited case summaries on recent decisions issued by the United States Court of Appeals for the Fourth Circuit for publication on the American Bar Association's digital platform.

### Access to Justice Tech Fellow

May 2017 to August 2017

#### Maryland Volunteer Lawyers Service

- Retrieved and compiled judicial data using Structured Query Language to assist attorneys with various data-driven impact litigation projects.

## PUBLICATIONS

Kendra Albert & Avatara Smith-Carrington, Bomb Body Politics: On the TSA's Algorithmic Policing of Gender, forthcoming in University of Florida Journal of Law & Public Policy, 2022.

## SELECTED MEDIA CREDITS

2021 | "Texas governor orders investigation of 'pornographic' books in schools" | Courthouse News

2021 | "Getting an abortion while trans was always hard. In Texas, a new law puts outsized burdens on them" | USA Today

2021 | "In Pursuit of Trans Liberation" | American Constitution Society, Broken Law Podcast

2021 | "'Children will die': Transgender advocates warn about risks as more states consider banning gender-affirming care for kids" | USA Today

2021 | "How AI lets bigots and trolls flourish while censoring LGBTQ+ voices" | Mic

2020 | "Donald Trump executive order banning diversity training blocked by federal judge" | USA Today

2020 | "The Legal Discrimination Still Keeping LGBTQ People Out of Work" | Bloomberg

## SELECTED PRESENTATIONS AND PANELS

2022 | Fordham Law Women presents Fourth Annual Symposium Women's Issues in 2022 and What You Can Do With Your JD | "Gender and Workplace Rights"

2021 | American Bar Association, Young Lawyers Division | "The Lawyer's Role in Social Movements"

2021 | The LGBTQ+ Project at Indiana University Maurer School of Law | "Let's Talk About Gender: Racialization & Liberation in LGBT Rights Work"

2021 | Silicon Flatirons Center at University of Colorado Law School | "Categories of Control: The Regulation of Sexuality & Gender"

2021 | Law for Black Lives | "Black History is Now: Building the Power of Black Lead Movements"

2020 | ACLU of Texas | "Empowering Trans Voters in Texas"

2020 | Nelson Mullins Riley & Scarborough LLP | "Beyond Bostock: Protections and Barriers for the LGBTQ+ Community"

2020 | Outten & Golden LLP | "Employment Discrimination and the Transgender Community"

2020 | Fried, Frank, Harris, Shriver & Jacobson LLP | Michael R. Diehl Civil Rights Forum "Pride Was a Riot: Reflecting on the History and Progress of the LGBTQ+ Movement"

2020 | State Bar of Texas Annual Meeting - Diversity Forum | "The Promises of the 15th and 19th Amendments in the Wake of Shelby, Voter Suppression, and Disenfranchisement: How You Can Secure Reform"

2020 | Columbia University in the City of New York | Lavender Graduation Keynote Speaker

# **EXHIBIT B**

**Fain v. Crouch**  
**Time Sheet for Counsel Avatara Smith-Carrington**

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2020-03-05	1		Discussion with Nichols Kaster re: Medicaid challenge
2020-03-19	0.0	Omitted: 1	Discussion with Nichols Kaster re: Medicaid challenge
2020-03-27	0.0	Omitted: 0.8	Discussion with Associate at Nichols Kaster re: Medicaid
2020-04-21	0.6		Edit/revise Nichols Kaster's draft intake questions for potential plaintiffs.
2020-04-23	0.0	Omitted: 0.6	Legal team call with WV Medicaid participant [redacted] to discuss challenges re: accessing care
2020-04-24	0.0	Omitted: 1	Discussion with Fairness West Virginia
2020-05-01	0.0	Omitted: 0.6	Discussion with Fairness West Virginia
2020-05-11	1		Teleconference with Ms. Anderson and Tara B. re: potential participation in the case
2020-05-14	0.0	Omitted: 1	Follow-up conversation with Ms. Anderson
2020-05-19	0.0	Omitted: 1	Lambda Legal internal meeting discussion on Medicaid
2020-05-21	0.5		Lambda Legal call with Nichols Kaster to discuss potential plaintiff
2020-05-27	0.8		Legal team call to prepare for in-depth interview session with Ms. Anderson, and to discuss local counsel.
2020-05-28	0.0	Omitted: 1	Research Meeting with Dr. Perini
2020-06-03	1.5		Fact-gathering teleconference with Ms. Anderson and legal team.
2020-06-17	0.0	Omitted: 1	Research Meeting with Dr. Fechter-Leggett and Dr. Kidd
2020-07-09	0.0	Omitted: 1	Research Meeting with Dr. Weisenmuller
2020-07-16	0.0	Omitted: 1	Discussion with Fairness West Virginia
2020-07-21	0.0	Omitted: 1	Research Meeting with Dr. Gainer
2020-08-10	0.7		Legal team call re: status of preparation for case filing, and strategy around claims in the complaint.
2020-08-11	1		Legal team meeting with Lambda attorneys re: status of client interviews, complaint preparation, and preparation for case filing.
2020-08-13	1.2		Teleconference with Ms. Anderson to discuss case filing, and status of her insurance coverage.
2020-08-14	0.1		Review Ms. Huppert's legal research re: Ex Parte Young defendants.
2020-08-14	0.5		Teleconference with Ms. Borelli re: complaint, and client facts needed.
2020-08-15	0.3		Draft/prepare client retainer agreement template.
2020-08-17	0.2		Teleconference with Ms. Anderson re: documents needed.

Date	Time	Billing Judgment	Description
2020-08-17	0.5		Internal call re: work assignments.
2020-08-24	0.8		Legal team call re: status research re: defendants and claims, and plaintiff class.
2020-08-26	0.1		Implement Nichols Kastars' edits to co-counsel agreement.
2020-08-27	0.0	Omitted: 0.5	Discussion with Fairness West Virginia
2020-08-28	0.7		Legal team call with local counsel, Mr. Auvil, re: strategy surrounding complaint and claims, and preparation for case filing.
2020-08-31	0.1		Emailed T. Borelli draft of complaint
2020-09-04	0.0	Omitted: 1	Discussion w/ partners at Fairness West Virginia
2020-09-05	0.0	Omitted: 0.1	Emailed [redacted] to connect and provide times for a potential plaintiff pre-investigation call
2020-09-05	0.0	Omitted: 0.1	Emailed [redacted] to connect and provide times for a potential plaintiff pre-investigation call
2020-09-06	0.8		Editing and reviewing Introduction Section of Draft Complaint
2020-09-07	0.8		Begin editing and reviewing Sex, Gender Identity, and Gender Dysphoria Section of draft complaint
2020-09-07	0.1		Emailed C. Fain to connect and provide times for a potential plaintiff pre-investigation call
2020-09-07	0.2		Drafted and sent an email discussing substantive matters regarding status of work product, plaintiffs, and complaint draft
2020-09-07	1.5		Continue editing and reviewing Sex, Gender Identity, and Gender Dysphoria Section of draft complaint
2020-09-08	0.0	Omitted: 0.4	Continue editing and reviewing Sex, Gender Identity, and Gender Dysphoria Section of draft complaint
2020-09-08	0.1		Email to NS w/ NK about Document Retention Letter and Complaint
2020-09-08	1.5		Editing and reviewing Defendants' targeted discrimination sect. of Draft Complaint
2020-09-09	1.2		Editing and reviewing class action sect. of draft complaint
2020-09-09	1.7		Editing and reviewing legal claims sect. of draft complaint
2020-09-09	0.1		Emailed and confirmed time for a potential plaintiff pre-investigation call w/ C. Fain
2020-09-09	0.0	Omitted: 0.2	Called, emailed, and confirmed [redacted] and set a time for a potential plaintiff pre-investigation call
2020-09-09	0.0	Omitted: 0.2	Called, emailed, and confirmed [redacted] and set a time for a potential plaintiff pre-investigation call
2020-09-10	0.3		Call w/ S. Anderson
2020-09-10	0.7		Team meeting w/ NK and ELC Re: status of litigation prep and comp.

Date	Time	Billing Judgment	Description
2020-09-10	0.3		Meeting w/ T. Borelli to discuss draft complaint
2020-09-10	1		Preliminary Investigation Interview w/ C. Fain
2020-09-10	0.5		Cleaning up and editing notes from interview w/ C. Fain
2020-09-10	1		Internal Lambda team call to discuss preparation for filing, strategy surrounding complaint, and division of work.
2020-09-11	0.2		Emailing NK and ELC to discuss scheduling time for fact-gathering with plaintiff
2020-09-11	0.4		Email updates and info request to C. Fain
2020-09-11	0.5		Review of complaint draft.
2020-09-11	0.1		Sent the complaint and editing timetable
2020-09-14	0.5		Reviewing and updating complaint with N. Huppert edits
2020-09-14	0.0	Omitted: 1.1	Preliminary call with [redacted] to discuss participation in lawsuit, and gather initial facts.
2020-09-15	0.1		Responding to C. Fain email
2020-09-15	0.6		Phone calls w/ Tara B. re: updates and case status (.3) and edits to complaint (.3)
2020-09-15	0.4		Meeting w/ Tara B. and Michele C-L re: medical records collection for potential plaintiffs
2020-09-15	0.8		Further revise complaint
2020-09-15	0.0	Omitted: 0.7	Call with [redacted] re: case & fact-gathering (.6); debrief with Ms. Borelli (.1).
2020-09-16	0.0	Omitted: 0.1	Email [redacted] with request for documents and relevant materials
2020-09-16	0.0	Omitted: 0.1	Email to NK and the ELC to schedule a meeting w/ [redacted]
2020-09-16	0.1		Implement edits to the complaint from ELC's Walt A.
2020-09-17	0.1		Begin preparing Civil Cover Sheet and Summons for complaint
2020-09-17	1.2		Large team meeting w/ C. Fain re: Class Rep. and information gathering
2020-09-17	0.0	Omitted: 0.8	Research: Reading <i>Saba</i> and performing research re: Nonbinary people for complaint
2020-09-17	0.0	Omitted: 1	Research: Review <i>Grimm</i> for guidance discussing Nonbinary people in the complaint
2020-09-18	0.1		Email to C. Fain re: materials and updates
2020-09-18	0.5		Attention to task list
2020-09-18	0.6		Research re: service on government officials
2020-09-21	0.8		Implementing edits to complaint from co-counsel
2020-09-21	1.5		Further revise and update complaint
2020-09-21	0.4		Research on Medicaid Defendants for purpose of updating and drafting the comp.
2020-09-21	0.6		Internal team call re: status of plaintiff interviews, research, and complaint drafting.
2020-09-21	0.6		Meeting w/ Tara re: complaint and filing prep

Date	Time	Billing Judgment	Description
2020-09-21	0.0	Omitted: 0.8	Meeting w/ LL, NK, ELC and [redacted]
2020-09-21	0.9		Reading, editing, and updating Class Action sect. of Complaint
2020-09-21	1.7		Finished merging and editing the rest of the complaint for internal review
2020-09-22	0.2		Updating internal LL team and sending a list of action items
2020-09-24	1.0		Call with Tara B. and Ms. Prakash re: issues surrounding damages for class members, and other strategy issues.
2020-09-25	0.6		Working on the complaint
2020-09-25	0.5		Meeting w/ Tara B. to discuss the status of the case etc.
2020-09-26	1.7		Research in Medicaid Ex Parte Young Defendants
2020-09-26	1.2		Working on editing and updating the complaint w/ Medicaid information from research
2020-09-28	0.0	Omitted: 0.7	Researching Medicaid and Departmental Organization to determine whether a certain state actor is an Ex Parte Young Defendant
2020-09-28	0.0	Omitted: 1.3	Editing complaint with information gathered via research into Medicaid
2020-09-28	0.0	Omitted: 0.7	Teleconference with T. Borelli, paralegal, and [redacted] re: fact- and document-gathering to investigate claims.
2020-09-28	1.5		Updating and editing complaint
2020-09-29	1.5		Meeting w/ Tara B. re: case status, updates to tasks, and brief discussion on the complaint and next level of review and edits
2020-09-29	0.1		Email to Walt A. re: client retainer and document retention letter
2020-09-30	0.0	Omitted: 1.2	Drafting factual allegations on behalf of [redacted]
2020-09-30	0.5		Research into West Virginia Family Health MCO (WV Medicaid)
2020-09-30	0.7		Internal team meeting re: case progress
2020-10-01	0.3		Meeting w/ Tara re: action items for moving case forward
2020-10-01	0.1		Prepare civil cover sheet attachment
2020-10-01	1.6		Research re: funding streams from HHS to WV Medicaid
2020-10-02	0.2		Meeting w/ Michele C.L. re: medical providers etc.
2020-10-02	0.5		Emailing all plaintiffs with documents for review (document retention letter and other materials) etc.
2020-10-02	0.0	Omitted: 0.9	Teleconference with legal team and [redacted] re: fact-gathering, and obligations of plaintiffs and class reps.
2020-10-02	1		Meeting w/ Anna P. of NK re: strategy

Date	Time	Billing Judgment	Description
2020-10-03	0.5		Meeting w/ Tara B. to discuss case logistics and client relations
2020-10-03	0.6		Working on class definitions
2020-10-04	0.0	Omitted: 0.4	Working on Factual Allegations for [redacted]
2020-10-05	0.0	Omitted: 0.7	Reviewing [redacted]'s patient portal through insurer and reviewing claims submitted for the purpose of drafting the complaint and other research
2020-10-05	1		Researching and preparing analysis for team re: visiting attorney process
2020-10-05	0.5		Finishing edits to client retainer and email to each client
2020-10-06	0.4		Updating and uploading Summons
2020-10-06	0.0	Omitted: 1	Meeting w/ potential plaintiff [redacted]
2020-10-06	0.0	Omitted: 0.4	Discussion w/ T. Borelli re: Meeting w/ [redacted] and related strategy
2020-10-07	0.2		Emailing potential plaintiffs and scheduling calls
2020-10-07	0.1		Spoke with potential plaintiff [redacted] via phone
2020-10-13	1.4		Working on updating complaint draft
2020-10-13	0.9		Internal legal team call re: strategy claims in complaint and framing; filing prep
2020-10-13	0.5		Meeting w/ T. Borelli
2020-10-13	0.0	Omitted: 1	Editing and updating the complaint for another round of edits
2020-10-14	0.5		Medical records meeting w/ Michele CL and Tara B.
2020-10-14	0.4		Chat w/ Tara B. re: Complaint and some other updates
2020-10-14	0.5		Meeting w/ NK and the ELC
2020-10-14	0.0	Omitted: 0.4	Chat w/ T. Borelli
2020-10-20	1.1		Working on draft complaint w/ new edits
2020-10-20	0.3		Meeting w/ T. Borelli re: Complaint
2020-10-21	1.5		Discussion w/ legal team re: complaint draft
2020-10-21	0.0	Omitted: 0.5	Discussion w/ [redacted] re: involvement in suit
2020-10-21	0.0	Omitted: 0.4	Chat w/ T. Borelli re: [redacted]
2020-10-30	0.5		Call with Ms. Borelli and Ms. Schladt re: class definition.
2020-11-09	1		Legal team call re: case filing preparation.
2020-11-11	0.5		Team teleconference re: complaint.
2020-12-01	0.4		Teleconference with Ms. Schladt and Tara B re: beginning process of doc collection from clients, and ESI preservation.
2020-12-15	0.0	Omitted: 0.4	Teleconference with Medicaid class member [redacted].

Date	Time	Billing Judgment	Description
2021-01-11	0.5		Teleconference with C. Charles and T. Borelli re: defendants' MTD briefs.
2021-01-13	0.2		Review Judge Chambers' scheduling order and calendar deadlines.
2021-01-13	1		Team call re: scheduling order and related issues.
2021-02-01	0.5		Teleconference with Ms. Prakash and T. Borelli re Rule 26(f) conf, and MTD oppositions.
2021-02-04	0.6		Teleconference with team re: new MTD Mr. Fain's Medicaid claims.
2021-02-05	0.6		Team meeting re: preservation and discovery.
2021-02-06	0.7		Call with co-counsel re: MTD responses.
2021-02-08	0.5		Meet and confer w/ counsel for Medicaid defendants (.3); call re: same with co-counsel (.2).
2021-02-09	0.2		Participate in Rule 26(f) conference.
2021-02-18	0.6		Call with T.Borelli and Ms. Schladt re: Medicaid MTD oppositions (.5); read Schladt email re: same (.1).
2021-02-26	0.5		Teleconference with Mr. Fain to review text of declaration for Medicaid MTD opp'n.
2021-03-01	1		Team call re: strategy surrounding MTD response
2021-03-18	0.7		Teleconference with Mr. Fain re: status of medical care re: chest reconstruction surgery.
2021-03-18	0.4		Call with Ms. Prakash, Ms. Schladt, and T. Borelli re: informal discovery from Medicaid Defendants.
2021-05-10	0.0	Omitted: 0.3	Teleconference with T. Borelli, Ms. Prakash, and Ms. Schladt re: Medicaid coverage issues.
2021-05-25	1		Team call re: 26(f) conference and discovery.
2021-06-07	0.6		Legal team re: Rule 26 conference and discovery.
2021-06-09	1		Meeting w/ NK re: ESI
2021-06-14	0.2		Team call re: 26(f) conference and notice of supp authority
2021-06-15	0.2		Review and correspond with T. Borelli re: status of Medicaid Defs' answer to complaint
2021-06-15	1.3		Drafting rogs for Medicaid Defendants
2021-06-17	0.2		Review Mr. Fain's letter re: surgery from medical provider and discuss with T. Borelli.
2021-06-21	0.3		Participate in Rule 26(f) Conference
2021-06-21	0.3		Updates and edits to ROGs – WV Medicaid Defendants
2021-06-21	1.2		Reviewing WV Medicaid Defendants Answer
2021-07-01	0.7		Reviewing and editing Rule 26(f) Report Attachments
2021-07-01	0.0	Omitted: 0.5	Potential Plaintiff Chat w/ [redacted]
2021-07-01	0.5		Reviewing and editing WV Medicaid Defendants Written Discovery
2021-07-07	0.8		Legal team call re: discovery and amending complaint
2021-07-08	0.0	Omitted: 0.6	Potential Plaintiff Chat w/ [redacted]

Date	Time	Billing Judgment	Description
2021-07-08	0.0	Omitted: 0.2	Post- Potential Plaintiff Discussion w/ Tara
2021-07-08	0.5		Call w/ Shauntae Anderson
2021-07-08	0.5		Internal LL Huddle Re: Amending Complaint
2021-07-12	0.3		Team Meeting w/ NK and ELC
2021-07-12	0.3		Meeting w/ MCL to discuss Medical Record Collection, etc.
2021-07-12	1.4		Preparing amended complaint
2021-07-12	0.6		Drafting S.A.'s factual allegations
2021-07-13	0.4		Review and further edits to S.A.'s Factual Allegations
2021-07-13	0.5		Call w/ S.A. w/ A. Prakash from NK Re: Status as potential plaintiff
2021-07-22	0.7		Call with co-counsel & Mr. Fain re: ESI collection.
2021-08-09	0.5		Call with Ms. Schladt and T.Borelli re: Aug. 13 discovery deadline
2021-08-16	0.3		Updates to S.A. sect. of comp.
2021-08-16	0.5		Discovery planning call with T. Borelli
2021-08-16	1.3		Editing and drafting amended comp.
2021-08-17	1.6		Editing and drafting amended comp.
2021-08-23	0.6		Meeting w/ Fain Team Re: Amending Complaint and discovery
2021-08-24	0.3		Updates to Document Retention Letter for new plaintiffs
2021-08-25	1		Meeting w/ S. Anderson re: Document Retention and ESI
2021-08-25	0.8		Review and edits to Reply Re: ESI Protocol and Medicaid Defs
2021-08-26	0.6		Team meeting re: docs (ESI collection & preservation)
2021-08-26	0.0	Omitted: 0.9	Meeting w/ potential plaintiff [redacted] re: Document Retention and ESI
2021-08-30	0.6		Pulling Pl. sections of amended complaint and sending them to pls. for review
2021-08-30	1.7		Updating and editing amended complaint
2021-09-02	0.8		Editing and updating plaintiff sections of the complaint
2021-09-07	0.4		Finalize amended complaint
2021-09-09	1		Meet and Confer w/ WV Medicaid Defs re: Deficiencies
2021-09-13	1		Legal team call re: status of discovery deficiencies & status of experts
2021-09-13	0.0	Omitted: 0.5	Telephonic hearing re: ESI protocol
2021-09-14	1.6		Reviewing and editing first amended complaint
2021-09-15	0.8		Drafting Motion to Amend Complaint
2021-09-20	0.5		Fain Team Meeting re: complaint and discovery

Date	Time	Billing Judgment	Description
2021-09-20	1.3		Research Re: Rule 15a
2021-09-20	1.2		Drafting Memo ISO of 1 <sup>st</sup> motion to amend
2021-09-20	0.7		Research and Review Re: Memo ISO of 1 <sup>st</sup> motion to amend
2021-09-20	0.9		Drafting Memo ISO of 1 <sup>st</sup> motion to amend
2021-09-21	1.1		Drafting Memo ISO of 1 <sup>st</sup> motion to amend
2021-09-21	0.8		Implement T.B. Edits to Memo ISO of 1 <sup>st</sup> motion to amend
2021-09-24	0.4		ESI meet and confer with opposing counsel
2021-09-27	0.6		Follow up ESI meet and confer with opposing counsel
2021-10-14	0.8		Hearing with Judge Eifert re: discovery deficiencies
2021-10-14	0.2		Reviewing Ex. 1 to MCO Subpoenas
2021-10-15	0.5		Drafting Joint Motion for Extension of Fact Discovery Deadline
2021-10-16	1.5		Drafting Joint Motion for Extension of Fact Discovery Deadline
2021-10-17	0.0	Omitted: 1.5	Drafting Joint Motion for Extension of Fact Discovery Deadline
2021-10-18	0.7		Legal team call re: written & expert discovery
2021-10-18	0.4		Call with T. Borelli re: communication w/ opposing counsel re: motion to extend fact discovery (.2); prepare draft email (.2)
2021-10-19	1.5		Drafting and Reviewing Joint Motion for Extension of Fact Discovery Deadline
2021-10-21	0.7		Meet & confer with Medicaid Defs re: discovery deficiencies
2021-10-22	0.5		Call w/ Dr. Karasic
2021-10-24	1.2		Draft discovery responses for Mr. Fain
2021-10-28	0.7		Call C. Fain re: discovery responses
2021-11-01	0.6		Legal team call re: status of discovery
2021-11-01	0.5		Discussion w/ T.B. re: Fain and Subpoenas
2021-11-02	0.5		Call w/ Seyfarth Shaw re: MCO Subpoena
2021-11-26	0.8		Draft opening statement for mediation
2021-12-01	1		Participation in Mediation – Specific to Medicaid
2021-12-02	0.5		Meet and confer with Unicare MCO re: subpoena
2021-12-07	1.2		Draft S.A. responses and objections
2021-12-08	0.3		Participate in meet and confer with The Health Plan MCO re: subpoena
2021-12-08	0.4		Drafts emails to clients Re: evaluations w/ Dr. Karasic
2021-12-08	0.1		Email to co-counsel Re: depositions

Date	Time	Billing Judgment	Description
2021-12-13	0.6		Legal team call re: status of written deposition discovery
2021-12-16	0.2		Call with T. Borelli re: status of discovery
2021-12-16	0.8		Call w/ S.A. to review discovery responses
2021-12-16	0.3		Call w/ S.A. re: verification and notarization
2021-12-17	0.1		Call w/ S.A. re: notarization
2021-12-17	0.1		Call w/ UPS re: S.A. and notarization
2021-12-17	0.7		Call with Ms. Schladt re: the clients
2021-12-18	1.6		Doc Review for C.F.
2021-12-20	0.9		Team call re: written discovery and dep prep
2021-12-20	0.7		Working on Expert Report – Karasic
2021-12-20	0.6		Working on Expert Report – Karasic
2021-12-20	0.5		Internal team call re: deposition assignments
2021-12-21	0.4		Call with Ms. Prakash re: C.F.
2021-12-21	1		Call w/ C.F.
2021-12-21	1.2		Working on Expert Report – Karasic
2021-12-23	1.2		Working on Expert Report – Karasic
2021-12-23	0.9		Working on Expert Report – Karasic
2022-01-03	0.7		Meeting with Tara B. Re: status of written discovery, etc
2022-01-03	0.7		Meeting w/ Dr. Karasic Re: Expert Report
2022-01-03	0.3		Email to Sasha Re: S.A. Deposition Prep
2022-01-03	0.3		Drafting and Sending Agenda and Task List for Fain Team
2022-01-04	0.5		Team call re: discovery
2022-01-04	1.1		Meeting w/ Michele re: Relativity and documents
2022-01-05	0.2		Call w/ S.A. re: case
2022-01-05	0.3		Call w/ M. Clanton-Lockhart Re: Medical Records
2022-01-05	0.6		Call w/ S.A. Re: ESI
2022-01-05	0.6		Reviewing Medical Record Requests for S.A.
2022-01-06	0.5		Call w/ S.A.
2022-01-06	0.6		Call w/ Sasha B. re: S.A. dep prep.
2022-01-10	1.8		Call w/ Dr. Karasic
2022-01-10	0.7		Working on Expert Report – Dr. Karasic

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2022-02-01	1.1		Team call re: progress with discovery
2022-02-01	0.4		Call with T. Borelli and C. Charles re: dep schedule & status of discovery
2022-02-02	0.6		Edit/revise draft motion to extend Medicaid fact discovery cut-off
2022-02-08	0.8		Team call re: discovery and prep for depositions
2022-02-10	0.2		Confer w/ Ms. Borelli re: scheduling
2022-02-10	0.5		Draft 30(b)(6) Notice
2022-02-11	1.3		Document Review – WVDHHR Defs: Review and code in Relativity
2022-02-11	0.8		Document Review – WVDHHR Defs: Review and code in Relativity
2022-02-12	1.6		Document Review – WVDHHR Defs: Review and code in Relativity
2022-02-12	1.2		Document Review – WVDHHR Defs: Review and code in Relativity
2022-02-12	1.5		Document Review – WVDHHR Defs: Review and code in Relativity
2022-02-15	0.5		Legal team call re: ongoing discovery work
2022-02-15	0.4		Call w/ Ms. Borelli and Mr. Charles re: doc review & dep prep
2022-02-17	0.3		Call with T. Borelli and C. Charles re: prep for F. Lewis deposition
2022-02-21	1.4		Team call re: F. Lewis dep prep
2022-02-22	0.5		Legal team call re: status of discovery
2022-02-23	0.6		Preparation call for F. Lewis dep with co-counsel
2022-02-24	1		Call with Dr. Karasic re: rebuttal report
2022-02-25	0.2		Call with Ms. Prakash and Ms. Borelli re: dep prep
2022-03-01	0.6		Legal team call re: fact & expert discovery
2022-03-02	0.5		Call with T. Borelli and C. Charles re: expert reports and dep prep
2022-03-04	0.6		Call w/ Dr. Olson-Kennedy re: rebuttal report
2022-03-08	0.6		Team call re: expert rebuttal reports and dep prep
2022-03-08	0.7		Reviewing materials and edit Young depo outline
2022-03-11	0.0	Omitted: 8	Participate in Sarah Young Depo
2022-03-13	1.8		Implementing Karasic edits to rebuttal report
2022-03-14	1.7		Implementing Karasic edits to rebuttal report; circulating to team for review and Karasic
2022-03-14	1.9		Implementing Olson-Kennedy edits to rebuttal report
2022-03-15	0.5		Legal team call re: status of deposition prep and expert rebuttal reports
2022-03-15	0.7		Review and edit to the Karasic rebuttal report
2022-03-15	1.1		Review and edit Olson-Kennedy rebuttal report

Date	Time	Billing Judgment	Description
2022-03-16	0.3		Call w/ Ms. Borelli Re: review of rebuttal report materials for Karasic and Olson-Kennedy
2022-03-17	2	Omitted: 2	Participate in Crouch Deposition
2022-03-17	0.2		Transmit final version of rebuttal report for Karasic signature
2022-03-17	0.2		Transmit final version of rebuttal report for Olson-Kennedy signature
2022-03-18	0.3		Prepare and transmit rebuttal reports to opposing counsel
2022-03-18	0.2		Prepare and transmit certificate of service to local counsel
2022-03-18	1.4		Reviewing documents for Dr. Becker deposition outline
2022-03-19	0.7		Reviewing documents for Dr. Becker deposition outline
2022-03-19	1.9		Working on outline for Dr. Becker
2022-03-21	0.0	Omitted: 7.1	Participate in dep prep Session w/ Dr. Schechter
2022-03-21	1.1		Working on outline for Dr. Becker
2022-03-22	1.4		Reviewing documents for Dr. Becker deposition outline
2022-03-22	1.3		Working on outline for Dr. Becker
2022-03-22	1		Deposition prep re: experts w/ Ms. Borelli and Ms. Huppert
2022-03-22	0.8		Reviewing documents for Dr. Becker Deposition Outline
2022-03-22	0.9		Working on outline for Dr. Becker
2022-03-24	0.3		Confer with T. Borelli re: correspondence with Mr. David re: deposition issues
2022-03-24	0.5		Confer with T. Borelli re: Becker dep outline.
2022-03-28	0.0	Omitted: 5.9	Attend Dr. Schechter's deposition
2022-03-29	6.4		Attend Beane Deposition
2022-03-30	7.9		Take deposition of Dr. Becker
2022-04-02	0.4		Call with T. Borelli re: 30(b)(6) topics for F. Lewis
2022-04-02	1.1		Reviewing documents for B. Thompson Deposition
2022-04-02	1.2		Working on outline for B. Thompson Deposition
2022-04-04	4.7		Attend F. Lewis Deposition
2022-04-04	1.3		Reviewing documents for B. Thompson Deposition
2022-04-05	1		Working on outline for B. Thompson Deposition
2022-04-05	0.8		Working on outline for B. Thompson Deposition
2022-04-07	0.5		Call with Ms. Borelli & Ms. Prakash re: prep for Myers deposition
2022-04-07	2.7		Participate in deposition prep with Dr. Karasic.
2022-04-08	2.2		Attend Myers deposition.

Date	Time	Billing Judgment	Description
2022-04-11	1.9		Dep prep with Ms. Anderson.
2022-04-11	2		Dep prep with Dr. Karasic.
2022-04-12	2.5		Attend Manning deposition.
2022-04-12	0.4		Legal team call re: status of status of depositions
2022-04-13	2		Take B. Thompson Deposition
2022-04-13	2		Dep prep session with Dr. Karasic.
2022-04-14	0.5		Call with Ms. Anderson MSJ dec
2022-04-14	2		Dep prep session with Dr. Karasic.
2022-04-15	6.4		Defend Karasic Deposition
2022-04-16	0.3		Teleconference with T. Borelli and A. Prakash to prepare for dep prep sessions with C. Fain
2022-04-17	1.8		Participate in dep prep for Mr. Fain (1.4); debrief with T. Borelli and A. Prakash (.2); planning call with T. Borelli re: dep prep outline for session 2 with Mr. Fain (.2).
2022-04-18	2		Deposition prep with Ms. Anderson.
2022-04-18	2		Deposition prep with Dr. Olson-Kennedy.
2022-04-20	1.8		Deposition prep with Ms. Anderson.
2022-04-20	2		Deposition prep with Mr. Fain.
2022-04-21	2.2		Flight from Dallas to Columbus for S.A. dep
2022-04-22	4		Attend portion of Ms. Anderson's deposition
2022-04-22	0.8		Legal team call to debrief S.A. deposition and prepare for C. Fain dep
2022-04-23	2		Deposition prep for Mr. Fain.
2022-04-23	1.1		Drafting declaration for C. Fain
2022-04-23	2.7		Deposition prep with Olson-Kennedy
2022-04-24	2.5		Flight from Columbus to Dallas, returning home after S.A. dep
2022-04-25	6.5		Defend deposition of Dr. Olson-Kennedy (6.4); debrief with Dr. Olson-Kennedy (.1).
2022-04-26	1.5		Participate in dep prep call with Mr. Fain to review his document production.
2022-04-26	0.5		Team call re: MSJ and class cert. briefing, and discovery
2022-04-27	0.0	Omitted: 7.9	Attend deposition of Dr. Levine (7.8); debrief with T. Borelli and C. Charles (.1).
2022-04-28	3.2		Attend deposition of Mr. Fain (3); debrief with Mr. Fain (.2).
2022-05-02	1		Call w/ T. Borelli re: status of dep transcript designations and errata, MSJ prep, and ancillary motions.
2022-05-02	1.1		Draft motion to update Ms. Anderson's legal first name on filings

Date	Time	Billing Judgment	Description
2022-05-02	1.3		Draft motion for summary judgment
2022-05-03	0.8		Legal team call re: MSJ and remedies for plaintiffs in light of new SCOTUS decision
2022-05-03	2.3		Pulling together chart for statement of undisputed facts ("SUF"), preliminary work on relevant exhibits, assigning tasks for SUF between T. Borelli and myself
2022-05-04	0.6		Review and incorporate relevant facts from Answer to First Amended Comp. into SUF
2022-05-04	0.4		Review and incorporate relevant facts from Defs' Response to Pltfs' 1 <sup>st</sup> RFAs into SUF
2022-05-04	1.7		Review and incorporate relevant facts into SUF from: <ul style="list-style-type: none"> <li>• Defs' Response to 1<sup>st</sup> Set of ROGs</li> <li>• Defs' Response to 2<sup>nd</sup> Set of ROGs</li> <li>• Defs' Response to 3<sup>rd</sup> Set of ROGs</li> </ul>
2022-05-05	2.1		Review and incorporate relevant facts into SUF from: <ul style="list-style-type: none"> <li>• Defs' 1<sup>st</sup> Suppl. Response to 1<sup>st</sup> Set of ROGs</li> <li>• Defs' 2<sup>nd</sup> Suppl. Response to 1<sup>st</sup> Set of ROGs</li> <li>• Defs' 1<sup>st</sup> Suppl. Response to 2<sup>nd</sup> Set of ROGs</li> <li>• Defs' 2<sup>nd</sup> Suppl. Response to 2<sup>nd</sup> Set of ROGs</li> <li>• Defs' 3<sup>rd</sup> Suppl. Response to 2<sup>nd</sup> Set of ROGs</li> </ul>
2022-05-05	0.3		Review and incorporate Becker Stipulation into SUF
2022-05-05	2.9		Review and incorporate Becker's deposition transcript into SUF – flagging relevant exhibits
2022-05-06	1.7		Review and incorporate Thompson's deposition transcript – flagging relevant exhibits
2022-05-06	2.8		Review and incorporate Young's deposition transcript – flagging relevant exhibits
2022-05-09	1.1		Review and incorporate F. Lewis' deposition transcript – flagging relevant exhibits
2022-05-09	3.3		Review and incorporate Karasic's deposition transcript
2022-05-09	1.9		Review and incorporate Karasic expert reports
2022-05-10	3.1		Review and incorporate Schechter's deposition transcript
2022-05-10	1.7		Review and incorporate Schechter expert reports
2022-05-12	0.4		Revising SUF
2022-05-12	0.6		Pulling exhibits for attorney decl. for MSJ
2022-05-12	2.7		S. A. Deposition Transcript <ul style="list-style-type: none"> <li>• Reading S.A. Deposition Transcript,</li> <li>• looking for relevant cites,</li> <li>• and marking for confidentiality designations</li> </ul>

Date	Time	Billing Judgment	Description
2022-05-12	0.5		S. A. Deposition Transcript <ul style="list-style-type: none"> <li>• Reading S.A. Deposition Transcript,</li> <li>• looking for relevant cites,</li> <li>• and marking for confidentiality designations</li> </ul>
2022-05-16	1.8		Prepare attorney dec for motion for class cert
2022-05-16	0.3		Additional edits to attorney declaration for motion for class cert
2022-05-16	0.3		Pulling relevant cites from S.A. declaration for SUF and incorporating/editing in SUF
2022-05-16	1.3		C.F. Deposition Transcript <ul style="list-style-type: none"> <li>• Reading C.F. deposition transcript,</li> <li>• looking for relevant cites,</li> <li>• and marking for confidentiality designations</li> </ul>
2022-05-16	1.4		C.F. Deposition Transcript <ul style="list-style-type: none"> <li>• Reading C.F. deposition transcript,</li> <li>• looking for relevant cites,</li> <li>• and marking for confidentiality designations</li> </ul>
2022-05-16	0.2		Pulling relevant cites from C.F. declaration for SUF and incorporating/editing in SUF
2022-05-16	0.4		Drafting and researching legal standard section of brief for summary judgment
2022-05-16	1.1		General research and high-level review of past cases to map out structure of legal argument section
2022-05-17	0.5		Legal team call re: status of preparation for MSJ, class cert. and Daubert motions
2022-05-17	1.2		Going back through the F. Lewis deposition to pull direct quotes for hormone section and updating sections of the plaintiffs' SUF
2022-05-17	1.1		Editing SUF, including for citations
2022-05-17	2.3		Restructuring cites in MSJ brief and reviewing (high level) expert deposition transcripts for the purpose of cites
2022-05-17	1.2		Drafting pieces of the EP and Medicaid Act sections
2022-05-18	3.2		Drafting MSJ Brief
2022-05-19	3.7		Drafting MSJ Brief
2022-05-20	3.1		Drafting MSJ Brief
2022-05-21	0.5		Discussion w/ C. Fain Re: deposition transcript
2022-05-24	1.5		Team call re: MSJ, Daubert, and class cert. filings

Date	Time	Billing Judgment	Description
2022-05-25	2.1		Continue revising and preparing MSJ brief.
2022-05-26	0.5		Call with Ms. Borelli and Ms. Smith re: motion to seal.
2022-06-02	0.5		Legal team call re: opp. to Defs' MSJ.
2022-06-03	3.1		Draft and prepare MSJ opposition (Medicaid Act Claims)
2022-06-03	1.3		Research and drafting MSJ opposition
2022-06-04	2.8		Draft and prepare MSJ opposition (Medicaid Act Claims)
2022-06-04	0.9		Research and drafting MSJ opposition
2022-06-05	1.1		Implementing edits and comments (Medicaid Act Claims)
2022-06-15	0.5		Legal team call to preparation of dispositive, class cert., and motions to exclude experts
2022-06-16	2.1		Edit/revise draft reply in support of pltfs' motion for summary judgment
2022-06-17	1.8		Edit/revise draft reply in support of pltfs' motion for summary judgment
2022-06-27	4.1		Review Defs' MSJ briefing and exhibits
2022-06-28	0.5		Legal team call re: prep for oral argument
2022-06-29	1.6		Working on oral argument outline and reviewing relevant briefing
2022-07-08	3.8		Review for oral argument
2022-07-08	1.1		Moot oral argument
2022-07-08	0.9		Review for oral argument
2022-07-10	1		Moot oral argument
2022-07-10	2.7		Review for oral argument
2022-07-12	3.8		Travel to WV for oral argument
2022-07-13	2.4		Participate in hearing re: MSJ and class cert. motions.
2022-07-14	3.8		Travel home from WV oral argument
2022-08-09	0.7		Team call re: fees & costs application
2022-08-11	0.2		Team call re: proposed judgment & related meet & confer with Defs
2022-08-11	0.9		Draft proposed judgment
2022-08-16	0.2		Call with opposing counsel re: proposed judgment

<b>Total hours: 372.5</b>	<b>Hourly rate: \$275.00</b>	<b>Total fees: \$102,437.50</b>
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# **EXHIBIT C**

**Fain v. Crouch**  
**Time Sheet for Counsel Tara Borelli**

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2020-02-26	0.5		Call with Ms. Schladt re: challenge to Medicaid exclusion.
2020-03-05	1		Call with Ms. Prakash and Ms. Schladt re: preparation to challenge exclusion for surgical care.
2020-04-02	0.5		Call with Nichols Kaster re: preparation for litigation and related research.
2020-04-15	0.5		Teleconference with Nichols Kaster re: preparation for challenge to exclusion.
2020-04-21	0.1		Review Nichols Kaster's draft intake questions for plaintiffs.
2020-05-21	0.5		Call with Nichols Kaster re: status of investigation and litigation prep re: exclusion.
2020-05-27	0.8		Legal team call to prepare for in-depth interview of Ms. Anderson.
2020-06-03	1.5		Fact-gathering teleconference with Ms. Anderson and legal team.
2020-07-13	1		Legal team call re: status of preparation for litigation.
2020-08-10	0.7		Legal team call re: status of preparation for case filing, and strategy around claims in the complaint.
2020-08-11	1		Legal team meeting with Lambda attorneys re: status of client interviews, complaint preparation, and preparation for case filing.
2020-08-12	0.3		Edit/revise co-counsel agreement (.2); transmit to Ms. Flynn for review (.1).
2020-08-13	1.2		Teleconference with Ms. Anderson to discuss case filing, and status of her insurance coverage.
2020-08-14	0.1		Review Ms. Huppert's legal research re: Ex Parte Young defendants.
2020-08-14	0.5		Teleconference with Mx. Smith-Carrington re: strategy surrounding drafting of complaint, and follow-up fact-gathering with clients.
2020-08-15	0.3		Draft/prepare client retainer agreement template.
2020-08-17	0.2		Teleconference with Ms. Anderson re: additional documents for collection.
2020-08-17	0.6		Teleconference with Lambda attorneys re: division of work for case filing (.5); email same with sample document preservation notices for plaintiffs (.1).
2020-08-18	0.1		Transmit co-counsel agreement to Ms. Prakash.
2020-08-24	0.8		Legal team call re: status research re: defendants and claims, and plaintiff class.
2020-08-28	0.7		Legal team call with local counsel, Mr. Auvil, re: strategy surrounding complaint and claims, and preparation for case filing.
2020-08-30	0.5		Implement Nichols Kasters' edits to client retainer agreement (.3); annotate questions for Ms. Prakash re: class action allegations (.2).
2020-08-31	0.2		Email Ms. Prakash re: status of co-counsel agreement (.1); transmit same to Mr. Auvil (.1).

Date	Time	Billing Judgment	Description
2020-08-31	0.2		Edit/revise doc preservation notice for clients.
2020-09-01	1.8		Begin revising draft complaint, including allegations re: defendants and class action allegations.
2020-09-06	0.8		Continue revising draft complaint, including plaintiff allegations.
2020-09-08	0.2		Email legal team re: research about health plan structure, and case preparation updates.
2020-09-10	0.7		Legal team call re: status of complaint, related strategy, and case filing preparation.
2020-09-10	1		Teleconference with Mx. Smith-Carrington, Ms. Clanton-Lockhart, and plaintiff Christopher Fain.
2020-09-10	1		Internal meeting re: prep for case filing.
2020-09-10	1.6		Review Mx. Smith-Carrington's edits to the complaint.
2020-09-10	1		Internal Lambda team call to discuss preparation for filing, strategy surrounding complaint, and division of work.
2020-09-14	0.0	Omitted: 1.1	Preliminary call with [redacted] to discuss participation in lawsuit, and gather initial facts.
2020-09-15	0.1		Email Mr. Auvil re: status of client retainer agreement.
2020-09-15	0.4		Teleconference re: Mx. Smith-Carrington and Ms. Clanton-Lockhart re: medical records collection protocol for the plaintiffs.
2020-09-15	0.0	Omitted: 0.7	Preliminary call with [redacted] to discuss participation in lawsuit, and gather initial facts (.6); debrief with Mx. Smith-Carrington (.1).
2020-09-15	1.2		Call with potential plaintiff Mr. Fain, and debrief with team.
2020-09-21	0.5		Internal team call re: status of plaintiff interviews, research, and complaint drafting.
2020-09-21	0.2		Email Ms. Prakash re: issues surrounding damages for class representatives and members.
2020-09-21	0.0	Omitted: 1	Legal team call for fact-gathering with [redacted].
2020-09-24	1.0		Call with Mx. Smith-Carrington and Ms. Prakash re: issues surrounding damages for class members.
2020-09-28	0.0	Omitted: 0.7	Teleconference with Mx. Smith-Carrington, paralegal, and [redacted] re: fact- and document-gathering to investigate claims.
2020-09-28	0.0	Omitted: 0.2	Email team re: communications with [redacted], and setting additional fact-gathering call.
2020-09-28	0.0	Omitted: 0.1	Communication with [redacted] re: next fact-gathering call, and documents needed.
2020-09-29	0.2		Prepare redlined version of client retainer agreement for review by Litigation Director.
2020-09-29	0.0	Omitted: 0.1	Respond to email from [redacted] re: doc collection.
2020-10-02	0.0	Omitted: 0.1	Email [redacted] re: today's fact-gathering call.
2020-10-02	0.0	Omitted: 1	Fact-gathering call with potential plaintiff [redacted].
2020-10-02	0.0	Omitted: 0.9	Teleconference with legal team and [redacted] re: fact-gathering, and obligations of plaintiffs and class reps.

Date	Time	Billing Judgment	Description
2020-10-03	0.3		Edit/revise draft class definitions for complaint.
2020-10-05	1.3		Legal research re: funding sources and structure for Medicaid program vis-à-vis requirements for ACA claim.
2020-10-05	0.5		Legal research re: enforcement duties of Ex Parte Young defendants Crouch and Being.
2020-10-07	0.3		Edit/revise availability and comparability Medicaid allegations drafted by Ms. Huppert for the complaint.
2020-10-07	1.2		Edit/revise additional complaint allegations re: Medicaid claims by Mx. Smith-Carrington.
2020-10-09	0.5		Edit/revise complaint allegations re: Mr. Fain prepared by Ms. Buchert.
2020-10-10	0.0	Omitted: 0.3	Edit/revise complaint allegations re: [redacted] prepared by Mx. Smith-Carrington.
2020-10-12	0.1		Email legal team re: setting next team call.
2020-10-13	0.9		Internal legal team call re: strategy surrounding complaint, specific complaint allegations, and preparation for filing.
2020-10-14	0.5		Internal call re: status of medical records collection.
2020-10-15	0.1		Review Ms. Prakash's comments on the draft complaint.
2020-10-15	0.6		Legal team call re: preparation for case filing, and strategy around class allegations in the complaint.
2020-10-18	0.6		Review & analyze Ms. Prakash's edits to complaint (.2); review case law re: sovereign immunity (.2); prepare notes for next team call re: complaint (.2).
2020-10-19	0.1		Review and respond to emails with Ms. Prakash and Ms. Schladt re: local rules and client retainer agreement.
2020-10-21	1.5		Legal team call to discuss edits to complaint and related strategy.
2020-10-21	0.6		Annotate complaint based on legal team call.
2020-10-23	1.1		Review Mx. Smith-Carrington's edits to the draft complaint.
2020-10-24	0.2		Review medical records release forms and cover letters for Mr. Fain.
2020-10-26	0.3		Teleconference with Mr. Fain to review accuracy of complaint allegations.
2020-10-26	1		Teleconference with Ms. Prakash and Ms. Schladt re: edits to complaint (.9); email co-counsel re: same (.1).
2020-10-30	0.5		Call with Ms. Schladt and Mx. Smith-Carrington re: strategy surrounding class definition.
2020-11-06	0.5		Edit/revise draft civil cover sheet and summons (.3); revise draft agenda for next legal team call (.2).
2020-11-09	1		Legal team call re: case filing preparation.

Date	Time	Billing Judgment	Description
2020-11-11	0.4		Proofread civil cover sheet and summons (.2); email legal team re: same (.2).
2020-11-11	1.1		Proofread complaint.
2020-11-11	0.5		Team meeting re: status of complaint.
2020-11-11	0.2		Call with Ms. Prakash re: preparation for filing suit.
2020-11-12	0.3		Confer with Nichols Kaster paralegal and transmit information needed for visiting attorney & pro hac process.
2020-11-14	0.1		Review standing order issued to parties in the case.
2020-11-16	0.6		Review attorney e-filing procedures (.1), and local rules of procedure (.5).
2020-11-17	0.1		Review Ms. Schladt's draft document preservation letter.
2020-12-01	0.4		Teleconference with Ms. Schladt and Mx. Smith-Carrington re: beginning process of doc collection from clients, and ESI preservation.
2020-12-08	0.1		Review draft stip for extension from counsel for Crouch, Bean, and DHHR.
2020-12-15	0.0	Omitted: 0.4	Teleconference with Medicaid putative class member [redacted].
2021-01-11	0.5		Teleconference with Mr. Charles and Mx. Smith-Carrington re: defendants' MTD briefs.
2021-01-13	0.2		Review Judge Chambers' scheduling order and calendar deadlines.
2021-01-13	1		Legal team call re: status of case schedule and next steps.
2021-01-15	0.6		Review local rules re: requesting extension (.1), revise draft motion (.4), and email legal team re: same (.1).
2021-01-19	0.1		Review email correspondence re: draft motion for extension to oppose MTDs.
2021-02-01	0.2		Read/review draft motion for extension from Ms. Prakash.
2021-02-01	0.5		Teleconference with co-counsel to prepare for Rule 26(f) conference, and discuss MTD opposition briefs.
2021-02-04	0.6		Teleconference with team re: new MTD Mr. Fain's Medicaid claims.
2021-02-05	0.2		Edit/revise motion to extend 26(f) deadlines.
2021-02-05	0.6		Team meeting re: preservation and discovery.
2021-02-06	0.7		Call with co-counsel re: motion to dismiss response strategy.
2021-02-07	0.8		Call with co-counsel re: status of Medicaid plaintiff's claims.
2021-02-08	0.5		Participate in teleconference with counsel for Medicaid defendants re: their second MTD filing (.3); debrief with co-counsel (.2).
2021-02-08	0.4		Edit/revise motion for extension to respond to Medicaid Defs' MTD (.3); email team re: same (.1).
2021-02-09	0.2		Participate in Rule 26(f) conference.

Date	Time	Billing Judgment	Description
2021-02-09	0.2		Review email correspondence from Ms. Cyrus for Medicaid defendants, and respond to internal team.
2021-02-18	0.6		Teleconference with Mx. Smith-Carrington and Ms. Schladt re: status of Medicaid motions to dismiss and fact-gathering re: Mr. Fain (.5); review Ms. Schladt's email correspondence to team re: same (.1).
2021-02-19	1.1		Review and annotate Medicaid defendants' two motions to dismiss.
2021-02-20	1.4		Draft section of opp'n to Medicaid MTD re: exhaustion.
2021-02-21	0.9		Draft section of opp'n to Medicaid MTD re: futility.
2021-02-22	3.6		Draft section of opp'n to Medicaid MTD re: 12(b)(1) challenges to hormone and surgery-related facts.
2021-02-22	0.4		Revise/edit draft initial disclosures (.2); consult relevant local rules (.1); transmit to internal team (.1).
2021-02-23	2.1		Draft section of opp'n to Medicaid MTD re: intro and facts.
2021-02-23	0.0	Omitted: 0.3	Edit/revise draft declaration for Christopher Fain ISO Medicaid MTD opposition.
2021-02-25	0.3		Draft/prepare declaration for Mr. Auvil in opposition to Medicaid Defs' MTD.
2021-02-26	0.0	Omitted: 0.5	Teleconference with Mr. Fain to review text of declaration for Medicaid MTD opp'n.
2021-02-26	0.0	Omitted: 0.5	Teleconference with NK and Mx. Smith-Carrington re: call with Mr. Fain and finalizing MTD opposition.
2021-02-26	3.2		Review Ms. Schladt's edits to Medicaid MTD opposition, and further revise the brief.
2021-02-28	0.2		Review Ms. Prakash's edits to Medicaid MTD opp'n.
2021-02-28	1.7		Continue editing/revising Medicaid MTD opp'n in response to edits from Ms. Prakash and Ms. Schladt.
2021-03-01	1		Team call re: status of motion to dismiss response.
2021-03-01	0.8		Continue editing/revising edits to Medicaid MTD opp'n from Ms. Prakash, Ms. Flynn, and Ms. Buchert.
2021-03-01	1.8		Finalize and proofread Medicaid MTD opp'n for filing.
2021-03-02	0.2		Email team re: next steps for expert reports and discovery requests.
2021-03-03	0.2		Email legal team re: preparation for retaining experts, and class discovery.
2021-03-04	0.1		Review Medicaid defendants' initial disclosures.
2021-03-16	0.0	Omitted: 0.4	Review informal discovery materials provided by Ms. Cyrus.
2021-03-18	0.7		Teleconference with Mr. Fain re: status of gender-affirming medical care.

Date	Time	Billing Judgment	Description
2021-03-18	0.0	Omitted: 0.6	Call with Ms. Prakash, Ms. Schladt, and Mx. Smith-Carrington re: informal discovery from Medicaid Defendants (.4); email Mr. Auvil re: same (.1); revise draft email to Ms. Cyrus re: same (.1).
2021-03-18	0.0	Omitted: 0.1	Review Medicaid Defs' responses to stipulation for extension and narrowing of claims.
2021-03-25	0.3		Team call re: strategy surrounding Medicaid claims.
2021-03-26	0.3		Review Medicaid Defs' reply brief in support of MTD.
2021-03-30	0.3		Legal team call re: status of Medicaid claims.
2021-04-03	0.3		Edit/revise draft motion and draft surreply in response to Medicaid Defs' MTD reply.
2021-04-04	0.1		Review further edits to draft surreply responding to Medicaid Defs' reply brief.
2021-04-19	0.2		Email Ms. Prakash and Ms. Schladt re: additional topics for expert testimony.
2021-04-20	0.2		Email Dr. Ettner re: potential expert testimony (.1); email co-counsel re: same (.1).
2021-05-07	0.0	Omitted: 0.5	Teleconference with Planned Parenthood for fact-gathering re: hormone practices for Medicaid patients.
2021-05-10	0.0	Omitted: 0.3	Teleconference with Mx. Smith-Carrington, Ms. Prakash, and Ms. Schladt re: reports of coverage problems by Medicaid participants.
2021-05-19	0.2		Review court's ruling on Cheatham & Medicaid programs' motions to dismiss.
2021-05-20	0.1		Correspond with Mx. Smith-Carrington re: Mr. Fain's medical records re: chest surgery.
2021-05-25	1		Legal team call re: status of preparing for Rule 26 conference, and preparation for discovery and summary judgment.
2021-06-07	0.6		Legal team call to plan for Rule 26 conference and discovery.
2021-06-08	0.1		Email correspondence with Ms. Schladt re: date range for ESI collection.
2021-06-14	0.2		Legal team call re: planning for 26(f) conference and notice of supplemental authority.
2021-06-15	0.0	Omitted: 0.4	Teleconference with Dr. Ettner re: being retained as expert in this case, and scope of potential testimony.
2021-06-15	0.2		Review and correspond with Mx. Smith-Carrington re: status of Medicaid Defs' answer to complaint.
2021-06-15	1.3		Edit/revise draft rogs for Medicaid defendants.
2021-06-15	1		Call with co-counsel re: status of case and mediation preparation.
2021-06-16	0.0	Omitted: 0.1	Edit/revise draft expert retainer for Dr. Ettner.
2021-06-17	0.2		Review Mr. Fain's medical documentation re: surgery and discuss with Mx. Smith-Carrington.
2021-06-20	0.5		Edit/revise draft case schedule for Rule 26 conference (.2); edit/revise draft case schedule report (.1); send analysis of same to legal team (.1); review email correspondence from team re: same (.1).

Date	Time	Billing Judgment	Description
2021-06-21	1		Legal team call re: status of discovery.
2021-06-21	0.3		Participate in Rule 26(f) conference.
2021-06-21	0.0	Omitted: 0.1	Finalize engagement letter for Dr. Ettner and transmit to her.
2021-06-23	0.5		Edit/revise draft RFAs for Medicaid defendants.
2021-06-23	0.4		Edit/revise draft RFPs for Medicaid defendants.
2021-06-24	0.3		Edit/revise Rule 26(f) report with Cheatham & Medicaid defendants.
2021-06-25	0.3		Teleconference with Dr. Schechter re: providing potential expert testimony.
2021-06-25	1		Legal team call re: status of written discovery and expert retention.
2021-06-28	1.1		Edit/revise form protocols for depositions, claw-back protocols, and protective order.
2021-06-28	0.1		Edit/revise engagement letter for Dr. Schechter.
2021-06-30	0.0	Omitted: 0.7	Fact-gathering call with putative class member [redacted].
2021-06-30	0.1		Finalize and transmit Dr. Schechter engagement letter for signature.
2021-06-30	0.9		Further edit/revise form protocols for depositions, claw-back protocols, and protective order.
2021-07-02	0.2		Finalize and file notices of change of address for myself and Mr. Charles.
2021-07-02	0.0	Omitted: 0.1	Email potential class member [redacted] re: additional fact-gathering.
2021-07-03	0.6		Review NK's edits to draft discovery for Medicaid defendants, and make further revisions.
2021-07-06	0.0	Omitted: 0.1	Email [redacted] re: setting a fact-gathering call.
2021-07-06	1		Call with opposing counsel re: ESI.
2021-07-07	0.8		Legal team call re: status of case schedule, amending complaint, and finalizing discovery.
2021-07-08	0.1		Review order from court and calendar additional deadlines.
2021-07-08	0.0	Omitted: 0.8	Call with potential plaintiff [redacted] (.6); debrief with Mx. Smith-Carrington (.2).
2021-07-08	0.2		Prepare certificates of service for discovery served 7/7/21.
2021-07-19	0.2		Review correspondence from Ms. Cyrus re: discovery service & email team re: same.
2021-07-20	0.0	Omitted: 0.2	Prepare amended certificate of service for defendants and email team re: same.
2021-07-20	0.0	Omitted: 0.4	Teleconference with [redacted] re: obligations for being a plaintiff in a class action suit.
2021-07-23	0.1		Review letter of engagement for ESI technology vendor.
2021-07-27	0.0	Omitted: 0.5	Teleconference with [redacted] for additional fact-gathering.
2021-07-27	0.1		Email Lambda co-counsel re: medical records request for Ms. Anderson.
2021-07-29	0.7		Review draft complaint section for Ms. Anderson.
2021-07-29	0.1		Review BOP records release for Ms. Anderson.
2021-08-02	0.0	Omitted: 0.3	Edit/revise draft complaint section for [redacted].

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2021-08-02	0.1		Review client retainer agreement for Ms. Anderson.
2021-08-07	0.4		Review case scheduling order entered by the court & calendar deadlines (.2); email Mx. Smith-Carrington re: same (.2).
2021-08-09	0.5		Call with Ms. Schladt and Mx. Smith-Carrington re: Aug. 13 deadline for discovery protocols.
2021-08-09	0.1		Review defs' edits to draft protective order.
2021-08-11	0.1		Edit/revise draft ESI protocol.
2021-08-14	0.3		Edit/revise updated draft of ESI protocol.
2021-08-16	0.5		Discovery planning call with Mx. Smith-Carrington.
2021-08-16	0.1		Transmit revised ESI protocol to legal team.
2021-08-16	0.1		Correspond with Ms. Schladt re: additional edits to ESI protocol.
2021-08-18	1.7		Edit/revise first amended complaint.
2021-08-13	0.6		Legal team call re: status of amending complaint, recent court filings, and preparing for discovery.
2021-08-25	0.3		Edit/revise reply brief in support of motion for ESI protocol.
2021-08-26	0.1		Respond to Ms. Schladt re: correspondence from court re: discovery orders.
2021-08-26	0.6		Team meeting re: ESI and document preservation.
2021-08-27	0.1		Email correspondence re: Rule 26 attachments & email correspondence from court clerk.
2021-08-30	1.8		Review Medicaid Defs' responses to discovery requests (1.4); revise related Ms. Prakash's draft meet and confer letter re: same (.4).
2021-08-30	0.6		Edit/revise updated version of first amended complaint.
2021-09-06	0.0	Omitted: 0.7	Review court order & defs' filings at dkt. nos. 94, 95, and 96 (.3); email team analysis of next steps with discovery (.4).
2021-09-07	0.1		Email defendants requesting meet & confer re: discovery deficiencies.
2021-09-08	0.1		Email all Defs re: proposed mediation dates.
2021-09-08	0.3		Review draft reply re: motion for ESI protocol.
2021-09-08	0.3		Respond to Ms. Prakash's email re: strategy for 9/9/21 discovery meet and confer with Medicaid Defendants.
2021-09-09	0.2		Email correspondence with the team & opposing counsel re: scheduling mediation (.1); reserve date with mediator (.1).
2021-09-12	0.3		Review Ms. Prakash's edits to first amended complaint and send analysis of same to Mx. Smith-Carrington.
2021-09-12	0.4		Draft joint motion to conduct mediation virtually.

Date	Time	Billing Judgment	Description
2021-09-13	1		Legal team call re: status of discovery, expert retention, and meet and confer with defendants re: discovery deficiencies.
2021-09-13	0.0	Omitted: 0.2	Research Dr. Herman as potential expert, and email her re: same.
2021-09-13	0.0	Omitted: 0.5	Participate in telephonic hearing re: motion for entry of an ESI protocol.
2021-09-13	0.3		Teleconference with Ms. Cooper from mediator's office (.1); email co-counsel re: same (.1); email opposing counsel re: same (.1).
2021-09-15	0.3		Respond to opposing counsel communications re: mediation (.1); contact mediator's office to reserve Dec. 1 date (.1); related email correspondence with mediator's assistant (.1).
2021-09-15	0.2		Edit/revise motion to amend complaint.
2021-09-16	0.7		Edit/revise first amended complaint.
2021-09-18	1.2		Review pltf's first sets of discovery requests to Medicaid Defs to identify new requests needed based on additional plaintiff joining suit (.8); prepare pltf's second set of discovery requests to Medicaid Defs and COS (.4).
2021-09-20	0.3		Review Ms. Schladt's email re: status of discovery items for meet and confer, and send responsive analysis.
2021-09-21	0.5		Edit/revise updated version of motion to file amended complaint.
2021-09-21	0.4		Respond to questions about second set of draft discovery requests to all defendants, and suggest further edits to the draft requests.
2021-09-22	0.2		Email correspondence with co-counsel re: second set of discovery requests.
2021-09-22	0.0	Omitted: 0.2	Email correspondence with Dr. Herman re: potential expert testimony (.1); Dr. Flores re: potential expert testimony (.1).
2021-09-22	0.6		Create written analysis of pending discovery requests, defs' deficiencies, and status of meet and confer for Medicaid Defs.
2021-09-24	0.4		Participate in ESI meet and confer with opposing counsel.
2021-09-27	0.6		Participate in second ESI meet and confer with opposing counsel.
2021-09-30	0.2		Call with Ms. Schladt re: ESI.
2021-10-01	0.1		Email re: scheduling ESI hearing with magistrate judge.
2021-10-01	0.2		Finalize amended initial disclosures and transmit to co-counsel for service.
2021-10-01	0.3		Draft email correspondence to co-counsel & the court re discovery deficiencies.
2021-10-04	0.5		Call with Mr. Charles re: deposition prep and assignments.
2021-10-04	0.5		Legal team call re: status of discovery, prep for depositions.

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2021-10-04	0.3		Update table of fact witness & party depositions & transmit to team.
2021-10-04	0.1		Email Mr. Auvil re: proposed correspondence to opposing counsel & the Court re: discovery deficiency conference.
2021-10-06	0.2		Email mediator's office re: logistics and advance arrangements for mediation.
2021-10-06	0.6		Confer with Ms. Clanton-Lockhart re: bates stamping and indexing client medical records for production (.6); email legal team re: same (.2).
2021-10-07	0.2		Teleconference with Ms. Prakash and email correspondence re: status of motions to compel re: discovery deficiencies.
2021-10-07	0.1		Email Mr. Auvil re: filing COS for First Am. Initial Disclosures.
2021-10-07	1		Review local rules to identify requirements related to discovery and other proceedings.
2021-10-07	0.2		Email opposing counsel request for deposition dates.
2021-10-10	1.3		Edit/revise draft 30(b)(6) notice for BMS.
2021-10-11	0.7		Email team re: status of discovery deficiencies meet and confer, and conference with magistrate judge (.2); teleconference with Ms. Prakash and Ms. Schaldt re: same and status of discovery (.5).
2021-10-11	0.2		Finalize 30(b)(6) dep notice and cover email transmitting; provide drafts to co-counsel for review.
2021-10-12	1.1		Review discovery and draft bullet points for 10/14 hearing with Judge Eifert re: discovery deficiencies in Medicaid Defs' responses.
2021-10-13	1.4		Prepare analysis for co-counsel re: strategy surrounding additional discovery requests, and deficiencies in defendants' responses.
2021-10-13	0.5		Prepare for discovery deficiency hearing with Judge Eifert.
2021-10-14	0.8		Participate in telephonic hearing re: discovery deficiencies with Judge Eifert.
2021-10-14	0.0	Omitted: 0.2	Email Dr. Ettner re: preparation for expert report.
2021-10-14	0.7		Edit/revise draft subpoenas to Medicaid MCOs.
2021-10-14	0.9		Draft meet and confer email to Medicaid Defs affirming commitments made during Oct. 14, 2021 hearing with Judge Eifert.
2021-10-15	0.1		Transmit email to Medicaid Defs re: follow-up from discovery hearing.
2021-10-15	0.1		Email THP and Cheatham's counsel re: motion to stay deadlines.
2021-10-15	0.4		Prepare HIPAA releases to accompany subpoena to UniCare (.2); email team summary of discovery service and filings required over the next several days (.2).
2021-10-15	0.4		Email correspondence with team re: preparation of subpoenas for Medicaid MCOs.
2021-10-16	0.1		Email co-counsel re: finalizing additional round of discovery requests for service on 10/18.

Date	Time	Billing Judgment	Description
2021-10-16	0.6		Further edit/revise factual background section for motion to extend fact discovery cut-off.
2021-10-17	0.3		Edit/revise third set of discovery requests to Medicaid Defs.
2021-10-17	0.5		Review and draft analysis re: Ms. Prakash's edits to motion to extend discovery cut-off, and transmit to team.
2021-10-18	0.7		Legal team call re: status of completing written discovery requests, and expert preparation.
2021-10-18	0.2		Revise motion for extension of fact discovery cut-off.
2021-10-18	0.1		Confer with Mx. Smith re: status of service of subpoenas.
2021-10-18	0.0	Omitted: 0.2	Email Dr. Brown re: retention for expert testimony.
2021-10-18	0.0	Omitted: 0.1	Email Dr. Ettner re: potential expert testimony.
2021-10-18	0.4		Confer with Mx. Smith-Carrington (.2) & assist with drafting correspondence to opposing counsel re: motion to extend fact discovery cut-off (.2).
2021-10-20	0.2		Email Dr. Karasic re: providing expert testimony in this case.
2021-10-21	0.2		Prepare for meet & confer re: discovery deficiencies with Medicaid Defs.
2021-10-21	1.1		Participate in meet & confer with Medicaid Defs re: discovery deficiencies (.7); prepare email summarizing the parties' agreements and next steps for opposing counsel (.4).
2021-10-22	0.3		Draft response to Mr. Boone re: subpoena to THP as Medicaid MCO.
2021-10-24	0.1		Review summaries of client medical records collected to date by Ms. Clanton-Lockhart.
2021-10-25	0.2		Review Medicaid Defs' responses to Pltfs' 2d discovery requests.
2021-10-26	0.5		Prepare notice of mediation (.3); draft correspondence to co-counsel and opposing counsel re: same (.2).
2021-10-26	0.3		Draft email to Medicaid Defs checking on progress with agreements reached during last meet & confer re: discovery deficiencies.
2021-10-26	1.5		Edit/revise draft discovery responses for Mr. Fain.
2021-10-28	0.7		Participate in fact-gathering call for discovery responses with Mr. Fain.
2021-10-28	0.2		Update draft meet and confer email to Medicaid Defs and transmit to co-counsel for review.
2021-10-30	0.1		Review Ms. Schladt's edits to Mr. Fain's discovery responses.
2021-10-31	0.2		Edit/revise draft email to opposing counsel re: search terms for Mr. Fain.
2021-11-01	0.6		Legal team call re: status of discovery.
2021-11-01	0.5		Edit/revise subpoena materials for UMR and CVS.
2021-11-03	0.5		Debrief with Mx. Smith-Carrington today's teleconference with Mr. Boone re: Medicaid subpoena (.3); email Ms. Prakash with suggestions surrounding strategy re: same (.2).

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2021-11-04	0.4		Further edit/revise draft discovery responses for Mr. Fain.
2021-11-05	0.4		Prepare retainer for Dr. Karasic, and certification for his review of protective order.
2021-11-08	0.1		Transmit retainer & protective order to Dr. Karasic.
2021-11-08	0.2		Review and send analysis of NK's edits to Mr. Fain's discovery responses to Mx. Smith-Carrington.
2021-11-10	0.6		Edit/revise draft mediation brief.
2021-11-11	0.3		Review Medicaid's request to extend deadline to serve discovery on Ms. Anderson and email co-counsel analysis of same.
2021-11-11	0.9		Edit/revise updated version of discovery responses for Mr. Fain.
2021-11-11	0.3		Confer via email with Ms. Schladt re: protocols for production of medical records.
2021-11-14	0.3		Review Ms. Prakash's edits to draft mediation statement.
2021-11-15	0.6		Legal team call with team to prepare for mediation, discuss status of discovery responses and documents due 11/17.
2021-11-16	0.3		Draft settlement demand to counsel for Medicaid Defs & Def Haught.
2021-11-18	0.3		Email correspondence with co-counsel re: status of Mr. Fain's production.
2021-11-18	0.2		Email with Mr. Fain re: doc collection for production to defendants.
2021-11-18	0.2		Edit/revise Ms. Schladt's letter re: search terms to Defs.
2021-11-18	0.1		Draft proposed response to Mr. Boone re: subpoena to THP re: Medicaid plans.
2021-11-22	1		Legal team call re: status of written and expert discovery.
2021-11-24	0.2		Email Dr. Karasic re: retainer agreement and scheduling plaintiff evaluations.
2021-11-30	0.2		Edit Mx. Smith-Carrington's opening statement for mediation.
2021-11-30	0.3		Prepare fees and costs estimate for mediation.
2021-12-01	1	Omitted: 7.3 of 8.3	Participate in mediation.
2021-12-01	0.1		Email Dr. Karasic re: scheduling evaluations for plaintiffs.
2021-12-02	0.5		Meet and confer with Unicare representative re: terms of Medicaid subpoena.
2021-12-03	0.2		Email correspondence with co-counsel re: Relativity database and doc review.
2021-12-06	0.1		Email Dr. Karasic re: scheduling evaluations of plaintiffs.
2021-12-08	0.1		Confer with Dr. Karasic re: evaluations of plaintiffs.
2021-12-08	0.3		Participate in meet and confer with THP re: compliance with Medicaid-related subpoena.
2021-12-13	0.6		Legal team call re: status of written discovery and deposition prep.
2021-12-13	0.1		Email Dr. Karasic re: evaluations of plaintiffs.

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2021-12-14	0.6		Review proposed doc production of text messages from Mr. Fain's cell phone.
2021-12-15	0.8		Edit/revise draft discovery responses for Ms. Anderson.
2021-12-16	1		Teleconference with Mx. Smith-Carrington re: status of discovery responses & doc production (.2); teleconference with Ms. Anderson to finalize discovery responses (.8).
2021-12-18	1		Do second-level review of docs collected from Mr. Fain to determine responsiveness.
2021-12-19	1.4		Continue second-level review of docs collected from Mr. Fain to determine responsiveness (1.2); send Mx. Smith-Carrington analysis of same (.2).
2021-12-19	0.1		Email Dr. Karasic re: next steps for preparing expert report.
2021-12-20	1		Call with Ms. Schladt re: review protocols for responsive client documents.
2021-12-20	0.9		Participate in legal team call re: status of written discovery and dep prep.
2021-12-20	0.3		Confer with Ms. Davidson (paralegal) re: additional work to review and prepare medical records.
2021-12-20	0.2		Review Mr. Fain's ESI to identifying overlapping medical records for purposes of expert report.
2021-12-20	0.5		Internal team call re: division of work and strategy surrounding depositions.
2021-12-21	1		Call with Mr. Fain re: status of document collection and production, and deposition prep.
2021-12-21	0.7		Teleconference with Ms. Schladt to discuss Mr. Fain's documents for production (.5); review of additional documents from Mr. Fain (.2).
2021-12-23	0.2		Teleconference with Mx. Smith-Carrington re: preparation of Dr. Karasic's expert report.
2021-12-23	0.9		Edit/revise draft Schechter expert report.
2021-12-24	0.4		Correspondence with Dr. Schechter re: status of expert report (.3); prepare certificate of service (.1).
2021-12-25	2.4		Edit/revise draft Karasic expert report.
2021-12-31	0.3		Review and implement Dr. Schechter's edits to expert report.
2022-01-02	0.4		Update Schechter report and circulate to team with analysis of issues to resolve.
2022-01-03	0.1		Respond to Ms. Prakash's question re: supporting materials for Schechter report.
2022-01-03	0.7		Call with Mx. Smith-Carrington re: status of written discovery, dep preparation, and expert reports.
2022-01-03	0.7		Call with Dr. Karasic re: draft expert report and related strategy.
2022-01-03	1.2		Begin preparing dep prep outline for Mr. Fain (section re: what to expect and tips for listening to questions).
2022-01-04	0.5		Legal team call re: status of written discovery, document production, and dep preparation.
2022-01-05	0.6		Participate in doc collection call with Ms. Anderson, Mx. Smith-Carrington, and Ms. Schladt.
2022-01-05	0.7		Finalize additional edits to Schechter report, and copies of case materials requested by Schechter.

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2022-01-05	0.5		Implement additional edits to report from Schechter and finalize for signature.
2022-01-07	0.6		Confer with paralegal re: status of medical records collection (.5); review updated medical records requests (.1).
2022-01-07	0.3		Prepare additional Medicaid plaintiff documents for review and production.
2022-01-08	0.3		Finalize Dr. Schechter's expert report for service.
2022-01-08	0.3		Begin reviewing Mr. Fain's document productions to develop deposition outline.
2022-01-10	1.8		Teleconference with Dr. Karasic re: interviews of plaintiffs.
2022-01-10	2.3		Implement Dr. Karasic's edits to expert report, update bibliography, and send additional round of edits.
2022-01-11	1		Legal team call re: status of discovery (.8); internal debrief with Lambda Legal team (.2).
2022-01-11	0.3		Preliminary review of new medical records for Mr. Fain; email co-counsel re: same.
2022-01-11	2.8		Teleconference with Dr. Karasic re: draft expert report.
2022-01-11	0.7		Implement additional edits from Dr. Karasic to expert report, and finalize bibliography.
2022-01-12	0.5		Confer with Mx. Smith re: previous and upcoming doc productions, and Relativity database structure.
2022-01-12	0.4		Review docs currently marked for production and revise tagging in Relativity (.2); email co-counsel re: issues re: next doc production set (.2).
2022-01-12	0.5		Call with Ms. Smith re: document review.
2022-01-13	0.4		Teleconference with Dr. Karasic to finalize expert report.
2022-01-13	0.6		Format section of Karasic report re: plaintiff interviews, and finalize exhibits and report for signature.
2022-01-14	0.3		Effect service of expert reports, prepare certificates of service, and confer with paralegal re: filing.
2022-01-14	0.2		Submit FOIA request to WVHRC for copy of workshare agreement, re: Ms. James' claims.
2022-01-14	1.1		Participate in meet and confer with Aetna re: Medicaid subpoenas and CVS (.7); debrief with Nicole (.4).
2022-01-14	0.2		Review docs queued for same-day production.
2022-01-17	0.0	Omitted: 0.1	Prepare excerpts of complaint for approval by Ms. Anderson.
2022-01-17	0.0	Omitted: 0.2	Prepare excerpts of complaint for approval by Mr. Fain.
2022-01-18	0.7		Legal team call re: status of party and third-party discovery, and prep for depositions.
2022-01-18	0.3		Meet and confer with counsel for BMS re: status of document production.

Date	Time	Billing Judgment	Description
2022-01-18	0.2		Communicate with Ms. Anderson re: finishing doc collection for discovery responses, and release requested by Medicaid defendants.
2022-01-18	0.2		Confer with paralegal re: BMS authorization form (1.) and email opposing counsel re: same (.1).
2022-01-18	0.4		Prepare and transmit additional medical records to Dr. Karasic (.3); email Dr. Schechter re: case schedule (.1).
2022-01-19	0.1		Meet & confer with THP re: Medicaid-related subpoena.
2022-01-20	0.1		Respond to Ms. Schladt re: status of doc productions.
2022-01-25	0.1		Email co-counsel re: Ms. Anderson's name change order for next production.
2022-01-25	0.3		Prepare agenda for team call.
2022-01-25	1		Legal team call re: status of written discovery and preparation for depositions.
2022-01-25	0.2		Prepare email to Ms. Cyrus re: status of Defs' doc production, and deposition dates.
2022-01-28	0.1		Correspondence with Medicaid defs re: doc production and dep dates.
2022-01-29	2.4		Contribute drafting to 30(b)(6) dep outline for topics assigned to Ms. Manning.
2022-01-30	1.6		Do additional drafting for 30(b)(6) dep outline topics assigned to Ms. Manning.
2022-01-31	0.4		Email correspondence with co-counsel re: preparation for 2/10 and 2/11 depositions (.3); email opposing counsel re: dep scheduling (.1).
2022-01-31	0.6		Teleconference with Mr. Charles and Mx. Smith-Carrington re: planning for doc review and dep prep.
2022-02-01	1.1		Legal team call to discuss status of written discovery, doc review, and dep preparation, and third-party discovery.
2022-02-01	0.4		Call with Mx. Smith-Carrington and Mr. Charles re: dep schedule, and strategy re: communications with opposing counsel about status of discovery.
2022-02-01	0.2		Draft email to Ms. Cyrus re: deposition schedule.
2022-02-02	0.2		Finalize and send email to Medicaid defs re: dep scheduling.
2022-02-03	0.2		Email co-counsel re: negotiating dep schedule with Medicaid defendants.
2022-02-03	0.2		Edit/revise draft motion to extend Medicaid fact discovery cut-off.
2022-02-04	0.7		Strategy call with Mr. Charles, Ms. Prakash, and Ms. Schladt re: preparing for depositions, and preliminary conclusions from doc review.
2022-02-08	0.4		Confer with Mr. Fain re: dep availability (.1); same re: Drs. Schechter & Karasic (.2); Mx. Smith-Carrington re: same for Ms. Anderson (.1).
2022-02-08	0.2		Prepare case task list for legal team call.

Date	Time	Billing Judgment	Description
2022-02-08	0.8		Legal team call re: status of discovery and preparation for depositions.
2022-02-09	0.2		Review Ms. Anderson's updated medical records and send analysis to team.
2022-02-09	0.1		Email Dr. Karasic additional medical file for Ms. Anderson.
2022-02-10	0.2		Update dep schedule and confer with Mx. Smith-Carrington re: scheduling.
2022-02-10	0.2		Review updated draft of 30(b)(6) notice.
2022-02-10	0.2		Prepare proposed dep dates for Dr. Schechter, Dr. Karasic, Ms. Anderson, and Mr. Fain.
2022-02-11	0.8		Review and code documents produced by Medicaid defendants.
2022-02-12	2.5		Continue reviewing and coding documents produced by Medicaid defendants.
2022-02-13	0.2		Email analysis to team of review of Medicaid documents.
2022-02-15	0.5		Legal team call re: status of written discovery, and prep for depositions.
2022-02-15	0.4		Internal call with Mx. Smith-Carrington and Mr. Charles re: planning for additional doc review, dep exhibits, and dep preparation.
2022-02-15	0.0	Omitted: 0.2	Review Defs' motion to extend deadline for expert report & confer with colleagues.
2022-02-15	0.3		Email Dr. Schechter and Dr. Karasic re: status of expert reports and dep schedule negotiations.
2022-02-16	0.0	Omitted: 0.8	Edit/revise opposition to Defs' request for expert extension.
2022-02-16	0.0	Omitted: 0.2	Edit/revise updated draft of opposition to Defs' request for expert extension.
2022-02-16	0.4		Review all docs referencing F. Lewis to tag ones relevant for Lewis dep. on 2/25.
2022-02-17	0.4		Call with Mx. Smith-Carrington and Mr. Charles re: prep for F. Lewis deposition (.3); email Ms. Prakash re: same (.1).
2022-02-17	0.1		Update Mr. Fain re: confirmed dep date.
2022-02-17	0.3		Email experts to confirm final dep dates.
2022-02-21	1.4		Strategy call to prepare for F. Lewis dep, and discuss related documents and exhibits.
2022-02-22	0.5		Legal team call re: status of written & deposition discovery.
2022-02-23	1.1		Edit/revise draft dep outline for F. Lewis.
2022-02-23	1.2		Review and annotate Dr. Levine's expert report to prepare for calls with Dr. Schechter and Dr. Karasic.
2022-02-23	0.6		Preparation call for F. Lewis dep with co-counsel.
2022-02-24	1		Call with Dr. Schechter & Ms. Hupper re: preparation of rebuttal report.
2022-02-24	1		Call with Dr. Karasic re: preparation of rebuttal report.
2022-02-24	0.3		Review and confer with team re: Defs' late doc production and changes to Mr. Lewis's dep topics.
2022-02-25	0.2		Call with Ms. Prakash & Mx. Smith-Carrington to prep for depositions.

Date	Time	Billing Judgment	Description
2022-02-26	1.2		Begin preparing chart of Levine opinions & division for rebuttal by Schechter and Karasic.
2022-02-26	4.9		Begin memorializing Schechter's opinions for rebuttal report.
2022-03-01	0.2		Email Dr. Olson-Kennedy re: request to provide rebuttal testimony.
2022-03-01	0.6		Legal team call re: deposition prep & expert discovery.
2022-03-02	0.1		Further email correspondence with Dr. Olson-Kennedy re: providing rebuttal testimony.
2022-03-02	0.5		Call with Mx. Smith-Carrington and Mr. Charles re: status of expert reports and deposition preparation.
2022-03-02	3.6		Continue memorializing Schechter's opinions for rebuttal report.
2022-03-02	0.9		Review Levine report to prepare for call with Dr. Olson-Kennedy.
2022-03-03	4.2		Edit/revise draft Karasic rebuttal report.
2022-03-04	0.6		Teleconference with Dr. Olson-Kennedy re: rebuttal report.
2022-03-04	2.1		Continue editing/revising draft Karasic report.
2022-03-04	0.2		Prepare and transmit engagement letter for Dr. Olson-Kennedy.
2022-03-04	0.8		Begin memorializing Dr. Olson-Kennedy's opinions for rebuttal report.
2022-03-06	3.9		Continue editing Karasic rebuttal report.
2022-03-06	1.8		Continue editing Olson-Kennedy report.
2022-03-07	1.3		Teleconference with Dr. Schechter re: rebuttal report.
2022-03-07	2.3		Begin implementing Dr. Schechter's edits to rebuttal report.
2022-03-07	0.1		Transmit fully-executed engagement letter to Dr. Olson-Kennedy.
2022-03-07	0.8		Teleconference with Ms. Huppert re: dep prep for Dr. Schechter.
2022-03-07	3.8		Continue editing/revising Dr. Olson-Kennedy rebuttal report.
2022-03-08	0.2		Implement Mx. Smith-Carrington edits to Dr. Olson-Kennedy report (.1) and transmit to Dr. Olson-Kennedy (.1).
2022-03-08	0.6		Legal team call re: status of expert rebuttal reports and deposition prep.
2022-03-08	1.7		Continue implementing Dr. Schechter edits to rebuttal report.
2022-03-08	0.9		Edit/revise draft Sara Young deposition outline.
2022-03-11	8.0		Participate in deposition of Sara Young.
2022-03-12	0.9		Implement Schechter's edits to rebuttal report (.6); review Hayes report and respond to Dr. Schechter's comments re: document (.3).
2022-03-13	0.7		Implement further edits from Dr. Schechter to rebuttal report.
2022-03-13	1.3		Edit/revise Karasic rebuttal report.

Date	Time	Billing Judgment	Description
2022-03-14	0.8		Continue editing/revising Karasic rebuttal report.
2022-03-14	0.2		Implement Ms. Schladt's edits to Schechter rebuttal report.
2022-03-14	0.6		Edit/revise draft Crouch deposition outline.
2022-03-15	0.6		Teleconference with Dr. Schechter re: additional edits to rebuttal report.
2022-03-15	0.5		Participate in legal team call re: status of deposition prep and expert rebuttal reports.
2022-03-15	0.2		Review edits from Dr. Karasic to rebuttal report.
2022-03-15	1.1		Further revise Schechter rebuttal report.
2022-03-15	0.8		Edit/revise draft Olson-Kennedy rebuttal report.
2022-03-16	0.3		Confer with Mx. Smith-Carrington re: and review of rebuttal report materials for Karasic and Olson-Kennedy.
2022-03-16	0.3		Prepare and transmit final version of rebuttal report for Schechter's signature.
2022-03-17	2.0		Attend Crouch deposition.
2022-03-17	0.8		Finalize for service Schechter report (.2), Karasic report (.3), and Olson-Kennedy report (.3).
2022-03-19	0.6		Edit/revise draft dep prep outline for Dr. Schechter.
2022-03-19	4.1		Continue editing/revising draft dep prep outline for Dr. Schechter.
2022-03-20	2.3		Prepare to take Beane deposition (intro sections, professional background, create organizational structure of outline).
2022-03-21	7.1		Participate in dep prep session with Dr. Schechter and Ms. Huppert.
2022-03-21	1.4		Prepare to take Beane deposition (draft questions for topic 3 in 30(b)(6) notice; perform related online research).
2022-03-22	1		Telephone conference with Ms. Huppert and Mx. Smith-Carrington re: deposition prep for Dr. Schechter.
2022-03-22	0.2		Review additional WPATH material transmitted by Dr. Schechter, and respond with analysis.
2022-03-22	0.1		Draft proposed response to opposing counsel re: dep subpoena for Dr. Levine.
2022-03-22	0.3		Prepare to take Beane deposition (draft questions for topic 17 in 30(b)(6) notice).
2022-03-22	2.4		Prepare to take Beane deposition (draft questions for Rog 2).
2022-03-23	3.5		Prepare to take Beane deposition: review Crouch dep transcript (1.1); review Young dep transcript (2.4) to pull lines of questioning and material for Beane dep outline.
2022-03-24	0.9		Edit/revise portion of draft dep outline for Dr. Becker (intro & rog 1).
2022-03-24	0.3		Confer with Mx. Smith-Carrington re: correspondence with Mr. David re: deposition issues.
2022-03-24	1.8		Prepare to take Beane deposition (draft questions re: governmental interests).

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2022-03-24	0.8		Prepare to take Beane deposition (draft questions re: RFPs 16 and 17).
2022-03-24	0.9		Prepare to take Beane deposition (draft questions re: topic 15, structure of Medicaid program).
2022-03-24	0.5		Confer with Mx. Smith-Carrington re: Becker dep outline.
2022-03-25	2.4		Prepare to take Beane deposition (review documents produced by defs containing Beane's name).
2022-03-26	0.9		Edit/revise Mx. Smith-Carrington's draft section of Becker dep outline re: the Exclusion.
2022-03-26	1		Review supplemental discovery responses served by defendants on 3/25/22 to assist with Beane dep prep.
2022-03-26	1.3		Edit/revise draft Beane deposition outline.
2022-03-26	1.1		Edit/revise additional portion of draft dep outline for Dr. Becker (topic 12).
2022-03-27	0.8		Telephone conference with Ms. Huppert to prepare for deposition of Dr. Schechter.
2022-03-27	0.7		Teleconference with Ms. Schladt re: Beane deposition questions re: document DHHRBMS016178 (.2); draft related section of dep outline (.5).
2022-03-28	6.1		Attend Dr. Schechter's deposition (5.9); teleconference debrief with Dr. Schechter (.2).
2022-03-28	1.4		Further edit/revise draft Becker deposition outline.
2022-03-28	3.3		Finalize outline for Beane deposition.
2022-03-29	6.4		Take deposition of Commissioner Beane.
2022-03-30	7.9		Attend deposition of Dr. Becker.
2022-04-02	0.7		Call with Mx. Smith-Carrington re: discrepancy in defendants' designation of 30(b)(6) topics for F. Lewis, and related strategy (.4); emails to team re: same (.3).
2022-04-02	0.8		Edit/revise draft 30(b)(6) dep outline for F. Lewis.
2022-04-02	0.7		Review defendants' doc productions from 2/24/2022 to present for additional potential exhibits for F. Lewis deposition.
2022-04-03	0.2		Review Ms. Prakash's further revisions to F. Lewis deposition outline.
2022-04-03	0.4		Edit/revise draft dep outline for B. Lewis.
2022-04-03	0.3		Email team re: dep prep sessions for Mr. Fain, and additional documents for production.
2022-04-03	1.7		Begin dep prep outline for Dr. Karasic (pull relevant material from Schechter dep prep outline (1) and Schechter dep transcript (.7)).
2022-04-04	0.0	Omitted: 4.7	Attend dep for F. Lewis.
2022-04-04	0.2		Email re: dep prep scheduling for Mr. Fain.
2022-04-04	2.9		Continue preparing dep prep outline for Dr. Karasic (review Endocrine Society guidelines and related materials).

Date	Time	Billing Judgment	Description
2022-04-05	6.7		Continue preparing dep prep outline for Dr. Karasic (review Levine report (4.1), and Mr. Fain's medical records (2.6)).
2022-04-06	1.2		Continue preparing dep prep outline for Dr. Karasic (continue reviewing Mr. Fain's medical records).
2022-04-06	3.4		Continue preparing dep prep outline for Dr. Karasic (review Ms. Anderson's medical records).
2022-04-06	1.7		Edit/revise draft Karasic dep prep outline.
2022-04-06	0.4		Edit/revise draft dep outline for J. Myers.
2022-04-07	0.2		Email Dr. Olson-Kennedy & opposing counsel re: scheduling her deposition.
2022-04-07	0.5		Call with Mx. Smith-Carrington & Ms. Prakash re: prep for Myers deposition.
2022-04-07	2.7		Participate in deposition prep with Dr. Karasic.
2022-04-08	0.0	Omitted: 2.2	Attend Myers deposition.
2022-04-09	2.1		Edit/revise updated dep prep outline for Ms. Anderson.
2022-04-09	0.6		Edit/revise draft Manning deposition outline.
2022-04-10	1.8		Edit/revise draft dep outline for B. Thompson.
2022-04-11	1.9		Participate in dep prep with Ms. Anderson.
2022-04-11	2		Participate in dep prep with Dr. Karasic.
2022-04-12	0.0	Omitted: 2.5	Attend Manning deposition.
2022-04-12	0.4		Legal team call re: status of offensive and defensive deposition prep.
2022-04-13	0.3		Review Dr. Schechter's corrections for errata and correspond with him re: same.
2022-04-13	0.6		Prepare draft summary judgment declaration for Ms. Anderson.
2022-04-13	2		Attend deposition of Mr. Thompson.
2022-04-13	2		Dep prep session with Dr. Karasic.
2022-04-13	0.5		Prepare errata sheet for Dr. Schechter and transmit to him.
2022-04-14	0.5		Teleconference with Ms. Anderson to update MSJ declaration.
2022-04-14	0.2		Review Mx. Smith-Carrington's revisions to Karasic dep prep outline.
2022-04-14	2		Dep prep session with Dr. Karasic.
2022-04-14	1.3		Edit/revise updated draft of Ms. Anderson's declaration.
2022-04-15	6.4		Participate in Karasic deposition.
2022-04-16	0.3		Teleconference with Mx. Smith-Carrington and Ms. Prakash to prepare for dep prep sessions with Mr. Fain.
2022-04-16	0.3		Proofread declaration for Ms. Anderson.

Date	Time	Billing Judgment	Description
2022-04-17	1.8		Participate in dep prep for Mr. Fain (1.4); debrief with Mx. Smith-Carrington and Ms. Prakash (.2); planning call with Mx. Smith-Carrington re: dep prep outline for session 2 with Mr. Fain (.2).
2022-04-17	0.6		Begin preparing dep prep outline for Dr. Olson-Kennedy.
2022-04-18	2		Deposition prep with Ms. Anderson.
2022-04-18	2		Deposition prep with Dr. Olson-Kennedy.
2022-04-20	1.8		Deposition prep with Ms. Anderson.
2022-04-20	2		Deposition prep with Mr. Fain.
2022-04-21	1.6		Deposition prep with Ms. Anderson.
2022-04-21	1.6		Edit/revise dep prep outline for Dr. Olson-Kennedy.
2022-04-21	0.5		Review additional potential responsive docs for Mr. Fain, and send analysis to Mx. Smith-Carrington.
2022-04-22	4		Attend portion of deposition of Ms. Anderson.
2022-04-22	0.8		Legal team call to debrief Ms. Anderson's deposition and prepare for Mr. Fain's deposition.
2022-04-22	0.3		Prepare meet and confer email to Ms. Cyrus re: emotional distress damages.
2022-04-22	0.1		Email correspondence with team re: additional responsive documents for Mr. Fain to produce.
2022-04-22	0.7		Prepare block of questions for Mr. Charles re: certain opinions offered by Dr. Levine.
2022-04-22	0.2		Edit/revise draft declaration for Mr. Fain.
2022-04-23	2		Deposition prep for Mr. Fain.
2022-04-23	2.7		Deposition prep with Dr. Olson-Kennedy.
2022-04-25	6.5		Defend deposition of Dr. Olson-Kennedy (6.4); debrief with Dr. Olson-Kennedy (.1).
2022-04-25	0.		Edit/revise declaration of Mr. Fain.
2022-04-25	1.6		Edit/revise draft deposition outline for Dr. Levine.
2022-04-26	1.5		Participate in dep prep call with Mr. Fain to review his document production.
2022-04-26	0.5		Legal team call re: preparation for MSJ and class cert. briefing, and close of discovery.
2022-04-26	0.5		Review and respond to correspondence from Ms. Cyrus re: scope of deposition testimony regarding damages, and review of related case law.
2022-04-27	7.9		Attend deposition of Dr. Levine (7.8); debrief with Mr. Charles and Mx. Smith-Carrington (.1).
2022-04-28	0.0	Omitted: 3.2	Attend deposition of Mr. Fain (3); debrief with Mr. Fain (.2).
2022-04-29	0.2		Review declaration of Ms. Young produced by defs & send analysis to LL co-counsel.
2022-04-30	0.7		Review confidentiality designations for Karasic dep transcript.

Date	Time	Billing Judgment	Description
2022-05-02	1		Teleconference with Mx. Smith Carrington re: status of dep transcript designations and errata, planning for MSJ drafting, and ancillary motions.
2022-05-02	0.2		Edit/revise draft motion to update caption with Ms. Anderson's legal first name.
2022-05-03	0.8		Legal team call re: status of prep for MSJ, and status of pltf's damages in light of new decision from U.S. Supreme Court.
2022-05-03	0.3		Edit/revise draft motion for summary judgment.
2022-05-03	0.2		Edit/revise draft list of exhibits and evidentiary sources for MSJ.
2022-05-04	0.1		Edit/revise draft email to opposing counsel re: motion to update caption with Ms. Anderson's legal name.
2022-05-07	0.8		Begin reviewing Crouch dep transcript and incorporate into MSJ statement of undisputed facts ("SUF").
2022-05-08	1		Continue reviewing Crouch dep transcript and incorporating into MSJ SUF.
2022-05-08	0.5		Review B. Lewis dep transcript and incorporate into MSJ SUF.
2022-05-08	0.3		Begin reviewing Beane dep transcript and incorporate into MSJ SUF.
2022-05-09	0.3		Review case scheduling orders (.2); email team clarifying MSJ deadline (.1).
2022-05-09	2.6		Continue reviewing Beane dep transcript and incorporate admissions into MSJ SUF.
2022-05-10	3.8		Continue reviewing Beane dep transcript and incorporate admissions & exhibits into MSJ SUF.
2022-05-11	0.9		Review Myers dep transcript and incorporate into MSJ SUF.
2022-05-11	1.7		Review Manning dep transcript and incorporate into MSJ SUF.
2022-05-12	0.8		Begin preparing draft attorney declaration in support of class cert. motion.
2022-05-12	0.1		Transmit dep transcript to Dr. Olson-Kennedy for review.
2022-05-13	2.5		Review Dr. Olson-Kennedy transcript for errata sheet & confidentiality designations.
2022-05-15	0.2		Edit/revise draft dec in support of class cert. motion.
2022-05-17	0.5		Legal team call re: status of preparation for MSJ, class cert. and Daubert motions.
2022-05-17	0.3		Revise errata for Dr. Olson-Kennedy based on her input.
2022-05-21	0.3		Edit/revise class cert. declarations by NK and ELC.
2022-05-21	1.6		Edit/revise class cert. motion.
2022-05-21	0.0	Omitted: 2.2	Edit/revise draft motion to exclude Levine.
2022-05-22	0.2		Finalize and serve errata sheet for Dr. Olson-Kennedy.
2022-05-22	3.4		Begin revising draft MSJ brief.

Date	Time	Billing Judgment	Description
2022-05-23	0.5		Teleconference with Ms. Buchert and Ms. Anderson to discuss errata and confidentiality designations.
2022-05-23	3.6		Edit/revise draft MSJ.
2022-05-24	1.5		Team meeting re: prep for MSJ, Daubert, and class cert. filings.
2022-05-24	4.2		Continue editing/revising draft MSJ.
2022-05-25	0.4		Edit/revise supporting motion, order, and declaration for class cert. motion.
2022-05-25	0.3		Finalize for filing class motion, proposed order, and other ancillary documents.
2022-05-25	0.3		Edit/revise updated draft of motion for class cert.
2022-05-25	1.6		Implement Ms. Prakash's edits to MSJ brief.
2022-05-26	0.5		Call with Mx. Smith-Carrington and Ms. Smith re: motion to seal procedure.
2022-05-26	0.4		Review Defs' confidentiality designations vis-à-vis MSJ exhibits.
2022-05-26	1.7		Edit/revise draft motion to seal.
2022-05-26	0.4		Confer via email with Ms. Schladt re: coordination of class cert. brief and exhibits.
2022-05-26	2.5		Continue revising and preparing MSJ brief.
2022-05-27	0.2		Review updated motion to seal (now joint motion).
2022-05-27	0.3		Finalize class cert. docs for filing.
2022-05-30	3.4		Finalize MSJ and all exhibits (2.9), attorney dec. (.4) and motion to seal docs (.1) for filing.
2022-05-31	0.4		Prepare cover letters for courtesy copies of Plaintiffs' MSJ, motion to seal, Daubert motion, and class cert. motion.
2022-06-01	0.4		Review Defs' motion for summary judgment.
2022-06-01	0.2		Finalize courtesy copy of motion to seal for chambers.
2022-06-02	0.5		Legal team call re: MSJ opposition drafting.
2022-06-03	3.7		Draft/prepare MSJ opposition responding to pp. 1-5 of Defs' MSJ.
2022-06-04	4.6		Draft/prepare MSJ opposition responding to pp. 6-11 of Defs' MSJ.
2022-06-05	4.2		Draft/prepare MSJ opposition responding to pp. 12-16 of Defs' MSJ.
2022-06-05	0.6		Edit/revise Mx. Smith-Carrington's draft section re: the Availability Claim.
2022-06-06	1.3		Edit/revise draft MSJ opposition sections re: EP and ACA claims.
2022-06-06	1.2		Edit/revise updated draft section re: the Availability & Comparability claims.
2022-06-07	0.5		Legal research re: Availability & Comparability claims.
2022-06-08	1.4		Review and respond to NK's edits to MSJ opposition.
2022-06-09	3.3		Edit/revise draft MSJ opposition.

Date	Time	Billing Judgment	Description
2022-06-10	0.2		Implement further edits to MSJ opposition from Ms. Prakash.
2022-06-11	0.9		Review updated MSJ opposition draft.
2022-06-14	1.2		Proofread MSJ opposition (1.1); finalize attorney dec (.1).
2022-06-15	0.5		Legal team call to plan for reply briefs for MSJ, class, and Daubert motions.
2022-06-18	0.8		Edit/revise draft reply in support of motion for class cert.
2022-06-19	5.3		Edit/revise draft reply in support of pltf's motion for summary judgment.
2022-06-19	0.0	Omitted: 2.2	Begin editing/revising draft reply in support of pltf's motion to exclude Dr. Levine.
2022-06-20	0.0	Omitted: 0.6	Continue revising draft reply ISO pltf's motion to exclude Dr. Levine.
2022-06-20	0.9		Proofread draft reply in support of pltf's motion for summary judgment.
2022-06-28	0.5		Legal team call re: prep for July 13 argument.
2022-06-29	3.6		Prepare for oral argument: Review Defs' MSJ briefing and exhibits.
2022-07-05	0.3		Edit/revise Mx. Smith-Carrington's oral argument outline.
2022-07-06	2.9		Prepare for oral argument: review plaintiffs' briefing
2022-07-07	3.4		Prepare for oral argument: review cases cited in plaintiffs' briefs.
2022-07-08	5.4		Prepare for oral argument: prepare draft questions & answers.
2022-07-08	1.1		Participate in moot oral argument.
2022-07-09	6.1		Prepare for oral argument: review oral argument prep materials.
2022-07-10	4.7		Prepare for oral argument: review oral argument prep materials.
2022-07-11	4.8		Prepare for oral argument: review oral argument prep materials.
2022-07-11	0.8		Prepare to participate in moot for Ms. Prakash on class cert. motion.
2022-07-12	7.3		Travel to West Virginia for hearing.
2022-07-12	1		Participate in moot for Ms. Prakash re: class cert. motion.
2022-07-13	0.9		Additional prep for oral argument.
2022-07-13	2.4		Participate in hearing re: MSJ and class cert. motions.
2022-07-14	7.6		Travel home from hearing.
2022-08-02	0.0	Omitted: 0.6	Review order granting pltf's MSJ.
2022-08-05	0.8		Edit/revise motion for extension of fees and costs.
2022-08-09	0.2		Respond to Mr. Auvil's questions re: time records for fee application.
2022-08-09	0.7		Legal team call re: prep for fees & costs application.
2022-08-11	0.2		Legal team call re: terms of proposed judgment & preparation for meet & confer with Defs.
2022-08-11	0.2		Edit/revise draft proposed judgment.

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2022-08-16	0.2		Meet and confer with opposing counsel re: proposed judgment.
2022-08-16	0.6		Prepare joint status report to submit with stipulated judgment, and revise form of judgment (.4); finalize and transmit to opposing counsel (.2).
2022-08-16	0.2		Review Defs' edits to status report and proposed judgment (.1); email legal team re: same (.1).

<b>Total hours: 544.3</b>	<b>Hourly rate: \$475.00</b>	<b>Total fees: \$258,542.50</b>
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# **EXHIBIT D**

**Fain v. Crouch**  
**Time Sheet for Carl Charles**

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2021-01-11	0.5		Teleconference with Ms. Borelli and Mx. Smith-Carrington re: defendants' MTD briefs.
2021-01-13	0.2		Review Judge Chambers' scheduling order and calendar deadlines.
2021-02-04	0.0	Omitted: 0.6	Teleconference with team re: new MTD Mr. Fain's Medicaid claims.
2021-02-09	0.0	Omitted: 0.2	Participate in Rule 26(f) conference.
2021-02-09	0.2		Review email correspondence from Ms. Cyrus for Medicaid defendants, and respond to internal team.
2021-02-19	1.1		Review and annotate Medicaid defendants' two motions to dismiss.
2021-03-04	0.1		Review Medicaid defendants' initial disclosures.
2021-05-19	0.2		Review court's ruling on motions to dismiss.
2021-05-25	1		Legal team call re: status of preparing for Rule 26 conference, and preparation for discovery and summary judgment.
2021-06-07	0.6		Legal team call to plan for Rule 26 conference and discovery.
2021-06-14	0.3		Legal team call re: planning for 26(f) conference and notice of supplemental authority.
2021-07-02	0.2		Review notices of change of address for myself and Ms. Borelli.
2021-07-07	0.8		Legal team call re: status of case schedule, amending complaint, and finalizing discovery.
2021-08-09	0.0	Omitted: 0.4	Review defs' edits to draft protective order.
2021-08-13	0.6		Legal team call re: status of amending complaint, recent court filings, and preparing for discovery.
2021-08-30	1.3		Review Medicaid Defs' responses to discovery requests
2021-09-13	1		Legal team call re: status of discovery, expert retention, and meet and confer with defendants re: discovery deficiencies.
2021-09-16	0.7		Edit/revise first amended complaint.
2021-10-04	0.5		Legal team call re: status of discovery, prep for depositions.
2021-10-04	0.5		Review table of fact witness & party depositions & discuss w Ms. Borelli.
2021-10-18	0.7		Legal team call re: status of completing written discovery requests, and expert preparation.
2021-10-25	0.4		Review Medicaid Defs' responses to Pltfs' 2d discovery requests.
2021-11-01	0.5		Legal team call re: status of written discovery.
2021-11-11	0.3		Review Medicaid's request to extend deadline to serve discovery on Ms. Anderson and email co-counsel analysis of same.

Date	Time	Billing Judgment	Description
2021-11-15	0.6		Legal team call with team to prepare for mediation, discuss status of discovery responses and documents due 11/17.
2021-12-13	0.6		Legal team call re: status of written discovery and deposition prep.
2021-12-20	0.9		Participate in legal team call re: status of written discovery and dep prep.
2021-12-20	0.5		Internal team call re: division of work and strategy surrounding depositions.
2022-01-03	0.6		Review Schechter report and analysis of issues to resolve.
2022-01-11	1		Legal team call re: status of amending complaint and discovery (.8); internal debrief with Lambda Legal team (.2).
2022-01-18	0.7		Legal team call re: status of party and third-party discovery, and prep for depositions.
2022-01-25	1		Legal team call re: status of written discovery and preparation for depositions.
2022-01-31	0.6		Teleconference with Ms. Borelli and Mx. Smith-Carrington re: planning for doc review and dep prep.
2022-02-01	1.1		Legal team call to discuss status of written discovery, doc review, and dep preparation, and third-party discovery.
2022-02-01	0.4		Call with Mx. Smith-Carrington and Ms. Borelli re: dep schedule, and strategy re: communications with opposing counsel about status of discovery.
2022-02-03	0.2		Edit/revise draft motion to extend Medicaid fact discovery cut-off.
2022-02-04	0.7		Strategy call with Ms. Borelli, Ms. Prakash, and Ms. Schladt re: preparing for depositions, and preliminary conclusions from doc review.
2022-02-08	0.8		Legal team call re: status of discovery and preparation for depositions.
2022-02-15	0.5		Legal team call re: status of written discovery, and prep for depositions.
2022-02-17	0.3		Call with Mx. Smith-Carrington and Ms. Borelli re: prep for F. Lewis deposition.
2022-02-21	1.4		Strategy call to prepare for Lewis dep, and discuss related documents and exhibits.
2022-03-02	0.5		Call with Mx. Smith-Carrington and Ms. Borelli re: status of expert reports and deposition preparation.
2022-03-03	2.7		Drafting Sara Young Deposition Outline
2022-03-04	3.5		Drafting Sara Young Deposition Outline
2022-03-05	5.2		Drafting Sara Young Deposition Outline
2022-03-06	6.3		Drafting Sara Young Deposition Outline
2022-03-07	4.9		Drafting Sara Young Deposition Outline
2022-03-08	0.6		Legal team call re: status of expert rebuttal reports and deposition prep.

Date	Time	Billing Judgment	Description
2022-03-08	1.9		Incorporate edits and revisions of team to Sara Young outline.
2022-03-08	1.1		Editing/Drafting Sara Young Deposition Outline
2022-03-09	2.1		Editing/Drafting Sara Young Deposition Outline
2022-03-10	3.4		Editing/Drafting Sara Young Deposition Outline
2022-03-11	8		Lead deposition of 30b6 witness Sara Young.
2022-04-18	3.3		Continue preparing deposition outline for Dr. Levine.
2022-04-19	2.8		Continue preparing deposition outline for Dr. Levine.
2022-04-20	1.8		Continue preparing deposition outline for Dr. Levine.
2022-04-21	2.6		Continue preparing deposition outline for Dr. Levine.
2022-04-22	3.7		Continue preparing deposition outline for Dr. Levine.
2022-04-23	5.5		Continue preparing deposition outline for Dr. Levine.
2022-04-24	6.7		Continue preparing deposition outline for Dr. Levine.
2022-04-25	4.2		Continue preparing deposition outline for Dr. Levine.
2022-04-26	5.6		Continue preparing deposition outline for Dr. Levine.
2022-04-27	7.9		Lead deposition of Dr. Levine (7.8); debrief with Ms. Borelli and Mx. Smith-Carrington (.1).
2022-05-03	0.8		Legal team call re: status of prep for MSJ, and status of pltf's damages claims in light of recent SCOTUS decision in Cummings re: spending clause legislation.
2022-05-11	0.0	Omitted: 4.5	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-12	0.0	Omitted: 5.6	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-13	0.0	Omitted: 6.1	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-14	0.0	Omitted: 7.5	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-15	0.0	Omitted: 8.3	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-16	0.0	Omitted: 4.8	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-17	0.5		Legal team call re: status of preparation for MSJ, class cert. and Daubert motions.
2022-05-17	0.0	Omitted: 6.7	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-18	0.0	Omitted: 5.5	Drafting Pltfs' memo ISO motion to exclude Dr. Levine
2022-05-19	0.0	Omitted: 4.9	Draft and edit pltf's motion to exclude Dr. Levine
2022-05-23	0.0	Omitted: 6.2	Draft and edit pltf's draft motion to exclude Dr. Levine.
2022-05-24	0.0	Omitted: 2.7	Edit pltf's draft motion to exclude Dr. Levine
2022-05-25	0.0	Omitted: 4.5	Edit pltf's draft motion to exclude Dr. Levine
2022-05-26	0.0	Omitted: 3.1	Draft and edit pltf's draft motion to exclude Dr. Levine

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2022-05-27	0.0	Omitted: 2.4	Edit pltf's draft motion to exclude Dr. Levine
2022-05-28	0.0	Omitted: 4.2	Edit pltf's draft motion to exclude Dr. Levine
2022-05-29	0.0	Omitted: 3.9	Edit pltf's draft motion to exclude Dr. Levine
2022-05-31	0.0	Omitted: 1.7	Finalize Pltfs' motion to exclude Dr. Levine (1.2) and support filing (.5)
2022-06-02	0.5		Legal team call re: MSJ opposition drafting.
2022-06-14	0.0	Omitted: 1.2	Read Def's opposition to pltf's motion to exclude Dr. Levine
2022-06-15	0.5		Legal team call to plan for MSJ, class, and Daubert reply briefs.
2022-06-15	0.0	Omitted: 5.3	Draft reply ISO pltf's motion to exclude Dr. Levine
2022-06-16	0.0	Omitted: 4.4	Draft and edit reply ISO pltf's motion to exclude Dr. Levine
2022-06-17	0.0	Omitted: 3.7	Draft and edit reply ISO pltf's motion to exclude Dr. Levine
2022-06-18	0.0	Omitted: 6.8	Edit/revise draft reply ISO pltf's motion to exclude Dr. Levine
2022-06-19	0.0	Omitted: 7.2	Edit/revise draft reply ISO pltf's motion to exclude Dr. Levine.
2022-06-20	0.0	Omitted: 5.9	Continue reviewing and revising draft reply ISO pltf's motion to exclude Dr. Levine.
2022-06-21	0.0	Omitted: 2.3	Final edits and filing of reply ISO pltf's motion to exclude Dr. Levine
2022-07-08	1.1		Participate in moot oral argument.
2022-07-12	0.0	Omitted: 7.3	Travel to West Virginia for hearing.
2022-07-13	0.0	Omitted: 2.4	Participate in hearing re: MSJ and class cert. motions.
2022-07-14	0.0	Omitted: 9.2	Travel home from hearing.

<b>Total hours: 111.3</b>	<b>Hourly rate: \$400.00</b>	<b>Total fees: \$44,520.00</b>
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# **EXHIBIT E**

**Fain v. Crouch**  
**Time Sheet for Sasha Buchert**

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
9/10/2020	0.0	Omitted: .6	Legal team call re: status of complaint, related strategy, and case filing preparation.
9/10/2020	1		Internal Lambda team call to discuss preparation for filing, strategy surrounding complaint, and division of work.
9/21/2020	0.5		Internal team call re: status of plaintiff interviews, research, and complaint drafting.
10/8/2020	1		Call with Mr. Fain re: gathering facts for the factual allegations in the complaint.
10/9/2020	0.5		Drafted complaint allegations re: Mr. Fain
2020-10-13	0.9		Internal legal team call re: strategy surrounding complaint, specific complaint allegations, and preparation for filing.
2021-6-7	0.0	Omitted: 1	Team call meeting planning litigation
2021-6-14	0.0	Omitted: 1	Team call meeting planning litigation
2021-6-21	0.0	Omitted: 1	Team call meeting planning litigation
2021-6-28	0.0	Omitted: 1	Team call meeting planning litigation
2021-7-5	0.0	Omitted: 1	Team call meeting planning litigation
2021-7-12	0.0	Omitted: 1	Team call meeting planning litigation
2021-8-30	0.0	Omitted: 1	Team call meeting planning litigation
2021-9-27	0.0	Omitted: 1	Team call meeting planning litigation
2021-10-4	0.0	Omitted: 1	Team call meeting planning litigation
2021-10-11	0.0	Omitted: 1	Team call meeting planning litigation
2021-10-18	0.0	Omitted: 1	Team call meeting planning litigation
2021-11-1	0.0	Omitted: 1	Team call meeting planning litigation
2021-11-15	0.0	Omitted: 1	Team call meeting planning litigation
2021-11-22	0.0	Omitted: 1	Team call meeting planning litigation
2021-11-29	0.0	Omitted: 0.5	Team call meeting planning litigation
2021-12-13	0.0	Omitted: 0.6	Legal team call re: status of written discovery and deposition prep
2021-12-15	0.0	Omitted: 0.5	Legal Team meeting planning litigation
2022-1-4	0.0	Omitted: 0.5	Legal team call re: status of written discovery, document production, and dep preparation
2022-1-6	0.0	Omitted: 0.5	Discussion regarding dep prep for Ms. Anderson.

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
2022-1-6	0.0	Omitted: 0.5	Follow-up discussion regarding dep prep Ms. Anderson.
2022-1-11	0.0	Omitted: 1	Legal team call re status of amending complaint and discovery
2022-1-11	0.7		Participate in ESI collection call with Ms. Anderson and Ms. Schladt.
2022-1-18	0.0	Omitted: 0.7	Legal team call re: status of party and third-party discovery, and prep for depositions.
2022-1-25	0.0	Omitted: 1	Legal team call re: status of written discovery and preparation for depositions.
2022-2-1	0.0	Omitted: 1.1	Legal team call to discuss status of written discovery, doc review, and dep preparation, and third party discovery.
2022-2-8	0.0	Omitted: 0.8	Legal team call re: status of discovery and preparation for depositions.
2022-2-11	3		Document review.
2022-2-15	0.0	Omitted: 0.5	Legal team call re: status of written discovery, and prep for depositions.
2022-3-8	0.0	Omitted: 0.6	Legal team call re: status of expert rebuttal reports and deposition prep.
2022-3-15	0.0	Omitted: 0.5	Participate in legal team call re: status of deposition prep and expert rebuttal reports.
2022-4-1	0.0	Omitted: 0.5	Discussing Depositions
2022-4-11	1.9		Deposition prep with Ms. Anderson.
2022-4-12	0.0	Omitted: 0.4	Legal team call re: status of offensive and defensive deposition prep.
2022-4-20	1.8		Deposition prep with Ms. Anderson.
2022-4-21	1.6		Deposition prep with Ms. Anderson.
2022-4-22	4.7		Defend deposition of Ms. Anderson.
2022-4-26	0.0	Omitted: 0.5	Legal team call re: preparation for MSJ and class cert. briefing, and close of discovery.
2022-4-28	3		Attend deposition of Mr. Fain.
2022-5-3	0.0	Omitted: 0.8	Legal team call re: status of prep for MSJ, and status of pltf's damages claims in light of recent SCOTUS decision.
2022-5-17	0.0	Omitted: 0.5	Legal team call re: status of preparation for MSJ, class cert. and Daubert motions.
2022-5-23	1		Review deposition transcript & prepare errata sheet for Ms. Anderson.
2022-5-23	0.5		Discussion with Ms. Anderson and Ms. Borelli re: preparation of deposition errata sheet.
<b>Total hours: 22.1</b>		<b>Hourly rate: \$450.00</b>	
		<b>Total fees: \$9,945.00</b>	

# **EXHIBIT F**

**Fain v. Crouch**  
**Time Sheet for Counsel Nora Huppert**

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
4/23/2020	0.0	Omitted: 0.6	Telephone conference with potential class member
5/27/2020	0.0	Omitted: 0.8	Telephone conference with legal team to discuss interview with Ms. Anderson.
8/10/2020	0.0	Omitted: 0.7	Telephone conference with legal team to discuss filing.
8/13/2020	1.8		Research regarding Ex Parte Young defendants.
8/24/2020	0.0	Omitted: 0.8	Telephone conference with legal team regarding claims and proper defendants.
8/28/2020	0.0	Omitted: 0.6	Telephone conference with legal team regarding claims, complaint, and filing.
9/21/2020	0.0	Omitted: 0.5	Telephone conference with legal team regarding draft complaint.
9/21/2020	0.0	Omitted: 0.8	Telephone call with legal team and potential class member
10/2/2020	0.0	Omitted: 0.9	Telephone conference with legal team and potential class member
10/4/2020	0.7		Draft Medicaid availability and comparability claims for complaint and transmit to legal team.
10/13/2020	0.0	Omitted: 0.9	Telephone conference with legal team regarding allegations in complaint and filing.
10/21/2020	0.0	Omitted: 1	Telephone conference with legal team regarding draft complaint.
11/9/2020	0.0	Omitted: 1	Telephone conference with legal team regarding filing of draft complaint.
1/20/2021	3.4		Draft section of motion to dismiss opposition regarding exhaustion requirement.
10/4/2021	0.0	Omitted: 0.5	Telephone conference with legal team regarding discovery, depositions, experts.
7/7/2021	0.0	Omitted: 0.7	Telephone conference with legal team to discuss case status and discovery.
11/1/2021	0.0	Omitted: 0.5	Telephone conference with legal team to discuss discovery and potential Title VII claims.
12/19/2021	2.4		Edit/revise draft Schechter expert report.
12/20/2021	1.9		Edit/revise draft Schechter expert report and transmit to Ms. Borelli.
1/4/2022	0.0	Omitted: 0.5	Telephone conference with legal team to discuss discovery, deposition preparation.
1/18/2022	0.0	Omitted: 0.7	Telephone conference with legal team to discuss discovery and deposition preparation.
2/15/2022	0.0	Omitted: 0.5	Telephone conference with legal team to discuss discovery and document review.
2/12/2022	3.1		Document review.
2/13/2022	2.6		Document review.
2/24/2022	1		Telephone meeting with Ms. Huppert and Dr. Schechter regarding rebuttal report.
3/1/2021	0.0	Omitted: 0.6	Telephone conference with legal team regarding upcoming depositions.
3/7/2022	0.8		Telephone conference with Ms. Borelli regarding deposition of Dr. Schechter.
3/8/2022	0.0	Omitted: 0.6	Legal team call regarding upcoming depositions and expert reports.

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
3/12/2022	4.3		Prepare deposition preparation outline for Dr. Schechter.
3/15/2022	0.0	Omitted: 0.5	Telephone conference with legal team regarding expert rebuttal reports and depositions.
3/15/2022	1.6		Revise deposition preparation outline for Dr. Schechter and transmit to Ms. Borelli.
3/21/2022	7.1		Deposition preparation session with Dr. Schechter.
3/22/2022	1		Telephone conference with Ms. Borelli and Mx. Smith-Carrington to prepare for deposition of Dr. Schechter.
3/26/2022	4.6		Prepare to defend deposition of Dr. Schechter.
3/27/2022	0.8		Telephone conference with Ms. Borelli to prepare for deposition of Dr. Schechter.
3/28/2022	5.9		Deposition of Dr. Schechter.
3/28/2022	0.2		Telephone conference with Ms. Borelli and Dr. Schechter re: deposition.
3/28/2022	0.3		Email communication with court reporter regarding transcript of deposition of Dr. Schechter.
3/31/2022	1.2		Review transcript of Dr. Schechter for errata and confidentiality designations.
4/26/2022	0.0	Omitted: 0.4	Telephone conference with legal team to discuss motion for summary judgment and class certification.
5/3/2022	0.0	Omitted: 0.8	Telephone conference with legal team to discuss impact of recent Supreme Court decision re: emotional distress damages.
6/28/2022	0.0	Omitted: 0.4	Telephone conference with legal team to discuss July 13 hearing.
7/8/2022	1.1		Moot oral argument on motion for summary judgment.
7/11/2022	0.8	Omitted: 0.8	Supplemental moot oral argument on class cert. motion.
<b>Total hours: 46.6</b>			<b>Hourly rate: \$275.00</b>
			<b>Total fees: \$12,815.00</b>

# **EXHIBIT G**

**Fain v. Crouch**  
**Time Sheet for Paralegal Michele Clanton-Lockhart**

<b>Date</b>	<b>Time</b>	<b>Billing Judgment</b>	<b>Description</b>
6/3/2020	1.4		Fact-gathering teleconference with S. Anderson and legal team.
6/4/20	0.6		Enter call notes and send to legal team
8/24/2020	0.8		Fain legal team call on status
8/28/2020	0.7		Fain legal team call with local counsel Auvil
9/10/2020	0.7		Fain legal team mtg
9/10/2020	1.0		Info gathering Meeting with C. Fain
9/10/2020	1.0		LL legal team mtg for filing prep
9/15/2020	0.4		Teleconference A. Smith-Carrington and T. Borelli re: medical records collection protocol for the plaintiffs.
9/15/2020	1.2		Teleconference with C. Fain re: preparation of suit for filing (1); debrief re: next steps with legal team (.2).
9/18/20	0.1		Email C. Fain re medical providers
9/23/20	0.1		Email with client C. Fain re medical providers
9/29/2020	0.1		Call with provider office for C. Fain re: obtaining medical records
9/30/20	0.7		LL legal team mtg
10/2/2020	0.2		Mtg w/ASC re medical records
10/13/20	2.0		Medical records forms update
10/13/20	0.9		LL legal team mtg
10/14/20	0.5		LL legal team mtg re: medical records
10/15/20	0.1		Email to C. Fain re medical records
10/20/20	1.0		Complete med records forms and letters of request for C. Fain
10/21/20	0.1		Send above to attys
10/24/20	0.1		Respond to TB email on forms, faxing etc.
10/28/20	0.2		Prep fax covers for C. Fain requests
11/9/20	1		Full Team prep for filing mtg
11/11/20	0.5		Team mtg finalizing complaint
12/8/20	1.0		Finalize, convert documents to PDF and efax medical records requests for C. Fain; email client C. Fain to certify provider request info

Date	Time	Billing Judgment	Description
12/9/20	0.5		Finalize, convert docs and TC and research to track down where to fax or email records release for C. Fain provider; efax C. Fain separate provider request
12/30/20	0.1		Email clients for additional info for medical records requests
01/04/21	1.0		Respond to client emails, rework Fain medical record request with new info and re fax request to health system
01/13/2021	1.0		Fain Legal team meeting
02/08/2021	1.5		Research, calls and email to new C. Fain provider with local health system; create, complete and efax authorization request and letter to new provider
03/09/2021	1.0		Research, calls to C. Fain providers at two new practices; work on preparing request for records
03/30/2021	0.4		Prep and send 2 <sup>nd</sup> Request for records to C. Fain provider
04/07/2021	0.1		Review & file new C. Fain medical records
06/07/2021	0.5		Review & file new C. Fain medical records
06/21/2021	0.5		Take notes for counsel in Rule 26(f) conf (.3), prep & send notes to team (.2).
07/06/2021	1.3		Take notes in ESI meeting for counsel (1); prep & send notes to team (.3).
07/09/2021	0.5		Emails/calls with potential couriers
07/09/2021	1.5		Research for Anderson medical records requests
07/12/2021	0.2		Meeting with ASC re S. Anderson records
07/12/2021	1.5		Prep S. Anderson medical records requests
07/14/2021	1.5		Finalize S. Anderson medical records requests
07/15/2021	1.0		Finalize and send S Anderson medical records requests
07/26/2021	0.5		Research separate health system medical records process for S. Anderson records request
07/27/2021	2.0		Draft separate health system authorization and letter for S. Anderson records for attorney review
07/28/2021	2.0		Research, emails re separate health system procedures for medical records – re-draft authorization and ltr
08/02/2021	2.0		Re-drafting of same records authorization and prep for sending to client S. Anderson.
08/05/2021	0.5		Team and client Meeting w/C.F., note-taking for attys
08/09/2021	1.5		Review 742 pages med records for S. Anderson from health system
08/10/2021	2.0		Draft new records requests to health system for S. Anderson
08/16/2021	0.1		Prep and send final S. Anderson client retainer for client e-signatures
08/25/2021	0.7		ESI and doc retention mtg w/client S. Anderson

Date	Time	Billing Judgment	Description
08/31/2021	0.3		Sign up for e-delivery of records via Ciox, emails with Ciox (S. Anderson records)
09/13/2021	1.0		Fain legal Team mtg
09/14/2021	0.5		Research form/process for C. Fain new provider records, email to provider
09/15/2021	2.0		Draft new records requests for S. Anderson providers
09/16/2021	1.5		Draft, finalize then send requests for S. Anderson providers
09/17/2021	3.0		Draft, finalize then send requests for C. Fain providers; emails to client C. Fain
09/22/2021	0.05		Follow up call to C. Fain provider re form and process for request
09/23/2021	2.5		Read through & summarize newly received S. Anderson medical records
09/24/2021	2.0		Continue/Complete read through and summary of new S. Anderson medical records
09/27/2021	0.6		ESI meeting
10/4/2021	0.5		Team meeting
10/06/2021	0.1		Follow up email to provider re records due for S. Anderson
10/14/2021	0.3		Track down outstanding S. Anderson records
10/18/2021	0.7		Fain legal Team mtg
10/21/2021	0.7		Attend, create notes for Mtg w/ Medicaid Defs re Discovery issues
10/25/2021	2.0		Research and calls to C. Fain providers with outstanding records requested; update and redraft of requests following short mtg with ASC
10/28/2021	0.7		Meeting with client C. Fain
10/29/2021	1.0		Complete Notes from C. Fain mtg, update C. Fain records requests and send
11/01/2021	0.8		Team mtg (.6); draft and send updated C. Fain request to provider (.2)
11/02/2021	2.0		Prep subpoena packets, begin to locate process service in WV
11/03/2021	2.6		Locate process service for subpoenas (contacted 3 companies and email traffic throughout day to confirm services)
11/08/2021	1.0		Team mtg (.5); Mtg w/ opposing counsel (.5).
11/15/2021	1.5		Team mtg (.5); set up notarization appt and prepare docs for C. Fain (1)
11/22/2021	1.5		Fain Team mtg (1); prepare expenses report for mediation/settlement (.5)
11/29/2021	0.5		Fain Team mtg
12/01/2021	1.0	Omitted: 7.3 of 8.3	Mediation – taking notes
12/13/2021	0.6		Fain Team mtg
01/04/2022	1.1		Mtg with Mx. Smith-Carrington re: documents & Relativity

Date	Time	Billing Judgment	Description
01/04/2022	0.5		Fain team mtg
01/06/2022	2.0		New and updated medical record requests for S. Anderson
01/07/2022	3.0		New and updated medical records requests for C. Fain
1/10/2022	2.0		New and updated medical records requests for S. Anderson; follow up on C. Fain records
1/11/2022	1.0		Fain team mtg (1); internal debrief with LL team (.2)
1/12/2022	2.0		Pull and organize production from Relativity and iManage
1/14/2022	4.0		Create doc production index, pulling from Relativity and organizing etc.
1/18/2022	2.0		Submit and respond to questions re: med records requests
1/18/2022	0.0	Omit: 2	Subpoenaed doc production organization
1/19/2022	4.0		Index of Defs' production to help attorneys identify deposition exhibits
1/20/2022	4.0		Index of Defs' production to help attorneys identify deposition exhibits
1/21/2022	5.0		Index of Pls' production to help attorneys identify deposition exhibits
1/24/2022	1.0		Follow up on updated medical records collection
1/25/2022	1.0		Fain team meeting
2/10/2022	0.5		Request additional medical records from provider
2/15/2022	0.5		Fain team mtg
2/22/2022	0.5		Fain team mtg
3/1/2022	0.6		Fain team mtg
3/4/2022	.5		Make C. Fain and S. Anderson hotel arrangements for depositions
3/8/2022	0.6		Fain team mtg
3/15/2022	0.5		Fain team mtg
3/22/2022	.5		Emails/calls with hotel and Toni Grogg at ELC to arrange S. Anderson and C. Fain travel and lodging for depositions in April
3/28/2022	2.0		Put together discovery documents/exhibit package for deposition
4/4/2022	0.1		Exchange emails with Employment Law Center staff Toni to finalize client travel
4/6/2022	0.1		Exchange emails with Employment Law Center staff Toni to finalize client travel
4/12/2022	0.4		Fain team mtg
4/18/2022	0.1		Exchange emails with client S. Anderson and ELC/Toni Grogg to confirm final travel arrangements for depo
4/19/2022	1.0		Assist client S. Anderson with travel to notary and completion of declaration for depo
4/22/2022	0.0	Omit: 4.0	Attend portion of S. Anderson deposition

Date	Time	Billing Judgment	Description
4/25/2022	0.1		Exchange emails with client C. Fain and ELC/Toni Grogg to confirm final travel arrangements for depo
4/25/2022	0.0	Omit: 6.4	Attend Dr. Olson-Kennedy deposition
4/26/2022	0.2		Arrange and confirm notary appt for C. Fain to sign declaration
4/26/2022	1.2		Redaction of Karasic deposition transcript to serve as exhibit in Fain depo
4/27/2022	0.3		Finalize C. Fain declaration and documents for deposition
4/28/2022	0.0	Omit: 3.0	Attend C. Fain deposition
5/3/2022	0.8		Fain team mtg
5/5/2022	0.2		Redaction of S. Anderson documents for caption amendment
5/17/2022	0.5		Fain team mtg
5/17/2022	0.2		Mtg w/ASC re atty declarations and exhibits
5/17/2022	0.6		Gather LL attorney resumes and convert/PDF for attorney declarations for class cert. motion
5/18/2022	2.5		Draft attorney declarations and gather exhibits for MSJ
5/19/2022	0.5		Review/edit above per atty notes
5/20/2022	1.0		Work on client errata sheets
5/23/2022	1.0		Finalize client decls & schedule notary svcs for S. Anderson and C. Fain
5/24/2022	1.0		Arrange transport and payment for S. Anderson notary services
5/24/2022	1.5		Fain team mtg
5/24/2022	0.5		Finalize LL attorney declaration and exhibits
5/25/2022	0.5		Receive/Review and upload new medical records for C. Fain
5/27/2022	4.0		MSJ cite check, Blue Book and prepare table of contents
6/7/2022	1.0		Prepare table of contents for Opp'n MSJ brief
6/10/2022	3.0		Record Cite-checking for Opp'n MSJ
6/13/2022	2.5		Case cite-check, Blue Book and table and formatting for Opp'n MSJ
6/15/2022	0.5		Fain team mtg
6/20/21	4.2		Blue book, cite check, table of contents on MSJ Reply
6/21/2022	0.5		Finalizing reply briefs on class cert and MSJ for filing
6/23/2022	3.0		Research, discovery documents for attorney oral argument prep
7/8/2022	0.0	Omitted: 1.1	Fain Moot mtg
7/14/2022	0.2		Contact clerk to make arrangements to receive oral argument transcript

<b>Total hours: 144.75</b>	<b>Hourly rate: \$125.00</b>	<b>Total fees: \$18,093.75</b>
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# **EXHIBIT H**

### Itemized List of Expenses

<b>Date</b>	<b>Description</b>	<b>Amount</b>
11/10/2020	Westlaw	\$78.86
11/19/2020	Check issued to Employment Law Center – Reimbursement of costs for service of process on Defendants Crouch, Beane, and Cheatham, as well as the cost of service through the Secretary of State	\$196.55
12/10/2020	Westlaw	\$3.60
12/22/2020	Check issued to Employment Law Center – Reimbursement of filing fee for complaint	\$400.00
1/20/2021	Federal court visiting attorney fee for Mr. Charles	\$50.00
2/8/2021	Westlaw	\$247.43
3/8/2021	Westlaw	\$217.85
4/13/2021	Medical records collection fee for Christopher Fain	\$21.00
4/13/2021	Westlaw	\$29.10
5/18/2021	Westlaw	\$150.45
5/28/2021	Relativity – Monthly costs	\$0.11
6/4/2021	Westlaw	\$35.43
6/15/2021	PACER	\$1.40
6/30/2021	Relativity – Monthly costs	\$0.11
7/12/2021	Westlaw	\$1.61
7/30/2021	Relativity – Monthly costs	\$0.11
8/9/2021	Westlaw	\$7.73
8/13/2021	Check issued to Second Creek Technologies, LLC – Retainer for cell phone imaging of plaintiff records	\$2,250.00
8/24/2021	Medical records collection fee for Shauntae Anderson	\$150.00
8/26/2021	Check issued to US Postal Service – Postage	\$4.95
8/31/2021	Postage	\$3.35
8/31/2021	Relativity – Monthly costs	\$0.99
9/8/2021	Westlaw	\$197.66
9/22/2021	Check issued to FedEx – Shipping	\$46.05
9/22/2021	Medical records collection fee for Shauntae Anderson	\$40.00
9/23/2021	Medical records collection fee for Christopher Fain	\$12.80

<b>Date</b>	<b>Description</b>	<b>Amount</b>
9/30/2021	Relativity – Monthly costs	\$0.99
10/7/2021	Medical records collection fee for Shauntae Anderson	\$29.17
10/7/2021	Westlaw	\$140.54
10/20/2021	Pro Legal Support Services, Inc. - Courier service – service of subpoena on The Health Plan of West Virginia	\$215.00
10/21/2021	Medical records collection fee for Shauntae Anderson	\$26.09
10/25/2021	Pro Legal Support Services, Inc. - Courier service – service of subpoena on Aetna Better Health of West Virginia as Medicaid MCO	\$210.00
10/25/2021	Pro Legal Support Services, Inc. - Courier service – service of subpoena on UniCare Health Plan of West Virginia Inc. as Medicaid MCO	\$80.30
10/27/2021	West Virginia State Bar in connection with Ms. Borelli’s pro hac vice appearance	\$358.00
10/29/2021	Relativity – Monthly costs	\$4.35
10/31/2021	Second Creek Technologies, LLC – Cell phone preservation for plaintiff records	\$53.84
11/15/2021	Westlaw	\$61.55
11/22/2021	Medical records collection fee for Christopher Fain	\$27.63
11/29/2021	Nikolai Pozdniakov – Vendor for data conversion for plaintiff records	\$150.00
11/30/2021	Relativity – Monthly costs	\$26.69
12/14/2021	Westlaw	\$21.60
12/31/2021	Relativity – Monthly costs	\$50.22
1/10/2022	Relativity – Monthly costs	\$75.00
1/24/2022	Medical records collection fee for Christopher Fain	\$49.54
1/24/2022	Medical records collection fee for Shauntae Anderson	\$49.32
1/24/2022	Reimburse expert Dr. Karasic for notarization of expert report	\$26.63
1/31/2022	Relativity – Monthly costs	\$91.14
2/22/2022	Medical records collection fee for Shauntae Anderson	\$26.40
2/22/2022	Relativity – Monthly costs	\$150.00
2/28/2022	Relativity – Monthly costs	\$113.30

<b>Date</b>	<b>Description</b>	<b>Amount</b>
3/10/2022	Westlaw	\$266.71
3/31/2022	Expert fees for Dr. Schechter's work on expert report, rebuttal report, deposition preparation, attendance at deposition, and preparation of errata	\$8,653.26
3/31/2022	Veritext Corp., Midwest Litigation Services, Secretary Bill Crouch deposition charges (\$978.50 total minus \$471.00 sought through Bill of Costs)	\$507.50
4/4/2022	Relativity – Monthly costs	\$125.40
4/4/2022	Round trip airfare for Mx. Smith-Carrington attendance at S. Anderson Deposition	\$631.20
4/6/2022	Round trip airfare for Ms. Buchert attendance at C. Fain deposition	\$413.50
4/11/2022	Westlaw	\$201.69
4/12/2022	Veritext Corp., Midwest Litigation Services, Commissioner Cynthia Beane deposition charges (\$2,201.85 total minus \$1,328.05 sought through Bill of Costs)	\$873.80
4/13/2022	Veritext Corp., Midwest Litigation Services, Dr. James Becker deposition charges	\$510.35
4/13/2022	Veritext Corp., Midwest Litigation Services, Dr. James Becker deposition charges (\$1,951.60 total minus \$1,054.60 sought through Bill of Costs)	\$897.00
4/18/2022	Elite Court Reporting, LLC, Dr. Dan Karasic deposition charges (\$596.00 total minus \$571.00 sought through Bill of Costs)	\$25.00
4/19/2022	Veritext Corp., Midwest Litigation Services, Brandon Lewis deposition charges (\$1,134.70 total minus \$739.70 sought through Bill of Costs)	\$395.00
4/19/2022	Veritext Corp., Midwest Litigation Services, Frederick Lewis deposition charges (\$1,296.10 total minus \$901.10 sought through Bill of Costs)	\$395.00
4/21/2022	Mx. Smith-Carrington Uber from home to DFW airport for attendance at Ms. Anderson's Deposition	\$37.31
4/21/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$13.10
4/21/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$7.14

<b>Date</b>	<b>Description</b>	<b>Amount</b>
4/22/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$14.61
4/22/2022	Mx. Smith-Carrington first night lodging while traveling for attendance at Ms. Anderson's deposition	\$151.42
4/22/2022	Hotel room for Ms. Anderson for attendance at deposition	\$157.07
4/23/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$15.46
4/23/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$21.23
4/23/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$21.11
4/23/2022	Mx. Smith-Carrington second night lodging while traveling for attendance at Ms. Anderson's deposition	\$151.42
4/24/2022	Mx. Smith-Carrington meal while traveling for attendance at Ms. Anderson's deposition	\$14.61
4/24/2022	Mx. Smith-Carrington gas for rental car while traveling for attendance at Ms. Anderson's deposition	\$25.33
4/24/2022	Mx. Smith-Carrington rental car fee while traveling for attendance at Ms. Anderson's deposition	\$319.23
4/24/2022	Mx. Smith-Carrington third night lodging while traveling for attendance at Ms. Anderson's deposition	\$151.42
4/24/2022	Mx. Smith-Carrington Uber from DFW airport to home	\$35.29
4/25/2022	Veritext Corp., Midwest Litigation Services, Becky Manning deposition charges (\$950.50 total minus \$555.50 sought through Bill of Costs)	\$395.00
4/26/2022	Relativity – Monthly costs	\$150.00
4/26/2022	Veritext Corp., Midwest Litigation Services, Jennifer Myers deposition charges (\$904.90 total minus \$509.90 sought through Bill of Costs)	\$395.00
4/26/2022	Realtime Reporters, LLC, Dr. Loren Schechter deposition charges (\$1,109.30 total minus \$716.30 sought through Bill of Costs)	\$393.00
4/27/2022	Veritext Corp., Midwest Litigation Services, Brian Thompson deposition charges (\$1,522.95 total minus \$722.45 sought through Bill of Costs)	\$800.50
4/28/2022	Hotel room for Christopher Fain for attendance at deposition	\$157.07

<b>Date</b>	<b>Description</b>	<b>Amount</b>
4/30/2022	Reimburse expert Dr. Karasic for notarization of errata sheet	\$53.26
4/30/2022	Relativity – Monthly costs	\$128.97
4/30/2022	Veritext Corp., Midwest Litigation Services, Sarah Young deposition charges (\$2,808.25 total minus \$1,399.25 sought through Bill of Costs)	\$1,409.00
5/12/2022	Westlaw	\$181.71
5/12/2022	Veritext Corp., Midwest Litigation Services, Dr. Olson-Kennedy deposition charges (\$895.70 total minus \$790.20 sought through Bill of Costs)	\$105.50
5/16/2022	Veritext Corp., Midwest Litigation Services, Dr. Stephen B. Levine deposition charges (\$3,127.20 total minus \$1,905.10 sought through Bill of Costs)	\$1,222.10
5/17/2022	Veritext Corp., Midwest Litigation Services, Shauntae Anderson deposition charges (\$843.65 total minus \$793.15 sought through Bill of Costs)	\$50.50
5/19/2022	Veritext Corp., Midwest Litigation Services, Christopher Fain deposition charges (\$515.30 total minus \$442.55 sought through Bill of Costs)	\$72.75
5/24/2022	Fee for Ms. Anderson to notarize errata sheet for deposition transcript	\$20.70
5/31/2022	Relativity – Monthly costs	\$130.90
6/3/2022	Airfare for Ms. Borelli to attend hearing re: summary judgment and class cert. motions	\$316.10
6/3/2022	Airfare for Mx. Smith Carrington to attend hearing re: summary judgment and class cert. motions	\$744.21
6/9/2022	Westlaw	\$405.95
6/22/2022	Expert fees for Dr. Olson-Kennedy's work on expert report, deposition preparation, attendance at deposition, and preparation of errata	\$4,400.00
6/22/2022	Shipping for courtesy copies for Court	\$60.96
6/24/2022	Relativity – Monthly costs	\$150.00
6/24/2022	Fee for changing flight for Ms. Borelli to attend hearing re: summary judgment and class cert. motions, after Court's change in hearing date	\$180.00

<b>Date</b>	<b>Description</b>	<b>Amount</b>
6/27/2022	Fee for changing flight for Mx. Smith-Carrington to attend hearing re: summary judgment and class cert. motions, after Court's change in hearing date	\$69.99
6/29/2022	Shipping for courtesy copies for Court	\$18.49
6/30/2022	Relativity – Monthly costs	\$130.90
7/8/2022	Westlaw	\$487.65
7/12/2022	Mx. Smith-Carrington Uber home to DFW airport to attend hearing re: summary judgment and class cert. motions	\$33.92
7/12/2022	Mx. Smith-Carrington meal while traveling to attend hearing re: summary judgment and class cert. motions	\$5.35
7/12/2022	Mx. Smith-Carrington meal while traveling to attend hearing re: summary judgment and class cert. motions	\$17.76
7/12/2022	Mx. Smith-Carrington meal while traveling to attend hearing re: summary judgment and class cert. motions	\$10.50
7/12/2022	Lodging for Ms. Borelli to argue at hearing re: summary judgment and class action motions	\$153.68
7/12/2022	Lodging for Mx. Smith-Carrington to argue at hearing re: summary judgment and class action motions	\$153.68
7/13/2022	Mx. Smith-Carrington meal while traveling to attend hearing re: summary judgment and class cert. motions	\$19.90
7/13/2022	Lodging for Ms. Borelli to argue at hearing re: summary judgment and class action motions	\$153.68
7/14/2022	Lyft ride for Ms. Borelli from Atlanta airport to home	\$60.96
7/14/2022	Meal on return trip home for Ms. Borelli from hearing re: summary judgment and class action motions	\$12.30
7/14/2022	Meal on return trip home for Ms. Borelli from hearing re: summary judgment and class action motions	\$22.26
7/14/2022	Baggage fee for Ms. Borelli's litigation bag with copies of summary judgment exhibits	\$30.00
7/14/2022	Meal on return trip home for Mx. Smith-Carrington from hearing re: summary judgment and class action motions	\$18.62
7/14/2022	Meal on return trip home for Mx. Smith-Carrington from hearing re: summary judgment and class action motions	\$6.04
7/13/2022	Lodging for Mx. Smith-Carrington to argue at hearing re: summary judgment and class action motions	\$153.68

<b>Date</b>	<b>Description</b>	<b>Amount</b>
7/14/2022	Mx. Smith-Carrington Uber from hotel to Huntington, WV airport while traveling home from hearing re: summary judgment and class cert. motions	\$19.92
7/14/2022	Mx. Smith-Carrington Uber from DFW airport to home while returning from hearing re: summary judgment and class cert. motions	\$42.63
7/31/2022	Relativity – Monthly costs	\$130.90
8/8/2022	Westlaw	\$128.08
	Reduction to account for Veritext Corp., Midwest Litigation Services refund	- \$510.35
<b>Total:</b>		\$34,509.32

#### Summary of Expenses by Category

Court and pro hac fees	\$808.00
Westlaw	\$2,865.20
Document storage and management <sup>1</sup>	\$1,460.08
Deposition costs	\$8,467.70
Postage/shipping	\$133.80
ESI vendors	\$2,453.84
Medical records collection	\$431.95
PACER	\$1.40
Process server fees	\$701.85
Expert fees	\$13,133.15
Travel	\$4,562.70
Reduction to account for Veritext Corp., Midwest Litigation Services refund	- \$510.35
<b>Total:</b>	\$34,509.32

<sup>1</sup> As indicated in the detailed descriptions of each itemized cost, the deposition costs sought here do not include the components of those costs sought in connection with Plaintiffs' concurrently-filed Bill of Costs.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION

CHRISTOPHER FAIN and SHAUNTAE  
ANDERSON, individually and on behalf of all  
others similarly situated,

*Plaintiffs,*

v.

WILLIAM CROUCH, *et al.*,

*Defendants.*

CIVIL ACTION NO. 3:20-cv-00740  
HON. ROBERT C. CHAMBERS

**DECLARATION OF ANNA P. PRAKASH  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES  
AND EXPENSES**

I, Anna P. Prakash, declare the following:

1. I am a partner at the law firm of Nichols Kaster, PLLP and counsel for Plaintiffs and the certified class in the above-captioned matter. I make this Declaration to support Plaintiffs' Motion for Attorneys' Fees and Expenses.

2. This lawsuit was filed in November 2020, but work on the lawsuit started much earlier, with my co-counsel and I vetting Mr. Fain's allegations, helping him collect relevant documents, and examining relevant case law and facts. Over the course of several months, my co-counsel and I were able to satisfy ourselves as to the merits of Mr. Fain's claims and those of the class, consider strategy, and draft and file the complaint that initiated this lawsuit.

3. After filing this case, my co-counsel and I, together with Mr. Fain, efficiently and successfully worked through a vigorous discovery process. Among other things, my co-counsel and I drafted and served Defendants with requests for admission, two separate sets of document requests, and three separate sets of interrogatories, all of which were targeted and consistent with Plaintiffs' case strategy of moving for affirmative summary judgment. After multiple meet-and-confer attempts and correspondence—including negotiating ESI search terms—we were able to

obtain written discovery and voluminous document productions from Defendants, which we then manually reviewed through the Relativity platform. In fact, the parties together exchanged over 28,000 pages of documents. Plaintiffs' counsel also had to subpoena multiple third-party Managed Care Organizations for the Medicaid program to obtain documents that Defendants were either unwilling or unable to produce and engaged in multiple meet-and-confer conferences with those third parties to secure appropriate responses. Further, we deposed each Defendant, which included depositing eight separate designees for the Rule 30(b)(6) deposition of the Bureau for Medical Services.

4. My co-counsel and I also assisted Mr. Fain and Ms. Anderson in preserving all relevant electronically stored information (including using vendors where necessary) and responding to requests for admission and documents and interrogatories. We also helped our clients prepare for their depositions and defended each one.

5. We also spent time vetting, retaining, and working with experts, producing five reports and rebuttal reports and defending three expert depositions. And we prepared for and took the deposition of Defendants' expert.

6. As the Court is aware, Plaintiffs prevailed at class certification and summary judgment. To achieve this exceptional result, my co-counsel and I spent significant time on this case.

7. The work summarized above required the efforts of several attorneys and professional staff at Nichols Kaster. It is Nichols Kaster's practice to maintain detailed and contemporaneous records of all billable case work performed by attorneys and staff. At Nichols Kaster, time is kept in tenth-of-a-minute (.10) increments and recorded in the law firm's time management software, AdvantageLaw. I have reviewed our firm's billing records and have

exercised billing judgment to exclude time that could be considered unnecessary.

8. In fact, to ensure reasonableness of the hours claimed in this fee application, I reviewed and approved the itemized charges for each timekeeper at Nichols Kaster. Where appropriate, I discounted or eliminated unnecessary, duplicative, and excessive time. For example, I eliminated all time billed by three partners at the firm; eliminated all time billed by two paralegals at the firm; eliminated all time billed by a class action clerk at the firm; have not claimed time for many administrative tasks that allowed for greater communication between all members of the litigation team; and have not claimed any time relating to the preparation of this motion despite dozens of hours expended to review lengthy time sheets, review cost receipts, and brief this motion. In total, I have excluded more than 204 hours that were billed to this case, resulting in a reduction of more than \$55,000 in lodestar when using the rates listed below.

9. The resultant hours Nichols Kaster is claiming are summarized by timekeeper in the following chart, with rates reflecting significant reductions from our normal billing rates:

<u>Timekeeper</u>	<u>Initials</u>	<u>Position</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Nicole Schladt	NJS	Associate	575.60	\$300.00	\$172,680.00
Anna Prakash	APP	Partner	280.20	\$450.00	\$126,090.00
Alexandra Smith	ACS	Paralegal/Assistant	164.14	\$125.00	\$20,517.50
Angela Kittelson	ATK	e-Discovery Manager	48.50	\$125.00	\$6,062.50
Cameron Pylka	CLP	Litig. Support Specialist	34.40	\$125.00	\$4,300.00
Melanie Johnson	MAJ	Associate	20.30	\$275.00	\$5,582.50
			<b>1,123.14</b>		<b>\$335,232.50</b>

10. In sum, Nichols Kaster spent more than 1,123 hours litigating this case, resulting in fees of more than \$335,232. A true and correct redacted copy of the itemized time entries that make up the hours summarized above are attached as **Exhibit A**. I would be happy to provide an unredacted copy for *in camera* review if the Court so requests.

11. When combined with the hours of my co-counsel, total hours spent by Plaintiffs' counsel on this case exceed 2438.44 resulting in more than \$817,661.25 in fees.

12. These hours include, among other things: interviewing the clients and researching their claims, preparing and filing the original and amended complaint, successfully overcoming two motions to dismiss, satisfying the case management and disclosure requirements of Federal Rule of Civil Procedure 26, engaging in extensive written discovery and meeting and conferring with Defendants and third-parties regarding discovery deficiencies, preparing to take and defend more than a dozen depositions in the case, filing motions for summary judgment and class certification, and arguing those motions. My firm greatly contributed to these efforts, most notably during discovery given the number of depositions and documents and with respect to the class action components of the case.

13. In my professional opinion and based on my personal knowledge of the work that was performed and the requirements of this case and similar cases, all of the time summarized above was reasonable and necessary.

14. To date, my firm has not been compensated for work on this case, which is significant for several reasons, including the opportunity costs associated with this case given the attorney and staff time my firm devoted to this case, the nearly two years of client representation on this case, and the skill required to litigate and prevail in this case in light of the complex constitutional and federal statutory claims, developing area of case law, class action component, and sensitive and deeply personal nature of the subject matter. In fact, we took on this case with the understanding that any fees and costs would be compensable under Section 1988 if Plaintiffs were the prevailing party.

15. The skill required to bring this case is further illustrated by the fact that the unlawful practices at issue in this case were adopted in approximately 2004, but my co-counsel and I are not aware of a single legal challenge to the practice or the willingness of any other counsel to

mount such a challenge.

16. Indeed, the experience, reputation, and ability of my co-counsel at Lambda Legal and The Employment Law Center is remarkable.

17. My firm, too, brought considerable experience, positive reputation, and high skill to this case. In fact, over the course of its forty-five year history, Nichols Kaster has earned the reputation of being a top plaintiffs' litigation firm. The firm represents everyday people across the country, has been appointed lead counsel or co-counsel on hundreds of class and collective actions, and has recovered significant relief for its clients over the years. The firm's lawyers are routinely lauded for their work and high quality of representation. That includes my colleague on this case, Nicole Schladt, and me.

18. I graduated from Cornell Law School in Ithaca, New York, in 2005, and after working for the state and federal governments, I joined Nichols Kaster in March of 2009. I became a partner at the firm in 2016, and am one of the leaders of the firm's Civil Rights and Impact Litigation practice group, have led the firm's National Consumer Class Action practice group, have been a member of the firm's National Wage & Hour practice group, and have authored and argued class and individual appeals at the state and federal level. I have extensive class action experience and has represented thousands of class and collective members in federal and state courts, including in cases involving marginalized communities and sensitive subject matter. More information about my professional background and experience, including selected results, is available at <https://www.nka.com/our-people/anna-p-prakash.html>.

19. My colleague Nicole Schladt graduated summa cum laude from the University of Kentucky in 2014 and graduated with honors from Emory University College of Law in Atlanta, Georgia, in 2018. Since 2019, Ms. Schladt has practiced law with Nichols Kaster and has primarily

handled civil rights class actions and also has experience with cases involving sex discrimination in public institutions. More information about Ms. Schladt is available at <https://www.nka.com/our-people/nicole-schladt.html>.

20. Plaintiffs' counsel also advanced out-of-pocket costs in this litigation. Nichols Kaster maintains records of its out-of-pocket litigation costs expended on each case in the ordinary course of business. In this case, Nichols Kaster's out-of-pocket costs, together with my co-counsel's out-of-pocket costs, exceed \$34,509.32.<sup>1</sup> I have reviewed and agree with the itemized breakdown of such costs as stated in my co-counsel's declaration in support of this motion.

21. In my professional opinion and based on my experience prosecuting this action and overseeing the conduct of the litigation, all of these expenses were reasonable and necessarily incurred in connection with the action.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: September 30, 2022

/s/ Anna P. Prakash  
Anna P. Prakash

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<sup>1</sup> This figure does not include the \$12,889.85 that my co-counsel and I spent on deposition costs that are recoverable as taxable costs under 28 U.S.C. § 1920. Those costs are listed on Plaintiffs' separately filed Bill of Costs pursuant to Section 1920, along with accompanying receipts. When considering the costs listed in the Bill of Costs, Plaintiffs are seeking a total of \$47,409.17 in unreimbursed expenses in this litigation.

# **EXHIBIT A**

<u>Timekeeper</u>	<u>Initials</u>	<u>Position</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Nicole Schladt	NJS	Associate	575.60	\$300.00	\$172,680.00
Anna Prakash	APP	Partner	280.20	\$450.00	\$126,090.00
Alexandra Smith	ACS	Paralegal/Assistant	164.14	\$125.00	\$20,517.50
Angela Kittelson	ATK	e-Discovery Manager	48.50	\$125.00	\$6,062.50
Cameron Pylka	CLP	Litig. Support Specialist	34.40	\$125.00	\$4,300.00
Melanie Johnson	MAJ	Associate	20.30	\$275.00	\$5,582.50
			<b>1,123.14</b>		<b>\$335,232.50</b>

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
2/26/2020	NJS	Call w/ Tara Borelli re: trans Medicaid exclusion investigation	0.5	\$300.00	\$150.00
3/3/2020	APP	Email discussion with Nicole Schladt re investigating discrimination claims	0.1	\$450.00	\$45.00
3/5/2020	APP	Review local counsel options	0.1	\$450.00	\$45.00
3/5/2020	NJS	Call w/ Anna Prakash and Lambda Legal re: trans Medicaid exclusion investigation	1	\$300.00	\$300.00
3/5/2020	APP	Call w/ Nicole Schladt and Lambda Legal re: trans Medicaid exclusion investigation	1	\$450.00	\$450.00
3/5/2020	NJS	Research trans Medicaid exclusion in West Virginia	2	\$300.00	\$600.00
3/9/2020	APP	Review and respond to strategy email from Lambda Legal	0.1	\$450.00	\$45.00
3/10/2020	APP	Review [REDACTED] for investigation	0.1	\$450.00	\$45.00
3/10/2020	NJS	Draft email to Tara Borelli re: [REDACTED]	0.5	\$300.00	\$150.00
3/12/2020	APP	Draft and send email to Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
3/13/2020	APP	Work on [REDACTED] for investigation	0.1	\$450.00	\$45.00
3/13/2020	NJS	Review, edit [REDACTED]	2.5	\$300.00	\$750.00
3/16/2020	APP	Review [REDACTED] for investigation	0.1	\$450.00	\$45.00
3/16/2020	NJS	Draft email re: trans sensitivity for Lambda Legal investigation	2.5	\$300.00	\$750.00
3/17/2020	APP	Review research on claims and case issues	0.1	\$450.00	\$45.00
3/17/2020	APP	Review [REDACTED] for investigation	0.1	\$450.00	\$45.00
3/17/2020	APP	Review [REDACTED] for case investigation	0.1	\$450.00	\$45.00
3/17/2020	NJS	Research West Virginia equality organizations	1.5	\$300.00	\$450.00
3/18/2020	NJS	Draft email to Tara, Lambda Legal re: [REDACTED]	1	\$300.00	\$300.00
3/18/2020	NJS	Review Avatara Smith-Carrington's feedback re: [REDACTED]	1	\$300.00	\$300.00
3/19/2020	APP	Email to Lambda Legal	0.1	\$450.00	\$45.00
3/20/2020	APP	Discuss claims with Nicole Schladt	0.1	\$450.00	\$45.00
3/20/2020	NJS	Call w/ Anna Prakash re: [REDACTED] for trans Medicaid exclusion	0.5	\$300.00	\$150.00
3/20/2020	NJS	Review Lambda Legal [REDACTED]	0.5	\$300.00	\$150.00
3/20/2020	NJS	Research re: claims in West Virginia	4	\$300.00	\$1,200.00
3/23/2020	APP	Research West Virginia claims	0.5	\$450.00	\$225.00
3/24/2020	NJS	Compile research re: claims	1	\$300.00	\$300.00
3/31/2020	NJS	Coordinate w/ Lambda Legal re: competency training	2	\$300.00	\$600.00
4/2/2020	NJS	Review Lambda Legal [REDACTED]	0.4	\$300.00	\$120.00
4/2/2020	NJS	Call w/ Lambda Legal	0.5	\$300.00	\$150.00
4/2/2020	APP	Phone call with Lambda Legal	0.5	\$450.00	\$225.00
4/3/2020	NJS	Plan intake training w/ Lambda Legal	0.5	\$300.00	\$150.00
4/3/2020	APP	Review [REDACTED] as it relates to investigation	0.6	\$450.00	\$270.00
4/9/2020	APP	Review investigation questions	0.1	\$450.00	\$45.00
4/10/2020	NJS	Review draft agenda, compile questions to send to Avatara Smith-Carrington prior to training w/ Lambda Legal	3	\$300.00	\$900.00
4/15/2020	APP	Phone call with Lambda Legal regarding investigation	0.5	\$450.00	\$225.00
4/16/2020	NJS	Training w/ Avatara Smith-Carrington re: Lambda Legal trans healthcare case	1.5	\$300.00	\$450.00
4/20/2020	APP	Email to Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
4/21/2020	APP	Review [REDACTED]	0.1	\$450.00	\$45.00
4/21/2020	NJS	Draft trans healthcare [REDACTED]	0.8	\$300.00	\$240.00
4/29/2020	NJS	Review Kate Fisher memo re: [REDACTED]	2	\$300.00	\$600.00
5/12/2020	APP	Review and respond to email from Lambda Legal	0.1	\$450.00	\$45.00
5/13/2020	APP	Call with Walt Auvil to discuss filing and local counsel	0.4	\$450.00	\$180.00
5/14/2020	NJS	Research local counsel rules in West Virginia	0.6	\$300.00	\$180.00
5/21/2020	APP	Email with Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
5/21/2020	NJS	Call with Lambda Legal re: potential trans healthcare plaintiff	0.5	\$300.00	\$150.00
5/21/2020	APP	Strategy discussion with Lambda Legal	0.5	\$450.00	\$225.00
5/23/2020	APP	Edit [REDACTED] for investigation	0.2	\$450.00	\$90.00
5/27/2020	NJS	Review questions from Anna Prakash for plaintiff interview	0.3	\$300.00	\$90.00
5/27/2020	APP	Phone call with Lambda Legal regarding investigation	0.8	\$450.00	\$360.00
5/28/2020	NJS	Circulate [REDACTED] for potential plaintiff	0.3	\$300.00	\$90.00
6/3/2020	NJS	Call with Lambda Legal and Shauntae Anderson	1.5	\$300.00	\$450.00
6/3/2020	APP	Interview with potential client	1.5	\$450.00	\$675.00
6/5/2020	NJS	Research re: plaintiffs for Lambda Legal investigation	2	\$300.00	\$600.00
6/26/2020	NJS	Email Walt Auvil re: investigation status update in Lambda Legal trans healthcare case	0.1	\$300.00	\$30.00
6/26/2020	NJS	Email to Lambda Legal re: trans healthcare status update	0.1	\$300.00	\$30.00
6/26/2020	APP	Email with Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
6/28/2020	APP	Review research on claims and case issues	0.1	\$450.00	\$45.00
7/2/2020	NJS	Draft email to Lambda Legal re: research for trans healthcare case	1	\$300.00	\$300.00
7/2/2020	NJS	Research [REDACTED]	3	\$300.00	\$900.00
7/9/2020	APP	Review and respond to email from Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
7/10/2020	NJS	Respond to Anna Prakash re: trans healthcare investigation next steps	0.2	\$300.00	\$60.00
7/10/2020	NJS	Research [REDACTED] in trans healthcare investigation	3	\$300.00	\$900.00
7/13/2020	NJS	Email Anna Prakash re: [REDACTED] for trans healthcare investigation	0.1	\$300.00	\$30.00
7/13/2020	NJS	Email Anna Prakash re: [REDACTED] for trans healthcare investigation	0.2	\$300.00	\$60.00
7/13/2020	NJS	Call with Lambda Legal re: trans healthcare investigation next steps	1	\$300.00	\$300.00
7/13/2020	NJS	Update [REDACTED] for trans healthcare investigation	1	\$300.00	\$300.00
7/13/2020	APP	Call with Lambda Legal regarding investigation	1	\$450.00	\$450.00
7/14/2020	NJS	Call re: trans healthcare case	0.5	\$300.00	\$150.00
7/14/2020	APP	Call with Lambda Legal regarding investigation	0.5	\$450.00	\$225.00
7/15/2020	NJS	Draft email to Lambda Legal re: updates from local counsel in trans healthcare investigation	1	\$300.00	\$300.00
7/16/2020	NJS	Redline [REDACTED] for trans healthcare case	1.5	\$300.00	\$450.00
7/20/2020	APP	Review, research, and respond to email from Lambda Legal regarding investigation	0.2	\$450.00	\$90.00
7/21/2020	NJS	Email Walt Auvil in follow up to phone call re: trans healthcare investigation	0.2	\$300.00	\$60.00

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
7/22/2020	NJS	Reach out to Walt Auvil's contacts in trans healthcare investigation	2	\$300.00	\$600.00
7/24/2020	NJS	Update trans healthcare [REDACTED]	0.5	\$300.00	\$150.00
7/27/2020	APP	Call with Lambda Legal regarding investigation	0.8	\$450.00	\$360.00
7/28/2020	NJS	Email Walt Auvil's contact [REDACTED] for Lambda Legal investigation	0.3	\$300.00	\$90.00
7/29/2020	NJS	Review email re: potential plaintiff in Lambda Legal trans healthcare investigation	0.1	\$300.00	\$30.00
7/29/2020	APP	Review and respond to email regarding potential client	0.2	\$450.00	\$90.00
8/5/2020	NJS	Coordinate meeting w/ Lambda Legal re: next steps	0.2	\$300.00	\$60.00
8/5/2020	NJS	Review [REDACTED] for trans healthcare investigation	0.2	\$300.00	\$60.00
8/5/2020	NJS	Read follow-up email from call w/ potential trans healthcare client	0.3	\$300.00	\$90.00
8/5/2020	NJS	Clean up notes from call w/ potential trans healthcare client	0.5	\$300.00	\$150.00
8/5/2020	NJS	Call w/ potential clients for Lambda Legal trans healthcare investigation	2	\$300.00	\$600.00
8/5/2020	APP	Phone call with potential client	2	\$450.00	\$900.00
8/10/2020	APP	Phone call with Lambda Legal regarding investigation	0.6	\$450.00	\$270.00
8/11/2020	APP	Research [REDACTED]	0.1	\$450.00	\$45.00
8/11/2020	APP	Draft conflict check for case	0.1	\$450.00	\$45.00
8/11/2020	NJS	Send [REDACTED] to Lambda Legal re: trans healthcare investigation	0.5	\$300.00	\$150.00
8/11/2020	NJS	Discuss [REDACTED] for trans healthcare investigation	0.8	\$300.00	\$240.00
8/13/2020	NJS	Interview w/ potential clients	1.2	\$300.00	\$360.00
8/13/2020	APP	Phone call with potential clients	1.2	\$450.00	\$540.00
8/17/2020	APP	Review legal services agreement	0.2	\$450.00	\$90.00
8/18/2020	APP	Edit legal services agreement	0.4	\$450.00	\$180.00
8/18/2020	NJS	Review retainer	1	\$300.00	\$300.00
8/19/2020	APP	Review email regarding client documents	0.1	\$450.00	\$45.00
8/19/2020	APP	Email discussion with Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
8/19/2020	APP	Review documents from potential client	0.2	\$450.00	\$90.00
8/20/2020	APP	Discuss claims with Nicole Schladt	0.1	\$450.00	\$45.00
8/22/2020	APP	Review email from Lambda Legal regarding investigation	0.1	\$450.00	\$45.00
8/24/2020	NJS	Phone call with Anna Prakash regarding case research	0.1	\$300.00	\$30.00
8/24/2020	APP	Phone call with Nicole Schladt regarding case research	0.1	\$450.00	\$45.00
8/24/2020	NJS	Phone call with Lambda Legal re: plaintiffs	0.8	\$300.00	\$240.00
8/24/2020	APP	Phone call with Lambda Legal regarding investigation	0.8	\$450.00	\$360.00
8/25/2020	APP	Review email from local counsel about meeting case team	0.1	\$450.00	\$45.00
8/26/2020	APP	Review pro hac requirements	0.5	\$450.00	\$225.00
8/26/2020	NJS	Review pro hac rules in WV	1	\$300.00	\$300.00
8/28/2020	NJS	Call with Walt Auvil for introductions	0.7	\$300.00	\$210.00
8/28/2020	APP	Team call with local counsel	0.7	\$450.00	\$315.00
8/31/2020	ACS	Review pro hac procedures for the southern district of West Virginia	0.4	\$125.00	\$50.00
9/8/2020	NJS	Review document retention letter	1	\$300.00	\$300.00
9/10/2020	NJS	Team meeting	0.7	\$300.00	\$210.00
9/10/2020	APP	Team meeting	0.7	\$450.00	\$315.00
9/11/2020	NJS	Schedule call w/ potential plaintiff	0.1	\$300.00	\$30.00
9/16/2020	APP	Review draft complaint	0.1	\$450.00	\$45.00
9/16/2020	NJS	Review complaint	4	\$300.00	\$1,200.00
9/17/2020	NJS	Call w/ potential plaintiff	1.2	\$300.00	\$360.00
9/17/2020	APP	Call with potential client and follow up discussion	1.2	\$450.00	\$540.00
9/18/2020	ACS	Draft pro hac vice application for Nicole Schladt	0.2	\$125.00	\$25.00
9/18/2020	ACS	Draft pro hac vice application for Anna Prakash	0.3	\$125.00	\$37.50
9/18/2020	APP	Follow up with local counsel on retainer	0.1	\$450.00	\$45.00
9/20/2020	NJS	Review edits to complaint from Anna Prakash	1	\$300.00	\$300.00
9/20/2020	APP	Review and edit draft complaint	1.7	\$450.00	\$765.00
9/21/2020	NJS	Review complaint	0.4	\$300.00	\$120.00
9/21/2020	NJS	Call w/ potential plaintiff	1	\$300.00	\$300.00
9/24/2020	APP	Discuss strategy with team	1	\$450.00	\$450.00
9/30/2020	APP	[REDACTED] research	0.1	\$450.00	\$45.00
9/30/2020	NJS	[REDACTED] research	3	\$300.00	\$900.00
10/1/2020	NJS	[REDACTED] research	1	\$300.00	\$300.00
10/2/2020	APP	Review [REDACTED] research	0.1	\$450.00	\$45.00
10/2/2020	NJS	Call w/ potential plaintiff	1	\$300.00	\$300.00
10/4/2020	APP	Discuss [REDACTED] with co-counsel over email	0.1	\$450.00	\$45.00
10/15/2020	NJS	Legal strategy team meeting	0.6	\$300.00	\$180.00
10/15/2020	APP	Review and edit complaint	0.5	\$450.00	\$225.00
10/15/2020	APP	Legal team phone call [REDACTED]	0.6	\$450.00	\$270.00
10/18/2020	APP	Research [REDACTED]	0.3	\$450.00	\$135.00
10/18/2020	APP	Edit complaint	1.5	\$450.00	\$675.00
10/19/2020	NJS	Research [REDACTED] in West Virginia	1	\$300.00	\$300.00
10/21/2020	NJS	Team strategy meeting about [REDACTED]	1.5	\$300.00	\$450.00
10/21/2020	NJS	Research [REDACTED] in 4th Circuit	2	\$300.00	\$600.00
10/21/2020	APP	Team strategy meeting	1.5	\$450.00	\$675.00
10/25/2020	APP	Edit complaint	1	\$450.00	\$450.00
10/26/2020	APP	Call w/ Nicole Schladt about [REDACTED] issues	0.2	\$450.00	\$90.00
10/26/2020	NJS	Review [REDACTED] w/ Christopher Fain	0.3	\$300.00	\$90.00
10/26/2020	NJS	Talk through [REDACTED] with co-counsel	1	\$300.00	\$300.00
10/26/2020	NJS	Create claims chart	1	\$300.00	\$300.00
10/26/2020	NJS	Edit complaint	3	\$300.00	\$900.00

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
10/27/2020	NJS	Recirculate claims chart	0.2	\$300.00	\$60.00
10/27/2020	NJS	Review complaint	3	\$300.00	\$900.00
10/28/2020	APP	Review complaint	0.3	\$450.00	\$135.00
10/28/2020	NJS	Review comments to complaint from Anna Prakash	0.5	\$300.00	\$150.00
10/30/2020	APP	Discuss [REDACTED] w/ Nicole Schladt	0.1	\$450.00	\$45.00
10/30/2020	NJS	Call w/ Tara Borelli and Avatara Smith-Carrington re: [REDACTED]	0.5	\$300.00	\$150.00
11/5/2020	NJS	Review complaint	3	\$300.00	\$900.00
11/8/2020	APP	Review filing logistics	0.1	\$450.00	\$45.00
11/9/2020	NJS	Team meeting re: complaint	1	\$300.00	\$300.00
11/9/2020	APP	Team meeting	1	\$450.00	\$450.00
11/9/2020	NJS	Review complaint and add subclass	2	\$300.00	\$600.00
11/10/2020	APP	Review information on [REDACTED] under West Virginia code	0.1	\$450.00	\$45.00
11/10/2020	ACS	Review local rules and email summary of deadlines to Anna Prakash	0.9	\$125.00	\$112.50
11/10/2020	APP	Review and edit complaint	0.5	\$450.00	\$225.00
11/11/2020	APP	Review local rules	0.1	\$450.00	\$45.00
11/11/2020	ACS	Video conference with Nicole Schladt regarding filing of the complaint, pro hac vice materials and ECF registration	0.5	\$125.00	\$62.50
11/11/2020	APP	Review initial filing logistics	0.2	\$450.00	\$90.00
11/11/2020	APP	Call w/ Tara Borelli	0.2	\$450.00	\$90.00
11/11/2020	NJS	Team meeting	0.5	\$300.00	\$150.00
11/11/2020	NJS	Review local rules re: filing	0.5	\$300.00	\$150.00
11/11/2020	APP	Review and edit complaint	0.5	\$450.00	\$225.00
11/11/2020	APP	Team meeting	0.5	\$450.00	\$225.00
11/11/2020	NJS	Coordinate pro hac submissions	3	\$300.00	\$900.00
11/12/2020	APP	Review emails confirming case filing	0.1	\$450.00	\$45.00
11/12/2020	APP	Review visiting attorney and ECF info	0.1	\$450.00	\$45.00
11/12/2020	ACS	Register Nicole Schladt for ECF via Pacer	0.5	\$125.00	\$62.50
11/12/2020	NJS	Work w/ Alex re: Visiting Attorney Statements	3	\$300.00	\$900.00
11/13/2020	APP	Review case assignment	0.1	\$450.00	\$45.00
11/13/2020	NJS	Finish Visiting Attorney Statement, pro hac process	3	\$300.00	\$900.00
11/16/2020	APP	Edit preservation letter	0.1	\$450.00	\$45.00
11/16/2020	NJS	Coordinate filing of Visiting Attorney Statements	0.2	\$300.00	\$60.00
11/16/2020	APP	Review local rules	0.5	\$450.00	\$225.00
11/16/2020	NJS	Draft preservation letter to opposing counsel	1	\$300.00	\$300.00
11/17/2020	APP	Review email from clerk's office	0.1	\$450.00	\$45.00
11/17/2020	NJS	Finish pro hac process w/ Alex Smith	0.3	\$300.00	\$90.00
11/17/2020	ACS	Register legal team for ECF via PACER	1	\$125.00	\$125.00
11/19/2020	ACS	Team meeting	0.2	\$125.00	\$25.00
11/19/2020	APP	Review status of service	0.1	\$450.00	\$45.00
11/19/2020	ACS	Break up and version fully executed summons for file	0.4	\$125.00	\$50.00
11/19/2020	NJS	Team meeting	0.2	\$300.00	\$60.00
11/19/2020	APP	Meet w/ Nicole Schladt and Alex Smith re: [REDACTED]	0.2	\$450.00	\$90.00
11/24/2020	NJS	Email co-counsel re: [REDACTED]	0.3	\$300.00	\$90.00
11/30/2020	APP	Review email to opposing counsel	0.1	\$450.00	\$45.00
11/30/2020	NJS	Connect w/ co-counsel re: [REDACTED]	0.5	\$300.00	\$150.00
12/1/2020	NJS	Review stipulation re: deadlines	0.1	\$300.00	\$30.00
12/1/2020	ACS	Review and revise preservaton letter to opposing counsel, email the same to Nicole Schladt	0.3	\$125.00	\$37.50
12/1/2020	APP	Discuss [REDACTED] with Nicole Schladt over email	0.1	\$450.00	\$45.00
12/1/2020	APP	Review stipulation for extension	0.1	\$450.00	\$45.00
12/1/2020	NJS	Send case update to Anna Prakash	0.3	\$300.00	\$90.00
12/1/2020	NJS	Call w/ co-counsel re: [REDACTED]	0.4	\$300.00	\$120.00
12/1/2020	NJS	Prepare preservation letter to opposing counsel	0.5	\$300.00	\$150.00
12/2/2020	ACS	Update case calendar	0.1	\$125.00	\$12.50
12/2/2020	APP	Review stipulation	0.1	\$450.00	\$45.00
12/2/2020	APP	Discussion w/ team [REDACTED]	0.1	\$450.00	\$45.00
12/2/2020	APP	Review draft email to opposing counsel	0.1	\$450.00	\$45.00
12/2/2020	NJS	Review filing/service fee issue	0.2	\$300.00	\$60.00
12/3/2020	ACS	Email co-counsel [REDACTED]	0.1	\$125.00	\$12.50
12/3/2020	NJS	Team meeting	0.1	\$300.00	\$30.00
12/3/2020	ACS	Video conference with Nicole Schladt regarding case status	0.3	\$125.00	\$37.50
12/3/2020	APP	Discuss [REDACTED] with Nicole Schladt	0.1	\$450.00	\$45.00
12/3/2020	NJS	Prepare preservation letter to opposing counsel	0.5	\$300.00	\$150.00
12/4/2020	ACS	Update [REDACTED] in Salesforce	0.5	\$125.00	\$62.50
12/7/2020	ACS	Update file with new docket entries and revise case calendar	0.3	\$125.00	\$37.50
12/8/2020	ACS	Prepare preservation memo and exhibit A for mailing	0.2	\$125.00	\$25.00
12/8/2020	APP	Review stipulation	0.1	\$450.00	\$45.00
12/8/2020	NJS	Prepare preservation letter to opposing counsel	0.5	\$300.00	\$150.00
12/8/2020	NJS	Create chart of [REDACTED]	0.5	\$300.00	\$150.00
1/8/2021	ACS	Review local rules and deadlines related to motion response	0.2	\$125.00	\$25.00
1/11/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
1/11/2021	NJS	Email to Alex Smith re: pro hac vice admissions	0.1	\$300.00	\$30.00
1/11/2021	ACS	Save Defendants' motions to dismiss to internal file	0.3	\$125.00	\$37.50
1/11/2021	APP	Review Defendant's filings	0.1	\$450.00	\$45.00
1/11/2021	NJS	Read and outline Defendants' motions to dismiss	4	\$300.00	\$1,200.00
1/12/2021	NJS	Review answer for admissions	1	\$300.00	\$300.00

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
1/13/2021	NJS	Review order re: deadlines and calendar	0.2	\$300.00	\$60.00
1/13/2021	ACS	Calendar order from Court containing case deadlines	0.5	\$125.00	\$62.50
1/13/2021	NJS	Strategy call w/ co-counsel	1	\$300.00	\$300.00
1/13/2021	APP	Review motion to dismiss briefing	0.9	\$450.00	\$405.00
1/13/2021	APP	Strategy meeting with co-counsel	1	\$450.00	\$450.00
1/14/2021	APP	Review draft motion for extension	0.1	\$450.00	\$45.00
1/14/2021	ACS	Draft plaintiffs' motion for extension of time to answer defendants' motions to dismiss	1.7	\$125.00	\$212.50
1/15/2021	ACS	Email Nicole Schladt regarding motion for extension of time	0.1	\$125.00	\$12.50
1/15/2021	ACS	Review local rules regarding motion for extension of time	0.2	\$125.00	\$25.00
1/15/2021	APP	Review motion for extension	0.1	\$450.00	\$45.00
1/15/2021	NJS	Send materials re: [REDACTED] to co-counsel	0.2	\$300.00	\$60.00
1/15/2021	NJS	Contact opposing counsel re: stipulation for extension to respond	0.8	\$300.00	\$240.00
1/15/2021	NJS	Draft/edit motion for extension to respond	3	\$300.00	\$900.00
1/19/2021	ACS	Email co-counsel regarding admission of new attorney	0.1	\$125.00	\$12.50
1/19/2021	ACS	Review local, ECF, and judge's rules regarding certificates of service and proposed orders	0.4	\$125.00	\$50.00
1/19/2021	NJS	Review local rules re: filing motion for extension	1	\$300.00	\$300.00
1/19/2021	NJS	Edit motion for extension of time	2	\$300.00	\$600.00
1/20/2021	APP	Review email from local counsel	0.1	\$450.00	\$45.00
1/20/2021	NJS	Finalize motion for extension for filing	2	\$300.00	\$600.00
1/20/2021	NJS	Outline and research response to motion to dismiss	4	\$300.00	\$1,200.00
1/21/2021	ACS	Email team regarding case status	0.1	\$125.00	\$12.50
1/21/2021	NJS	Coordinate 26(f) meeting	1	\$300.00	\$300.00
1/21/2021	NJS	Research and outline motion to dismiss response	4	\$300.00	\$1,200.00
1/22/2021	NJS	Contact co-counsel re: local rules	0.5	\$300.00	\$150.00
1/26/2021	ACS	Review local rules regarding [REDACTED]; email Nicole Schladt regarding [REDACTED]	0.6	\$125.00	\$75.00
1/26/2021	NJS	Coordinate 26(f) meeting	0.5	\$300.00	\$150.00
1/26/2021	NJS	Draft response to motion to dismiss	4	\$300.00	\$1,200.00
1/27/2021	ACS	Email with Nicole Schladt regarding 26(f)	0.2	\$125.00	\$25.00
1/27/2021	NJS	Draft response to motion to dismiss	3	\$300.00	\$900.00
1/28/2021	APP	Work on 26(f) report	0.4	\$450.00	\$180.00
1/28/2021	ACS	Draft rule 26(f) conference joint report template and email the same to Anna Prakash for review	2.3	\$125.00	\$287.50
1/28/2021	NJS	Brief motion to dismiss response	5	\$300.00	\$1,500.00
1/29/2021	APP	Draft 26(f) report extension request	1	\$450.00	\$450.00
1/29/2021	NJS	Brief motion to dismiss response	7	\$300.00	\$2,100.00
1/31/2021	APP	Review Crouch/Bear/DHHR motion to dismiss briefing	0.3	\$450.00	\$135.00
1/31/2021	APP	Work on response to motion to dismiss class allegations	1.1	\$450.00	\$495.00
2/1/2021	NJS	Email re: draft motion to dismiss response	0.1	\$300.00	\$30.00
2/1/2021	NJS	Email re: preservation	0.1	\$300.00	\$30.00
2/1/2021	NJS	Research local rules re: 26(f) report	0.3	\$300.00	\$90.00
2/1/2021	NJS	Discuss motion to dismiss response	0.5	\$300.00	\$150.00
2/1/2021	NJS	Call w/ co-counsel	0.5	\$300.00	\$150.00
2/1/2021	APP	Discuss motion to dismiss response with Nicole Schladt	0.4	\$450.00	\$180.00
2/1/2021	APP	Strategy meeting with team	0.5	\$450.00	\$225.00
2/1/2021	APP	Work on response to motion to dismiss	2.6	\$450.00	\$1,170.00
2/2/2021	APP	Discuss strategy with team	0.5	\$450.00	\$225.00
2/2/2021	APP	Review motion to dismiss filings	0.5	\$450.00	\$225.00
2/2/2021	NJS	Email clients re: [REDACTED]	1.5	\$300.00	\$450.00
2/2/2021	NJS	Read/analyze Defendants' motion to dismiss	2	\$300.00	\$600.00
2/3/2021	APP	Review discussion of [REDACTED]	0.1	\$450.00	\$45.00
2/3/2021	ACS	Review local rules regarding page limit, need for tables and format of caption	0.5	\$125.00	\$62.50
2/3/2021	APP	Review [REDACTED] for Christopher Fain	0.2	\$450.00	\$90.00
2/3/2021	NJS	Research brief requirements	0.3	\$300.00	\$90.00
2/3/2021	NJS	Edit motion to dismiss response	4	\$300.00	\$1,200.00
2/4/2021	APP	Prepare for discussion w/ co-counsel and client	0.1	\$450.00	\$45.00
2/4/2021	APP	Draft email to OC	0.1	\$450.00	\$45.00
2/4/2021	ACS	Team video conference [REDACTED]	0.6	\$125.00	\$75.00
2/4/2021	APP	Discuss [REDACTED] with team	0.2	\$450.00	\$90.00
2/4/2021	APP	Strategy call with team	0.6	\$450.00	\$270.00
2/4/2021	NJS	Draft 26(f) motion	2	\$300.00	\$600.00
2/5/2021	NJS	Email [REDACTED] to co-counsel	0.1	\$300.00	\$30.00
2/5/2021	APP	Review draft request for extension of 26(f) deadlines	0.1	\$450.00	\$45.00
2/5/2021	NJS	Review notes re [REDACTED]	0.4	\$300.00	\$120.00
2/5/2021	NJS	Call w/ co-counsel	0.6	\$300.00	\$180.00
2/5/2021	APP	Team meeting	0.6	\$450.00	\$270.00
2/5/2021	NJS	Call w/ clients re: [REDACTED]	1	\$300.00	\$300.00
2/6/2021	NJS	Call w/ co-counsel re: [REDACTED]	0.7	\$300.00	\$210.00
2/6/2021	APP	Team strategy call	0.7	\$450.00	\$315.00
2/7/2021	NJS	Call w/ co-counsel re [REDACTED]	0.8	\$300.00	\$240.00
2/7/2021	APP	Strategy call with team	0.8	\$450.00	\$360.00
2/7/2021	APP	Prepare for call with defense counsel	0.9	\$450.00	\$405.00
2/8/2021	APP	Review edits to consent motion	0.1	\$450.00	\$45.00
2/8/2021	APP	Email discussion with team about [REDACTED]	0.1	\$450.00	\$45.00
2/8/2021	APP	Prepare for 26(f) conference	0.1	\$450.00	\$45.00
2/8/2021	APP	Call with team about strategy	0.2	\$450.00	\$90.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
2/8/2021	APP	Edit request for extension	0.2	\$450.00	\$90.00
2/8/2021	APP	Draft email to opposing counsel	0.2	\$450.00	\$90.00
2/8/2021	NJS	Call w/ opposing counsel	0.3	\$300.00	\$90.00
2/8/2021	APP	Call with defense counsel	0.4	\$450.00	\$180.00
2/8/2021	NJS	Draft motion for extension	2	\$300.00	\$600.00
2/9/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
2/9/2021	APP	Edit 26(f) report	0.1	\$450.00	\$45.00
2/9/2021	NJS	26(f) Meeting	0.2	\$300.00	\$60.00
2/9/2021	NJS	Redline 26(f) motion and circulate to opposing counsel	0.2	\$300.00	\$60.00
2/9/2021	APP	26(f) conference	0.2	\$450.00	\$90.00
2/10/2021	APP	Email discussion with team re: legal issues	0.1	\$450.00	\$45.00
2/10/2021	APP	Email discussion with team re: [REDACTED]	0.1	\$450.00	\$45.00
2/10/2021	APP	Review filed request for extension	0.1	\$450.00	\$45.00
2/10/2021	APP	Edit draft stipulation and email to co-counsel	0.2	\$450.00	\$90.00
2/10/2021	NJS	Coordinate filing of 26(f) motion	0.3	\$300.00	\$90.00
2/11/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
2/12/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
2/12/2021	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
2/15/2021	APP	Review edited drafts for motion to dismiss response filing	0.1	\$450.00	\$45.00
2/15/2021	NJS	Review drafts of motion to dismiss responses	1	\$300.00	\$300.00
2/16/2021	ACS	Review and revise case file	0.3	\$125.00	\$37.50
2/16/2021	NJS	Emails re: [REDACTED]	0.2	\$300.00	\$60.00
2/16/2021	NJS	Schedule [REDACTED] call w/ client	0.2	\$300.00	\$60.00
2/17/2021	ACS	Calendar defendant deadline to reply to motion to dismiss	0.1	\$125.00	\$12.50
2/17/2021	NJS	Email opposing counsel re: informal discovery	0.2	\$300.00	\$60.00
2/17/2021	NJS	[REDACTED] call w/ client	1	\$300.00	\$300.00
2/17/2021	NJS	Draft [REDACTED] for clients	2	\$300.00	\$600.00
2/18/2021	APP	Review court order on 26(f) deadlines	0.1	\$450.00	\$45.00
2/18/2021	APP	Discuss case strategy with Nicole Schladt	0.3	\$450.00	\$135.00
2/18/2021	NJS	Document call via email to co-counsel+C346	0.5	\$300.00	\$150.00
2/18/2021	NJS	Call w/ co-counsel re: [REDACTED]	0.5	\$300.00	\$150.00
2/18/2021	NJS	Draft initial disclosures	2	\$300.00	\$600.00
2/19/2021	APP	Review and edit initial disclosures	0.3	\$450.00	\$135.00
2/19/2021	NJS	Edit initial disclosures	1	\$300.00	\$300.00
2/22/2021	NJS	Coordinate circulation of initial disclosures	0.5	\$300.00	\$150.00
2/23/2021	ACS	Save to file docket filings 44-49	0.4	\$125.00	\$50.00
2/23/2021	NJS	Review Christopher Fain declaration	0.4	\$300.00	\$120.00
2/23/2021	ACS	Prepare initial disclosures and certificate of service for mailing to defendants' counsel	1	\$125.00	\$125.00
2/23/2021	NJS	Coordinate service of initial disclosures	0.5	\$300.00	\$150.00
2/23/2021	NJS	Draft motion to dismiss response	3	\$300.00	\$900.00
2/26/2021	NJS	Call w/ co-counsel	0.5	\$300.00	\$150.00
2/26/2021	APP	Strategy call with team	0.5	\$450.00	\$225.00
2/26/2021	NJS	Edit motion to dismiss response	5	\$300.00	\$1,500.00
2/28/2021	NJS	Review motion to dismiss response	2	\$300.00	\$600.00
2/28/2021	APP	Work on response to motion to dismiss	2.2	\$450.00	\$990.00
3/1/2021	NJS	Send update email to co-counsel	0.2	\$300.00	\$60.00
3/1/2021	NJS	Email co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
3/1/2021	NJS	Research local rules on hearings	0.4	\$300.00	\$120.00
3/1/2021	APP	Work on and discuss response to motion to dismiss	0.6	\$450.00	\$270.00
3/1/2021	NJS	Call w/ co-counsel re: [REDACTED]	1	\$300.00	\$300.00
3/1/2021	NJS	Edit and review motion to dismiss response	2	\$300.00	\$600.00
3/2/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
3/2/2021	NJS	Email opposing counsel re: filing	0.1	\$300.00	\$30.00
3/3/2021	NJS	Review email from co-counsel	0.1	\$300.00	\$30.00
3/3/2021	APP	Strategy emails with team	0.1	\$450.00	\$45.00
3/3/2021	APP	Review proposed experts	0.1	\$450.00	\$45.00
3/3/2021	NJS	Review potential expert reports	1.5	\$300.00	\$450.00
3/4/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
3/4/2021	NJS	Review emails w/ opposing counsel	0.2	\$300.00	\$60.00
3/5/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/5/2021	NJS	Email opposing counsel re: extension	0.1	\$300.00	\$30.00
3/8/2021	NJS	Review consent motion ruling	0.1	\$300.00	\$30.00
3/8/2021	APP	Strategy discussion w/ co-counsel over email	0.1	\$450.00	\$45.00
3/8/2021	NJS	Review email from co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
3/11/2021	APP	Review status of initial disclosures	0.1	\$450.00	\$45.00
3/11/2021	NJS	Email re: [REDACTED]	0.3	\$300.00	\$90.00
3/11/2021	NJS	Review initial disclosures from defendants	0.5	\$300.00	\$150.00
3/12/2021	ACS	Submit Defendant Beane et al documents for loading into relativity	0.1	\$125.00	\$12.50
3/12/2021	ACS	Email team regarding case status	0.1	\$125.00	\$12.50
3/12/2021	APP	Email discussion w/ Angi Kittelson re: [REDACTED]	0.1	\$450.00	\$45.00
3/12/2021	NJS	Review informal discovery	3	\$300.00	\$900.00
3/15/2021	ACS	Review case calendar	0.2	\$125.00	\$25.00
3/15/2021	APP	Review documents produced by Defendant	0.4	\$450.00	\$180.00
3/16/2021	APP	Review email from client	0.1	\$450.00	\$45.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
3/17/2021	NJS	Review draft joint motion	0.2	\$300.00	\$60.00
3/18/2021	ACS	Review joint motion for extension of reply deadline	0.2	\$125.00	\$25.00
3/18/2021	APP	Edit email to opposing counsel	0.1	\$450.00	\$45.00
3/18/2021	NJS	Medicaid strategy meeting	0.4	\$300.00	\$120.00
3/18/2021	APP	Strategy discussion w/ team	0.4	\$450.00	\$180.00
3/18/2021	APP	Draft stipulation	0.5	\$450.00	\$225.00
3/19/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/19/2021	ACS	Update internal file	0.1	\$125.00	\$12.50
3/19/2021	CLP	Opened Relativity workspace.	0.1	\$125.00	\$12.50
3/19/2021	CLP	Uploaded un-Bates numbered defendant production to Relativity.	0.1	\$125.00	\$12.50
3/19/2021	APP	Review order on extension	0.1	\$450.00	\$45.00
3/25/2021	NJS	Team strategy meeting	0.3	\$300.00	\$90.00
3/25/2021	APP	Meet with team about strategy	0.3	\$450.00	\$135.00
3/28/2021	APP	Review response to motion to dismiss	0.3	\$450.00	\$135.00
3/29/2021	APP	Meet with Nicole Schladt about [REDACTED]	0.1	\$450.00	\$45.00
3/30/2021	NJS	Strategy meeting with team	0.3	\$300.00	\$90.00
3/30/2021	APP	Strategy meeting with team	0.3	\$450.00	\$135.00
3/30/2021	NJS	Meeting re [REDACTED]	0.5	\$300.00	\$150.00
3/30/2021	APP	Investigation interview	0.5	\$450.00	\$225.00
3/31/2021	APP	Work on sur-reply	2.1	\$450.00	\$945.00
4/1/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
4/1/2021	ACS	Email [REDACTED] team for review	0.1	\$125.00	\$12.50
4/1/2021	ACS	Review local and administrative rules regarding filing via ECF	0.6	\$125.00	\$75.00
4/1/2021	ACS	Format sur reply and draft exhibit A to sur-reply	0.9	\$125.00	\$112.50
4/1/2021	NJS	Review [REDACTED]	0.5	\$300.00	\$150.00
4/2/2021	ACS	Video conference with team regarding [REDACTED]	0.1	\$125.00	\$12.50
4/2/2021	NJS	Call w/ Anna Prakash and Alex Smith re: case status	0.1	\$300.00	\$30.00
4/2/2021	APP	Team meeting about [REDACTED]	0.1	\$450.00	\$45.00
4/2/2021	NJS	Draft sur-reply	4	\$300.00	\$1,200.00
4/3/2021	APP	Work on sur-reply to motion to dismiss.	1.1	\$450.00	\$495.00
4/4/2021	APP	Work on sur-reply	0.3	\$450.00	\$135.00
4/5/2021	ACS	Review exhibit A to motion for sur-reply and prepare for filing	0.1	\$125.00	\$12.50
4/5/2021	ACS	Email [REDACTED] to Nicole Schladt for review	0.1	\$125.00	\$12.50
4/5/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
4/5/2021	APP	Email discussion w team re [REDACTED]	0.1	\$450.00	\$45.00
4/5/2021	NJS	Clean up sur-reply and prepare for filing	5	\$300.00	\$1,500.00
4/19/2021	NJS	Review [REDACTED] report	2	\$300.00	\$600.00
5/3/2021	APP	Review update from client	0.1	\$450.00	\$45.00
5/5/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
5/7/2021	APP	Strategy discussion w/ team over email	0.1	\$450.00	\$45.00
5/10/2021	NJS	Team strategy call	0.3	\$300.00	\$90.00
5/10/2021	APP	Strategy call with team	0.3	\$450.00	\$135.00
5/19/2021	APP	Review emails to clients	0.1	\$450.00	\$45.00
5/19/2021	ACS	Review order denying defendants' motions to dismiss	0.6	\$125.00	\$75.00
5/19/2021	APP	Review court order	0.3	\$450.00	\$135.00
5/19/2021	NJS	Read opinion and coordinate next steps	3	\$300.00	\$900.00
5/20/2021	ACS	Update internal docket folder with recent filings	0.1	\$125.00	\$12.50
5/24/2021	ACS	Review docket for date of Rule 16	0.3	\$125.00	\$37.50
5/25/2021	ACS	Email [REDACTED] to Nicole Schladt	0.1	\$125.00	\$12.50
5/25/2021	APP	Review docket for deadlines	0.1	\$450.00	\$45.00
5/25/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
5/25/2021	NJS	Team strategy call	1	\$300.00	\$300.00
5/25/2021	NJS	Coordinate filing of sur-reply	1	\$300.00	\$300.00
5/25/2021	APP	Team strategy meeting	1	\$450.00	\$450.00
6/4/2021	NJS	Emails regarding meeting about next steps	0.2	\$300.00	\$60.00
6/7/2021	NJS	Call w/ co-counsel	0.6	\$300.00	\$180.00
6/7/2021	APP	Team meeting	0.6	\$450.00	\$270.00
6/8/2021	APP	Review summary of call with clerk	0.1	\$450.00	\$45.00
6/8/2021	APP	Call with Nicole Schladt [REDACTED]	0.2	\$450.00	\$90.00
6/8/2021	APP	Review [REDACTED] issue and discuss w/ Nicole Schladt	0.5	\$450.00	\$225.00
6/8/2021	NJS	Coordinate ESI collection	2	\$300.00	\$600.00
6/9/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
6/9/2021	NJS	Email client	0.3	\$300.00	\$90.00
6/9/2021	ATK	Meet with legal team regarding [REDACTED]	1	\$125.00	\$125.00
6/9/2021	NJS	Call w/ co-counsel	1	\$300.00	\$300.00
6/11/2021	NJS	ESI research	1	\$300.00	\$300.00
6/14/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
6/14/2021	NJS	Call w/ co-counsel	0.2	\$300.00	\$60.00
6/14/2021	APP	Team meeting	0.2	\$450.00	\$90.00
6/14/2021	NJS	Schedule call	0.5	\$300.00	\$150.00
6/15/2021	NJS	Call w/ co-counsel	0.4	\$300.00	\$120.00
6/15/2021	APP	Call w/ potential expert	0.4	\$450.00	\$180.00
6/16/2021	APP	Review email from opposing counsel and discuss with team	0.1	\$450.00	\$45.00
6/20/2021	APP	Review expert engagement letter	0.1	\$450.00	\$45.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
6/20/2021	APP	Review client medical communication	0.1	\$450.00	\$45.00
6/20/2021	APP	Work on case scheduling and related documents	1.4	\$450.00	\$630.00
6/21/2021	APP	Call with Nicole Schladt about 26(f) meeting	0.1	\$450.00	\$45.00
6/21/2021	APP	Prepare for 26(f) meeting	0.1	\$450.00	\$45.00
6/21/2021	APP	26(f) meeting	0.3	\$450.00	\$135.00
6/21/2021	NJS	Call w/ co-counsel	1	\$300.00	\$300.00
6/22/2021	ACS	Email Nicole Schladt regarding case documents	0.1	\$125.00	\$12.50
6/22/2021	ACS	Submit Relativity request to have client documents loaded	0.1	\$125.00	\$12.50
6/23/2021	NJS	Draft 26(f) report	2	\$300.00	\$600.00
6/24/2021	CLP	Uploaded client document to Relativity.	0.1	\$125.00	\$12.50
6/24/2021	APP	Review/edit draft 26(f) report	0.1	\$450.00	\$45.00
6/24/2021	NJS	Finish 26(f) report for review	0.2	\$300.00	\$60.00
6/25/2021	ACS	Email draft [REDACTED] to team for review	0.1	\$125.00	\$12.50
6/25/2021	ACS	Draft protective order, claw back order, and deposition schedule	1.4	\$125.00	\$175.00
6/25/2021	NJS	Call w/ co-counsel	1	\$300.00	\$300.00
6/25/2021	NJS	26(f) report edits and research	1	\$300.00	\$300.00
6/25/2021	NJS	Review discovery	4	\$300.00	\$1,200.00
6/28/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
6/28/2021	NJS	Redline 26(f) report	1	\$300.00	\$300.00
6/28/2021	NJS	Review motion to dismiss ruling	2	\$300.00	\$600.00
6/29/2021	NJS	Email opposing counsel re: 26(f) report	0.3	\$300.00	\$90.00
6/29/2021	NJS	ESI phone collection	0.3	\$300.00	\$90.00
6/29/2021	NJS	Draft 26(f) attachments and discovery edits	4	\$300.00	\$1,200.00
6/30/2021	APP	Review discovery drafts	0.4	\$450.00	\$180.00
6/30/2021	APP	Review protective order and other form document drafts	0.5	\$450.00	\$225.00
6/30/2021	NJS	Edit discovery requests	1.5	\$300.00	\$450.00
6/30/2021	NJS	Edit 26(f) attachments	1.5	\$300.00	\$450.00
7/2/2021	NJS	Schedule call w/ team	0.2	\$300.00	\$60.00
7/2/2021	ATK	Telephone call with legal team [REDACTED]	0.5	\$125.00	\$62.50
7/2/2021	NJS	Meet with team on [REDACTED]	0.5	\$300.00	\$150.00
7/2/2021	APP	Meet about [REDACTED] with Angi Kittelson	0.5	\$450.00	\$225.00
7/6/2021	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
7/6/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
7/6/2021	APP	Review discovery and 26(f) attachments	0.1	\$450.00	\$45.00
7/6/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
7/6/2021	ATK	Telephone call with Nicole Schladt [REDACTED]	0.5	\$125.00	\$62.50
7/6/2021	ATK	Telephone call with legal team and opposing counsel regarding ESI.	0.5	\$125.00	\$62.50
7/6/2021	APP	ESI discussion with opposing counsel	0.4	\$450.00	\$180.00
7/6/2021	NJS	[REDACTED] discussion w/ Anna Prakash	1	\$300.00	\$300.00
7/6/2021	APP	Call with defense counsel	1	\$450.00	\$450.00
7/6/2021	NJS	Review and edit 26(f) attachments	1.5	\$300.00	\$450.00
7/7/2021	APP	Email discussion w/ Nicole Schladt about discovery	0.1	\$450.00	\$45.00
7/7/2021	APP	Review edits to discovery	0.2	\$450.00	\$90.00
7/7/2021	APP	Review edits to discovery drafts	0.3	\$450.00	\$135.00
7/7/2021	NJS	Call re: [REDACTED]	0.8	\$300.00	\$240.00
7/7/2021	APP	Team meeting about strategy	0.8	\$450.00	\$360.00
7/7/2021	NJS	Draft discovery requests	3	\$300.00	\$900.00
7/8/2021	ACS	Calendar deadline for defendants to respond to written discovery	0.1	\$125.00	\$12.50
7/8/2021	NJS	Answer email re: service	0.1	\$300.00	\$30.00
7/8/2021	NJS	Review certificates of service	0.3	\$300.00	\$90.00
7/9/2021	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
7/9/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
7/9/2021	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
7/9/2021	NJS	Send Word versions of discovery to defendant	0.2	\$300.00	\$60.00
7/12/2021	NJS	Team meeting	0.3	\$300.00	\$90.00
7/12/2021	APP	Team meeting	0.3	\$450.00	\$135.00
7/13/2021	APP	Email discussion w/ co-counsel	0.1	\$450.00	\$45.00
7/13/2021	NJS	Call w/ potential client	0.5	\$300.00	\$150.00
7/13/2021	APP	Call with potential client	0.5	\$450.00	\$225.00
7/14/2021	APP	Email to opposing counsel following up on 26(f) report	0.1	\$450.00	\$45.00
7/15/2021	APP	Review ESI status	0.1	\$450.00	\$45.00
7/16/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
7/16/2021	APP	Edit 26(f) schedule and email to opposing counsel	0.2	\$450.00	\$90.00
7/19/2021	ATK	Telephone call with Anna Prakash and Chris Good regarding [REDACTED]	0.3	\$125.00	\$37.50
7/19/2021	APP	Meet w/ Angi Kittelson and Chris Good about the status of [REDACTED]	0.3	\$450.00	\$135.00
7/20/2021	ACS	Revise calendar deadline for all defendants to respond to discovery	0.1	\$125.00	\$12.50
7/20/2021	ACS	Video conference with Anna Prakash regarding [REDACTED]	0.1	\$125.00	\$12.50
7/20/2021	ATK	Correspondence regarding [REDACTED]	0.3	\$125.00	\$37.50
7/20/2021	APP	Email discussion w/ team re [REDACTED]	0.1	\$450.00	\$45.00
7/20/2021	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
7/20/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
7/20/2021	APP	Discuss discovery service with Alex Smith	0.1	\$450.00	\$45.00
7/20/2021	APP	Edit cover letter for discovery service	0.1	\$450.00	\$45.00
7/20/2021	APP	Respond to email from defense counsel	0.1	\$450.00	\$45.00

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
7/20/2021	ACS	Review emails regarding discovery	0.4	\$125.00	\$50.00
7/20/2021	APP	Meet with potential client	0.5	\$450.00	\$225.00
7/20/2021	ACS	Draft, review, revise, prepare for mailing and mail with tracking interrogatories, requests for production of documents and requests for admission to all defendants	6.8	\$125.00	\$850.00
7/22/2021	APP	Phone call with team	0.1	\$450.00	\$45.00
7/22/2021	ACS	Video conference with Angi Kittelson, Anna Prakash, and Avatara Smith from Lambda Legal regarding [REDACTED]	0.7	\$125.00	\$87.50
7/22/2021	ATK	Telephone call regarding [REDACTED]	0.7	\$125.00	\$87.50
7/22/2021	ATK	Prepare and send summary of [REDACTED] for Christopher Fain.	1	\$125.00	\$125.00
7/22/2021	APP	Phone call with Christopher Fain	0.7	\$450.00	\$315.00
7/23/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
7/23/2021	ACS	Review and revise [REDACTED]. Email the same to Anna Prakash for review	0.5	\$125.00	\$62.50
7/23/2021	APP	Meet with opposing counsel and discuss same with co-counsel	0.6	\$450.00	\$270.00
7/24/2021	ATK	Summarize and report on ESI collections.	1.2	\$125.00	\$150.00
7/26/2021	ACS	Email [REDACTED] to Christopher Fain	0.1	\$125.00	\$12.50
7/26/2021	ACS	Review email regarding case status from Avatara Smith-Carrington	0.1	\$125.00	\$12.50
7/27/2021	ACS	[REDACTED] telephone conference with Nicole Schladt and Angi Kittelson	0.3	\$125.00	\$37.50
7/27/2021	APP	Email to phone vendor	0.1	\$450.00	\$45.00
7/27/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
7/27/2021	APP	Review case status notes from co-counsel	0.1	\$450.00	\$45.00
7/27/2021	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
7/27/2021	ATK	ESI collection.	0.5	\$125.00	\$62.50
7/27/2021	ATK	ESI analysis and reporting.	0.5	\$125.00	\$62.50
7/27/2021	NJS	[REDACTED] w/ client	0.5	\$300.00	\$150.00
7/28/2021	APP	Call with phone vendor	0.1	\$450.00	\$45.00
7/28/2021	APP	Review edits to 26(f) report	0.1	\$450.00	\$45.00
7/28/2021	APP	Discuss [REDACTED] w/ Matt Morgan	0.1	\$450.00	\$45.00
7/28/2021	APP	Edit vendor contract	0.1	\$450.00	\$45.00
7/28/2021	NJS	Edit and file 26(f) report	3	\$300.00	\$900.00
7/29/2021	ATK	Telephone call regarding [REDACTED]	0.1	\$125.00	\$12.50
7/29/2021	ATK	Correspondence regarding [REDACTED]	0.2	\$125.00	\$25.00
7/29/2021	APP	Review correspondence from opposing counsel	0.1	\$450.00	\$45.00
7/29/2021	ATK	ESI collection.	0.4	\$125.00	\$50.00
7/30/2021	ATK	Correspondence regarding [REDACTED]	0.3	\$125.00	\$37.50
7/30/2021	APP	Review and edit contract for vendor	0.1	\$450.00	\$45.00
8/2/2021	NJS	Email Alex Smith re: [REDACTED]	0.1	\$300.00	\$30.00
8/2/2021	NJS	Email opposing counsel re: service via email	0.1	\$300.00	\$30.00
8/2/2021	ATK	ESI analysis and reporting	0.3	\$125.00	\$37.50
8/3/2021	NJS	Email co-counsel to discuss next steps	0.1	\$300.00	\$30.00
8/3/2021	APP	Follow up with vendor	0.1	\$450.00	\$45.00
8/3/2021	APP	Review letter from opposing counsel	0.1	\$450.00	\$45.00
8/3/2021	NJS	Meet w/ client	0.5	\$300.00	\$150.00
8/4/2021	ACS	Email phone vendor agreement to Anna Prakash for review	0.1	\$125.00	\$12.50
8/4/2021	ACS	Review and revise collection agreement with phone vendor	0.3	\$125.00	\$37.50
8/4/2021	APP	Review and respond to email from vendor	0.1	\$450.00	\$45.00
8/5/2021	ACS	Email vendor agreement to Anna Prakash for review	0.1	\$125.00	\$12.50
8/5/2021	ACS	Accept redlines to vendor agreement	0.1	\$125.00	\$12.50
8/5/2021	ACS	Email vendor agreement to the same for signature	0.1	\$125.00	\$12.50
8/5/2021	ACS	Revise vendor agreement	0.3	\$125.00	\$37.50
8/5/2021	APP	Review vendor agreement	0.1	\$450.00	\$45.00
8/5/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
8/5/2021	APP	Review legal services agreements	0.2	\$450.00	\$90.00
8/5/2021	NJS	Review vendor agreement	0.3	\$300.00	\$90.00
8/5/2021	APP	Edit vendor agreement	0.3	\$450.00	\$135.00
8/5/2021	NJS	Call w/ client	0.5	\$300.00	\$150.00
8/6/2021	NJS	Review scheduling order	0.2	\$300.00	\$60.00
8/6/2021	ACS	Review scheduling order	1	\$125.00	\$125.00
8/9/2021	NJS	Email co-counsel re: scheduling order	0.1	\$300.00	\$30.00
8/9/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
8/9/2021	ATK	ESI processing and reporting.	0.5	\$125.00	\$62.50
8/9/2021	NJS	Call w/ Rebekah Bailey re: [REDACTED]	0.3	\$300.00	\$90.00
8/9/2021	NJS	Email re: [REDACTED]	0.4	\$300.00	\$120.00
8/9/2021	NJS	Email opposing counsel re: 26(f) attachments	0.4	\$300.00	\$120.00
8/9/2021	NJS	Call re: [REDACTED]	0.5	\$300.00	\$150.00
8/9/2021	ACS	Review [REDACTED] and email the team regarding the same	2	\$125.00	\$250.00
8/10/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
8/10/2021	NJS	Emails re: case calendar and deadlines	0.2	\$300.00	\$60.00
8/10/2021	NJS	Email opposing counsel re: protective order	0.2	\$300.00	\$60.00
8/10/2021	ACS	Review [REDACTED] with team to decide [REDACTED]	0.5	\$125.00	\$62.50
8/11/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
8/11/2021	NJS	Email re: [REDACTED]	0.1	\$300.00	\$30.00
8/11/2021	ACS	Review notes regarding [REDACTED] and email Nicole Schladt regarding the same	0.3	\$125.00	\$37.50
8/11/2021	NJS	Draft alternative ESI protocols	1	\$300.00	\$300.00
8/12/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
8/12/2021	ACS	Email vendor regarding [REDACTED]	0.1	\$125.00	\$12.50
8/12/2021	ACS	Email [REDACTED] to Nicole Schladt	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
8/12/2021	ACS	Telephone conference with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
8/12/2021	ACS	Telephone conference with vendor regarding [REDACTED]	0.2	\$125.00	\$25.00
8/12/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
8/12/2021	ACS	Review local rules regarding the filing of stipulations	0.2	\$125.00	\$25.00
8/12/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
8/12/2021	NJS	Email opposing counsel re: 26(f) attachments	0.1	\$300.00	\$30.00
8/12/2021	ACS	Email team regarding [REDACTED]	0.3	\$125.00	\$37.50
8/12/2021	ACS	Draft stipulation to extend case deadlines	0.3	\$125.00	\$37.50
8/12/2021	APP	Email with paralegal about [REDACTED]	0.1	\$450.00	\$45.00
8/12/2021	APP	Review emails from ESI vendor	0.1	\$450.00	\$45.00
8/12/2021	NJS	Review edits to ESI protocol	0.2	\$300.00	\$60.00
8/12/2021	NJS	Call w/ co-counsel re [REDACTED]	0.2	\$300.00	\$60.00
8/12/2021	NJS	Email Alex Smith re: [REDACTED]	0.3	\$300.00	\$90.00
8/12/2021	NJS	Draft stipulation for extension	1	\$300.00	\$300.00
8/13/2021	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
8/13/2021	ACS	Telephone conference with vendor to [REDACTED]	0.1	\$125.00	\$12.50
8/13/2021	ACS	Email vendor for [REDACTED]	0.1	\$125.00	\$12.50
8/13/2021	ACS	Video conference with Angi Kittelson and Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
8/13/2021	ATK	Correspondence regarding [REDACTED]	0.2	\$125.00	\$25.00
8/13/2021	NJS	Coordinate filing of stipulation for extension	0.2	\$300.00	\$60.00
8/13/2021	NJS	Review edits to ESI protocol	0.3	\$300.00	\$90.00
8/13/2021	NJS	Call w/ Rebekah Bailey re [REDACTED]	1	\$300.00	\$300.00
8/13/2021	NJS	Draft ESI protocol	1	\$300.00	\$300.00
8/16/2021	ACS	Review notes from vendor regarding [REDACTED]	0.2	\$125.00	\$25.00
8/16/2021	NJS	Email to Alex Smith re: [REDACTED]	0.1	\$300.00	\$30.00
8/16/2021	ACS	Emails with Nicole Schladt regarding [REDACTED]	0.3	\$125.00	\$37.50
8/16/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
8/16/2021	APP	Discuss [REDACTED] with team over email	0.1	\$450.00	\$45.00
8/16/2021	NJS	Email opposing counsel re: ESI protocol	0.2	\$300.00	\$60.00
8/16/2021	NJS	Email to Anna Prakash and team re: [REDACTED]	0.3	\$300.00	\$90.00
8/16/2021	ACS	Calendar scheduling order	0.9	\$125.00	\$112.50
8/17/2021	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
8/17/2021	ACS	Email Walt Auvil regarding [REDACTED]	0.1	\$125.00	\$12.50
8/17/2021	ACS	Email team regarding status of [REDACTED]	0.1	\$125.00	\$12.50
8/17/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
8/17/2021	ACS	Telephone conference with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
8/17/2021	APP	Review correspondence re: [REDACTED]	0.1	\$450.00	\$45.00
8/18/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
8/18/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
8/18/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
8/18/2021	APP	Review and draft response to email from opposing counsel, discuss with team, edit and send	0.2	\$450.00	\$90.00
8/19/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
8/19/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
8/19/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
8/19/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
8/19/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
8/19/2021	APP	Respond to request from opposing counsel	0.1	\$450.00	\$45.00
8/20/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
8/20/2021	ACS	Email [REDACTED] to Nicole Schladt and Anna Prakash for review	0.1	\$125.00	\$12.50
8/20/2021	ACS	Email Nicole Schladt about [REDACTED]	0.1	\$125.00	\$12.50
8/20/2021	ACS	Email [REDACTED] to Nicole Schladt for review	0.1	\$125.00	\$12.50
8/20/2021	ACS	Prepare exhibits for motion filing	0.4	\$125.00	\$50.00
8/20/2021	NJS	Discuss [REDACTED] w/ Anna Prakash	0.2	\$300.00	\$60.00
8/20/2021	ACS	Draft protective order	0.7	\$125.00	\$87.50
8/20/2021	APP	Call with Nicole Schladt [REDACTED]	0.2	\$450.00	\$90.00
8/20/2021	APP	Review and edit proposed filings	0.2	\$450.00	\$90.00
8/20/2021	NJS	Draft motion and prepare attachments for filing	4	\$300.00	\$1,200.00
8/22/2021	NJS	Email co-counsel re: case status	0.1	\$300.00	\$30.00
8/23/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
8/23/2021	ACS	Update case file	0.1	\$125.00	\$12.50
8/23/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.4	\$125.00	\$50.00
8/23/2021	ACS	Review and version for internal file motion for entry of Rule 26(f) attachments, response, and referral of motion to Judge Cheryl A. Eifert	1.2	\$125.00	\$150.00
8/23/2021	APP	Team meeting	0.6	\$450.00	\$270.00
8/24/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
8/24/2021	ACS	Telephone conference with Christopher Fain [REDACTED]	0.2	\$125.00	\$25.00
8/24/2021	NJS	Email Alex Smith re: [REDACTED]	0.1	\$300.00	\$30.00
8/24/2021	ACS	Submit defendant documents for loading into relativity	0.6	\$125.00	\$75.00
8/24/2021	APP	Review intake notes for potential class rep	0.2	\$450.00	\$90.00
8/24/2021	APP	Research mediators	0.2	\$450.00	\$90.00
8/24/2021	CLP	Processed and uploaded defendant productions to Relativity.	1.4	\$125.00	\$175.00
8/24/2021	APP	Review amended complaint	0.4	\$450.00	\$180.00
8/24/2021	NJS	Review discovery responses	1	\$300.00	\$300.00
8/24/2021	APP	Review Defendants' discovery responses and write discovery issues letter	1	\$450.00	\$450.00
8/25/2021	ACS	Email local rule regarding motion reply deadline to team	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
8/25/2021	ACS	Email local counsel regarding [REDACTED]	0.1	\$125.00	\$12.50
8/25/2021	ACS	Review local rules on motion reply deadline	0.2	\$125.00	\$25.00
8/25/2021	NJS	Email client re: [REDACTED]	0.1	\$300.00	\$30.00
8/25/2021	NJS	Clean up and circulate [REDACTED]	0.5	\$300.00	\$150.00
8/25/2021	NJS	[REDACTED] call w/ client	1	\$300.00	\$300.00
8/25/2021	NJS	Draft reply to ESI response	2	\$300.00	\$600.00
8/26/2021	ACS	Telephone conference with Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
8/26/2021	ACS	Email Jacob Vandervest regarding [REDACTED]	0.1	\$125.00	\$12.50
8/26/2021	ACS	Email Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
8/26/2021	ACS	Email Jacob Vandervest regarding [REDACTED]	0.1	\$125.00	\$12.50
8/26/2021	ACS	Email Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
8/26/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
8/26/2021	ACS	Email with Jacob Vandervest regarding [REDACTED]	0.1	\$125.00	\$12.50
8/26/2021	ACS	Emails to team regarding [REDACTED]	0.2	\$125.00	\$25.00
8/26/2021	ACS	Emails with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
8/26/2021	NJS	Email court 26(f) attachments	0.2	\$300.00	\$60.00
8/26/2021	APP	Review reply brief on ESI	0.2	\$450.00	\$90.00
8/26/2021	NJS	[REDACTED] call w/ client	1	\$300.00	\$300.00
8/27/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
8/27/2021	APP	Meet with Nicole Schladt about [REDACTED]	0.1	\$450.00	\$45.00
8/27/2021	NJS	Email court re: 26(f) attachments	0.2	\$300.00	\$60.00
8/29/2021	APP	Review vendor status of phone collections	0.1	\$450.00	\$45.00
8/29/2021	APP	Review and edit discovery issues letter	0.6	\$450.00	\$270.00
8/30/2021	NJS	Research [REDACTED]	1	\$300.00	\$300.00
8/31/2021	APP	Review discovery issues letter	0.1	\$450.00	\$45.00
8/31/2021	NJS	Research [REDACTED]	1	\$300.00	\$300.00
9/1/2021	ACS	Update case calendar regarding 26(f) attachment hearing	0.1	\$125.00	\$12.50
9/1/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
9/1/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
9/1/2021	APP	Review correspondence with court	0.1	\$450.00	\$45.00
9/1/2021	APP	Review correspondence with client	0.1	\$450.00	\$45.00
9/1/2021	APP	Review court order	0.1	\$450.00	\$45.00
9/2/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
9/2/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
9/2/2021	APP	Review amended complaint draft section	0.2	\$450.00	\$90.00
9/7/2021	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
9/7/2021	ACS	Update calendar	0.1	\$125.00	\$12.50
9/7/2021	ACS	Review emails from team regarding case status	0.2	\$125.00	\$25.00
9/7/2021	APP	Discuss case tasks with co-counsel over email	0.2	\$450.00	\$90.00
9/8/2021	NJS	Email Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
9/8/2021	APP	Review and respond to emails from opposing counsel	0.1	\$450.00	\$45.00
9/8/2021	APP	Email to opposing counsel	0.1	\$450.00	\$45.00
9/8/2021	APP	Prepare for meet and confer	0.3	\$450.00	\$135.00
9/8/2021	APP	Edit ESI reply brief	0.4	\$450.00	\$180.00
9/8/2021	NJS	Draft ESI reply	3.5	\$300.00	\$1,050.00
9/9/2021	ACS	Prepare and email [REDACTED] to local counsel for filing	0.2	\$125.00	\$25.00
9/9/2021	ACS	Review reply on motion for entry of rule 26(f) attachments	0.3	\$125.00	\$37.50
9/9/2021	APP	Call with Alex Smith re: [REDACTED]	0.1	\$450.00	\$45.00
9/9/2021	ACS	Update file with defendant responses to written discovery	1	\$125.00	\$125.00
9/9/2021	APP	Prepare for meet and confer	0.3	\$450.00	\$135.00
9/9/2021	NJS	Draft follow up email to opposing counsel re: meet and confer	0.5	\$300.00	\$150.00
9/9/2021	NJS	Meet and confer w/ opposing counsel	1	\$300.00	\$300.00
9/9/2021	APP	Meet and confer with opposing counsel for Crouch, Beane, Cheatham	1	\$450.00	\$450.00
9/10/2021	ACS	Video conference with Angi Kittelson regarding [REDACTED]	0.1	\$125.00	\$12.50
9/10/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
9/10/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
9/10/2021	ACS	Telephone conference with Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
9/10/2021	ACS	Email with team regarding [REDACTED]	0.1	\$125.00	\$12.50
9/10/2021	ACS	Video conference with Angi Kittelson regarding [REDACTED]	0.2	\$125.00	\$25.00
9/11/2021	APP	Review and edit first amended complaint	0.8	\$450.00	\$360.00
9/13/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
9/13/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
9/13/2021	ACS	Telephone conference with vendor's office regarding [REDACTED]	0.2	\$125.00	\$25.00
9/13/2021	NJS	Edit Depo Protocol Order and circulate	0.2	\$300.00	\$60.00
9/13/2021	NJS	ESI hearing	0.5	\$300.00	\$150.00
9/13/2021	APP	ESI hearing	0.5	\$450.00	\$225.00
9/13/2021	NJS	Team strategy meeting	1	\$300.00	\$300.00
9/13/2021	APP	Team meeting	1	\$450.00	\$450.00
9/13/2021	NJS	Prepare for ESI hearing	3	\$300.00	\$900.00
9/14/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
9/14/2021	NJS	Review proposed search terms	0.1	\$300.00	\$30.00
9/14/2021	NJS	Email opposing counsel re: meet and confer	0.1	\$300.00	\$30.00
9/14/2021	ATK	Telephone call with Nicole Schladt regarding [REDACTED]	0.3	\$125.00	\$37.50
9/16/2021	APP	Review mediation proposal	0.1	\$450.00	\$45.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
9/16/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
9/16/2021	APP	Review draft response to email from opposing counsel	0.1	\$450.00	\$45.00
9/16/2021	NJS	Review mediation documents	0.4	\$300.00	\$120.00
9/19/2021	APP	Review motion to amend and related documents and rules	0.3	\$450.00	\$135.00
9/20/2021	ACS	Video conference with team regarding case status	0.5	\$125.00	\$62.50
9/20/2021	NJS	Team strategy meeting	0.5	\$300.00	\$150.00
9/20/2021	APP	Team meeting re: [REDACTED]	0.5	\$450.00	\$225.00
9/20/2021	NJS	Draft email re: [REDACTED]	1.3	\$300.00	\$390.00
9/21/2021	NJS	Email Angi re: [REDACTED]	0.1	\$300.00	\$30.00
9/21/2021	APP	Email discussion w/ Nicole Schladt re: [REDACTED]	0.1	\$450.00	\$45.00
9/21/2021	ATK	Correspondence regarding [REDACTED]	0.5	\$125.00	\$62.50
9/21/2021	APP	Edit discovery requests	0.2	\$450.00	\$90.00
9/21/2021	APP	Email discussion w/ team re: [REDACTED]	0.2	\$450.00	\$90.00
9/21/2021	NJS	Draft email re: [REDACTED]	0.3	\$300.00	\$90.00
9/21/2021	NJS	Email opposing counsel re: outstanding ESI	0.5	\$300.00	\$150.00
9/22/2021	APP	Review memo in support of motion to amend	0.1	\$450.00	\$45.00
9/22/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
9/22/2021	ATK	Discuss [REDACTED] with Nicole Schladt.	0.5	\$125.00	\$62.50
9/22/2021	NJS	Meet w/ Angi Kittelson re: [REDACTED]	0.5	\$300.00	\$150.00
9/23/2021	ACS	Update internal file	0.3	\$125.00	\$37.50
9/24/2021	APP	Review emails from client	0.1	\$450.00	\$45.00
9/24/2021	ATK	Telephone calls regarding [REDACTED]	0.7	\$125.00	\$87.50
9/24/2021	NJS	Call w/ Angi Kittelson to discuss [REDACTED]	0.3	\$300.00	\$90.00
9/24/2021	NJS	Call w/ opposing counsel re: ESI	0.4	\$300.00	\$120.00
9/24/2021	NJS	Prepare for call w/ opposing counsel re: ESI	1.5	\$300.00	\$450.00
9/27/2021	APP	Review email to opposing counsel	0.1	\$450.00	\$45.00
9/27/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
9/27/2021	APP	Discuss [REDACTED] w/ Nicole Schladt	0.1	\$450.00	\$45.00
9/27/2021	ATK	Meet regarding [REDACTED]	0.5	\$125.00	\$62.50
9/27/2021	NJS	Call w/ Angi Kittelson re: [REDACTED]	0.5	\$300.00	\$150.00
9/27/2021	NJS	Call w/ opposing counsel re: ESI	0.6	\$300.00	\$180.00
9/27/2021	NJS	Edit ESI plan	1	\$300.00	\$300.00
9/27/2021	NJS	Discuss [REDACTED]	2	\$300.00	\$600.00
9/28/2021	ACS	Email Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
9/28/2021	ATK	Review format of production edits.	0.3	\$125.00	\$37.50
9/28/2021	NJS	Call w/ Anna Prakash re: [REDACTED]	0.3	\$300.00	\$90.00
9/28/2021	NJS	Edit ESI protocol and circulate to opposing counsel	0.3	\$300.00	\$90.00
9/28/2021	APP	Discuss ESI with Nicole Schladt	0.3	\$450.00	\$135.00
9/29/2021	NJS	Email to Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
9/29/2021	APP	Review ESI redlines from opposing counsel	0.1	\$450.00	\$45.00
9/29/2021	APP	Email discussion w team re [REDACTED]	0.1	\$450.00	\$45.00
9/29/2021	ATK	ESI production format analysis and discussions.	0.5	\$125.00	\$62.50
9/29/2021	NJS	Redline ESI protocol and native exhibit A	0.4	\$300.00	\$120.00
9/29/2021	APP	Review discovery status and draft emails to opposing counsel	0.4	\$450.00	\$180.00
9/30/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
9/30/2021	ATK	Edits to production format.	0.3	\$125.00	\$37.50
9/30/2021	ATK	Telephone calls with Nicole Schladt regarding [REDACTED]	0.3	\$125.00	\$37.50
9/30/2021	APP	Edit letter to court	0.1	\$450.00	\$45.00
9/30/2021	NJS	Call w/ opposing counsel re: ESI and email re: same	0.2	\$300.00	\$60.00
9/30/2021	NJS	Call w/ Tara Borelli re: [REDACTED]	0.2	\$300.00	\$60.00
9/30/2021	NJS	Email Court re: ESI update	0.2	\$300.00	\$60.00
9/30/2021	ACS	Arrange meeting with Christopher Fain and team regarding [REDACTED]	0.5	\$125.00	\$62.50
9/30/2021	NJS	Call w/ Angi Kittelson re: [REDACTED]	0.3	\$300.00	\$90.00
9/30/2021	NJS	Edit ESI protocol, native exhibit A	0.3	\$300.00	\$90.00
10/1/2021	ACS	Video conference with Christopher Fain regarding [REDACTED]	0.3	\$125.00	\$37.50
10/1/2021	APP	Review initial disclosures	0.1	\$450.00	\$45.00
10/1/2021	NJS	Meet w/ Christopher Fain re: [REDACTED]	0.5	\$300.00	\$150.00
10/4/2021	APP	Review [REDACTED] research	0.1	\$450.00	\$45.00
10/4/2021	APP	Review email correspondence with Court	0.1	\$450.00	\$45.00
10/4/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
10/4/2021	ACS	Video conference with team [REDACTED]	0.5	\$125.00	\$62.50
10/4/2021	NJS	Weekly team meeting	0.5	\$300.00	\$150.00
10/4/2021	APP	Team meeting	0.5	\$450.00	\$225.00
10/5/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
10/6/2021	NJS	Email Anna Prakash re: case documents	0.1	\$300.00	\$30.00
10/7/2021	APP	Strategy call w/ Tara Borelli	0.2	\$450.00	\$90.00
10/7/2021	APP	Draft 30(b)(6) deposition notice	0.8	\$450.00	\$360.00
10/7/2021	APP	Review responses and draft discovery requests	0.9	\$450.00	\$405.00
10/11/2021	APP	Email to Court	0.1	\$450.00	\$45.00
10/11/2021	APP	Review email to opposing counsel	0.1	\$450.00	\$45.00
10/11/2021	APP	Review edited 30(b)(6) notice	0.1	\$450.00	\$45.00
10/11/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
10/11/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
10/11/2021	NJS	Team call re: [REDACTED]	0.5	\$300.00	\$150.00

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
10/11/2021	APP	Strategy call with team	0.5	\$450.00	\$225.00
10/12/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
10/12/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
10/12/2021	ACS	Pay pro hac vice fee for Anna Prakash	0.3	\$125.00	\$37.50
10/13/2021	ATK	Correspondence regarding [REDACTED]	0.2	\$125.00	\$25.00
10/13/2021	NJS	Email opposing counsel re: ESI agreement	0.1	\$300.00	\$30.00
10/13/2021	APP	Draft discovery requests	0.1	\$450.00	\$45.00
10/13/2021	APP	Meet w/ Nicole Schladt about [REDACTED]	0.1	\$450.00	\$45.00
10/13/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
10/13/2021	APP	Review outline of discovery hearing	0.2	\$450.00	\$90.00
10/13/2021	NJS	Edit native protocol and ESI proposals	1	\$300.00	\$300.00
10/13/2021	NJS	Prepare for ESI conference w/ court	1.5	\$300.00	\$450.00
10/14/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
10/14/2021	ACS	Telephone conference with Metro Legal regarding service of subpoenas	0.1	\$125.00	\$12.50
10/14/2021	ACS	Submit Relativity request to have defendant documents loaded	0.1	\$125.00	\$12.50
10/14/2021	ACS	Submit Relativity request to load defendant produced documents	0.1	\$125.00	\$12.50
10/14/2021	ACS	Email team regarding subpoenas	0.1	\$125.00	\$12.50
10/14/2021	ACS	Draft subpoena to Aetna Better Health of West Virginia	0.2	\$125.00	\$25.00
10/14/2021	ACS	Draft subpoena to UniCare Health Plan of West Virginia, Inc.	0.2	\$125.00	\$25.00
10/14/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
10/14/2021	ACS	Pay pro hac vice annual fee for Nicole Schladt	0.2	\$125.00	\$25.00
10/14/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
10/14/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
10/14/2021	ACS	Review defendant production	0.3	\$125.00	\$37.50
10/14/2021	APP	Review draft email to opposing counsel	0.1	\$450.00	\$45.00
10/14/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
10/14/2021	APP	Review minute entry	0.1	\$450.00	\$45.00
10/14/2021	ACS	Draft subpoena to the Health Plan	0.6	\$125.00	\$75.00
10/14/2021	CLP	Processed and uploaded defendant production to Relativity.	0.6	\$125.00	\$75.00
10/14/2021	APP	Discuss [REDACTED] w/ Nicole Schladt	0.2	\$450.00	\$90.00
10/14/2021	APP	Discuss [REDACTED] with Nicole Schladt	0.3	\$450.00	\$135.00
10/14/2021	ACS	Research service contacts for subpoenas	1.2	\$125.00	\$150.00
10/14/2021	NJS	Telephone conference w/ court re: discovery issues	0.8	\$300.00	\$240.00
10/14/2021	NJS	Coordinate serving subpoenas	1	\$300.00	\$300.00
10/14/2021	NJS	Draft subpoenas	4	\$300.00	\$1,200.00
10/15/2021	ACS	Email subpoena packets to team before sending out for service	0.1	\$125.00	\$12.50
10/15/2021	ACS	Email draft discovery to team for review	0.1	\$125.00	\$12.50
10/15/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
10/15/2021	ACS	Draft second set of interrogatories to Medicaid defendants	0.2	\$125.00	\$25.00
10/15/2021	NJS	Review follow-up email post-hearing w/ court	0.1	\$300.00	\$30.00
10/15/2021	NJS	Email co-counsel re: subpoenas	0.1	\$300.00	\$30.00
10/15/2021	CLP	Processed and uploaded defendant production to Relativity.	0.3	\$125.00	\$37.50
10/15/2021	APP	Review proposed discovery requests	0.1	\$450.00	\$45.00
10/15/2021	ACS	Draft second set of requests for production of documents to the Medicaid defendants	0.4	\$125.00	\$50.00
10/15/2021	ACS	Prepare subpoena packets for notice to defendant	0.5	\$125.00	\$62.50
10/15/2021	ACS	Revise subpoenas	0.5	\$125.00	\$62.50
10/15/2021	ACS	Draft certificate of service for subpoenas	0.5	\$125.00	\$62.50
10/15/2021	APP	Review subpoenas	0.2	\$450.00	\$90.00
10/15/2021	ACS	Draft notices of subpoena for all defense counsel	0.9	\$125.00	\$112.50
10/15/2021	NJS	Review subpoena forms	0.4	\$300.00	\$120.00
10/15/2021	NJS	Edit and email [REDACTED]	0.7	\$300.00	\$210.00
10/15/2021	NJS	Create subpoena packets	1.3	\$300.00	\$390.00
10/15/2021	NJS	Coordinate service of subpoenas	2	\$300.00	\$600.00
10/17/2021	APP	Review discovery requests	0.1	\$450.00	\$45.00
10/17/2021	APP	Review edits to discovery	0.1	\$450.00	\$45.00
10/17/2021	APP	Review draft motion papers for extension	0.2	\$450.00	\$90.00
10/18/2021	ACS	Telephone conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
10/18/2021	ACS	Email [REDACTED] to local counsel for signature	0.1	\$125.00	\$12.50
10/18/2021	ACS	Telephone conference with local counsel regarding [REDACTED]	0.1	\$125.00	\$12.50
10/18/2021	ACS	Telephone conference with Tara Borelli regarding [REDACTED]	0.1	\$125.00	\$12.50
10/18/2021	ACS	Video conference with Anna Prakash and Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
10/18/2021	NJS	Edit stipulated ESI protocol and email to court	0.1	\$300.00	\$30.00
10/18/2021	ACS	Calendar deadline for defendants to respond to second set of written discovery	0.3	\$125.00	\$37.50
10/18/2021	APP	Review draft email to opposing counsel re: deposition scheduling	0.1	\$450.00	\$45.00
10/18/2021	APP	Review discovery requests from opposing counsel	0.1	\$450.00	\$45.00
10/18/2021	NJS	Email co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
10/18/2021	NJS	Draft response to the [REDACTED]	0.2	\$300.00	\$60.00
10/18/2021	ACS	Video conference with team	0.7	\$125.00	\$87.50
10/18/2021	NJS	Emails re: [REDACTED]	0.3	\$300.00	\$90.00
10/18/2021	NJS	Edit and email discovery requests	0.3	\$300.00	\$90.00
10/18/2021	APP	Review and discuss [REDACTED] with team	0.3	\$450.00	\$135.00
10/18/2021	NJS	Weekly team strategy meeting	0.7	\$300.00	\$210.00
10/18/2021	ACS	Arrange and handle service for MCO subpoenas	2.5	\$125.00	\$312.50
10/18/2021	APP	Team meeting	0.7	\$450.00	\$315.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
10/19/2021	ACS	Email certificates of service to Nicole Schladt for review before filing	0.1	\$125.00	\$12.50
10/19/2021	ACS	Calendar response deadline to Medicaid written discovery	0.1	\$125.00	\$12.50
10/19/2021	ACS	Email written discovery certificate of service to local counsel for filing	0.1	\$125.00	\$12.50
10/19/2021	ACS	Review Medicaid defendants interrogatories, requests for production of documents and requests for admissions	0.2	\$125.00	\$25.00
10/19/2021	NJS	Email w/ Alex Smith re: [REDACTED]	0.1	\$300.00	\$30.00
10/19/2021	ACS	Draft certificates of service for plaintiffs' third set of interrogatories and second set of requests for production of documents to Medicaid defendants	0.3	\$125.00	\$37.50
10/19/2021	APP	Review edits to motion and order for extension	0.1	\$450.00	\$45.00
10/19/2021	APP	Review stipulated ESI protocol	0.1	\$450.00	\$45.00
10/19/2021	ACS	Pull and review recent filings to docket	0.5	\$125.00	\$62.50
10/21/2021	ACS	Email local counsel regarding [REDACTED]	0.1	\$125.00	\$12.50
10/21/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
10/21/2021	ACS	Review affidavits of service for subpoenas	0.2	\$125.00	\$25.00
10/21/2021	APP	Draft email to opposing counsel	0.1	\$450.00	\$45.00
10/21/2021	APP	Email with expert	0.1	\$450.00	\$45.00
10/21/2021	APP	Review email to opposing counsel	0.1	\$450.00	\$45.00
10/25/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
10/26/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
10/26/2021	ACS	Review client documents for loading, coding and production from Relativity	0.3	\$125.00	\$37.50
10/26/2021	NJS	Review [REDACTED]	1.7	\$300.00	\$510.00
10/27/2021	ACS	Submit Relativity request to have client documents loaded	0.2	\$125.00	\$25.00
10/29/2021	CLP	Uploaded client documents to Relativity.	0.4	\$125.00	\$50.00
10/29/2021	NJS	Schedule [REDACTED] subpoena call	0.2	\$300.00	\$60.00
10/29/2021	NJS	Review Christopher Fain's responses to discovery	0.4	\$300.00	\$120.00
10/31/2021	APP	Review and edit letter re: search terms	0.1	\$450.00	\$45.00
10/31/2021	APP	Review defendant's second discovery responses	0.1	\$450.00	\$45.00
10/31/2021	APP	Review discovery responses	0.3	\$450.00	\$135.00
10/31/2021	NJS	Draft proposed search terms letter	2.5	\$300.00	\$750.00
11/1/2021	APP	Team meeting	0.6	\$450.00	\$270.00
11/2/2021	ACS	Submit defendant documents for loading into Relativity	0.1	\$125.00	\$12.50
11/2/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
11/2/2021	ACS	Review recent entries to the docket	0.3	\$125.00	\$37.50
11/2/2021	APP	Review discovery requests	0.1	\$450.00	\$45.00
11/2/2021	APP	Review correspondence from mediator	0.1	\$450.00	\$45.00
11/2/2021	ACS	Review written discovery	0.6	\$125.00	\$75.00
11/2/2021	APP	Review subpoena drafts	0.2	\$450.00	\$90.00
11/2/2021	NJS	Emails re: [REDACTED]	0.3	\$300.00	\$90.00
11/2/2021	NJS	Call w/ Seyfarth Shaw re: subpoena	0.5	\$300.00	\$150.00
11/3/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.3	\$125.00	\$37.50
11/3/2021	APP	Review draft email to mediator	0.1	\$450.00	\$45.00
11/3/2021	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
11/3/2021	APP	Draft email to opposing counsel	0.1	\$450.00	\$45.00
11/4/2021	ACS	Email Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
11/4/2021	ACS	Telephone conference with Angi Kittelson regarding [REDACTED]	0.1	\$125.00	\$12.50
11/4/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
11/4/2021	ACS	Communicate with Christopher Fain regarding [REDACTED]	0.1	\$125.00	\$12.50
11/4/2021	NJS	Review client [REDACTED]	0.3	\$300.00	\$90.00
11/4/2021	NJS	Call w/ Alex Smith and Haley Thompson re: [REDACTED]	0.5	\$300.00	\$150.00
11/4/2021	ACS	Pagevault [REDACTED]	3.4	\$125.00	\$425.00
11/5/2021	NJS	Email Haley Thompson re: [REDACTED]	0.1	\$300.00	\$30.00
11/5/2021	NJS	Email opposing counsel notice of subpoena	0.1	\$300.00	\$30.00
11/5/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
11/5/2021	NJS	Review retainer for expert	0.1	\$300.00	\$30.00
11/5/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
11/5/2021	APP	Review draft email to opposing counsel	0.1	\$450.00	\$45.00
11/5/2021	APP	Email discussion w/ team about [REDACTED]	0.1	\$450.00	\$45.00
11/5/2021	NJS	Email co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
11/5/2021	NJS	Email third party counsel re: [REDACTED]	0.2	\$300.00	\$60.00
11/5/2021	NJS	Email co-counsel re: [REDACTED]	0.3	\$300.00	\$90.00
11/5/2021	NJS	Schedule meet and confer w/ third party counsel for subpoenas	0.3	\$300.00	\$90.00
11/5/2021	NJS	Draft certificate of service and email re: same	0.4	\$300.00	\$120.00
11/5/2021	ATK	Correspondence regarding [REDACTED]	1	\$125.00	\$125.00
11/8/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
11/8/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
11/8/2021	NJS	Email opposing counsel re: meet and confer	0.1	\$300.00	\$30.00
11/8/2021	APP	Review correspondence from opposing counsel	0.1	\$450.00	\$45.00
11/8/2021	NJS	Serve subpoena	0.2	\$300.00	\$60.00
11/8/2021	NJS	Review comments in discovery responses	0.3	\$300.00	\$90.00
11/8/2021	NJS	Draft and circulate [REDACTED]	0.3	\$300.00	\$90.00
11/8/2021	CLP	Processed and uploaded defendant production to Relativity.	0.8	\$125.00	\$100.00
11/8/2021	NJS	Team strategy meeting	0.5	\$300.00	\$150.00
11/8/2021	NJS	Meet and confer w/ opposing counsel re: subpoenaed documents	0.5	\$300.00	\$150.00
11/8/2021	APP	Team meeting	0.5	\$450.00	\$225.00
11/9/2021	ACS	Calendar defendant written discovery deadline	0.1	\$125.00	\$12.50
11/9/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description_m_	Hours	Rate_Proper	Amount
11/9/2021	ACS	Email certificate of service for filing to local counsel	0.1	\$125.00	\$12.50
11/9/2021	ACS	Update case calendar	0.2	\$125.00	\$25.00
11/9/2021	ACS	Submit request to have client documents loaded into Relativity	0.2	\$125.00	\$25.00
11/9/2021	ATK	Prepare for team meeting call regarding [REDACTED]	0.2	\$125.00	\$25.00
11/9/2021	CLP	Uploaded client documents to Relativity.	0.2	\$125.00	\$25.00
11/9/2021	NJS	Email Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
11/9/2021	APP	Review team email re: [REDACTED]	0.1	\$450.00	\$45.00
11/9/2021	APP	Email discussion w/ Nicole Schladt re: [REDACTED]	0.1	\$450.00	\$45.00
11/9/2021	NJS	Review certificate of service re: subpoena	0.2	\$300.00	\$60.00
11/9/2021	ACS	Video conference with team	1	\$125.00	\$125.00
11/9/2021	ATK	Telephone call with legal team regarding [REDACTED]	1	\$125.00	\$125.00
11/9/2021	NJS	Call w/ Angi Kittelson, Alex Smith, Chris Good, and Haley Thompson re: [REDACTED]	1	\$300.00	\$300.00
11/10/2021	NJS	Email third party counsel re: subpoena	0.1	\$300.00	\$30.00
11/10/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
11/10/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
11/10/2021	ATK	Process [REDACTED] for legal team review. Correspondence regarding review.	0.7	\$125.00	\$87.50
11/10/2021	NJS	Meeting w/ Chris Good re: [REDACTED]	0.3	\$300.00	\$90.00
11/10/2021	ATK	ESI collection.	1.5	\$125.00	\$187.50
11/10/2021	NJS	Review ESI collection	2	\$300.00	\$600.00
11/11/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
11/11/2021	ACS	Draft acknowledgement of protective order	0.2	\$125.00	\$25.00
11/11/2021	ATK	Correspondence regarding [REDACTED]	0.2	\$125.00	\$25.00
11/11/2021	NJS	Email third party counsel re: subpoena	0.1	\$300.00	\$30.00
11/11/2021	NJS	Email team re: [REDACTED]	0.1	\$300.00	\$30.00
11/11/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
11/11/2021	APP	Email discussion re: [REDACTED]	0.1	\$450.00	\$45.00
11/11/2021	NJS	Email Anna Prakash and co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
11/11/2021	APP	Review draft motion from opposing counsel re: extension and email with team re: the same.	0.2	\$450.00	\$90.00
11/11/2021	NJS	Review protective order authorization	0.3	\$300.00	\$90.00
11/11/2021	NJS	Review stipulations from opposing counsel	0.3	\$300.00	\$90.00
11/11/2021	ATK	ESI processing and upload client ESI	1	\$125.00	\$125.00
11/11/2021	NJS	Review [REDACTED]	0.5	\$300.00	\$150.00
11/11/2021	ATK	Client ESI collection and processing	1.5	\$125.00	\$187.50
11/12/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
11/12/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
11/12/2021	NJS	Review mediation brief	0.5	\$300.00	\$150.00
11/12/2021	ATK	ESI processing and reporting.	2.5	\$125.00	\$312.50
11/14/2021	APP	Edit mediation brief	3.8	\$450.00	\$1,710.00
11/15/2021	ACS	Revise case calendar	0.1	\$125.00	\$12.50
11/15/2021	NJS	Schedule meet and confer	0.1	\$300.00	\$30.00
11/15/2021	ACS	Team meeting regarding case status	0.6	\$125.00	\$75.00
11/15/2021	NJS	Team strategy meeting	0.5	\$300.00	\$150.00
11/15/2021	APP	Team meeting	0.5	\$450.00	\$225.00
11/15/2021	ATK	ESI processing and validation.	2.5	\$125.00	\$312.50
11/16/2021	APP	Review edits to mediation statement	0.1	\$450.00	\$45.00
11/16/2021	NJS	Review discovery responses	0.3	\$300.00	\$90.00
11/16/2021	NJS	Review mediation statement	0.3	\$300.00	\$90.00
11/17/2021	ACS	Email Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
11/17/2021	ACS	Email co-counsel regarding [REDACTED]	0.1	\$125.00	\$12.50
11/17/2021	ACS	[REDACTED] for Shauntae Anderson	0.1	\$125.00	\$12.50
11/17/2021	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
11/17/2021	ACS	Submit request to have defendant production loaded	0.1	\$125.00	\$12.50
11/17/2021	ACS	Schedule with client Christopher Fain and Angi Kittelson [REDACTED]	0.2	\$125.00	\$25.00
11/17/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
11/17/2021	ACS	Communicate with client Shauntae Anderson regarding [REDACTED]	0.3	\$125.00	\$37.50
11/17/2021	ATK	Correspondence regarding [REDACTED]	0.3	\$125.00	\$37.50
11/17/2021	NJS	Draft email to Anna Prakash re: [REDACTED]	0.3	\$300.00	\$90.00
11/17/2021	NJS	Review [REDACTED] and [REDACTED]	3.8	\$300.00	\$1,140.00
11/18/2021	ACS	Submit client documents for loading into Relativity	0.1	\$125.00	\$12.50
11/18/2021	ACS	Email team regarding production	0.1	\$125.00	\$12.50
11/18/2021	ACS	Code client documents	0.1	\$125.00	\$12.50
11/18/2021	ACS	Submit request to have client documents loaded into Relativity	0.1	\$125.00	\$12.50
11/18/2021	ACS	Draft certificate of service for production	0.2	\$125.00	\$25.00
11/18/2021	CLP	Uploaded client document to Relativity.	0.2	\$125.00	\$25.00
11/18/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
11/18/2021	ATK	ESI collection with client.	0.5	\$125.00	\$62.50
11/18/2021	ATK	ESI reporting and analysis.	0.5	\$125.00	\$62.50
11/18/2021	ACS	Prepare production	0.7	\$125.00	\$87.50
11/18/2021	NJS	Coordinate ESI production	0.3	\$300.00	\$90.00
11/18/2021	NJS	Review PageVaults of [REDACTED]	0.3	\$300.00	\$90.00
11/18/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.4	\$300.00	\$120.00
11/18/2021	NJS	Edit [REDACTED] and circulate to co-counsel	0.4	\$300.00	\$120.00
11/18/2021	CLP	Ran and exported Relativity production.	1.2	\$125.00	\$150.00
11/18/2021	NJS	Email co-counsel re: [REDACTED]	0.6	\$300.00	\$180.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
11/18/2021	NJS	Review [REDACTED]	3	\$300.00	\$900.00
11/19/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
11/19/2021	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
11/19/2021	CLP	Uploaded client documents to Relativity.	0.3	\$125.00	\$37.50
11/19/2021	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
11/19/2021	NJS	Email search terms letter to opposing counsel	0.3	\$300.00	\$90.00
11/22/2021	ACS	Calendar Shauntae Anderson written discovery response date	0.1	\$125.00	\$12.50
11/22/2021	ATK	Correspondence regarding [REDACTED]	0.2	\$125.00	\$25.00
11/22/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
11/22/2021	ACS	Video conference with Angi Kittelson regarding [REDACTED]	0.3	\$125.00	\$37.50
11/22/2021	ATK	Prepare for Shauntae Anderson ESI collection.	0.3	\$125.00	\$37.50
11/22/2021	ACS	Video conference with team regarding [REDACTED]	0.5	\$125.00	\$62.50
11/22/2021	ACS	Video conference with Angi Kittelson and Nicole Schladt regarding [REDACTED]	0.5	\$125.00	\$62.50
11/22/2021	ATK	Telephone call with Alex Smith regarding [REDACTED]	0.5	\$125.00	\$62.50
11/22/2021	NJS	Call Shauntae Anderson re: [REDACTED]	0.3	\$300.00	\$90.00
11/22/2021	NJS	Team strategy meeting	1	\$300.00	\$300.00
11/23/2021	CLP	Processed and uploaded defendant production to Relativity.	0.7	\$125.00	\$87.50
11/23/2021	CLP	Ran and exported Relativity production.	0.8	\$125.00	\$100.00
11/23/2021	NJS	Review defendants' discovery responses	0.4	\$300.00	\$120.00
11/23/2021	NJS	Coordinate expert production	0.4	\$300.00	\$120.00
11/23/2021	ATK	ESI collection	2.5	\$125.00	\$312.50
11/24/2021	APP	Email discussion w/ Nicole re: [REDACTED]	0.1	\$450.00	\$45.00
11/24/2021	NJS	Review ESI collection quotes	0.2	\$300.00	\$60.00
11/28/2021	APP	Review ESI vendor pricing	0.1	\$450.00	\$45.00
11/29/2021	NJS	Email to Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
11/29/2021	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
11/29/2021	NJS	Team strategy call re: [REDACTED]	0.5	\$300.00	\$150.00
11/29/2021	APP	Team meeting	0.5	\$450.00	\$225.00
11/30/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
11/30/2021	ACS	Update internal file	0.2	\$125.00	\$25.00
11/30/2021	ACS	Download and submit for loading into Relativity defendant's production	0.2	\$125.00	\$25.00
11/30/2021	NJS	Review opening remarks for mediation	0.3	\$300.00	\$90.00
11/30/2021	ACS	Prepare and review case file numbers for mediation	1.2	\$125.00	\$150.00
12/1/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
12/1/2021	NJS	Call w/ team post-mediation re: [REDACTED]	0.4	\$300.00	\$120.00
12/1/2021	ATK	Research [REDACTED]	1	\$125.00	\$125.00
12/1/2021	NJS	Research [REDACTED] in West Virginia	0.6	\$300.00	\$180.00
12/1/2021	NJS	Mediation	1	\$300.00	\$300.00
12/1/2021	APP	Prepare for mediation	0.9	\$450.00	\$405.00
12/1/2021	APP	Mediation and follow up conversations	1	\$450.00	\$450.00
12/2/2021	ACS	Update case calendar	0.1	\$125.00	\$12.50
12/2/2021	APP	Review notes from subpoena meet and confer	0.1	\$450.00	\$45.00
12/2/2021	APP	Email to mediator	0.1	\$450.00	\$45.00
12/2/2021	NJS	Draft and circulate notes re: [REDACTED]	0.3	\$300.00	\$90.00
12/2/2021	NJS	Call w/ [REDACTED]	0.5	\$300.00	\$150.00
12/3/2021	APP	Review case law	0.1	\$450.00	\$45.00
12/5/2021	APP	Review email exchange with third party lawyers re: subpoenas	0.1	\$450.00	\$45.00
12/5/2021	NJS	Reschedule subpoena meet and confers	0.2	\$300.00	\$60.00
12/6/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
12/6/2021	ACS	Video conference with Haley Thompson regarding [REDACTED]	0.2	\$125.00	\$25.00
12/6/2021	NJS	Email to Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
12/6/2021	ATK	Correspondence with legal team regarding [REDACTED]	0.3	\$125.00	\$37.50
12/6/2021	APP	Discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
12/6/2021	NJS	Reschedule subpoena meet and confers	0.3	\$300.00	\$90.00
12/7/2021	ATK	Database administration for co-counsel access.	0.3	\$125.00	\$37.50
12/7/2021	ATK	Discuss [REDACTED] with legal team.	0.5	\$125.00	\$62.50
12/7/2021	NJS	Draft call notes re: [REDACTED] and circulate to team	0.3	\$300.00	\$90.00
12/7/2021	CLP	Processed and uploaded defendant production to Relativity.	1.1	\$125.00	\$137.50
12/7/2021	NJS	Meet and confer re: Aetna subpoenas	0.5	\$300.00	\$150.00
12/7/2021	NJS	Discuss [REDACTED]	0.5	\$300.00	\$150.00
12/7/2021	NJS	Prepare for subpoena calls	0.5	\$300.00	\$150.00
12/8/2021	ACS	Video conference with Haley Thompson regarding [REDACTED]	0.1	\$125.00	\$12.50
12/8/2021	ACS	Contact Christopher Fain regarding [REDACTED]	0.2	\$125.00	\$25.00
12/8/2021	NJS	Email to Aaron Boone re: medical codes	0.1	\$300.00	\$30.00
12/8/2021	NJS	Email to co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
12/8/2021	APP	Review notes from meet and confer about subpoena	0.1	\$450.00	\$45.00
12/8/2021	APP	Review deposition scheduling chart	0.1	\$450.00	\$45.00
12/8/2021	NJS	Email to Anna Prakash re: [REDACTED]	0.3	\$300.00	\$90.00
12/8/2021	NJS	Emails to Haley Thompson re: [REDACTED]	0.4	\$300.00	\$120.00
12/8/2021	NJS	Compile and circulate notes from meet and confer w/ the Health Plan	0.4	\$300.00	\$120.00
12/8/2021	NJS	Meet and confer re: the Health Plan subpoena	0.5	\$300.00	\$150.00
12/8/2021	ATK	Export Fain ESI items that hit on search terms for legal team review	1.5	\$125.00	\$187.50
12/10/2021	ACS	Telephone call to client Shauntae Anderson regarding [REDACTED]	0.1	\$125.00	\$12.50
12/10/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description_m	Hours	Rate_Proper	Amount
12/10/2021	NJS	Email Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
12/10/2021	APP	Review deposition plan	0.1	\$450.00	\$45.00
12/10/2021	NJS	Email co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
12/12/2021	APP	Review and respond to email discussion w/ team [REDACTED]	0.1	\$450.00	\$45.00
12/13/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
12/13/2021	ATK	Correspondence with Christopher Fain regarding [REDACTED]	0.3	\$125.00	\$37.50
12/13/2021	ATK	Correspondence regarding [REDACTED]	0.5	\$125.00	\$62.50
12/13/2021	ACS	Video conference with legal team regarding [REDACTED]	0.6	\$125.00	\$75.00
12/13/2021	ATK	Search term analysis and reporting [REDACTED]	2	\$125.00	\$250.00
12/13/2021	APP	Team meeting	0.6	\$450.00	\$270.00
12/13/2021	NJS	Review cellphone data	3	\$300.00	\$900.00
12/13/2021	NJS	Review Facebook posts	4	\$300.00	\$1,200.00
12/14/2021	ATK	Fain iPhone data analysis for production.	0.5	\$125.00	\$62.50
12/14/2021	NJS	Review cellphone spreadsheets for production	0.3	\$300.00	\$90.00
12/14/2021	ATK	Revise and reprocess phone data reports for production per legal team modifications.	1	\$125.00	\$125.00
12/14/2021	NJS	Review social media documents	4.7	\$300.00	\$1,410.00
12/15/2021	ACS	Submit production request	0.1	\$125.00	\$12.50
12/15/2021	ACS	Serve client production	0.1	\$125.00	\$12.50
12/15/2021	ACS	Draft certificate of service for CFAIN0002638 - CFAIN0002639	0.3	\$125.00	\$37.50
12/15/2021	CLP	Ran and exported Relativity production.	0.7	\$125.00	\$87.50
12/15/2021	NJS	Email to co-counsel and opposing counsel re: client document production	0.4	\$300.00	\$120.00
12/16/2021	ACS	Email certificate of service for client documents to local counsel for filing	0.1	\$125.00	\$12.50
12/16/2021	NJS	Review and edit Shauntae Anderson [REDACTED]	0.5	\$300.00	\$150.00
12/17/2021	ACS	Submit request to have client Shauntae Anderson's documents loaded into Relativity	0.1	\$125.00	\$12.50
12/17/2021	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
12/17/2021	ACS	Submit Relativity request to have client Shauntae Anderson documents produced	0.1	\$125.00	\$12.50
12/17/2021	CLP	Uploaded client document to Relativity.	0.2	\$125.00	\$25.00
12/17/2021	NJS	Draft email to Anna Prakash re: [REDACTED]	0.2	\$300.00	\$60.00
12/17/2021	NJS	Call w/ Avatara Smith-Carrington re: [REDACTED]	0.7	\$300.00	\$210.00
12/18/2021	APP	Review email to clients	0.1	\$450.00	\$45.00
12/20/2021	ACS	Update internal file	0.1	\$125.00	\$12.50
12/20/2021	ACS	Video conference with Angi Kittelson regarding [REDACTED]	0.2	\$125.00	\$25.00
12/20/2021	ATK	Telephone call with Christopher Fain to [REDACTED]	0.3	\$125.00	\$37.50
12/20/2021	ACS	Video conference with legal team regarding case status	0.9	\$125.00	\$112.50
12/20/2021	NJS	Call w/ Tara Borelli re: [REDACTED]	1	\$300.00	\$300.00
12/20/2021	NJS	Final coding of client documents	1.3	\$300.00	\$390.00
12/20/2021	APP	Team meeting	0.9	\$450.00	\$405.00
12/21/2021	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
12/21/2021	NJS	Strategy call w/ co-counsel	0.3	\$300.00	\$90.00
12/21/2021	APP	Call w/ Avatara Smith-Carrington re: [REDACTED]	0.4	\$450.00	\$180.00
12/21/2021	NJS	Finish client document production	1.2	\$300.00	\$360.00
12/21/2021	NJS	Call w/ client re: [REDACTED]	2	\$300.00	\$600.00
12/22/2021	ACS	Review client production	0.1	\$125.00	\$12.50
12/22/2021	ACS	Communicate with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
12/22/2021	ACS	Draft certificate of service for CFAIN0002640 - CFAIN0004791	0.1	\$125.00	\$12.50
12/22/2021	ACS	Serve CFAIN0002640 - CFAIN0004791 via email only on defendants' counsel	0.1	\$125.00	\$12.50
12/22/2021	ACS	Code client documents for production	0.2	\$125.00	\$25.00
12/22/2021	CLP	Ran and exported Relativity production.	1.3	\$125.00	\$162.50
12/27/2021	NJS	Email w/ team re: [REDACTED]	0.1	\$300.00	\$30.00
12/27/2021	NJS	Email to the Health Plan re: [REDACTED]	0.1	\$300.00	\$30.00
12/30/2021	NJS	Review deposition schedule	0.2	\$300.00	\$60.00
12/30/2021	NJS	Emails re: [REDACTED]	0.2	\$300.00	\$60.00
1/3/2022	NJS	Weekly strategic meeting	0.1	\$300.00	\$30.00
1/3/2022	NJS	Email opposing counsel re: discovery	0.1	\$300.00	\$30.00
1/3/2022	ATK	Database administration per legal team request.	0.3	\$125.00	\$37.50
1/3/2022	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
1/3/2022	APP	Case meeting w/ Nicole Schladt	0.1	\$450.00	\$45.00
1/3/2022	APP	Review email to opposing counsel re: depositions	0.1	\$450.00	\$45.00
1/3/2022	APP	Review draft supplemental authority notice	0.1	\$450.00	\$45.00
1/3/2022	APP	Review expert report draft	0.5	\$450.00	\$225.00
1/3/2022	APP	Meet with expert	0.7	\$450.00	\$315.00
1/4/2022	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
1/4/2022	APP	Review Dr. [REDACTED] report	0.3	\$450.00	\$135.00
1/4/2022	NJS	Weekly strategy meeting	0.5	\$300.00	\$150.00
1/4/2022	APP	Team meeting	0.5	\$450.00	\$225.00
1/4/2022	NJS	Redline expert reports	0.9	\$300.00	\$270.00
1/5/2022	NJS	Email co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
1/5/2022	ACS	Review previous productions and email local counsel regarding the same	0.3	\$125.00	\$37.50
1/5/2022	APP	Email discussion w/ team re: [REDACTED]	0.1	\$450.00	\$45.00
1/5/2022	APP	Review expert reports	0.2	\$450.00	\$90.00
1/5/2022	NJS	Redline [REDACTED]	0.3	\$300.00	\$90.00
1/5/2022	NJS	[REDACTED] call w/ client	0.4	\$300.00	\$120.00
1/5/2022	ACS	Review response to subpoena from the Health Plan for deficiencies	1.24	\$125.00	\$155.00
1/9/2022	NJS	Respond to email re: [REDACTED]	0.3	\$300.00	\$90.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
1/9/2022	NJS	Research and respond to co-counsel email re: [REDACTED]	0.4	\$300.00	\$120.00
1/10/2022	ACS	Review the Health Plan documents produced in response to subpoena to the Health Plan	0.1	\$125.00	\$12.50
1/10/2022	ACS	Submit request to have documents produced in response to the Health Plan subpoena into Relativity	0.1	\$125.00	\$12.50
1/10/2022	CLP	Uploaded client documents to Relativity.	0.2	\$125.00	\$25.00
1/10/2022	NJS	Email to opposing counsel re: discovery responses	0.1	\$300.00	\$30.00
1/10/2022	ACS	Review and email opposing counsel regarding the Health Plan response to subpoena	0.3	\$125.00	\$37.50
1/10/2022	ACS	Review client documents and submit them for loading into Relativity for production	0.4	\$125.00	\$50.00
1/10/2022	NJS	Portion of call w/ expert	0.4	\$300.00	\$120.00
1/10/2022	NJS	Review expert report	1.2	\$300.00	\$360.00
1/11/2022	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
1/11/2022	ACS	Submit production request for Christopher Fain documents	0.1	\$125.00	\$12.50
1/11/2022	ACS	Update case calendar	0.1	\$125.00	\$12.50
1/11/2022	ACS	Download client documents from co-counsel sharefile	0.1	\$125.00	\$12.50
1/11/2022	ACS	Submit Relativity request to have client documents loaded	0.1	\$125.00	\$12.50
1/11/2022	ACS	Review client documents	0.2	\$125.00	\$25.00
1/11/2022	CLP	Uploaded client documents to Relativity.	0.2	\$125.00	\$25.00
1/11/2022	NJS	Email Alex Smith re [REDACTED]	0.1	\$300.00	\$30.00
1/11/2022	ACS	Emails with team regarding client document production	0.3	\$125.00	\$37.50
1/11/2022	APP	Discuss [REDACTED] with Nicole Schladt	0.1	\$450.00	\$45.00
1/11/2022	ATK	Data analysis - conversion of data for legal team review.	0.5	\$125.00	\$62.50
1/11/2022	ATK	Phone call with client.	0.5	\$125.00	\$62.50
1/11/2022	ACS	Video conference with Nichols Kaster and Lambda Legal regarding case status	0.8	\$125.00	\$100.00
1/11/2022	ATK	ESI collection analysis.	1	\$125.00	\$125.00
1/11/2022	ACS	Review and code client documents	1.4	\$125.00	\$175.00
1/11/2022	NJS	Phone call with client	0.7	\$300.00	\$210.00
1/11/2022	APP	Team meeting	0.8	\$450.00	\$360.00
1/12/2022	ACS	Email client documents to co-counsel	0.1	\$125.00	\$12.50
1/12/2022	ACS	Email Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
1/12/2022	ACS	Update case calendar	0.1	\$125.00	\$12.50
1/12/2022	ACS	Review document production to expert	0.2	\$125.00	\$25.00
1/12/2022	NJS	Email UniCare re: subpoena	0.1	\$300.00	\$30.00
1/12/2022	NJS	Email Aetna/CVS re: subpoena	0.1	\$300.00	\$30.00
1/12/2022	NJS	Email the Health Plan re: subpoena	0.1	\$300.00	\$30.00
1/12/2022	NJS	Email to co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
1/12/2022	CLP	Uploaded client documents to Relativity.	0.3	\$125.00	\$37.50
1/12/2022	APP	Review draft email to opposing counsel	0.1	\$450.00	\$45.00
1/12/2022	APP	Email to opposing counsel re: deposition dates	0.1	\$450.00	\$45.00
1/12/2022	APP	Review portion of expert report	0.1	\$450.00	\$45.00
1/12/2022	NJS	Review and respond to email from Angi Kittelson re: [REDACTED]	0.2	\$300.00	\$60.00
1/12/2022	ACS	Video conference with co-counsel Tara Borelli regarding [REDACTED]	0.5	\$125.00	\$62.50
1/12/2022	CLP	Ran and exported Relativity production.	0.6	\$125.00	\$75.00
1/12/2022	ATK	ESI processing and analysis	0.7	\$125.00	\$87.50
1/12/2022	NJS	Email to Alex Smith re: [REDACTED]	0.3	\$300.00	\$90.00
1/12/2022	NJS	Review ESI production	0.3	\$300.00	\$90.00
1/12/2022	NJS	Email to team re: [REDACTED]	0.4	\$300.00	\$120.00
1/13/2022	ACS	Submit request to have Christopher Fain documents loaded into Relativity	0.1	\$125.00	\$12.50
1/13/2022	ACS	Email co-counsel regarding expert documents	0.1	\$125.00	\$12.50
1/13/2022	ACS	Submit production request	0.1	\$125.00	\$12.50
1/13/2022	ACS	Video conference with Angi Kittelson regarding [REDACTED]	0.2	\$125.00	\$25.00
1/13/2022	ACS	Download and review client documents	0.2	\$125.00	\$25.00
1/13/2022	ATK	Correspondence regarding [REDACTED]	0.2	\$125.00	\$25.00
1/13/2022	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
1/13/2022	APP	[REDACTED] email discussion	0.1	\$450.00	\$45.00
1/13/2022	APP	Work on deposition scheduling	0.1	\$450.00	\$45.00
1/13/2022	NJS	Emails re: [REDACTED]	0.2	\$300.00	\$60.00
1/13/2022	CLP	Ran and exported Relativity production.	0.6	\$125.00	\$75.00
1/13/2022	NJS	Coordinate ESI production	0.3	\$300.00	\$90.00
1/14/2022	ACS	Serve client document production on opposing counsel via email only	0.1	\$125.00	\$12.50
1/14/2022	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
1/14/2022	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
1/14/2022	NJS	Email Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
1/14/2022	ACS	Prepare client production for service	0.3	\$125.00	\$37.50
1/14/2022	APP	Email discussions [REDACTED]	0.1	\$450.00	\$45.00
1/14/2022	APP	Review emails with team re: [REDACTED]	0.1	\$450.00	\$45.00
1/14/2022	APP	Email opposing counsel re: [REDACTED]	0.1	\$450.00	\$45.00
1/14/2022	APP	Review emails to opposing counsel about discovery	0.1	\$450.00	\$45.00
1/14/2022	NJS	Email to Sam Scharz-Fenwick re: subpoenas	0.2	\$300.00	\$60.00
1/14/2022	NJS	Draft email to opposing counsel re: ESI	0.2	\$300.00	\$60.00
1/14/2022	CLP	Processed and uploaded defendant production to Relativity.	0.7	\$125.00	\$87.50
1/14/2022	NJS	Review ESI production	0.4	\$300.00	\$120.00
1/14/2022	CLP	Ran and exported Relativity production.	1.5	\$125.00	\$187.50
1/14/2022	NJS	Meet and confer re: subpoenas	1	\$300.00	\$300.00
1/17/2022	NJS	Email opposing counsel re: meet and confer	0.1	\$300.00	\$30.00
1/18/2022	ACS	Submit Relativity request to have client documents loaded	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
1/18/2022	ACS	Update internal file with and review recent docket filings	0.1	\$125.00	\$12.50
1/18/2022	ACS	Submit Relativity request to have deposition materials loaded	0.2	\$125.00	\$25.00
1/18/2022	APP	Review letter to client	0.1	\$450.00	\$45.00
1/18/2022	ACS	Video conference with team regarding case status	0.7	\$125.00	\$87.50
1/18/2022	NJS	Recap [REDACTED] and circulate to team	0.3	\$300.00	\$90.00
1/18/2022	NJS	Team strategy meeting	0.7	\$300.00	\$210.00
1/18/2022	NJS	Discovery call	1	\$300.00	\$300.00
1/19/2022	CLP	Uploaded client documents to Relativity.	0.4	\$125.00	\$50.00
1/19/2022	NJS	Email to Tara Borelli re: [REDACTED]	0.2	\$300.00	\$60.00
1/19/2022	NJS	Email to co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
1/19/2022	NJS	The Health Plan subpoena meet and confer	0.5	\$300.00	\$150.00
1/20/2022	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
1/20/2022	CLP	Uploaded client documents to Relativity.	0.2	\$125.00	\$25.00
1/20/2022	NJS	Email Alex Smith re [REDACTED]	0.1	\$300.00	\$30.00
1/20/2022	NJS	Review ESI	0.1	\$300.00	\$30.00
1/20/2022	ACS	Redact client documents	0.8	\$125.00	\$100.00
1/20/2022	NJS	Draft search term letter	0.4	\$300.00	\$120.00
1/21/2022	ACS	Email regarding client document production	0.1	\$125.00	\$12.50
1/21/2022	APP	Review email from opposing counsel re: deposition topics	0.1	\$450.00	\$45.00
1/21/2022	ACS	Review and redact client records	1	\$125.00	\$125.00
1/24/2022	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
1/24/2022	ACS	Review and redact medical records	1.4	\$125.00	\$175.00
1/25/2022	ACS	Submit Relativity request to have client document loaded	0.1	\$125.00	\$12.50
1/25/2022	APP	Review client name change order	0.1	\$450.00	\$45.00
1/25/2022	ACS	Video conference with team regarding case status	1	\$125.00	\$125.00
1/25/2022	APP	Prepare for Sarah Young deposition	0.9	\$450.00	\$405.00
1/25/2022	APP	Team meeting	1	\$450.00	\$450.00
1/26/2022	NJS	Email Angi Kittelson re: [REDACTED]	0.1	\$300.00	\$30.00
1/26/2022	ACS	Review and redact client records	4.8	\$125.00	\$600.00
1/27/2022	ACS	Review and redact client records	4.2	\$125.00	\$525.00
1/28/2022	ACS	Email Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
1/28/2022	ACS	Video conference with Nicole Schladt and Anna Prakash regarding case status	0.1	\$125.00	\$12.50
1/28/2022	ACS	Draft certificate of service for production CFAIN0007755 - CFAIN0009344	0.1	\$125.00	\$12.50
1/28/2022	ACS	Serve via email Plaintiffs' production CFAIN0007755 - CFAIN0009344	0.1	\$125.00	\$12.50
1/28/2022	CLP	Uploaded client document to Relativity.	0.2	\$125.00	\$25.00
1/28/2022	APP	Review emails to/from opposing counsel	0.1	\$450.00	\$45.00
1/28/2022	APP	Meet with Nicole Schladt and Alex Smith about case status	0.1	\$450.00	\$45.00
1/28/2022	NJS	Emails re: deposition dates	0.2	\$300.00	\$60.00
1/28/2022	NJS	Emails re: subpoena follow-up	0.3	\$300.00	\$90.00
1/28/2022	CLP	Ran and exported Relativity production.	0.8	\$125.00	\$100.00
1/28/2022	NJS	Review ESI production	0.4	\$300.00	\$120.00
1/31/2022	APP	Email discussion re: [REDACTED]	0.1	\$450.00	\$45.00
1/31/2022	ATK	ESI processing and analysis	1	\$125.00	\$125.00
1/31/2022	NJS	Email to co-counsel re: document review	0.5	\$300.00	\$150.00
2/1/2022	ACS	Video conference with Cameron P regarding defendant productions	0.1	\$125.00	\$12.50
2/1/2022	ACS	Email veritext regarding upcoming depositions	0.1	\$125.00	\$12.50
2/1/2022	ACS	Submit production request	0.1	\$125.00	\$12.50
2/1/2022	ACS	Video conference with Nicole Schladt regarding case status	0.1	\$125.00	\$12.50
2/1/2022	ACS	Submit relativity requests to have defendant productions loaded	0.2	\$125.00	\$25.00
2/1/2022	ACS	Calendar deposition dates and times	0.3	\$125.00	\$37.50
2/1/2022	NJS	Email subpoenaed attorneys	0.2	\$300.00	\$60.00
2/1/2022	APP	Prepare for deposition	0.2	\$450.00	\$90.00
2/1/2022	ACS	Video conference with team regarding case status	1.1	\$125.00	\$137.50
2/1/2022	NJS	Draft [REDACTED] and email Angi Kittelson re: same	0.6	\$300.00	\$180.00
2/1/2022	NJS	Team strategy meeting	1.1	\$300.00	\$330.00
2/1/2022	CLP	Processed and uploaded defendant production to Relativity.	3.1	\$125.00	\$387.50
2/2/2022	NJS	Email subpoenaed attorneys	0.1	\$300.00	\$30.00
2/2/2022	NJS	Research re: [REDACTED]	0.3	\$300.00	\$90.00
2/2/2022	APP	Prepare for 30(b)(6) deposition	2.5	\$450.00	\$1,125.00
2/3/2022	ACS	Review defendant production	0.1	\$125.00	\$12.50
2/3/2022	ACS	Email regarding defendant production	0.1	\$125.00	\$12.50
2/3/2022	NJS	Email w/ Anna Prakash re: [REDACTED]	0.1	\$300.00	\$30.00
2/3/2022	ACS	Review and submit Relativity ticket to load defendant produced document	0.3	\$125.00	\$37.50
2/3/2022	CLP	Processed and uploaded defendant production to Relativity.	0.7	\$125.00	\$87.50
2/4/2022	ACS	Submit Relativity request to have Unicare subpoena documents loaded	0.1	\$125.00	\$12.50
2/4/2022	ACS	Calendar deadline to move to compel regarding Unicare subpoena	0.1	\$125.00	\$12.50
2/4/2022	ACS	Email regarding [REDACTED]	0.1	\$125.00	\$12.50
2/4/2022	ACS	Draft certificate of service for the Health Plan subpoena response documents	0.1	\$125.00	\$12.50
2/4/2022	ACS	Prepare and send via email produced documents received in response to subpoena to the Health Plan	0.3	\$125.00	\$37.50
2/4/2022	ATK	Discuss [REDACTED] with N Schladt.	0.3	\$125.00	\$37.50
2/4/2022	APP	Review draft email to opposing counsel	0.1	\$450.00	\$45.00
2/4/2022	NJS	Email Avatara Smith-Carrington and team re: [REDACTED]	0.2	\$300.00	\$60.00
2/4/2022	NJS	Coordinate production of documents	0.3	\$300.00	\$90.00
2/4/2022	NJS	Review UniCare responses and documents	1.2	\$300.00	\$360.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
2/4/2022	APP	Deposition preparation	1.1	\$450.00	\$495.00
2/4/2022	NJS	██████████ call w/ co-counsel	2	\$300.00	\$600.00
2/4/2022	NJS	Review defendant documents	2.4	\$300.00	\$720.00
2/7/2022	ACS	Video conference with Anna Prakash regarding case status	0.1	\$125.00	\$12.50
2/7/2022	ACS	Email court reporter and cancel upcoming depositions	0.1	\$125.00	\$12.50
2/7/2022	ACS	Update case calendar	0.1	\$125.00	\$12.50
2/7/2022	NJS	Email opposing counsel re: ESI	0.1	\$300.00	\$30.00
2/7/2022	APP	Review status of ESI	0.1	\$450.00	\$45.00
2/7/2022	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
2/7/2022	APP	Email discussion w/ Nicole Schladt re: ██████████	0.1	\$450.00	\$45.00
2/7/2022	ATK	Data analysis and reporting per Nicole Schladt request.	0.5	\$125.00	\$62.50
2/7/2022	CLP	Processed and uploaded third party production to Relativity.	0.9	\$125.00	\$112.50
2/7/2022	NJS	Review documents	2.7	\$300.00	\$810.00
2/8/2022	NJS	Email opposing counsel re: Topic 14	0.1	\$300.00	\$30.00
2/8/2022	APP	Email w/ Nicole Schladt re: ██████████	0.1	\$450.00	\$45.00
2/8/2022	APP	Review emails on ██████████	0.1	\$450.00	\$45.00
2/8/2022	ACS	Update case calendar	0.6	\$125.00	\$75.00
2/8/2022	ACS	Video conference with team regarding ██████████	0.7	\$125.00	\$87.50
2/8/2022	NJS	Email subpoenaed attorneys re: subpoenas	0.3	\$300.00	\$90.00
2/8/2022	NJS	Clarify Topic 14	0.6	\$300.00	\$180.00
2/8/2022	NJS	Team strategy meeting	0.7	\$300.00	\$210.00
2/8/2022	APP	Team meeting	0.7	\$450.00	\$315.00
2/9/2022	ACS	Submit Relativity request to have client documents loaded	0.1	\$125.00	\$12.50
2/9/2022	ACS	Email certificate of service to Nicole Schladt for review	0.1	\$125.00	\$12.50
2/9/2022	ACS	Submit production request for client records	0.1	\$125.00	\$12.50
2/9/2022	ACS	Draft certificate of service for CFAIN0009345 - CFAIN0009386	0.1	\$125.00	\$12.50
2/9/2022	ACS	Prepare and serve Unicare subpoena response	0.3	\$125.00	\$37.50
2/9/2022	CLP	Uploaded client document to Relativity.	0.3	\$125.00	\$37.50
2/9/2022	ACS	Review Unicare production and draft certificate of service for the same	0.4	\$125.00	\$50.00
2/9/2022	CLP	Ran and exported Relativity production.	0.4	\$125.00	\$50.00
2/9/2022	ACS	Review and redact client records	0.6	\$125.00	\$75.00
2/9/2022	NJS	Upload and produce client documents	0.4	\$300.00	\$120.00
2/10/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
2/10/2022	ACS	Email opposing counsel regarding document productions	0.2	\$125.00	\$25.00
2/10/2022	NJS	Review draft email to opposing counsel	0.1	\$300.00	\$30.00
2/10/2022	APP	Document review	0.5	\$450.00	\$225.00
2/10/2022	MAJ	Drafting legal section of Memorandum ISO Motion for Class Certification.	4.1	\$275.00	\$1,127.50
2/11/2022	ACS	Submit client records for loading into Relativity	0.1	\$125.00	\$12.50
2/11/2022	ACS	Email team regarding client records	0.1	\$125.00	\$12.50
2/11/2022	NJS	Respond to email re: ██████████	0.1	\$300.00	\$30.00
2/11/2022	APP	Email w/ team re: ██████████	0.1	\$450.00	\$45.00
2/11/2022	APP	Review email to CVS counsel	0.1	\$450.00	\$45.00
2/11/2022	CLP	Uploaded client document to Relativity.	0.5	\$125.00	\$62.50
2/11/2022	NJS	Draft and circulate email to subpoenaed attorney re: subpoenas	0.4	\$300.00	\$120.00
2/11/2022	MAJ	Drafting legal section of class certification brief	3.4	\$275.00	\$935.00
2/12/2022	MAJ	Drafting legal section and arguments for class certification memorandum	0.1	\$275.00	\$27.50
2/14/2022	NJS	Email opposing counsel re: ESI	0.1	\$300.00	\$30.00
2/15/2022	ACS	Video conference with Nicole Schladt regarding case deadlines	0.1	\$125.00	\$12.50
2/15/2022	ACS	Submit production request	0.1	\$125.00	\$12.50
2/15/2022	ACS	Review and email 30(b)(6) notice to court reporter to arrange services.	0.1	\$125.00	\$12.50
2/15/2022	ACS	Video conference with team regarding case status	0.5	\$125.00	\$62.50
2/15/2022	ACS	Review Defendants' joint motion for extension of defendant expert disclosure deadline	0.5	\$125.00	\$62.50
2/15/2022	ACS	Review and redact client documents	1	\$125.00	\$125.00
2/15/2022	NJS	Team strategy meeting	0.5	\$300.00	\$150.00
2/16/2022	ACS	Email Veritext regarding 30(b)(6) deposition	0.1	\$125.00	\$12.50
2/16/2022	ACS	Email regarding production of client documents	0.1	\$125.00	\$12.50
2/16/2022	CLP	Uploaded client document to Relativity.	0.2	\$125.00	\$25.00
2/16/2022	APP	Email discussion w/ team re: discovery issues	0.1	\$450.00	\$45.00
2/16/2022	CLP	Ran and exported Relativity production.	0.4	\$125.00	\$50.00
2/16/2022	NJS	Meet and confer	1	\$300.00	\$300.00
2/17/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
2/17/2022	ACS	Serve client document productions	0.1	\$125.00	\$12.50
2/17/2022	ACS	Code client document productions	0.1	\$125.00	\$12.50
2/17/2022	ACS	Video conference with Nicole Schladt, Angi Kittelson and Haley Thompson regarding ██████████	0.2	\$125.00	\$25.00
2/17/2022	NJS	Review certificate of service	0.1	\$300.00	\$30.00
2/17/2022	ACS	Draft certificate of service for client production	0.3	\$125.00	\$37.50
2/17/2022	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
2/17/2022	APP	Email discussion w/ team re discovery	0.1	\$450.00	\$45.00
2/17/2022	CLP	Ran and exported Relativity production.	0.4	\$125.00	\$50.00
2/17/2022	NJS	Review production	0.3	\$300.00	\$90.00
2/17/2022	APP	Prepare for Fred Lewis 30(b)(6) depo	1.7	\$450.00	\$765.00
2/18/2022	APP	Prepare for 30(b)(6)	0.3	\$450.00	\$135.00
2/19/2022	APP	Prepare for 30(b)(6)	2.8	\$450.00	\$1,260.00
2/20/2022	APP	Prepare for 30(b)(6)	7	\$450.00	\$3,150.00

Date	Staff_ID	Work_Description__m	Hours	Rate_Proper	Amount
2/21/2022	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
2/21/2022	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.2	\$125.00	\$25.00
2/21/2022	NJS	Email opposing counsel re: Veritext and Exhibit Share	0.2	\$300.00	\$60.00
2/21/2022	NJS	Deposition preparation re: Frederick Lewis	1.5	\$300.00	\$450.00
2/21/2022	MAJ	Draft class certification brief	5.8	\$275.00	\$1,595.00
2/21/2022	APP	Prepare for 30(b)(6)	6.7	\$450.00	\$3,015.00
2/22/2022	ACS	Email revised 30(b)(6) deposition notice to court reporter for scheduling	0.1	\$125.00	\$12.50
2/22/2022	ACS	Revise case calendar regarding deposition dates and times	0.2	\$125.00	\$25.00
2/22/2022	NJS	Email opposing counsel re: Veritext and Exhibit Share reminders	0.1	\$300.00	\$30.00
2/22/2022	NJS	Email Angi Kittelson re: [REDACTED]	0.2	\$300.00	\$60.00
2/22/2022	ACS	Video conference with Nichols Kaster, co-counsel and local counsel regarding case status	0.5	\$125.00	\$62.50
2/22/2022	ATK	Database modifications and data export. Correspondence regarding same.	0.7	\$125.00	\$87.50
2/22/2022	NJS	Draft emails to opposing counsel	0.3	\$300.00	\$90.00
2/22/2022	NJS	Team strategy call	0.5	\$300.00	\$150.00
2/22/2022	NJS	Review documents	0.7	\$300.00	\$210.00
2/22/2022	APP	Team meeting	0.5	\$450.00	\$225.00
2/22/2022	MAJ	Drafting class certification brief legal section	3.9	\$275.00	\$1,072.50
2/22/2022	APP	Prepare for 30(b)(6)	7.2	\$450.00	\$3,240.00
2/23/2022	ACS	Submit client records for loading into Relativity	0.1	\$125.00	\$12.50
2/23/2022	ACS	Email regarding client document production	0.1	\$125.00	\$12.50
2/23/2022	ACS	Email team regarding [REDACTED]	0.1	\$125.00	\$12.50
2/23/2022	ACS	Email certificate of service for CFAIN0009514 - CFAIN0009531 to Nicole Schladt for review	0.1	\$125.00	\$12.50
2/23/2022	CLP	Uploaded client document to Relativity.	0.2	\$125.00	\$25.00
2/23/2022	ACS	Draft email to court reporter regarding information needed for depositions	0.3	\$125.00	\$37.50
2/23/2022	CLP	Ran and exported Relativity production.	0.4	\$125.00	\$50.00
2/23/2022	NJS	Emails to opposing counsel re: document production	0.2	\$300.00	\$60.00
2/23/2022	ACS	Review and redact client documents	0.5	\$125.00	\$62.50
2/23/2022	NJS	Review duplicates, email attachments for deposition	0.6	\$300.00	\$180.00
2/23/2022	NJS	Deposition preparation re: Fred Lewis	1.5	\$300.00	\$450.00
2/23/2022	APP	Prepare for 30(b)(6)	5.3	\$450.00	\$2,385.00
2/24/2022	ACS	Telephone conference with Veritext regarding cancelation of Frederick Lewis deposition	0.1	\$125.00	\$12.50
2/24/2022	ACS	Update case calendar	0.1	\$125.00	\$12.50
2/24/2022	ACS	Review Defendant's written discovery supplementations	0.3	\$125.00	\$37.50
2/24/2022	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
2/24/2022	CLP	Processed and uploaded defendant production to Relativity.	0.6	\$125.00	\$75.00
2/24/2022	NJS	Review document production	0.3	\$300.00	\$90.00
2/24/2022	CLP	Helped export depo exhibits from Relativity.	1.5	\$125.00	\$187.50
2/24/2022	ACS	Pull, organize, review, and load Frederick Lewis deposition exhibits	5.6	\$125.00	\$700.00
2/24/2022	APP	Prepare for 30(b)(6)	2.1	\$450.00	\$945.00
2/25/2022	ACS	Serve production via email	0.1	\$125.00	\$12.50
2/25/2022	NJS	Email team re: response to subpoena	0.2	\$300.00	\$60.00
2/25/2022	APP	Call w/ co-counsel	0.2	\$450.00	\$90.00
3/1/2022	NJS	Email third party re: Aetna documents	0.2	\$300.00	\$60.00
3/1/2022	NJS	Team strategy meeting	0.6	\$300.00	\$180.00
3/1/2022	APP	Strategy meeting w/ team	0.6	\$450.00	\$270.00
3/2/2022	APP	Meet w/ Nicole Schladt about deposition preparation	0.1	\$450.00	\$45.00
3/3/2022	NJS	Respond to email re: Sarah Young deposition	0.1	\$300.00	\$30.00
3/6/2022	NJS	Email Anna Prakash re: Bill Crouch deposition	0.1	\$300.00	\$30.00
3/7/2022	NJS	Email to co-counsel re: [REDACTED]	0.1	\$300.00	\$30.00
3/7/2022	APP	Meet with Nicole Schladt re: case status	0.1	\$450.00	\$45.00
3/7/2022	NJS	Discuss Bill Crouch deposition	0.5	\$300.00	\$150.00
3/7/2022	APP	Meet with Nicole Schladt re: deposition strategy	0.4	\$450.00	\$180.00
3/8/2022	ACS	Email court reporter updated deposition dates and times	0.1	\$125.00	\$12.50
3/8/2022	ACS	Update case calendar	0.2	\$125.00	\$25.00
3/8/2022	ACS	Video conference with team regarding case status	0.6	\$125.00	\$75.00
3/8/2022	NJS	Team strategy meeting	0.6	\$300.00	\$180.00
3/9/2022	ACS	Confirm Sarah Young deposition	0.1	\$125.00	\$12.50
3/9/2022	ACS	Email revised notice of deposition to court reporter	0.1	\$125.00	\$12.50
3/9/2022	ACS	Review deposition schedule	0.1	\$125.00	\$12.50
3/9/2022	ACS	Email subpoena to team for review	0.1	\$125.00	\$12.50
3/9/2022	ACS	Review defendant Crouch's written discovery responses	0.1	\$125.00	\$12.50
3/9/2022	NJS	Review email to court	0.1	\$300.00	\$30.00
3/9/2022	ACS	Review and submit defendant production for loading	0.3	\$125.00	\$37.50
3/9/2022	ACS	Draft notice of deposition for Dr. Stephen Levine	0.6	\$125.00	\$75.00
3/9/2022	NJS	Review Sarah Young deposition outline	0.8	\$300.00	\$240.00
3/10/2022	CLP	Uploaded defendant production to Relativity.	0.2	\$125.00	\$25.00
3/11/2022	ACS	Communicate with Veritext regarding Sarah Young deposition	0.4	\$125.00	\$50.00
3/11/2022	NJS	Sarah Young deposition	8	\$300.00	\$2,400.00
3/12/2022	NJS	Compile Bill Crouch deposition outline	5	\$300.00	\$1,500.00
3/13/2022	APP	Review deposition outline	0.1	\$450.00	\$45.00
3/14/2022	NJS	Review expert report	0.5	\$300.00	\$150.00
3/14/2022	NJS	Finalize Bill Crouch deposition outline and circulate to team	0.7	\$300.00	\$210.00
3/15/2022	ACS	Email court reporting company regarding Bill Crouch deposition arrangements	0.1	\$125.00	\$12.50
3/15/2022	ACS	Email court reporter regarding Bill Crouch deposition day one arrangements	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
3/15/2022	ACS	Submit production request	0.1	\$125.00	\$12.50
3/15/2022	ACS	Email opposing counsel regarding acceptance of expert deposition subpoena	0.1	\$125.00	\$12.50
3/15/2022	ACS	Video conference with Nicole Schladt regarding case status	0.2	\$125.00	\$25.00
3/15/2022	ACS	Review and revise case calendar	0.5	\$125.00	\$62.50
3/15/2022	NJS	Review expert report	0.3	\$300.00	\$90.00
3/15/2022	NJS	Review expert report	0.4	\$300.00	\$120.00
3/15/2022	NJS	Team strategy meeting	0.5	\$300.00	\$150.00
3/16/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/16/2022	NJS	Prepare for Bill Crouch deposition	4.7	\$300.00	\$1,410.00
3/17/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/17/2022	ACS	Email Veritext regarding Bill Crouch rough transcript	0.1	\$125.00	\$12.50
3/17/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/17/2022	ACS	Prepare ExhibitShare and review exhibits	0.5	\$125.00	\$62.50
3/17/2022	NJS	Secretary Crouch deposition	2	\$300.00	\$600.00
3/18/2022	ACS	Revise case calendar	0.2	\$125.00	\$25.00
3/18/2022	ACS	Update internal file with recent docket filings	0.2	\$125.00	\$25.00
3/18/2022	APP	Review response to motion for substitution	0.1	\$450.00	\$45.00
3/18/2022	NJS	Review email from co-counsel re: [REDACTED]	0.2	\$300.00	\$60.00
3/21/2022	ACS	Email opposing counsel regarding Dr. Levine subpoena	0.1	\$125.00	\$12.50
3/21/2022	APP	Review Sarah Young deposition	0.1	\$450.00	\$45.00
3/21/2022	APP	Review Bill Crouch deposition transcript	0.1	\$450.00	\$45.00
3/22/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/22/2022	ACS	Submit request to have defendant documents loaded	0.1	\$125.00	\$12.50
3/22/2022	ACS	Review defendant Crouch's produced documents	0.2	\$125.00	\$25.00
3/22/2022	ACS	Revise production request for recent defendant production	0.2	\$125.00	\$25.00
3/23/2022	ACS	Calendar Dr. Schechter deposition	0.1	\$125.00	\$12.50
3/23/2022	ACS	Review emails regarding plaintiff production	0.2	\$125.00	\$25.00
3/23/2022	ACS	Submit relativity request to have Aetna documents loaded	0.2	\$125.00	\$25.00
3/24/2022	ACS	Video conference with Nicole Schladt regarding [REDACTED]	0.1	\$125.00	\$12.50
3/24/2022	ACS	Revise notice and subpoena to Dr. Levine	0.3	\$125.00	\$37.50
3/25/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
3/25/2022	ACS	Email co-counsel regarding [REDACTED]	0.1	\$125.00	\$12.50
3/25/2022	ACS	Submit Relativity request to have client documents loaded	0.1	\$125.00	\$12.50
3/25/2022	ACS	Review calendar for deposition dates	0.1	\$125.00	\$12.50
3/25/2022	ACS	Email regarding Aetna production	0.1	\$125.00	\$12.50
3/25/2022	ACS	Pull and submit ticket to load defendant produced documents into Relativity	0.2	\$125.00	\$25.00
3/25/2022	CLP	Uploaded third party production to Relativity.	0.3	\$125.00	\$37.50
3/25/2022	CLP	Processed and uploaded defendant production to Relativity.	1.4	\$125.00	\$175.00
3/25/2022	NJS	Document review	2.7	\$300.00	\$810.00
3/26/2022	NJS	Call w/ co-counsel re: produced document	0.7	\$300.00	\$210.00
3/26/2022	NJS	Review produced document and compile thoughts in email	1.5	\$300.00	\$450.00
3/28/2022	CLP	Processed and uploaded defendant production to Relativity.	0.6	\$125.00	\$75.00
3/28/2022	NJS	Dr. Schechter deposition	6	\$300.00	\$1,800.00
3/29/2022	NJS	Commissioner Beane deposition	6.4	\$300.00	\$1,920.00
3/30/2022	NJS	Portion of Dr. Becker deposition	7	\$300.00	\$2,100.00
3/31/2022	ACS	Submit Relativity request to have Commissioner Beane deposition materials loaded	0.1	\$125.00	\$12.50
3/31/2022	CLP	Uploaded deposition transcript to Relativity.	0.1	\$125.00	\$12.50
3/31/2022	ACS	Revise Frederick Lewis deposition exhibits	0.5	\$125.00	\$62.50
3/31/2022	APP	Review deposition transcripts to date	1.5	\$450.00	\$675.00
4/1/2022	ACS	Video conference with Anna Prakash regarding case depositions	0.1	\$125.00	\$12.50
4/1/2022	NJS	Email Angi Kittelson and Chris Good re: deposition tech	0.1	\$300.00	\$30.00
4/1/2022	NJS	Meet with team re: depositions	0.7	\$300.00	\$210.00
4/1/2022	APP	Prepare for 30(b)(6)	1.4	\$450.00	\$630.00
4/1/2022	NJS	Compile outlines for Fred Lewis and Jennifer Myers depositions	2.7	\$300.00	\$810.00
4/2/2022	APP	Prepare for Fred Lewis 30(b)(6) deposition	3.5	\$450.00	\$1,575.00
4/3/2022	APP	Prepare for Fred Lewis 30(b)(6) deposition	3.6	\$450.00	\$1,620.00
4/3/2022	NJS	Prepare for Brandon Lewis deposition	6	\$300.00	\$1,800.00
4/4/2022	ACS	Review documents received for loading into Relativity	0.1	\$125.00	\$12.50
4/4/2022	ACS	Submit Relativity request to have documents loaded	0.1	\$125.00	\$12.50
4/4/2022	CLP	Uploaded client documents to Relativity.	0.2	\$125.00	\$25.00
4/4/2022	APP	Discuss Brandon Lewis deposition w/ Nicole Schladt	0.1	\$450.00	\$45.00
4/4/2022	APP	Review and edit outline for Brandon Lewis deposition	0.2	\$450.00	\$90.00
4/4/2022	APP	Prepare for Jennifer Myer 30(b)(6) deposition	0.3	\$450.00	\$135.00
4/4/2022	APP	Prepare for Fred Lewis 30(b)(6) deposition	0.5	\$450.00	\$225.00
4/4/2022	ACS	Pull exhibits for and set up exhibit share for Brandon Lewis deposition	1.9	\$125.00	\$237.50
4/4/2022	NJS	Fred Lewis deposition	4.7	\$300.00	\$1,410.00
4/4/2022	APP	Deposition of Fred Lewis 30(b)(6)	4.7	\$450.00	\$2,115.00
4/5/2022	ACS	Communicate with Nicole Schladt regarding deposition exhibits	0.1	\$125.00	\$12.50
4/5/2022	ACS	Arrange Dr. Levine deposition via email	0.2	\$125.00	\$25.00
4/5/2022	APP	Review deposition outline for client prep	0.2	\$450.00	\$90.00
4/5/2022	APP	Prepare for Jennifer Myers deposition	1.7	\$450.00	\$765.00
4/5/2022	NJS	Brandon Lewis deposition	3	\$300.00	\$900.00
4/5/2022	APP	Deposition of Brandon Lewis	3	\$450.00	\$1,350.00
4/6/2022	ACS	Update case calendar	0.2	\$125.00	\$25.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
4/6/2022	APP	Prepare for Jennifer Myers deposition	4.8	\$450.00	\$2,160.00
4/7/2022	NJS	Email Anna Prakash re: Jennifer Myers deposition	0.6	\$300.00	\$180.00
4/7/2022	APP	Strategy meeting with co-counsel	0.5	\$450.00	\$225.00
4/7/2022	APP	Prepare for Jennifer Myers 30(b)(6) deposition	1	\$450.00	\$450.00
4/8/2022	APP	Prepare for Jennifer Myers deposition	0.5	\$450.00	\$225.00
4/8/2022	NJS	Prepare for Becky Manning deposition	1.5	\$300.00	\$450.00
4/8/2022	NJS	Jennifer Myers deposition	2.5	\$300.00	\$750.00
4/8/2022	APP	Jennifer Myers deposition	2.2	\$450.00	\$990.00
4/10/2022	APP	Review Becky Manning deposition notice	0.3	\$450.00	\$135.00
4/11/2022	ACS	Calendar expert depositions	0.1	\$125.00	\$12.50
4/11/2022	NJS	Prepare for Becky Manning deposition	1.5	\$300.00	\$450.00
4/12/2022	ACS	Submit Relativity request to have Dr. James Becker deposition materials	0.1	\$125.00	\$12.50
4/12/2022	ACS	Submit Relativity request to have Dr. Schechter and Commissioner Beane deposition materials loaded	0.1	\$125.00	\$12.50
4/12/2022	ACS	Submit request to have Defendants' Cynthia Beane, William Crouch, West Virginia Department of Health and Human Resources, Bureau for Medical Services documents loaded	0.1	\$125.00	\$12.50
4/12/2022	ACS	Review Defendants Beane, William Crouch, West Virginia Department of Health and Human Resources, Bureau for Medical Services tenth supplemental written discovery responses	0.2	\$125.00	\$25.00
4/12/2022	APP	Meet w/ Nicole Schladt about Becky Manning deposition	0.1	\$450.00	\$45.00
4/12/2022	MAJ	Researching deadline for class certification	0.2	\$275.00	\$55.00
4/12/2022	ACS	Update internal file with deposition transcripts and exhibits	0.7	\$125.00	\$87.50
4/12/2022	APP	Team strategy meeting	0.4	\$450.00	\$180.00
4/12/2022	APP	Becky Manning deposition	2.5	\$450.00	\$1,125.00
4/12/2022	NJS	Becky Manning deposition preparation and deposition	4	\$300.00	\$1,200.00
4/13/2022	ACS	Review responsive documents marked for production	0.1	\$125.00	\$12.50
4/13/2022	CLP	Processed and uploaded defendant production to Relativity.	0.3	\$125.00	\$37.50
4/13/2022	APP	Brian Thompson deposition	2	\$450.00	\$900.00
4/15/2022	APP	Review draft client declaration	0.1	\$450.00	\$45.00
4/15/2022	APP	Prepare for client depo prep	0.5	\$450.00	\$225.00
4/17/2022	APP	Strategy meeting w/ team	0.1	\$450.00	\$45.00
4/17/2022	APP	Meet with client	1.6	\$450.00	\$720.00
4/18/2022	ACS	Email court reporter to arrange videographer for Dr. Levine deposition	0.1	\$125.00	\$12.50
4/18/2022	ACS	Submit client documents for loading and production	0.1	\$125.00	\$12.50
4/18/2022	CLP	Uploaded client document to Relativity.	0.1	\$125.00	\$12.50
4/18/2022	ACS	Submit Relativity request to have deposition materials loaded	0.3	\$125.00	\$37.50
4/18/2022	ATK	Correspondence with Nicole Schladt regarding [REDACTED]	0.3	\$125.00	\$37.50
4/18/2022	APP	Draft letter to court	0.1	\$450.00	\$45.00
4/18/2022	ACS	Review and organize deposition transcripts	0.6	\$125.00	\$75.00
4/18/2022	CLP	Created XMEFs. Uploaded depo transcripts and exhibits to Relativity and manually linked exhibits.	0.7	\$125.00	\$87.50
4/18/2022	NJS	Review draft declaration	0.3	\$300.00	\$90.00
4/18/2022	ATK	ESI analysis and reporting.	1.5	\$125.00	\$187.50
4/18/2022	APP	Prepare for client deposition	0.7	\$450.00	\$315.00
4/18/2022	NJS	Review client documents for production	1.4	\$300.00	\$420.00
4/19/2022	ACS	Submit Relativity request to have client document loaded	0.1	\$125.00	\$12.50
4/19/2022	CLP	Uploaded client document to Relativity.	0.2	\$125.00	\$25.00
4/19/2022	ATK	Correspondence regarding [REDACTED]	0.3	\$125.00	\$37.50
4/19/2022	ATK	ESI reporting for production.	0.5	\$125.00	\$62.50
4/19/2022	APP	Research [REDACTED] issue	0.2	\$450.00	\$90.00
4/19/2022	APP	Discuss and research [REDACTED]	0.3	\$450.00	\$135.00
4/19/2022	NJS	Prepare client production	0.8	\$300.00	\$240.00
4/19/2022	MAJ	Research question re: [REDACTED]	2.8	\$275.00	\$770.00
4/20/2022	ACS	Update case calendar	0.1	\$125.00	\$12.50
4/20/2022	ACS	Draft certificate of service	0.1	\$125.00	\$12.50
4/20/2022	ACS	Serve production via email	0.1	\$125.00	\$12.50
4/20/2022	ACS	Review redactions on documents for production	0.2	\$125.00	\$25.00
4/20/2022	ACS	Review amended notices of deposition for Christopher Fain, Shauntae Anderson, and Dr. Olsen-Kennedy	0.2	\$125.00	\$25.00
4/20/2022	CLP	Ran and exported Relativity production.	0.5	\$125.00	\$62.50
4/20/2022	NJS	Redact documents for production	0.4	\$300.00	\$120.00
4/20/2022	APP	Client deposition preparation	2	\$450.00	\$900.00
4/21/2022	ACS	Email team regarding motion filing	0.1	\$125.00	\$12.50
4/21/2022	ACS	Prepare joint motion for filing	0.1	\$125.00	\$12.50
4/21/2022	ACS	Submit Becky Manning deposition materials for loading into Relativity	0.1	\$125.00	\$12.50
4/21/2022	CLP	Uploaded deposition transcript and exhibits to Relativity and manually linked exhibits.	0.2	\$125.00	\$25.00
4/21/2022	APP	Review and respond to email from opposing counsel	0.1	\$450.00	\$45.00
4/21/2022	APP	Draft joint motion for continuance	0.2	\$450.00	\$90.00
4/21/2022	ACS	Review case calendar and schedule to determine case deadlines	0.8	\$125.00	\$100.00
4/21/2022	ACS	Draft joint motion to continue scheduling conference	1	\$125.00	\$125.00
4/22/2022	ACS	Update calendar	0.1	\$125.00	\$12.50
4/22/2022	ACS	Review Jennifer Myers deposition materials	0.1	\$125.00	\$12.50
4/22/2022	ACS	Submit production requests	0.1	\$125.00	\$12.50
4/22/2022	NJS	Review meet and confer email	0.1	\$300.00	\$30.00
4/22/2022	ACS	Review and save Becky Manning deposition exhibits	0.4	\$125.00	\$50.00
4/22/2022	APP	Strategy meeting with co-counsel	0.8	\$450.00	\$360.00
4/22/2022	APP	Portion of Shauntae Anderson deposition	2.5	\$450.00	\$1,125.00
4/23/2022	APP	Prepare for Christopher Fain depo	1.5	\$450.00	\$675.00
4/23/2022	APP	Meet with Christopher Fain	2	\$450.00	\$900.00
4/25/2022	ACS	Draft certificate of service for CFAIN0009562 - CFAIN0009600	0.1	\$125.00	\$12.50

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
4/25/2022	ACS	Serve production via email	0.1	\$125.00	\$12.50
4/25/2022	CLP	Uploaded deposition transcripts and exhibits and manually linked exhibits.	0.6	\$125.00	\$75.00
4/25/2022	CLP	Ran and exported Relativity production.	0.8	\$125.00	\$100.00
4/25/2022	ATK	Prepare client ESI for production.	1	\$125.00	\$125.00
4/26/2022	ACS	Video conference with team regarding case status	0.5	\$125.00	\$62.50
4/26/2022	NJS	Team strategy call	0.5	\$300.00	\$150.00
4/26/2022	APP	Meet with Christopher Fain	1.5	\$450.00	\$675.00
4/27/2022	ACS	Submit Relativity request to have client documents loaded	0.1	\$125.00	\$12.50
4/27/2022	ACS	Draft certificate of service for CFAIN0009601 - CFAIN0009607	0.1	\$125.00	\$12.50
4/27/2022	ACS	Serve production on opposing counsel via email	0.1	\$125.00	\$12.50
4/27/2022	ATK	Prepare outgoing production.	1	\$125.00	\$125.00
4/28/2022	APP	Call with Christopher Fain	0.2	\$450.00	\$90.00
4/28/2022	APP	Prepare for deposition of Christopher Fain	0.8	\$450.00	\$360.00
4/28/2022	APP	Deposition of Christopher Fain	3	\$450.00	\$1,350.00
4/29/2022	ACS	Review Defendants Crouch and Beane amended written discovery	0.1	\$125.00	\$12.50
4/29/2022	ACS	Submit request to have defendant documents loaded into Relativity	0.1	\$125.00	\$12.50
5/3/2022	ACS	Revise case calendar	0.1	\$125.00	\$12.50
5/3/2022	CLP	Processed and uploaded defendant production.	0.3	\$125.00	\$37.50
5/3/2022	APP	Review motion to amend caption	0.1	\$450.00	\$45.00
5/3/2022	ACS	Video conference with legal team regarding case status	0.8	\$125.00	\$100.00
5/3/2022	APP	Portion of team meeting	0.4	\$450.00	\$180.00
5/4/2022	APP	Review firm resume for certification filing	0.1	\$450.00	\$45.00
5/4/2022	NJS	Emails w/ co-counsel re: class certification exhibits	0.2	\$300.00	\$60.00
5/4/2022	NJS	Meet w/ Anna Prakash re: class certification	0.5	\$300.00	\$150.00
5/4/2022	APP	Meet with Nicole Schladt about class certification	0.5	\$450.00	\$225.00
5/4/2022	NJS	Class certification drafting	4	\$300.00	\$1,200.00
5/6/2022	ACS	Video conference with Nicole Schladt regarding motion to revise case caption	0.1	\$125.00	\$12.50
5/6/2022	ACS	Review motion regarding change to case caption	0.3	\$125.00	\$37.50
5/9/2022	APP	Email discussion w/ team re: summary judgment deadline	0.1	\$450.00	\$45.00
5/9/2022	APP	Call w/ Shauntae Anderson	0.2	\$450.00	\$90.00
5/9/2022	NJS	Research filing under seal	0.7	\$300.00	\$210.00
5/9/2022	NJS	Outline class certification	3.5	\$300.00	\$1,050.00
5/10/2022	ACS	Video conference with Nicole Schladt regarding case status	0.3	\$125.00	\$37.50
5/10/2022	APP	Call w/ Christopher Fain	0.1	\$450.00	\$45.00
5/10/2022	ACS	Draft declaration for Nicole Schladt regarding class certification declaration	0.5	\$125.00	\$62.50
5/10/2022	ACS	Review local and ECF rules regarding filing under seal	1	\$125.00	\$125.00
5/10/2022	APP	Review/edit class certification outline	0.4	\$450.00	\$180.00
5/11/2022	ACS	Submit relativity request to have Dr. Levine documents loaded	0.1	\$125.00	\$12.50
5/11/2022	CLP	Uploaded deposition transcript and exhibits and manually linked exhibits.	0.2	\$125.00	\$25.00
5/11/2022	ACS	Review Dr. Levine transcript and exhibits	0.3	\$125.00	\$37.50
5/11/2022	APP	Review Fred Lewis errata sheet	0.1	\$450.00	\$45.00
5/11/2022	NJS	Research for class certification	3	\$300.00	\$900.00
5/12/2022	ACS	Update case calendar	0.1	\$125.00	\$12.50
5/12/2022	NJS	Review Brandon Lewis errata sheet	0.3	\$300.00	\$90.00
5/12/2022	NJS	Draft class certification brief	4.7	\$300.00	\$1,410.00
5/13/2022	NJS	Draft class certification brief	7.6	\$300.00	\$2,280.00
5/16/2022	ACS	Email Veritext production regarding Sarah Young deposition materials	0.1	\$125.00	\$12.50
5/16/2022	ACS	Review Christopher Fain errata and transcript	0.2	\$125.00	\$25.00
5/16/2022	ACS	Review Sarah Young deposition materials	0.2	\$125.00	\$25.00
5/16/2022	ACS	Review Sarah Young deposition exhibits	0.3	\$125.00	\$37.50
5/16/2022	APP	Discuss class certification w/ Nicole Schladt	0.5	\$450.00	\$225.00
5/16/2022	APP	Edit class certification brief	1.8	\$450.00	\$810.00
5/17/2022	ACS	Team meeting with Anna Prakash, Nicole Schladt, Lambda Legal, and Walt Auvil	0.5	\$125.00	\$62.50
5/17/2022	NJS	Team strategy meeting	0.5	\$300.00	\$150.00
5/17/2022	APP	Team meeting	0.5	\$450.00	\$225.00
5/17/2022	NJS	Edit class certification brief	2	\$300.00	\$600.00
5/18/2022	CLP	Uploaded deposition transcript and exhibits and manually linked exhibits.	0.4	\$125.00	\$50.00
5/18/2022	APP	Edit class certification brief	3	\$450.00	\$1,350.00
5/19/2022	CLP	Uploaded deposition transcript and exhibits and manually linked exhibits.	0.3	\$125.00	\$37.50
5/19/2022	APP	Review confidentiality designations	0.1	\$450.00	\$45.00
5/19/2022	NJS	Edit class certification brief and draft declaration	7	\$300.00	\$2,100.00
5/20/2022	APP	Review class certification declaration	0.1	\$450.00	\$45.00
5/20/2022	ACS	Draft table of contents for class certification brief	0.5	\$125.00	\$62.50
5/20/2022	NJS	Prepare class certification brief for circulation to co-counsel	1.6	\$300.00	\$480.00
5/20/2022	APP	Review deposition transcript for Christopher Fain errata	1.1	\$450.00	\$495.00
5/20/2022	APP	Edit class certification brief	1.3	\$450.00	\$585.00
5/22/2022	APP	Review ECF question	0.1	\$450.00	\$45.00
5/22/2022	APP	Review edits to class certification declaration	0.1	\$450.00	\$45.00
5/22/2022	APP	Review edits to class certification brief	0.2	\$450.00	\$90.00
5/22/2022	APP	Review updated attorney declaration for class certification	0.2	\$450.00	\$90.00
5/23/2022	ACS	Review e-filing rules	0.1	\$125.00	\$12.50
5/23/2022	ACS	Email team regarding e-filing procedure	0.1	\$125.00	\$12.50
5/23/2022	APP	Email discussion w/ team re: dispositive motions	0.1	\$450.00	\$45.00
5/23/2022	NJS	Check-in w/ Anna Prakash re: class certification	0.5	\$300.00	\$150.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
5/23/2022	APP	Discuss dispositive motions with Nicole Schladt	0.5	\$450.00	\$225.00
5/23/2022	NJS	Class certification edits	2	\$300.00	\$600.00
5/24/2022	ACS	Telephone conference with the Court regarding sealed filings	0.1	\$125.00	\$12.50
5/24/2022	ACS	Email team regarding sealed document requirements	0.1	\$125.00	\$12.50
5/24/2022	CLP	Exported documents and uploaded to iManage Share for legal team.	1	\$125.00	\$125.00
5/24/2022	ACS	Meeting with team regarding class certification, summary judgment, and Daubert motions	1.5	\$125.00	\$187.50
5/24/2022	NJS	Team strategy call re: filing summary judgment, class certification, and Daubert	1.5	\$300.00	\$450.00
5/24/2022	NJS	Update firm resume, motion, and proposed order	2	\$300.00	\$600.00
5/24/2022	APP	Team meeting	1.5	\$450.00	\$675.00
5/25/2022	APP	Discuss dispositive motion filings with Nicole Schladt	0.2	\$450.00	\$90.00
5/25/2022	APP	Edit related class certification filings	0.2	\$450.00	\$90.00
5/25/2022	ACS	Draft filing guide	0.8	\$125.00	\$100.00
5/25/2022	APP	Finalize edits to drafts for filing	0.3	\$450.00	\$135.00
5/25/2022	NJS	Call w/ Anna Prakash re: filing	0.5	\$300.00	\$150.00
5/25/2022	APP	Edit class certification brief	0.7	\$450.00	\$315.00
5/25/2022	APP	Edit Daubert brief	0.8	\$450.00	\$360.00
5/25/2022	NJS	Review summary judgment memo	3	\$300.00	\$900.00
5/25/2022	APP	Edit summary judgment brief	3.8	\$450.00	\$1,710.00
5/26/2022	ACS	Submit client documents loading into Relativity	0.1	\$125.00	\$12.50
5/26/2022	APP	Email discussion w/ team re: ECF filings for dispositive motions	0.1	\$450.00	\$45.00
5/26/2022	APP	Review email from opposing counsel	0.1	\$450.00	\$45.00
5/26/2022	APP	Review motion to seal	0.1	\$450.00	\$45.00
5/26/2022	APP	Review proposed response to defense counsel	0.1	\$450.00	\$45.00
5/26/2022	APP	Review class certification filing checklist	0.1	\$450.00	\$45.00
5/26/2022	APP	Review sealing filing guide	0.1	\$450.00	\$45.00
5/26/2022	ACS	Video conference with co-counsel Tara Borelli and Avatara Smith- Carrington regarding motion to seal	0.5	\$125.00	\$62.50
5/26/2022	APP	Review summary judgment brief edits	0.2	\$450.00	\$90.00
5/26/2022	ACS	Draft sealed filing guide for southern district of West Virginia	2.8	\$125.00	\$350.00
5/26/2022	NJS	Draft class certification briefing status memo	1.5	\$300.00	\$450.00
5/26/2022	NJS	Class certification finalization	2	\$300.00	\$600.00
5/26/2022	NJS	Review Daubert memo	2.6	\$300.00	\$780.00
5/27/2022	ACS	Review motion to seal documents	0.2	\$125.00	\$25.00
5/27/2022	ACS	Draft table of contents in class certification brief	0.3	\$125.00	\$37.50
5/27/2022	ACS	Prepare class certification motion and associated documents for filing	0.7	\$125.00	\$87.50
5/30/2022	NJS	Class certification cite checking and exhibit standardization	2.2	\$300.00	\$660.00
5/31/2022	CLP	Uploaded client document.	0.2	\$125.00	\$25.00
5/31/2022	APP	Disussion w/ team re: dispositive motion filing order	0.1	\$450.00	\$45.00
5/31/2022	APP	Review final PDFs for certification and summary judgment	0.3	\$450.00	\$135.00
5/31/2022	ACS	Review and organize recent filings	2	\$125.00	\$250.00
6/1/2022	ACS	Email Nicole Schladt regarding motion response deadlines	0.1	\$125.00	\$12.50
6/1/2022	APP	Review ECF filings - dispositive motions	0.2	\$450.00	\$90.00
6/1/2022	ACS	Review and save to file recent case filings	1.8	\$125.00	\$225.00
6/2/2022	ACS	Video conference with Nicole Schladt regarding briefing deadlines	0.1	\$125.00	\$12.50
6/2/2022	ACS	Update case calendar	0.3	\$125.00	\$37.50
6/2/2022	APP	Review Defendant's summary judgment motion	0.2	\$450.00	\$90.00
6/2/2022	NJS	Meeting w/ co-counsel to discuss next steps	0.5	\$300.00	\$150.00
6/2/2022	APP	Team meeting to discuss summary judgment response briefing	0.5	\$450.00	\$225.00
6/2/2022	NJS	Review and edit [REDACTED] section of brief, then forward to co-counsel	1.2	\$300.00	\$360.00
6/2/2022	APP	Work on [REDACTED] section response to summary judgment	3.2	\$450.00	\$1,440.00
6/3/2022	APP	Team strategy meeting	0.4	\$450.00	\$180.00
6/7/2022	NJS	Review response to summary judgment motion	3.5	\$300.00	\$1,050.00
6/8/2022	APP	Review and edit summary judgment response brief	3.5	\$450.00	\$1,575.00
6/9/2022	NJS	Review email to opposing counsel	0.1	\$300.00	\$30.00
6/10/2022	APP	Review summary judgment draft	0.2	\$450.00	\$90.00
6/10/2022	NJS	Read decision in Kadel	0.5	\$300.00	\$150.00
6/14/2022	APP	Review class certification response brief and outline reply	2.7	\$450.00	\$1,215.00
6/15/2022	ACS	Team meeting with co and local counsel regarding replies	0.5	\$125.00	\$62.50
6/15/2022	ACS	Review response filings to summary judgment, class certification, and Daubert motions	0.5	\$125.00	\$62.50
6/15/2022	ACS	Prepare and mail summary judgment response courtesy copy	1	\$125.00	\$125.00
6/15/2022	NJS	Team meeting re: replies	0.5	\$300.00	\$150.00
6/15/2022	APP	Review Defendants' summary judgment and Daubert filings	0.4	\$450.00	\$180.00
6/15/2022	APP	Meet with team to discuss reply briefing strategy	0.5	\$450.00	\$225.00
6/15/2022	NJS	Review Anna Prakash draft of class certification reply	2	\$300.00	\$600.00
6/16/2022	NJS	Edit class certification reply brief	2.3	\$300.00	\$690.00
6/17/2022	NJS	Finish drafting class certification reply and circulate to team	3.2	\$300.00	\$960.00
6/19/2022	NJS	Edit class certification reply	4.3	\$300.00	\$1,290.00
6/20/2022	NJS	Edit summary judgment reply	2.5	\$300.00	\$750.00
6/20/2022	NJS	Finalize class certification reply	4.6	\$300.00	\$1,380.00
6/27/2022	APP	Review email from clerk and respond	0.1	\$450.00	\$45.00
6/28/2022	NJS	Call w/ co-counsel re: strategy	0.5	\$300.00	\$150.00
7/7/2022	ACS	Video conference with Anna Prakash regarding class certification hearing binders	0.1	\$125.00	\$12.50
7/7/2022	ACS	Prepare binders for class certification hearing for Anna Prakash	0.5	\$125.00	\$62.50
7/7/2022	APP	Prepare for class certification hearing	1.5	\$450.00	\$675.00
7/8/2022	APP	Summary judgment moot argument	1.1	\$450.00	\$495.00

Date	Staff_ID	Work_Description__m__	Hours	Rate_Proper	Amount
7/9/2022	APP	Prepare for class certification hearing	7.3	\$450.00	\$3,285.00
7/10/2022	APP	Prepare for class certification hearing	2.6	\$450.00	\$1,170.00
7/11/2022	APP	Prepare for class certification hearing	7.5	\$450.00	\$3,375.00
7/12/2022	APP	Prepare for hearing	5.5	\$450.00	\$2,475.00
7/13/2022	APP	Hearing preparation	2	\$450.00	\$900.00
7/13/2022	APP	Hearing	2.4	\$450.00	\$1,080.00
7/25/2022	ACS	Video conference with Anna Prakash regarding case status	0.1	\$125.00	\$12.50
7/25/2022	APP	Meet with Nicole Schladt about hearing	0.1	\$450.00	\$45.00
8/2/2022	APP	Calls with clients	0.2	\$450.00	\$90.00
8/2/2022	APP	Review summary judgment and class certification order	0.5	\$450.00	\$225.00
8/3/2022	APP	Emails with team regarding potential appeal	0.1	\$450.00	\$45.00
			<b>1,123.14</b>		<b>\$335,232.50</b>

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION

CHRISTOPHER FAIN, *et al.*, individually and  
on behalf of all others similarly situated,

*Plaintiffs,*

v.

WILLIAM CROUCH, *et al.*,

*Defendants.*

CIVIL ACTION NO. 3:20-cv-00740

HON. ROBERT C. CHAMBERS, JUDGE

**DECLARATION OF WALT AUUIL IN SUPPORT OF PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES AND EXPENSES**

I, Walt Auvil, declare as follows:

1. I am the owner and sole member of The Employment Law Center, PLLC a three-lawyer firm practicing in Wood County, West Virginia.

2. I was admitted to the West Virginia State Bar and the State and Federal Courts of West Virginia in 1981.

3. I am the founder and past president of the West Virginia Employment Lawyers Association, national affiliate of the National Employment Lawyers Association.

4. I am the Chairman of the West Virginia State Bar Labor and Employment Law Committee.

5. I have served as lead counsel on dozens of discrimination cases in State and Federal Courts throughout the State of West Virginia and, I have served as lead counsel on several class action matters during the past 30 years.

6. I am a Fellow of the College of Labor and Employment Lawyers, the first such Fellow in West Virginia. I am also the past chair of the College of Labor and Employment

Lawyers Fourth Circuit Credentials Committee.

7. I have co-authored, along with Eric Kinder, an article entitled “Rule 30(b)(6) at 45: Is it still your Friend?” published by the American Bar Association, Section of Litigation Pre-Trial Practice and Discovery Newsletter in 2015.

8. I am also a contributing editor to several employment law publications of the American Bar Association and is a frequent speaker on matters of pre-trial procedure for state and National legal conventions.

9. I typically charge an hourly rate of \$500.00 to my private clients. This rate reflects the hourly rate for the local market for lawyers of my experience, based on my desire to serve the community by making legal services accessible. I expended a total of 69.75 hours in time on this matter, and at an hourly rate of \$500.00, I seek compensation in the total amount of \$34,875.00.

10. Kirk Auvil is an associate attorney at The Employment Law Center. He was admitted to the West Virginia State Bar in 2016 and typically charges an hourly rate of \$300.00 to his private clients. Kirk Auvil expended a total of four hours in time on this matter. At an hourly rate of \$300.00, he seeks compensation in the total amount of \$1,200.00.

11. Attached as Exhibit A is a true and correct copy of contemporaneously-recorded time entries for both myself and Kirk Auvil. I have reviewed and approved the itemized charges for each attorney’s time and, exercised billing judgment in reviewing those entries.

12. The Employment Law Center has no outstanding costs that it seeks to recover as part of this application.

Further Affiant Sayeth Not.

Date: September 30, 2022

/s/ Walt Auvil  
WALT AUVIL

# **Exhibit A**

1208 Market Street  
Parkersburg, WV 26101

STATEMENT

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Christopher et al. Fain

Page: 1  
August 26, 2022  
Account No: 8797-000A  
Statement No: 1

DRAFT BILL - INTERNAL USE ONLY

			Hours
05/13/2020	LWA	Call w/ co-counsel to discuss filing	0.40
06/26/2020	LWA	Review email from co-counsel re: investigation status update in Lambda Legal trans healthcare case	0.10
07/21/2020	LWA	Email co-counsel in follow up to phone call re: Trans healthcare investigation	0.20
08/24/2020	LWA	Follow up w/ co-counsel re: CC agreement	0.10
08/28/2020	LWA	Microsoft Teams Call	0.70
10/19/2020	LWA	Review retainer agreements from co-counsel	0.10
01/11/2021	LWA	Review visiting attorney statements	0.20
01/20/2021	LWA	Email w/ co-counsel	0.10
01/21/2021	LWA	Email re: case status	0.10
01/27/2021	LWA	Email co-counsel re: 26(f)	0.10
02/01/2021	LWA	Call w/ co-counsel	0.50
02/07/2021	LWA	Participate for portion of call w/ co-counsel re: client	0.50
02/26/2021	LWA	Call w/ co-counsel	0.50
03/01/2021	LWA	Email update from co-counsel	0.20
06/15/2021	LWA	Call w/ co-counsel	1.00
06/21/2021	LWA	Call w/ co-counsel	1.00
06/25/2021	LWA	Call w/ co-counsel	1.00
07/06/2021	LWA	Microsoft Teams Meeting	0.50
	LWA	Phone call w/ legal team and opposing counsel re: ESI	0.50
	LWA	ESI Discussion over Microsoft Teams	0.50
07/13/2021	LWA	Review Fain Docs	0.50

			Hours
07/16/2021	LWA	Review email from opposing counsel	0.10
08/17/2021	LWA	Email co-counsel re: filing deadlines	0.10
09/01/2021	LWA	Review / ELC Attorney Fee Statement	0.30
	LWA	Review ELC Atty Fee Statement	0.30
09/13/2021	LWA	Telephonic Motion Hearing	0.50
	LWA	Attend portion of Microsoft Teams Meeting	0.50
03/08/2022	LWA	Attend portion of Standing Meeting	0.50
03/11/2022	LWA	Deposition of Sarah Young	8.00
03/17/2022	LWA	Deposition of Secretary Crouch	2.00
03/28/2022	LWA	Depo of Dr. Loren Schechter	6.00
03/29/2022	LWA	Attend Portion of Depo of Commissioner Beane	5.50
04/04/2022	LWA	Attend portion of Depo of Frederick Lewis	4.00
04/05/2022	LWA	Depo of Brandon Lewis	3.00
04/08/2022	LWA	Deposition of Jennifer Meyers	2.20
04/13/2022	LWA	Attend portion of Deposition of Brian Thompson	1.00
04/15/2022	KRA	Deposition of Dan Karsic	4.00
	LWA	Deposition of Dan Karsic	1.00
04/22/2022	LWA	Deposition of Shaunte Anderson	4.75
04/26/2022	LWA	Telephone Call re Standing	0.50
04/27/2022	LWA	Deposition of Dr. Steven Levine	7.80
04/28/2022	LWA	Christopher Fain Deposition	3.00
06/02/2022	LWA	Meeting re: Next Steps	0.50
06/15/2022	LWA	Standing Meeting	0.50
06/28/2022	LWA	Standing Meeting	0.50
07/12/2022	LWA	Meeting re Class Certification	1.00
07/13/2022	LWA	Attend Hearing	2.40
	LWA	Travel time to Huntington and Back	5.00
			<u>73.75</u>
For Current Services Rendered			<u>36,075.00</u>

Filing Fee

650.00

Miscellaneous	246.55
Total Expenses	<u>896.55</u>
Total Current Work	36,971.55

11/25/2020	Payment for expenses - Process Service fees - CK # 83512 Pd. to ELC for Secretary of State fee and Capitol Investigations, LLC fee	-196.55
12/07/2020	Payment for expenses - Visiting Attorney Statement Fee - Borelli, A. Smith-Carrington, N. Huppert, S. Buchert Ck#48777371	-200.00
12/22/2020	Payment - Statement of Attorney Fees - AWVSDC-7802438 and WVSDC-7802483	-100.00
01/12/2021	Payment \$400.00 - Complaint Filing Fee - Fain	-400.00
	Total Payments	<u>-896.55</u>
	Balance Due	<u>\$36,075.00</u>

Statements Printed:	1
Hours:	73.75
Fees:	36,075.00
Expenses:	896.55

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

CHRISTOPHER FAIN and SHAUNTAE  
ANDERSON, individually and on behalf of  
all others similarly situated,

*Plaintiffs,*

v.

WILLIAM CROUCH, *et al.*,

*Defendants.*

CIVIL ACTION NO. 3:20-cv-00740  
HON. ROBERT C. CHAMBERS

**DECLARATION OF AMY C. CROSSAN IN SUPPORT OF  
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND EXPENSES**

Pursuant to 28 U.S.C. § 1746, I, Amy C. Crossan, do hereby declare as follows:

1. I am an attorney at Bouchillon, Crossan & Colburn, L.C., located in Huntington, West Virginia. I make this Declaration in support of Plaintiffs' Motion for Attorneys' Fees and Costs in the above-captioned lawsuit.

**My Background and Experience**

2. I graduated from Marshall University in Huntington, West Virginia with a Bachelor of Arts in Political Science in 1988. I then attended West Virginia University College of Law in Morgantown, West Virginia and graduated in 1996.

3. Following law school, I was an associate attorney at the law firm of Mundy & Adkins, where I assisted partner S. Douglas Adkins with, among other matters, employment law cases;

4. I am currently a partner of Bouchillon, Crossan & Colburn, L.C. My practice

focuses on employment law. Specifically, I primarily engage in plaintiff-side employment work, including but not limited to sexual harassment, wrongful discharge, and discrimination cases.

5. I have considerable experience litigating on behalf of plaintiffs in the Southern District of West Virginia. *See e.g., Caine v. Air Evac EMS, Inc.*, No. 3:19-cv-0852, 2021 WL 1206617 (S.D.W. Va.); *Russo v. CVS Pharmacy, Inc.*, No. 3:19-CV-00774, 2020 WL 7210992 (S.D.W. Va.); *Ginn v. CSX Transportation, Inc.*, No. CV 3:18-1322, 2019 WL 6521984 (S.D.W. Va.); *Bills v. OS Rest. Servs., LLC*, No. CV 3:18-1232, 2019 WL 3491249 (S.D.W. Va.); *Loudermilk v. Autozoners, LLC*, No. 5:15-CV-16131, 2016 WL 6824396 (S.D.W. Va.); *Townsend v. Nestle Healthcare Nutrition, Corp.*, No. 3:15-CV-06824, 2016 WL 1629363 (S.D.W. Va.); *Kelly v. FedEx Ground Package Sys., Inc.*, No. 3:10-CV-01265, 2011 WL 2582517 (S.D.W. Va.).

6. I have filed employment cases of about every conceivable type, and I represent employees in civil courts, including West Virginia circuit courts and the Southern and Northern United States District Courts, and in administrative courts such as the Human Rights Commission, the Equal Opportunity Employment Commission, the State Public Employees Grievance Board, the federal Merit Systems Protection Board, the United State Department of Labor Office of Worker's Compensation Program and the Consolidated Public Retirement Board. I also represent professionals before state licensing boards.

7. I am involved in numerous professional organizations. I just finished a six-year term on the West Virginia University College of Law Visiting Committee. I also just completed six years on the West Virginia State Bar's Lawyer Disciplinary Board, the last two serving as the Chairperson. I was previously the Chair of the West

Virginia State Bar Association's Continuing Legal Education Committee, President of the Cabell County Bar Association, a member of the Advisory Committee for the Study of the Local Rules in the Southern District of West Virginia and a member of the Committee for the Re-appointment of Magistrate Judge Eifert. I am also currently a member of the West Virginia Association for Justice, West Virginia Employment Lawyers Association, and the National Employment Lawyers Association.

8. I have been selected to speak on employment-related issues to the state judiciary, law clerks and plaintiffs' lawyers. I was selected to speak to the West Virginia Judiciary and presented "Topics & Trends in State & Federal Employment Law" at the West Virginia Judicial Conference, presented "Employment Law Update" for the West Virginia Association of Justice, and presented "State and Federal Employment Law" at the West Virginia Law Clerks Conference.

9. I am admitted to practice in this District and before the Supreme Court of Appeals of West Virginia, as well as the U.S. District Court Northern District of West Virginia.

10. My hourly rate for cases that I litigate in West Virginia federal courts is \$375.

11. I accept a large number of employment related cases on a contingency fee basis. This requires that I advance significant time and money with no guarantee of a decision, settlement or verdict in my client's favor that will permit me to recover my fees and costs.

**Plaintiffs' Counsel's Work in this Matter**

12. I understand that Plaintiffs' counsel filed this matter in 2020. As a plaintiff's

lawyer, I know that the work of originating, investigating, and preparing a case for filing is incredibly important and requires both diligence and skill. I have found that the work that happens before a case is filed is critical to a successful result. I understand Plaintiffs' counsel to have engaged in this work.

13. I understand Plaintiffs' Counsel undertook significant risk with this litigation, expending time and incurring expenses with the understanding that there was no guarantee of compensation or reimbursement.

14. I also understand that once filed, this case required Plaintiffs' counsel to engage in the full spectrum of trial court litigation, including motion to dismiss practice; full written discovery (including document productions, subpoenas, expert discovery, and depositions—including the depositions of eight different witnesses designated as organizational representatives Rule 30(b)(6) by the Bureau for Medical Services); and motions for summary judgment and class certification.

15. And, I have read the Opinion and believe that Plaintiffs' counsel secured significant permanent injunctive relief that will benefit transgender Medicaid participants throughout the state. While the Opinion was obviously written by the Judge, it appeared that the briefing and work of the Plaintiff's counsel contributed in significant part to the decision.

16. In my experience, such litigation and results require a great expenditure of attorneys' time and resources, as well as those of their staff. I have reviewed the docket sheet, which substantiates a significant amount of work performed in a relatively short time period considering the nature and difficulty of the case. Plaintiffs' counsel undoubtedly had to devote a significant amount of their daily practice to this case.

17. In light of this, I find the work Plaintiffs' counsel have expended on the case

to be reasonable and efficient. I understand that Plaintiffs’ counsel spent close to 2,500 hours over a course of more than two years investigating and litigating this case, without compensation and with the risk of no compensation. I have reviewed their detailed time summaries. Given the complexity of the matter, the defendants’ vigorous defense of their position, and the length of the litigation, those hours on behalf of Plaintiffs and the Class are eminently reasonable.

18. For these reasons and those discussed below, I believe Plaintiffs’ counsel’s requested fees of \$817,661.25 to be fair, reasonable, and well deserved.

**Plaintiffs’ Counsel’s Rates, Fees, and Costs**

19. I am familiar with the “lodestar” method used to determine attorneys’ fees in civil litigation. The lodestar method involves calculating the number of hours reasonably expended in litigation multiplied by a reasonable hourly rate.

20. I understand that Plaintiffs’ counsel is seeking the following rates for participating attorneys and staff:

<b>Time keeper, law school graduation year, and requested rate</b>	
Walt Auvil, 1981	\$500.00
Tara L. Borelli, 2001	\$475.00
Anna P. Prakash, 2005	\$450.00
Sasha Buchert, 2005	\$450.00
Carl S. Charles, 2013	\$400.00
Kirk Auvil, 2016	\$300.00
Nicole J. Schladt, 2018	\$300.00
Avatara Smith-Carrington, 2019	\$275.00

Nora Huppert, 2019	\$275.00
Melanie Johnson, 2019	\$275.00
Michèle Clanton-Lockhart, paralegal	\$125.00
Alexandra Smith, paralegal	\$125.00
Angela Kittelson, eDiscovery manager	\$125.00
Cameron Pylka, litigation support	\$125.00

21. I am also generally familiar with the hourly rates charged by law firms in this region for complex litigation, which can exceed \$400 an hour for attorneys with more than 20 years of experience. I believe that the highest billable rate Plaintiffs' counsel is basing its lodestar on in this matter—\$500.00 for the senior most attorney on the case—is fair and reasonable.

22. Similarly, I believe that the \$275.00/hour rate Plaintiffs' counsel is requesting for an attorney with 3 years civil rights litigation experience is fair and reasonable, as is the hourly rate of \$125.00 for non-lawyer billing staff.

23. These rates are comparable to my rates and the hourly rates for lawyers of similar experience doing similar work. In fact, some firms charge higher rates for comparable services.

24. I also understand that Plaintiffs' counsel has advanced approximately \$47,409.17 in out-of-pocket litigation costs without reimbursement to date. In my opinion, the types of costs incurred are normally incurred in complex civil rights litigation such as this, routinely charged to clients, and the amounts incurred are well within the range that would be expected for litigation of this complexity and length.

25. For all of these reasons, Plaintiffs' counsel's request of \$817,661.25 in fees

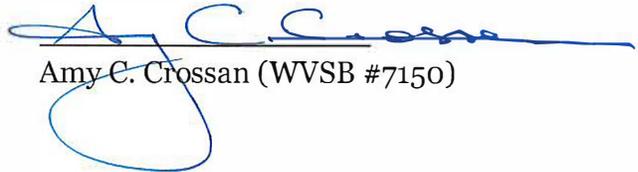
and \$47,409.17 in costs is truly a discount from the amount that they could reasonably be awarded under the lodestar method or under typical fee arrangements for similar litigation.

26. Finally, I believe that granting Plaintiffs' counsel's request for fees and costs would serve the important public policy to make the judicial system available to plaintiffs who are indigent or who would not otherwise be able to obtain counsel to pursue claims on a fixed-fee basis. This was also the type of undesirable case that fee-shifting is important for in that there were no compensatory damages, only injunctive relief.

I state under penalty of perjury that the foregoing is true and correct.

Dated: September 26<sup>th</sup>, 2022

By:



Amy C. Crossan (WVSB #7150)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**CHRISTOPHER FAIN and SHAUNTAE  
ANDERSON, individually and on behalf of  
all others similarly situated,**

*Plaintiffs,*

**v.**

**WILLIAM CROUCH, et al.,**

*Defendants.*

**CIVIL ACTION NO. 3:20-cv-00740  
HON. ROBERT C. CHAMBERS**

**DECLARATION OF MICHAEL J. FARRELL IN SUPPORT OF  
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND EXPENSES**

Pursuant to 28 U.S.C. § 1746, I, Michael J. Farrell, do hereby declare as follows:

1. I am an attorney at Farrell, White & Legg, PLLC, located in Huntington, West Virginia. I make this Declaration in support of Plaintiffs' Motion for Attorneys' Fees and Costs in the above-captioned lawsuit.

**My Background and Experience**

2. I graduated from Marshall University in Huntington, West Virginia with a Bachelor of Science in 1969. Following my undergraduate education I joined the United States Army, serving as an officer in the Transportation Corps from 1969 to 1971. I then attended and graduated from West Virginia University College of Law in Morgantown, West Virginia from 1971 to 1974. During law school, I was one of the two oralists who won the Jessup Cup International Moot Court Competition World Championship.

3. Following law school, I was an Associate attorney at the firm of Preiser & Wilson

and Preiser & Carrico in Charleston, West Virginia from 1974 to 1977. I was then an Associate attorney at Jenkins & Fenstermaker in Huntington, West Virginia from 1977 to 1979. I became a partner and Litigation Section Chief at Jenkins, Fenstermaker, Krieger, Kayes & Farrell from 1979 to 1995.

4. In 1995, I founded and have served as Managing Member of the Firms of Farrell & Farrell, Farrell, Farrell & Farrell PLLC and Farrell White & Legg, PLLC in Huntington, West Virginia through the date of submission of this Affidavit.

5. Throughout my legal career, I have served as both a litigator on behalf of plaintiffs and defendants and have personal knowledge of the effort and expense that accompanies being counsel in a significant class action case.

6. My historical and present practice of law has focused on complex civil litigation involving commercial and employment litigation, products liability, pharmaceutical, toxic tort, mass torts, mining litigation, legal malpractice and medical malpractice as well as occasional criminal representations. I have tried a class action to jury verdict in the Circuit Court of Kanawha County. I have served as so-lead counsel in a major pharmaceutical class action in which I was a principal counsel in the Class Certification Hearing before the West Virginia Mass Litigation Panel and appellate review of the denial and ultimate reversal of the Motion for Class Certification. I participated as counsel in numerous other state and federal class actions in the State

7. I am admitted to practice before the United States Supreme Court, the Courts of Appeal for the District of Columbia, Fourth and Sixth Circuits. I have been admitted to practice before the following Federal District Courts: Southern and Northern Districts of West Virginia; Eastern and Western Districts of Kentucky; Western District of Pennsylvania; District of Columbia; Southern District of Illinois and Northern District of New York.

8. I am or have been admitted *pro hac vice* in cases that were filed and/or are pending in Nash County, North Carolina, Madison County, Illinois, multiple counties in Alabama, the Fourth Judicial District Court of Hennepin County, Minnesota, Wise County, Virginia, Superior Court for the State of Delaware, Allegheny County, Pennsylvania, Franklin County, Illinois, Montgomery County, Illinois, Shelby County, Alabama, Palm Beach County, Florida and St. Lawrence County, New York.

9. I have considerable experience litigating on behalf of clients in the Southern District of West Virginia. *See e.g., First Mercury Ins. Co. v. Monitronics Int'l, Inc.*, No. 3:16-cv-4381, 2017 WL 190098 (S.D.W. Va.); *Tucker v. Momentive Performance Materials USA Inc.*, No. 2:13-cv-04480, 2016 WL 8252929 (S.D.W. Va.); *In re Ethicon, Inc. Pelvic Repair System Products Liability Litigation*, No. 2:14-cv-17913, 2015 WL 4067981 (S.D.W. Va.); *Pauley v. Hertz Global Holdings, Inc.*, No. 3:13-31273, 2014 WL 2112920 (S.D.W. Va.); *J.C. ex rel. Cook v. Pfizer, Inc.*, No. 3:13-33048, 2014 WL 495455 (S.D.W. Va.); *Dynes v. American Medical Systems, Inc.*, No. 2:13-cv-23087, 2013 WL 6022264 (S.D.W. Va.); *Emplr. Teamsters-Local Nos. 175/505 Health & Welfare Trust Fund v. Bristol Myers Squibb Co.*, 969 F. Supp. 2d 463 (S.D.W. Va.); *Mantz v. St. Paul Fire & Marine Ins. Co.*, No. 2:03-cv-0506, 2003 WL 21383830 (S.D.W. Va.); *McCallister v. Purdue Pharma, L.P.*, 164 F. Supp. 2d 783 (S.D.W. Va. 2001); *Scott v. Taco Bell Corp.*, 892 F. Supp. 142 (S.D. W. Va. 1995); *Hurst v. St. Mary's Hospital of Huntington, Inc.*, 867 F. Supp. 435 (S.D.W. Va. 1994); *Superior Pocahontas Coal Co., Inc. v. Island Creek Coal Co.*, 657 F. Supp. 796 (S.D.W. Va. 1987).

10. I also have extensive experience litigating complex actions around the country. *See e.g., E.D. v. Pfizer, Inc.* 722 F.3d 574 (4th Cir. 2013); *Shaffer v. J.H. Fletcher & Co.*, 83 F.3d 416 (4th Cir. 1996); *Smith v. Bayer Corp., (In Re Baycol Prods. Litig.)*, 593 F.3d 716 (8th Cir. 2010);

*Connors v. Link Coal Co., Inc.*, 970 F.2d 902 (D.C. Cir. 1992); *West Virginia ex rel. McGraw v. Bristol Myers Squibb Co.*, No. 13-cv-1603, 2014 WL 793569 (D. N.J.); *Mine Safety Appliances Co. v. North River Ins. Co.*, 2:09-cv-348, 2013 WL 12181705 (W.D. Pa.); *White v. Wyeth, Inc. (In Re Prempro MDL)*, No. MDL 403-cv-1507-WRW, 2009 WL 511116 (E.D. Ark.).

11. I am a Fellow of the American College of Trial Lawyers and carry an AV rating from Martindale Hubbell. I have been recognized by Chambers USA as a Tier 1 outstanding litigator and have been selected by my peers as a Top 10 Super Lawyer in West Virginia. In 2014, I was recognized as the Best Labor and Employment Lawyer in the Charleston WV Region. For more than twenty-five years, the Best Lawyers in America has recognized me as a West Virginia Best Lawyer in the categories of Labor and Employment, Bet the Company Litigation, Commercial Litigation, Defense of Products Liability, Defense of Personal Injury, Defense of Mass Torts and Class Actions. I have lectured and written on employment law subjects for decades including: "Management's Rights in West Virginia's Litigious Environment," West Virginia Hospital Association Seminar Handbook (October, 1991); "Checklists and Buzz Words for Human Resource Managers in West Virginia's Litigious Healthcare Environment - Avoiding The Wrongful Discharge," West Virginia Hospital Human Resources Association Seminar Handbook (April, 1992); "Human Resource Conclave Re: Avoiding the Wrongful Discharge Claim In West Virginia's Litigious Healthcare Environment," West Virginia Human Resources Association Seminar (April, 1992); "West Virginia Refines Wrongful Discharge Cause of Action in 1992," Cabell County Bar Association Myrtle Beach Seminar (March, 1993); "Sexual Harassment in the Dental Office," Cabell County Dental Society (February, 1995); "Sexual Harassment Mock Trial," Boyd County, Kentucky Dental Society (February, 1996); "A Primer on West Virginia's Wrongful Discharge Law," Cabell County Bar

Association Myrtle Beach Seminar (March, 1992); "Wrongful Discharge Weakened: Management Regains Its Right to Terminate Employment," Cabell County Bar Association Myrtle Beach Seminar (March, 1993); "Employment Law Update," St. Mary's Hospital Senior Management and Staff (April, 1999); "Risk Management and Employment Law Update," St. Mary's Hospital Medical and Dental Staff (July, 1999); "Professionalism, Harassment & Abuse: The Interface of Common Sense, Law and Ethics," Marshall University School of Medicine Senior Seminar (July, 2000); "An Update on Employment Law for the West Virginia Employer" -Huntington Regional Chamber of Commerce (March, 2004); and "*Peters v. Rivers Edge Coal Company* --- Behold A Dangerous Employment Law Intersection" IADC Labor & Employment Committee Newsletter (July 2009)

12. I am involved in the leadership of numerous professional and public service organizations. I served as Interim President of Marshall University in 2005. Five West Virginia Governors appointed me to multiple higher education governing and policy boards including Chairman and Vice-Chairman, West Virginia Higher Education Policy Commission; Chairman, Vice Chair and Member of the Marshall University Advisory Board, Vice Chair and Member of the Marshall University Board of Governors and Acting Chairman and Vice-Chair of the West Virginia Higher Education Interim Governing Board, Member of the University System of Trustees; Chairman and past Vice-Chairman, West Virginia Public Broadcasting Foundation Board; Vice-Chairman, Vice Chairman, West Virginia Educational Broadcasting Authority; Board Member, West Virginia Regional Technology Park; and Board Member of West Virginia Community and Technical College System. I was an Adjunct Professor of Pharmacy Law and Ethics at the Marshall University School of Pharmacy from 2012 to 2020, and also presently serve as an Adjunct Assistant Professor for

the Departments of Surgery and Family Practice at the Marshall University Joan C. Edwards School of Medicine. I previously served as President of the Defense Trial Counsel of West Virginia, President of the West Virginia ABOTA Chapter, Chairman of the Young Lawyers Section of the West Virginia State Bar, Member of the Boards of Governors for the West Virginia State Bar and Defense Trial Counsel of West Virginia. I also served two terms on the West Virginia University College of Law Visiting Committee, including one year as Chairman.

13. I frequently author scholarly national and international publications, including multiple law review articles published in The Defense Law Journal, American Journal of Trial Advocacy, and West Virginia Law Review.

14. My hourly rate for cases I litigate in West Virginia federal courts is \$450.00.

15. I have worked on and continue to provide professional services in complex cases including class actions at the foregoing rate or the top rate at the previous time when the cases were pending.

16. My complex and class action work has principally involved the representation of defendants, accordingly, I have not entered into any contingent fee contracts.

**Plaintiffs' Counsel's Work in this Matter**

17. My analysis discloses that Plaintiffs' counsel filed this matter in 2020. As a lawyer engaging in complex litigation, I know that the work of originating, investigating, and preparing a class action case is incredibly important and requires both diligence and skill. The work product that I have reviewed confirms that Plaintiffs' counsel engaged in this work consistent with their time records.

18. I have reviewed hundreds of pages from the files of Plaintiff's counsel to satisfy

myself as to the complexity and risks involved in this litigation as well as the quantity and quality of work necessary to achieve the granting of the Motion for Summary Judgment.

19. I opine that Plaintiffs' Counsel undertook significant risk with this litigation, expending time and incurring substantial expenses when any reasonably prudent lawyer would conclude that there was no guarantee of compensation for the professional services rendered or reimbursement of the monies advanced to pay litigation related expenses.

20. I attest that once this case was filed, it required Plaintiffs' counsel to engage in serious, contentious litigation, which included Rule 12 practice; full written discovery (including document productions, subpoenas, expert discovery, and depositions—including the depositions of eight (8) different witnesses designated as organizational representatives Rule 30(b)(6) by the Bureau for Medical Services); and Rule 56 Motions for Summary Judgment and Rule 23 Motion for Class Certification.

21. Having read and analyzed the Orders and Memoranda of Opinions entered by the Court, it is my opinion that *but for* the efforts, diligence and discipline of these counsel, the pervasive relief granted by the Court might not have resulted in the meaningful and significant injunctive relief for Plaintiff and the Class that is far-reaching and creates safeguards against the discrimination that precipitated the filing of this matter in the first place.

22. In my experience, such litigation and results require a great expenditure of attorneys' and paralegals' time and resources, as well as those of their staff.

23. In light of this, I was impressed with the efficiency with which Plaintiffs' counsel was able to achieve these results. To explain, I understand that Plaintiffs' counsel provided Two Thousand Four Hundred and Thirty-eight and 44/100 Hours (2,438.44) over a course of more than two (>2) years investigating, litigating and financially supporting this case, without compensation

and with the risk of no compensation. I have reviewed their detailed time summaries. Given the complexity of the matter, the vigorous defense presented, and the length of the litigation, these hours on behalf of Plaintiffs and the Class are eminently reasonable.

24. In fact, in my experience and opinion, class litigation and resolution would usually take far more time and more likely than not generate fees and costs that significantly exceed those requested by Plaintiffs' counsel in this matter.

25. I acknowledge the decision by Plaintiffs' counsel not to include or seek reimbursement for an additional Five Hundred and Sixteen and 2/10s (516.2) hours that comprised a gross billing value of One Hundred Sixty-seven Thousand Nine Hundred and Seventeen Dollars and Fifty Cents (\$167,917.50) that were actually worked.

26. I have reviewed the backgrounds of each of the professional applicants and the work product to which they contributed.

27. It is my professional opinion to a reasonable degree of legal certainty that:

- a. The lawyers who provided these professional services are will qualified and would be able to charge their clients the same or similar hourly rates for comparable work;
- b. The lawyers and paralegals were efficient in providing these professional services and provided significant value to the class and the Court; and
- c. The discounting of the number of hours for which compensation is sought strengthens each of my opinions that each lawyer added value to the case and represented the class zealously as required by the West Virginia Rules of Professional Conduct.

28. For these reasons and those discussed below, I opine to a reasonable degree of legal certainty that Plaintiffs' counsel's requested fees of Eight Hundred and Seventeen Thousand Six

Hundred and Sixty-one Dollars and Twenty-five Cents (\$817,661.25) are fair, reasonable, and consistent with the West Virginia legal marketplace.

**Plaintiffs' Counsel's Rates, Fees, and Costs**

29. I am familiar with the "lodestar" method used to determine attorneys' fees in civil litigation. The lodestar method involves calculating the number of hours reasonably expended in litigation multiplied by a reasonable hourly rate.

30. I understand that Plaintiffs' counsel is seeking the following rates for participating attorneys and staff:

<b>Time keeper, law school graduation year, and requested rate</b>	
Walt Auvil, 1981	\$500.00
Tara L. Borelli, 2001	\$475.00
Anna P. Prakash, 2005	\$450.00
Sasha Buchert, 2005	\$450.00
Carl S. Charles, 2013	\$400.00
Kirk Auvil, 2016	\$300.00
Nicole J. Schladt, 2018	\$300.00
Avatara Smith-Carrington, 2019	\$275.00
Nora Huppert, 2019	\$275.00
Melanie Johnson, 2019	\$275.00
Michèle Clanton-Lockhart, paralegal	\$125.00
Alexandra Smith, paralegal	\$125.00
Angela Kittelson, eDiscovery manager	\$125.00
Cameron Pylka, litigation support	\$125.00

31. I am generally familiar with the hourly rates charged by law firms in this region for complex litigation, which can exceed Eight Hundred Dollars (\$800) per hour for attorneys with more than twenty (20) years of experience. I opine that the highest billable rate Plaintiffs' counsel is basing its lodestar on in this matter—Five Hundred Dollars (\$500.00) for the senior most attorney on the case – is fair and reasonable.

32. Similarly, I opine that the Two Hundred and Seventy-five Dollar (\$275.00) hourly rate Plaintiffs' counsel is requesting for an attorney with 3 years civil rights litigation experience is fair and reasonable, as is the hourly rate of One Hundred and Twenty-Five Dollar (\$125.00) hourly rate for the non-lawyer para-professional billing staff.

33. These rates are comparable to my rates and to the hourly rates for lawyers of similar experience doing similar work. In fact, many Firms and most out of state Firms charge higher rates for comparable services.

34. I opine that Plaintiffs' counsel has advanced approximately Forty Seven Thousand Four Hundred and Nine Dollars and Seventeen Cents (\$47,409.17) in out-of-pocket litigation costs without reimbursement to date.

35. In my opinion, the types of costs incurred are normally incurred in complex litigation such as those included within the Forty Seven Thousand Four Hundred and Nine Dollars and Seventeen Cents (\$47,409.17) are routinely charged to clients, and the amounts incurred are well within the range that would be expected for litigation of this complexity and length.

36. For all of these reasons, Plaintiffs' counsel's request of Eight Hundred and Seventeen Thousand Six Hundred and Sixty-one Dollars and Twenty-five Cents (\$817,661.25) in fees and Forty Seven Thousand Four Hundred and Nine Dollars and Seventeen Cents (\$47,409.17) in costs is truly a discount from the amount that they could reasonably be awarded under the

lodestar method or under typical fee arrangements for similar litigation.

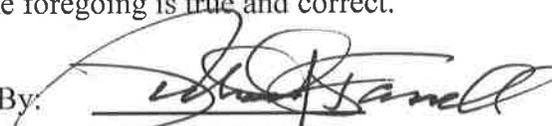
37. Finally, I opine that granting Plaintiffs' counsel's request for fees and costs would serve the important public policy to make the judicial system available to plaintiffs who are indigent who would not otherwise be able to obtain counsel to pursue claims on a fixed-fee basis.

38. I affirm that I have apprised myself of the facts and circumstances of this case and have personal knowledge about the expertise, effort and expenses necessary to serve as counsel for plaintiff in a class action of this nature.

39. I am competent to submit this Affidavit in Support of this fee application based on my education, subject matter knowledge and experience.

I state under penalty of perjury that the foregoing is true and correct.

Dated: September 28, 2022

By:   
Michael J. Farrell

STATE OF WEST VIRGINIA,  
COUNTY OF CABELL, TO-WIT:

On this 28<sup>th</sup> day of September, 2022, Michael J. Farrell appeared before me and executed the foregoing *Declaration of Michael J. Farrell In Support of Plaintiffs' Motion for Attorneys' Fees and Expenses.*



My commission expires 8/25/2024.

SEAL



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION

CHRISTOPHER FAIN and SHAUNTAE  
ANDERSON, individually and on behalf of  
all others similarly situated,

*Plaintiffs,*

v.

WILLIAM CROUCH, *et al.*,

*Defendants.*

CIVIL ACTION NO. 3:20-cv-00740  
HON. ROBERT C. CHAMBERS

**ORDER GRANTING PLAINTIFFS’  
MOTION FOR ATTORNEYS’ FEES  
AND EXPENSES**

The above matter came before this Court upon Plaintiffs’ Motion for Attorneys’ Fees and Expenses (“Motion”). This Court, having considered the memoranda, declarations, and exhibits in support of the Motion, hereby finds: Plaintiffs and the Class are the prevailing party, the hours Plaintiffs’ counsel expended on the matter are reasonable, the hourly rates Plaintiffs’ counsel request are reasonable, and the costs sought by Plaintiffs’ counsel are the kind routinely billed to clients. The Court thus hereby GRANTS Plaintiffs’ Motion in its entirety and ORDERS Defendants to pay Plaintiffs \$817,661.25 in attorney’s fees and \$34,509.32 in expenses within thirty (30) days of this Order. Plaintiffs may file a second motion for fees and costs following appellate review should they remain prevailing parties after all appellate review has been exhausted. Such a motion for fees and costs would be due 45 days after (a) any further appellate review before the Fourth Circuit Court of Appeals or U.S. Supreme Court becomes final, or (b) the time for seeking such review expires, whichever is later.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Robert C. Chambers  
U.S. District Court Judge