

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.,

Plaintiffs,

v.

**Equal Employment Opportunity
Commission, et al.,**

Defendants.

Case No. 4:18-cv-00824-O

**PLAINTIFFS' APPLICATION FOR COSTS AND ATTORNEYS' FEES
UNDER 42 U.S.C. § 1988(b)**

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On November 29, 2023, this Court entered final judgment in favor of plaintiff Braidwood Management Inc. on its claims under the Religious Freedom Restoration Act. *See* Final Judgment, ECF No. 142, at 1–2. Braidwood’s success on its RFRA claim allows it to recover a reasonable attorney’s fee under 42 U.S.C. § 1988(b).

The declarations and exhibits that we have attached show that attorney Jonathan F. Mitchell spent 386.9 hours working on this matter, attorney H. Dustin Fillmore spent 2.7 hours, attorney Chad W. Fillmore spent 3.1 hours, and Mr. Mitchell’s student research assistants spent 15.2 hours. Mr. Mitchell, however, is exercising billing judgment and writing off 20.0 of his hours, and an additional 43.5 of his hours are marked as travel time for which Mr. Mitchell is seeking recovery at only 50% of his reasonable hourly rate. Mr. Mitchell also spent an additional 30.3 hours preparing and submitting the fee application. Finally, the plaintiffs incurred \$4,799.24 in court costs and travel expenses.

Our application will first address the reasonable hourly rates for each attorney, and then explain how the documented time and tasks are properly included in this fee request.

ARGUMENT

I. HOURLY RATES

An attorney seeking fees must request an hourly rate consistent with the “prevailing market rate”—the rate charged by “lawyers of reasonably comparable skill, experience and reputation” who practice in the community where the Court is located. *Blum v. Stenson*, 465 U.S. 886, 895 n.11 (1984); *see also Tollett v. City of Kemah*, 285 F.3d 357, 368 (5th Cir. 2002) (“[T]he relevant market for purposes of determining the prevailing rate to be paid in a fee award is the community in which the district court sits.” (citation and internal quotation marks omitted)).

To establish a prevailing market rate, an applicant may submit a declaration from an attorney who practices in the relevant community. *See Tollett*, 285 F.3d at 368

(“Generally, the reasonable hourly rate for a particular community is established through affidavits of other attorneys practicing there.”). We have attached to this application a declaration from John C. Sullivan, who practices law in the Dallas–Fort Worth metroplex and attests that the requested hourly rates are reasonable and consistent with the Dallas–Fort Worth legal market. *See* Sullivan Decl. (attached as Exhibit 4). Mr. Sullivan agreed to provide this affidavit without compensation, so he has no financial stake in this matter or in the ultimate amount of fees that are recovered. *See id.* at ¶ 6.

A. Jonathan F. Mitchell

Mr. Mitchell is Principal at Mitchell Law PLLC. He graduated from the University of Chicago Law School in 2001 with high honors, where he was an articles editor of The University of Chicago Law Review and a member of Order of the Coif. After graduating from law school, Mr. Mitchell clerked for Judge J. Michael Luttig of the U.S. Court of Appeals for the Fourth Circuit and for Justice Antonin Scalia of the Supreme Court of the United States.

Mr. Mitchell then served as an Attorney-Adviser in the Office of Legal Counsel of the U.S. Department of Justice from 2003 through 2005. After leaving the Department of Justice, Mr. Mitchell was a visiting assistant professor at the University of Chicago Law School from 2006 through 2008, and an assistant professor of law at George Mason University from 2008 through 2010.

In 2010, Mr. Mitchell was appointed Solicitor General of Texas, a position he held until January 2015. After leaving the Texas Solicitor General’s office, Mr. Mitchell served as the Searle Visiting Professor of Law at the University of Texas School of Law before joining the Hoover Institution as a Visiting Fellow from 2015 to 2016. Mr. Mitchell also served as a Visiting Professor of Law at Stanford Law School before opening his own law firm in 2018.

Mr. Mitchell has published numerous works of scholarship in top-10 law journals, including *The Writ-of-Erasure Fallacy*, 104 Va. L. Rev. 933, 936 (2018), *Textualism and the Fourteenth Amendment*, 69 Stan. L. Rev. 1237, 1298 (2017), and *Stare Decisis and Constitutional Text*, 110 Mich. L. Rev. 1 (2011). He has written articles on textualism, national-security law, criminal law and procedure, judicial review and judicial federalism, and the legality of stare decisis in constitutional adjudication. Mr. Mitchell's résumé, which lists all of his scholarly publications, is attached as Exhibit A to his declaration, and his academic writing is available on his SSRN page.¹

Mr. Mitchell has argued five times before the Supreme Court of the United States, and was recently retained to argue his sixth Supreme Court case in *Garland v. Cargill*, No. 22-976. *See* Mitchell Decl. ¶ 6 (attached as Exhibit 1). He has argued more than 30 cases in the federal courts of appeals. *See id.* at ¶ 8. He has also argued before the Supreme Court of Texas and in numerous trial courts. Mr. Mitchell has authored the principal merits brief in eight Supreme Court cases, and has written and submitted more than 30 amicus curiae briefs in the Supreme Court. *See id.* at ¶¶ 6–8.

A lawyer of Mr. Mitchell's skill, experience, and reputation would command an hourly rate of more than \$1,500 in the Dallas–Fort Worth metroplex. The most appropriate point of comparison to Mr. Mitchell in the Dallas–Fort Worth legal market is Allyson Ho,² who (like Mr. Mitchell) is a former Supreme Court clerk with more than 20 years' experience and has handled multiple Supreme Court arguments.³ Ms.

1. *See* https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=791842

2. *See* <https://www.gibsondunn.com/lawyer/ho-allyson-n> (last visited on December 13, 2023).

3. *See* Robert T. Garnett, *Texas hires well-connected private lawyers, may stiffen defense in foster-care lawsuit*, Dallas Morning News (May 11, 2023) (attached as Exhibit F to Mitchell declaration) (“Allyson Ho argued multiple cases at the U.S. Supreme Court”).

Ho graduated from the University of Chicago Law School in 2000 (Mr. Mitchell graduated from Chicago in 2001), and both graduated with high honors and served on the Law Review. Each of them clerked at the Supreme Court during OT 2002 (Ms. Ho for Justice O'Connor,⁴ and Mr. Mitchell for Justice Scalia⁵), and each of them has similar experience as appellate advocates. Ms. Ho is a partner in Gibson Dunn's Dallas office, and her current hourly rate is \$1,750.00.⁶ Yet Mr. Mitchell is proposing a lodestar hourly rate of \$1,200, which is significantly below Ms. Ho's hourly rate, and significantly below the rate that a lawyer of Mr. Mitchell's skill, experience, and reputation would command in the Dallas-Fort Worth market. *See* Sullivan Decl. ¶ 8 ("A lawyer of Mr. Mitchell's skill, experience, and reputation would easily command a rate of \$1,800 to \$2,000/hour in private practice in the Dallas-Fort Worth legal market.").

A \$1,200 hourly rate for Mr. Mitchell is also in line with rates that this Court recently approved in federal RFRA litigation. Earlier this year, this Court approved a \$1,200 hourly rate for Mark Rienzi, a class of 2000 Harvard Law School graduate who successfully litigated a federal RFRA claim against an HHS rule requiring health-care providers to perform and insure gender-transition procedures and abortions. *See Franciscan Alliance, Inc. v. Becerra*, --- F. Supp. 3d ----, 2023 WL 4462049, *6-8 (N.D. Tex.) (attached as Exhibit 5) ("[T]he rates proposed by Plaintiffs' counsel are reasonable."); *see also* Pls.' Mem. in Support of Mot. for Costs and Fees in *Franciscan*

4. *See* <https://bit.ly/3tatOBA> (last visited on December 13, 2023).

5. *See* <https://bit.ly/3tc2Oli> (last visited on December 13, 2023).

6. *See* Robert T. Garnett, *High-dollar lawyers aim to prove Texas in 'substantial compliance' to serve foster kids*, Dallas Morning News (June 14, 2023) (attached as Exhibit E to Mitchell declaration) (reporting that the Texas Attorney General retained Ms. Ho at a rate of "\$1,313 an hour"); Mitchell Decl. ¶ 10 ("Allyson Ho, a partner at Gibson Dunn's Dallas office, has informed me that her hourly rate is \$1,750.00, and that she provided a \$1,313 hourly rate to the Attorney General of Texas at a 25% discount.").

Alliance, Inc. v. Becerra, No. 7:16-cv-00108-O (N.D. Tex.), ECF No. 224, at 14 (attached as Exhibit 6) (proposing a \$1,200 hourly rate for Mr. Rienzi). Although the \$1,200 hourly rate awarded to Mr. Rienzi was based on the D.C. market rather than the Dallas market, Mr. Rienzi's proposed Dallas–Fort Worth rate was only \$150/hour lower, *see id.* at 15 (proposing a \$1,050/hour rate for Mr. Rienzi), and Mr. Mitchell would command a higher hourly rate than Mr. Rienzi in the Dallas–Fort Worth legal market. *See* Sullivan Decl. ¶ 9 (“Mr. Mitchell would command a higher hourly rate than Mr. Rienzi in the Dallas–Fort Worth legal market on account of his Supreme Court clerkship, his numerous Supreme Court arguments, his experience as a state solicitor general, and his credentials as a scholar and academic.”).

B. Local Counsel

Attorneys H. Dustin Fillmore III and Charles W. Fillmore served as local counsel in the district-court proceedings, and they logged 2.7 and 3.1 hours respectively. The plaintiffs are seeking recovery for their time at \$500/hour. It was necessary to retain the Fillmores as local counsel, even though Mr. Mitchell is licensed to practice in the northern district of Texas, because the local rules of the northern district require litigants to retain an attorney with a physical office located within 50 miles of the Fort Worth courthouse. *See* N.D. Tex. Local Civil Rule 83.10(a). Each of the Fillmores has submitted a declaration explaining the reasonableness of a \$500 hourly rate and attesting to the time that they spent working on this case. *See* Exhibits 2 and 3. Mr. Sullivan also states that \$500/hour is a reasonable hourly rate for attorneys of their skill, experience, and reputation in the Dallas–Fort Worth market. *See* Sullivan Decl. ¶ 10.

C. Student Research Assistants

Mr. Mitchell's law firm employs second- and third-year law students to help with citechecking and research. He pays them \$100/hour, although he sometimes pays a

lower rate of \$50/hour if the firm is handling a case pro bono or on contingency. *See* Mitchell Decl. ¶ 17. Mr. Mitchell’s students research assistants spent 15.2 hours on this case, and he seeks recovery for their time at \$100/hour. This is a reasonable hourly rate because it is comparable to the rates charged by Dallas–Fort Worth area law firms when they bill their summer-associate time. *See* Sullivan Decl. ¶ 11.

D. *Johnson* Factors

We have considered the 12 *Johnson* factors, *see Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974), but do not believe that any of them warrants an upward or downward departure. The only relevant *Johnson* factor, in our view, is the ninth factor—“the experience, reputation, and ability of the attorneys”—but this factor is already accounted for in computing the lodestar and should not be double-counted. *See Jason D.W. ex rel. Douglas W. v. Houston Independent School District*, 158 F.3d 205, 209 (5th Cir. 1998). We also are not seeking any fee enhancements.

II. TIME SPENT

Each of the attorneys has submitted billing sheets showing the time spent working on this case. We will discuss the reasonableness of the expended time and how billing judgment was exercised. *See Saizan v. Delta Concrete Products Co.*, 448 F.3d 795, 799 (5th Cir. 2006) (litigants seeking attorneys’ fees bear “the burden of showing the reasonableness of the hours billed” and “that they exercised billing judgment.”).

A. Jonathan F. Mitchell

Mr. Mitchell performed nearly all of the legal work, and he expended a total of 386.9 hours on this case from July 6, 2018, through December 4, 2023. *See* Mitchell Decl. ¶¶ 12–13 & Ex. B. Mr. Mitchell drafted and submitted every brief and court filing in the trial and appellate courts, handled all of the courtroom appearances, and conducted nearly all of the legal research. The only legal work not performed by Mr.

Mitchell consisted of occasional research and citechecking tasks that were outsourced to his student research assistants. The 386.9 hours logged by Mr. Mitchell through December 4, 2023, does not include work that falls under the category of “fees for fees,” *i.e.*, time spent preparing the application for attorney fees.

The plaintiffs are not seeking recovery for all of Mr. Mitchell’s 386.9 hours. *See Saizan*, 448 F.3d at 799 (“[P]laintiffs seeking attorney’s fees . . . [must] exercise[] billing judgment. Billing judgment requires documentation of the hours charged and of the hours written off as unproductive, excessive, or redundant.”). Some of this time was spent communicating with potential clients who never joined the case. Mr. Mitchell is writing off that time, which amounts to 19.4 hours. *See Mitchell Decl.* ¶ 13. Some of Mr. Mitchell’s time was spent on non-legal tasks, such as reviewing and editing press releases for America First Legal Foundation. Mr. Mitchell is writing off those 0.6 hours as well. *See id.* Finally, Mr. Mitchell is requesting only 50% of his hourly rate for travel time, in keeping with the accepted practice in the Fifth Circuit and the northern district. *See In re Babcock & Wilcox Co.*, 526 F.3d 824, 828 (5th Cir. 2008) (per curiam); *Watkins v. Fordice*, 7 F.3d 453, 459 (5th Cir. 1993); *United Healthcare Services, Inc. v. Next Health, LLC*, 2020 WL 13490846, at *3 (N.D. Tex. Sept. 16, 2020) (“[C]ourts often discount the hourly rate for travel time The Court finds it is appropriate to discount by 50% the 11.2 hours Ms. Murray billed for travel.”). 43.5 hours are marked as travel time, so the plaintiffs are requesting compensation for those time entries at \$600/hour rather than \$1,200/hour. Mr. Mitchell is therefore seeking fees for 323.4 hours of working time, and 43.5 hours of travel time. The timesheet attached as Exhibit B to Mr. Mitchell’s declaration shows the written-off time entries in pink, and the travel-time entries in yellow.

1. Time Spent On Non-RFRA Claims

The plaintiffs considered whether to write off time spent pursuing the non-RFRA claims regarding the proper interpretation of Title VII and the meaning of *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020).⁷ But we concluded that these fees were reasonably incurred and that the plaintiffs should recover fees for that time, even though they did not ultimately prevail on those arguments. A prevailing party “may recover all reasonably incurred fees, even where the party did not prevail on all claims, as to all defendants, or as to all issues.” *Franciscan Alliance*, --- F. Supp. 3d ----, 2023 WL 4462049, at *5 (citing *Hensley v. Eckerhart*, 461 U.S. 424, 435–40 (1983), and *Coleman v. Houston Independent School District*, No. 98-20692, 1999 WL 1131554, at *5 (5th Cir. 1999)). As the Supreme Court has explained:

Where a plaintiff has obtained excellent results, his attorney should recover a fully compensatory fee. . . . In these circumstances the fee award should not be reduced simply because the plaintiff failed to prevail on every contention raised in the lawsuit. Litigants in good faith may raise alternative legal grounds for a desired outcome, and the court’s rejection of or failure to reach certain grounds is not a sufficient reason for reducing a fee. The result is what matters.

Hensley, 461 U.S. at 435; *see also Abrams v. Baylor College of Medicine*, 805 F.2d 528, 536 n.10 (5th Cir. 1986) (“The plaintiffs have substantially prevailed in this litigation and they are, therefore, entitled to all hours reasonably expended on the lawsuit—including those hours devoted to unsuccessful but related contentions.”).⁸ And a

7. These were described as Claims 2–5 in the fourth amended complaint. *See* Fourth Amended Complaint, ECF No. 86, at ¶¶ 54–68. We will refer to Claims 2–3 as the “First Amendment claims” and Claims 4–5 as the “statutory-interpretation claims.”

8. *See also Halupka v. Federal Express Corp.*, 2006 WL 8441053, at *3 (E.D. Tex. June 22, 2006) (“FedEx argues that Ms. Laster can only recover for time reasonably spent on claims on which Plaintiffs prevailed. The correct Fifth Circuit position on this subject is that, when a lawsuit consists of *related claims*, a plaintiff who has won substantial relief should not have his attorney’s fees reduced simply because the Court did not adopt each contention raised. Halupka Jr.’s claims involve a common core of facts and should be viewed as a series of related

Court should allow a prevailing party to recover fees for time spent litigating unsuccessful claims if: (1) The successful and unsuccessful claims “involve a ‘common core of facts’ or are based upon ‘related legal theories’”;⁹ or (2) The “time spent on different claims is difficult to segregate.” *Franciscan Alliance*, --- F. Supp. 3d ----, 2023 WL 4462049, at *5 (quoting *Coleman*, 1999 WL 1131554, at *5, and *Abell v. Potomac Insurance Co. of Illinois*, 946 F.2d 1160, 1169 (5th Cir. 1991)). Each of these factors supports recovery for time spent pursuing the unsuccessful First Amendment and statutory-interpretation claims, as well as the claims asserted on behalf of Bear Creek Bible Church.

The First Amendment claims, as well the claims involving the proper interpretation of Title VII, all share a “common core of facts” with the successful RFRA claim asserted on behalf of Braidwood. The factual basis for all of those claims arose out of the employment practices of Bear Creek Bible Church and Braidwood Management Inc., which were identical. Neither employer would hire or retain individuals who engage in homosexual, bisexual, or transgender behavior, and their refusal to employ these individuals was rooted in their sincere religious beliefs. *See* Salvensen Decl., ECF No. 90-4; Hotze Decl., ECF No. 90-5.

The RFRA, First Amendment, and statutory-interpretation claims were also based on “related legal theories,” because each of those claims asserted that the EEOC lacked authority to enforce Title VII against Bear Creek or Braidwood over their refusal to employ bisexuals, or their attempts to enforce sex-neutral rules of conduct that would exclude most homosexual and transgender individuals from employment.

claims, not as a series of discrete claims. Halupka Jr. obtained substantial relief. Ms. Laster should receive a fully compensatory fee even though Halupka Jr. did not recover on all of his claims.” (citations omitted)).

9. *See also Fessler v. Porcelana Corona De Mexico*, 23 F.4th 408, 416 (5th Cir. 2022) (“[W]hen claims . . . share a ‘common core of facts’ or ‘related legal theories,’ a fee applicant may claim all hours reasonably necessary to litigate those issues.” (citations and some internal quotation marks omitted)).

The only difference was that the RFRA and First Amendment claims were based on the beliefs of the employers, while the statutory-interpretation claims relied on the language of Title VII and *Bostock*. But the ultimate relief sought under these claims was nearly identical. Each claim sought to shield Bear Creek and Braidwood from EEOC enforcement actions over their employment practices regarding individuals who engage in homosexual or transgender behavior; the only difference is that the RFRA and First Amendment claims extended more broadly and would have shielded the plaintiffs from EEOC enforcement actions even when their conduct was prohibited by *Bostock*'s interpretation of Title VII.

The time spent on the unsuccessful First Amendment and statutory-interpretation claims is also “difficult to segregate” from the successful RFRA claims. *Franciscan Alliance*, --- F. Supp. 3d at ---, 2023 WL 4462049, at *5; *see also Abell v. Potomac Insurance Co. of Illinois*, 946 F.2d 1160, 1169 (5th Cir. 1991) (“Where time spent on unsuccessful issues is difficult to segregate, no reduction of fees is required.”). All of these issues were briefed together, both in the district-court proceedings and on appeal, and the courts adjudicated them in tandem. *See Franciscan Alliance*, --- F. Supp. 3d ---, 2023 WL 4462049, at *5 (noting that the RFRA and APA issues were “briefed together” and “adjudicated . . . in tandem”). The “compelling interest” standard that governs the plaintiffs’ First Amendment claims mirrors the compelling-interest test under the Religious Freedom Restoration Act. And the justiciability defenses that the EEOC raised were equally applicable to all of the plaintiffs’ claims.

This resembles the situation described in *Hensley*, which acknowledged that “[l]itigants in good faith may raise alternative legal grounds for a desired outcome, and the court’s rejection of or failure to reach certain grounds is not a sufficient reason for reducing a fee.” *Hensley*, 461 U.S. at 435. And it is no different from the situation in *Franciscan Alliance*, where this Court allowed plaintiffs who prevailed on a RFRA claim to recover fees for time spent on their unsuccessful APA claim. *See Franciscan*

Alliance, --- F. Supp. 3d at ----, 2023 WL 4462049, at *5. The plaintiffs should likewise recover fees for time spent on their First Amendment and statutory-interpretation claims.

2. Time Spent On Bear Creek's Claims

The plaintiffs also considered whether to write off time spent pursuing relief on behalf of Bear Creek Bible Church, as this Court declined to award relief to Bear Creek and entered judgment only in favor of Braidwood. But Braidwood's claims were identical to those asserted on behalf of Bear Creek, and all of the arguments made on behalf of Braidwood were equally applicable to Bear Creek. This includes the arguments involving justiciability, class certification, and the merits. Bear Creek and Braidwood's claims involved both a "common core of facts" and "related legal theories." *Louisiana Power & Light Co. v. Kellstrom*, 50 F.3d 319, 327 (5th Cir. 1995); *see also id.* ("[W]hen claims against multiple parties share a 'common core of facts' or 'related legal theories,' a fee applicant may claim all hours reasonably necessary to litigate those issues.").

It is also exceedingly difficult (if not impossible) to segregate or identify time that was spent "exclusively" on Bear Creek's claims, because all of the justiciability, merits, and class-certification arguments were made on behalf of both plaintiffs—and nearly every argument advanced on behalf of Bear Creek was equally applicable to Braidwood.¹⁰ The only possible exception arose when this Court asked the parties to brief the implications of Title VII's statutory exemptions for religious organizations that hire co-religionists in September of 2021. *See* Order, ECF No. 110 (instructing the parties to brief the relevance of 42 U.S.C. § 2000e-1(a) and 42 U.S.C. § 2000e-2(e)(2)). The time spent on this particular task is specifically described in the time-sheets. *See* Mitchell Decl. Ex. B. But even if this Court finds a way to segregate these

10. *See Abell*, 946 F.2d at 1169 ("Where time spent on unsuccessful issues is difficult to segregate, no reduction of fees is required.").

hours, it remains the case that Bear Creek’s unsuccessful claims shared a “common core of facts” and “related legal theories” with the successful RFRA claims advanced by Braidwood. So the Court should not reduce the fee award on account of its ultimate disposition of Bear Creek’s claims. *See Hudson v. Board of Regents of Texas Southern University*, 2009 WL 6496547, at *3 (S.D. Tex. Mar. 10, 2009) (invoking *Hensley* and refusing to reduce a fee award to exclude time spent on a plaintiff’s unsuccessful claims, when the other two plaintiffs prevailed on related claims and “it would be too difficult for the court to parse the time spent on the successful claims versus the time spent on the failed claims.”). Finally, plaintiffs’ counsel still achieved substantial success for Bear Creek because it remains protected by the *stare decisis* effect of the Fifth Circuit’s opinion, which shields *all* employers in the Fifth Circuit that hold sincere religious objections to homosexual or transgender behavior from *Bostock*’s interpretation of Title VII—whether churches, religious non-profits, or for-profit employers. The Fifth Circuit’s holding on RFRA binds all federal district courts in the Texas and will protect Bear Creek from EEOC enforcement action, even though the district court’s judgment declined to award relief to Bear Creek.

3. Time Spent On Class Certification

The plaintiffs also considered whether to write off time spent pursuing class certification, given that the district court granted the plaintiffs’ class-certification motion but the Fifth Circuit vacated that ruling. We did not find authority from the Fifth Circuit specifically addressing whether a prevailing party can recover fees for litigating a class-certification motion that was ultimately unsuccessful, although we did uncover a federal district-court ruling from Kentucky that refused to exclude time spent litigating an unsuccessful class-certification motion. *See Miller v. Davis*, 267 F. Supp. 3d 961, 998 (E.D. Ky. 2017), *aff’d sub nom. Miller v. Caudill*, 936 F.3d 442 (6th Cir. 2019) (refusing to adjust lodestar to account for “Plaintiffs’ unsuccessful Motion for

Class Certification.”). Yet court decisions in this district and elsewhere consistently allow prevailing parties to recover fees for time spent litigating unsuccessful motions, so long as the motions were litigated in good faith and the advocacy was reasonable. *See Barrow v. Greenville Independent School District*, 2005 WL 6789456, at *9 (N.D. Tex. Dec. 20, 2005), *aff’d*, 2007 WL 3085028 (5th Cir. Oct. 23, 2007) (“Smith argues that Barrow should not recover for time Bundren spent on 15 motions that she lost The court will not deny time spent on these motions solely on the basis that Barrow did not prevail on them.”); *Luessenhop v. Clinton County*, 558 F. Supp. 2d 247, 256 (N.D.N.Y. 2008), *aff’d*, 324 F. App’x 125 (2d Cir. 2009) (“[A] prevailing party is not limited to recovery on successful motions alone. Indeed unsuccessful motions too are compensable as long as they are not frivolous.”).

This approach seems to us consistent with *Hensley* and the law of the Fifth Circuit, which allow prevailing parties to recover fees for time spent on failed claims or contentions so long as the plaintiff obtained “excellent results” and the hours were “reasonably expended.” *Hensley*, 461 U.S. at 435; *see also Abrams*, 805 F.2d at 536 n.10 (“The plaintiffs have substantially prevailed in this litigation and they are, therefore, entitled to all hours reasonably expended on the lawsuit—including those hours devoted to unsuccessful but related contentions.”). Prevailing parties will often lose contested motions in the course of litigation; that does not warrant a reduction in fees unless the time spent litigating the motion was not “reasonably expended,” *i.e.*, the prevailing party’s position on the motion was baseless.

The hours spent pursuing class certification were reasonably expended because it was sensible and prudent for the plaintiffs and their counsel to pursue classwide relief on behalf of similarly situated employers, and their arguments for class certification were plausible even though they were ultimately rejected by the Fifth Circuit. It is also likely that the plaintiffs’ partial success in the district court on the class-certification issue helped establish an appellate-court precedent in the Fifth Circuit on the

RFRA issue, because the EEOC would have been less likely to appeal a district-court judgment limited to Braidwood alone. *See Braidwood Management Inc. v. Becerra*, No. 23-10326 (5th Cir.) (pending appeal in which the Biden Administration refused to appeal an injunction from this Court granting Braidwood relief from PrEP coverage mandate on federal RFRA grounds). The Court should include these class-certification hours in the lodestar.

B. Time Spent Preparing The Fee Application

Prevailing parties are entitled to recover attorneys' fees for time spent preparing their fee application. *See Cruz v. Hauck*, 762 F.2d 1230, 1233 (5th Cir. 1985) ("It is settled that a prevailing plaintiff is entitled to attorney's fees for the effort entailed in litigating a fee claim and securing compensation."). Mr. Mitchell has spent 30.3 hours preparing and submitting the fee application, and he will incur additional hours if he files a reply brief. *See Mitchell Decl.* at ¶¶ 17–18 & Ex. C. Mr. Mitchell has also outsourced research tasks related to the fee application to second- and third-year law students employed by his law firm, who spent 11.9 hours assisting Mr. Mitchell in preparing the fee application. *See Mitchell Decl.* ¶ 16.

The time and tasks directed toward preparing the fee application were necessary and reasonable. *See Mitchell Decl.* at ¶¶ 17–18. Mr. Mitchell outsourced as many research tasks as possible to his student RAs, which significantly reduced the total hours that he otherwise would have spent on the fee application. *See id.* at ¶ 17. And it was necessary and reasonable for Mr. Mitchell to draft and prepare the fee application because he had done nearly all of the legal work in this case. *See id.* at ¶ 18. The 30.3 attorney hours spent (thus far) litigating fees is *far* below the 135.1 hours that this Court approved for litigating the fee application in *Franciscan Alliance*. *See Franciscan Alliance*, --- F. Supp. 3d at ----, 2023 WL 4462049, *6 ("Defendants lastly contend that Plaintiffs' claimed 135.1 hours spent litigating fees, for which Plaintiffs

seek \$105,436, should be reduced [T]he Court . . . declines to reduce the award for time spent litigating fees.”). It even approaches the hours approved by this Court for preparing fee applications submitted for minor tasks such as litigating a meritless removal. *See Faizy v. Mesghali*, 2017 WL 6313942, at *2–*3 (N.D. Tex., Dallas Division, Dec. 8, 2017) (allowing the plaintiffs’ lawyers to recover for the 27 hours that they spent preparing a fee application under 28 U.S.C. § 1447(c)).

III. COSTS AND EXPENSES

The plaintiffs incurred the following court costs and travel expenses:

\$400.00 filing fee for the complaint
 \$505.00 filing fee for the notice of appeal
 \$81.00 for the court reporter’s invoice
 \$835.93 for printing paper copies of the Fifth Circuit briefs
 \$1,021.67 in travel costs for the hearing of April 9, 2019
 \$806.96 in travel costs for the hearing of August 27, 2021
 \$1,148.68 in travel costs for the Fifth Circuit argument.

Mitchell Decl. ¶ 19. Receipts for these costs and expenses can be found in Exhibit D to Mr. Mitchell’s declaration. The total amount of costs and expenses is \$4,799.24.

IV. THE OVERALL AMOUNT REQUESTED

The plaintiffs are respectfully requesting the following costs, fees, and expenses for each of the following attorneys:

Attorney	Hourly Rate	Hours	Total Fees	Expenses
Mitchell (atty work)	\$1,200.00	323.4	\$388,080.00	\$4,799.24
Mitchell (fees for fees)	\$1,200.00	30.3	\$36,360.00	\$0.00
Mitchell (travel time)	\$600.00	43.5	\$26,100.00	\$0.00
C. Fillmore	\$500.00	3.1	\$1,550.00	\$0.00
D. Fillmore	\$500.00	2.7	\$1,350.00	\$0.00
Student RAs	\$100.00	15.2	\$1,520.00	\$0.00
Totals	---	418.2	\$454,960.00	\$4,799.24
Total Costs, Fees and Expenses:			\$459,759.24	

The total number of billable hours comes in at 418.2. That is *far* below the 3,197.25 hours that this Court approved in *Franciscan Alliance*, which (like this case) involved a successful RFRA claim brought against a federal administrative agency, which was litigated alongside other claims that did not succeed. True, *Franciscan Alliance* went on appeal to the Fifth Circuit twice, while this case made only one trip to the appellate court. And the *Franciscan Alliance* litigation lasted for six years, while this litigation had a life of slightly more than five years. So one would expect that the recoverable attorney hours in this case would come in somewhat below the 3,197.25 court-approved hours in *Franciscan Alliance*.¹¹ Yet the plaintiffs are submitting a fee request for less than *one-seventh* of that amount. And the total amount requested is approximately one-fifth of the \$2,207,262.60 that this Court approved in *Franciscan Alliance*.¹²

Whatever the point of comparison, 418.2 is an extraordinarily low number of attorney hours for a case that was litigated for more than five years, involved justiciability and class-certification issues, required counsel to appear and prepare for two in-person hearings in the district court, as well as oral arguments in the Fifth Circuit, was litigated to summary judgment in the district court, and involved cross-appeals from both sides that were litigated to conclusion in the Fifth Circuit. The expended hours are low because nearly all the work was performed by a single attorney, which significantly reduced the inefficiencies and redundancies that arise when multiple lawyers work on a single case. The fee request is eminently reasonable, and we respectfully ask the Court to grant the request in full.

11. See *Franciscan Alliance*, --- F. Supp. 3d at ---, 2023 WL 4462049, at *6 (“[T]he Court finds the remaining total of 3,197.25 hours reasonable.”).

12. See *Franciscan Alliance*, --- F. Supp. 3d at ---, 2023 WL 4462049, at *9 (“[T]he Court awards Plaintiffs **\$2,203,053.32** in attorney’s fees plus **\$4,209.28** in expenses.” (emphasis in original)).

CONCLUSION

The court should award the plaintiffs costs, expenses, and attorneys' fees in the amount of \$459,759.24.

Respectfully submitted.

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Virginia Bar No. 80434
Vice-President and General Counsel
America First Legal Foundation
300 Independence Avenue SE
Washington, DC 20003
(202) 964-3721 (phone)
gene.hamilton@aflegal.org

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Texas Bar No. 24075463
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111 Congress Avenue, Suite 400
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Texas Bar No. 06996010
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dusty@fillmorefirm.com
chad@fillmorefirm.com

Dated: December 13, 2023

Counsel for Plaintiffs

CERTIFICATE OF CONFERENCE

I certify that on December 13, 2023, I conferred with Benjamin Takemoto, counsel for the defendants, and he informed me that his clients oppose this motion. We conferred but were unable to reach agreement on a fee award.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on December 13, 2023, I served this document through CM/ECF

upon:

BENJAMIN T. TAKEMOTO
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
P.O. Box No. 883, Ben Franklin Station
Washington, DC 20044
(202) 532-4252 (phone)
(202) 616-8460 (fax)
benjamin.takemoto@usdoj.gov

Counsel for Defendants

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.,

Plaintiffs,

v.

**Equal Employment Opportunity
Commission**, et al.,

Defendants.

Case No. 4:18-cv-00824-O

DECLARATION OF JONATHAN F. MITCHELL

1. My name is Jonathan F. Mitchell. I am over the age of 18 and fully competent in all respects to make this declaration.

2. I have personal knowledge of the facts stated in this declaration, and all of these facts are true and correct.

3. I represent the plaintiffs in this litigation, and I submit this declaration in support of the plaintiffs' application for costs and attorneys' fees under 42 U.S.C. § 1988(b) (Docket Entry No. 153).

4. My résumé is attached as Exhibit A to this declaration. I declare under penalty of perjury that everything that that appears in my résumé is truthful and accurate.

5. I have argued five cases before the Supreme Court of the United States, all of which are listed on my résumé. Those cases are, in reverse chronological order:

United States v. Texas, No. 21-588 (Nov. 1, 2021)

Campbell-Ewald Co. v. Gomez, No. 14-857 (Oct. 14, 2015)

Utility Air Regulatory Group v. EPA, No. 12-1146 (Feb. 24, 2014)

EPA v. EME Homer City Generation, No. 12-1182 (Dec. 10, 2013)

Gonzalez v. Thaler, No. 10-895 (Nov. 2, 2011)

6. I was recently retained to argue *Garland v. Cargill*, No. 22-976, before the Supreme Court next year, which will mark my sixth Supreme Court oral argument.

7. I have written and signed briefs on the merits in eight Supreme Court cases that have proceeded to oral argument. Those cases are, in reverse chronological order:

United States v. Texas, No. 21-588

Whole Woman's Health v. Jackson, No. 21-463

Campbell-Ewald Co. v. Gomez, No. 14-857

Walker v. Texas Division, Sons of Confederate Generals, No. 14-144

Texas Dep't of Housing and Community Affairs v. ICP, No. 13-1371

Utility Air Regulatory Group v. EPA, No. 12-1146

EPA v. EME Homer City Generation, No. 12-1182

Gonzalez v. Thaler, No. 10-8950

8. I have argued more than 30 cases in the federal courts of appeals. I have also argued before Supreme Court of Texas and in numerous trial courts.

9. I have written and submitted more than 30 amicus curiae briefs in the Supreme Court of the United States.

10. Allyson Ho, a partner at Gibson Dunn's Dallas office, has informed me that her hourly rate is \$1,750.00, and that she provided a \$1,313 hourly rate to the Attorney General of Texas at a 25% discount over the matter reported in Robert T. Garnett, *High-dollar lawyers aim to prove Texas in 'substantial compliance' to serve foster kids*, Dallas Morning News (June 14, 2023). I have attached an authentic copy of Mr. Garnett's article as Exhibit E to this declaration, which I obtained from the Dallas Morning News's website on December 8, 2023. I have also attached as Exhibit F an authentic copy of Robert T. Garnett, *Texas hires well-connected private lawyers, may stiffen defense in foster-care lawsuit*, Dallas Morning News (May 11, 2023), which reports that "Allyson Ho argued multiple cases at the U.S. Supreme Court." I obtained this article from the Dallas Morning News's website on December 8, 2023.

11. The hourly rate that I charge to my full-paying clients is \$1,200.

12. The hours that I spent working on this matter appear on a spreadsheet that is attached as Exhibit B to this declaration. I declare under penalty of perjury that every billing entry that appears in that spreadsheet is truthful and accurate. The specific times that appear in the timesheet are for the pacific time zone.

13. I spent 386.9 hours on this case from July 6, 2018, through December 4, 2023, but I have decided to write off 20.0 hours that were spent on non-legal tasks (such as reviewing and editing press releases for America First Legal Foundation) or communications with potential clients who ultimately decided not to join the lawsuit.

14. I have also decided to seek recovery for my travel time at 50% of my reasonable hourly rate.

15. My law firm employs second- and third-year law students to help with citechecking and discrete research tasks. I pay them \$100/hour, although I sometimes pay a lower rate of \$50/hour if the case is pro bono or on contingency.

16. Several of my student research assistants worked on this case. In July of 2021, a rising 2L at Georgetown University Law Center worked 2.8 hours citechecking and proofreading my summary-judgment and class-certification briefing. I paid her \$50/hour for that work. In September of 2022, on University of Chicago 1L spent 0.5 hours proofreading my Fifth Circuit reply brief. I paid him \$100/hour for that work. Finally, in December of 2023 two of my student RAs spent 11.9 hours researching cases for our fee application. One of them was a Harvard 2L who worked for 5.0 hours; the other was a University of Chicago 2L who logged 6.9 hours.

17. The 30.3 billable hours that I spent drafting and preparing our fee application are also necessary and reasonable. I conducted my research into the appropriate hourly rate and the appropriate amounts of billable time as efficiently as possible, and I gathered and read the relevant cases from the Fifth Circuit and Texas-based district courts with speed and dispatch. I outsourced as many research tasks as possible to my student RAs, which significantly reduced the total hours that I would

have otherwise expended. I drafted the fee application and supporting exhibits quickly and without unnecessary or undue delay.

18. The hours that I spent working on the fee application appear on a spreadsheet that is attached as Exhibit C to this declaration. I declare under penalty of perjury that every billing entry that appears in that spreadsheet is truthful and accurate. The specific times that appear in the timesheet are for the pacific time zone.

19. It was necessary and reasonable to draft and prepare the fee application myself, rather than delegate the task to local counsel, because I had done nearly all of the legal work and knew exactly why I had performed the relevant tasks and why they were reasonable and necessary. I would have had to invest a significant number of hours on the fee application regardless of whether local counsel assisted, and I am certain that involving local counsel would have driven up the total number of hours spent on this task and would likely have resulted in a higher amount of requested fees.

20. I incurred each of the following court costs and travel expenses in litigating this case:

- \$400.00 filing fee for the complaint
- \$505.00 filing fee for the notice of appeal
- \$81.00 for the court reporter's invoice
- \$835.93 for printing paper copies of the Fifth Circuit briefs
- \$1,021.67 in travel costs for the hearing of April 9, 2019
- \$806.96 in travel costs for the hearing of August 27, 2021
- \$1,148.68 in travel costs for the Fifth Circuit argument.

Authentic copies of the receipts are attached as Exhibit D to this declaration. The total amount of costs and expenses is \$4,799.24.

This concludes my sworn statement. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 12, 2023

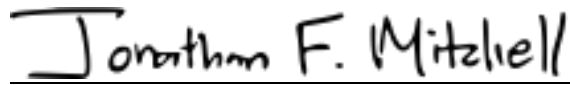

JONATHAN F. MITCHELL

Exhibit A

to Mitchell Declaration

JONATHAN F. MITCHELL

111 Congress Avenue, Suite 400 • Austin, Texas 78701
(512) 686-3940 • jonathan@mitchell.law
<http://ssrn.com/author=791842>

EDUCATION

J.D., The University of Chicago Law School, with high honors, 2001

- Articles Editor, *The University of Chicago Law Review*
- Order of the Coif
- Joseph Henry Beale Prize for Legal Research and Writing

B.A., Wheaton College (IL), summa cum laude, 1998

CLERKSHIPS

Justice Antonin Scalia, Supreme Court of the United States 2002–2003

Judge J. Michael Luttig, U.S. Court of Appeals for the Fourth Circuit 2001–2002

EXPERIENCE

Mitchell Law PLLC 2018–present
Principal

Stanford Law School 2015–2017
Visiting Professor of Law

Hoover Institution 2015–2016
Visiting Fellow

University of Texas at Austin School of Law
Searle Visiting Professor of Law 2015
Adjunct Professor 2010–2014

Solicitor General of Texas 2010–2015

George Mason University School of Law 2008–2010
Assistant Professor of Law

University of Chicago Law School 2006–2008
Visiting Assistant Professor

Georgetown University Law Center 2006
Visiting Researcher

Office of Legal Counsel, U.S. Department of Justice 2003–2006
Attorney-Adviser

PUBLICATIONS

- The Writ-of-Erasure Fallacy*,
104 VA. L. REV. 933 (2018)
- Textualism and the Fourteenth Amendment*,
69 STAN. L. REV. 1237 (2017)
- Remembering the Boss*,
84 U. CHI. L. REV. 2291 (2017)
- Judicial Review and the Future of Federalism*,
49 ARIZ. ST. L.J. 1091 (2017)
- Commentary, Capital Punishment and the Courts*,
120 HARV. L. REV. FORUM 269 (2017)
- Stare Decisis and Constitutional Text*,
110 MICH. L. REV. 1 (2011)
- Reconsidering Murdock: State-Law Reversals as Constitutional Avoidance*,
77 U. CHI. L. REV. 1335 (2010)
- Legislating Clear-Statement Regimes in National-Security Law*,
43 GA. L. REV. 1059 (2009)
- Apprendi's Domain*,
2006 SUP. CT. REV. 297
- Why Was Roe v. Wade Wrong?*,
book chapter in Geoffrey R. Stone and Lee Bollinger, eds., *Roe v. Dobbs: The Past, Present, and Future of a Constitutional Right to Abortion* (Oxford 2023)

SUPREME COURT ORAL ARGUMENTS

- Garland v. Cargill*, No. 21-588 (to be argued in March 2024)
- Will argue on behalf of bump-stock owner challenging BATF's bump-stock ban
- United States v. Texas*, No. 21-588 (argued November 1, 2021)
- Argued on behalf of intervenor-defendants in Biden Administration's lawsuit over Texas's SB 8; Supreme Court dismissed the writ of certiorari as improvidently granted
- Campbell-Ewald Co. v. Gomez*, No. 14-857 (argued October 14, 2015)
- Argued on behalf of class-action plaintiff who opposed defendant's attempt to moot the case by offering money solely to the class representative; Supreme Court ruled 6-3 in our favor and held that the defendant's tactics did not moot the class action
- Utility Air Regulatory Group v. EPA*, No. 12-1146 (argued February 24, 2014)
- Argued on behalf of States challenging the Obama Administration's greenhouse-gas regulations; Supreme Court ruled partly in our favor in a 5-4 vote
- EPA v. EME Homer City Generation*, No. 12-1182 (argued December 10, 2013)
- Argued on behalf of States challenging Obama Administration's cross-state air-pollution rule; Supreme Court ruled against us in a 6-2 vote
- Gonzalez v. Thaler*, No. 10-895 (argued November 2, 2011)
- Argued on behalf of Texas in a habeas case involving AEDPA's statute of limitations; Supreme Court ruled in our favor 8-1; Justice Scalia dissented on jurisdictional grounds

SUPREME COURT MERITS BRIEFS AUTHORED

United States v. Texas, No. 21-588

- Represented intervenor-defendants in Biden Administration's lawsuit over the Texas Heartbeat Act; Supreme Court dismissed the writ of certiorari as improvidently granted

Whole Woman's Health v. Jackson, 142 S. Ct. 522 (2021)

- Represented Mark Lee Dickson, a pastor sued by Texas abortion providers; Supreme Court unanimously dismissed all claims against Mr. Dickson for lack of standing

Campbell-Ewald Co. v. Gomez, 577 U.S. 153 (2016)

- Represented class-action plaintiff who opposed the defendant's attempt to moot the case by offering monetary relief solely to the class representative; Supreme Court ruled 6-3 in our favor and held that the defendant's tactics did not moot the class action

Walker v. Texas Division, Sons of Confederate Generals, 576 U.S. 200 (2015)

- Defended the constitutionality of Texas's refusal to issue specialty license plates featuring the confederate battle flag; Supreme Court sided with us in a 5-4 vote

Texas Dep't of Housing and Community Affairs v. ICP, 576 U.S. 519 (2015)

- Represented Texas housing agency arguing that the Fair Housing Act makes no allowance for disparate-impact liability; Supreme Court disagreed in a 5-4 vote

Utility Air Regulatory Group v. EPA, 573 U.S. 302 (2014)

- Represented States challenging the Obama Administration's greenhouse-gas regulations; Supreme Court ruled partly in our favor in a 5-4 vote

EPA v. EME Homer City Generation, 572 U.S. 489 (2014)

- Represented States challenging Obama Administration's cross-state air-pollution rule; Supreme Court ruled against us in a 6-2 vote

Gonzalez v. Thaler, 565 U.S. 134 (2012)

- Represented Texas in a habeas case involving AEDPA's statute of limitations; Supreme Court ruled in our favor 8-1; Justice Scalia dissented on jurisdictional grounds

REPRESENTATIVE SUPREME COURT AMICUS BRIEFS

Vitagliano v. County of Westchester, No. 23-74 (petition-stage)

- Authored petition-stage amicus on behalf of Texas Right to Life and America First Legal urging the Supreme Court to overrule *Hill v. Colorado*, 530 U.S. 703 (2000)

Students for Fair Admission, 600 U.S. 181 (2023)

- Authored amicus arguing that Title VI and the Equal Protection Clause should not be interpreted as co-extensive, and urging Court to find racial preferences in college admissions unlawful solely under Title VI without reaching the equal-protection issue

Moore v. Harper, 600 U.S. 1 (2023)

- Authored amicus arguing that 2 U.S.C. § 2a(c) constrains remedial discretion of state courts when they impose congressional maps in response to constitutional violations

Kennedy v. Bremerton, 142 S. Ct. 2407 (2022)

- Authored amicus urging the Supreme Court to dis-incorporate the Establishment Clause and overrule *Lemon v. Kurtzman*, 403 U.S. 602 (1971)

Dobbs v. Jackson Women's Health Center, 597 U.S. 215 (2022)

- Authored amicus on behalf of Texas Right to Life and America First Legal urging the Supreme Court to overrule *Roe v. Wade*, 410 U.S. 113 (1973)

New York State Rifle & Pistol Ass’n Inc. v. Bruen, 597 U.S. 1 (2022)

- Authored amicus on behalf of National Shooting Sports Foundation urging the Supreme Court to disapprove New York’s “proper cause” licensing regime

June Medical Services LLC v. Russo, 140 S. Ct. 2103 (2020)

- Authored amicus on behalf of Family Research Council urging the Supreme Court to reject third-party standing for abortion providers and overrule *Whole Woman’s Health v. Hellerstedt*, 579 U.S. 582 (2016)

Seila Law LLC v. Consumer Financial Protection Bureau, 140 S. Ct. 2183 (2020)

- Authored amicus on behalf of New Civil Liberties Alliance urging the Supreme Court to overrule *Humphrey’s Executor v. United States*, 295 U.S. 602 (1935)

Worman v. Healy, No. 19-404 (petition-stage)

- Authored petition-stage amicus on behalf of National Shooting Sports Foundation urging the Supreme Court to resolve the standard of review that should apply to laws that prohibit semiautomatic firearms or standard-capacity magazines

Remington v. Soto, No. 19-168 (petition-stage)

- Authored petition-stage amicus on behalf of National Shooting Sports Foundation urging the Supreme Court to review the Connecticut Supreme Court’s interpretation of the “predicate exception” in the Protection of Lawful Commerce in Arms Act

Whole Woman’s Health v. Hellerstedt, 579 U.S. 582 (2016)

- Authored amicus on behalf of University Faculty for Life and Texas Alliance for Life urging the Supreme Court to reject abortion providers’ challenge to Texas’s HB2 on the grounds of insufficient evidence and res judicata

Armstrong v. Exceptional Child Center, 575 U.S. 320 (2015)

- Authored amicus on behalf of Texas and other states arguing that the Medicaid Act is incapable of “preempting” state law and that the Supremacy Clause does not create a private right of action for individuals to sue state officials who violate state law

Zivotofsky v. Kerry, 576 U.S. 1 (2015)

- Authored amicus on behalf of Texas defending the constitutionality of statute allowing Jerusalem-born U.S. citizens to have “Israel” listed as their place of birth on passports

Shelby County v. Holder, 570 U.S. 529 (2013)

- Authored amicus on behalf of Texas describing how the Obama Administration’s Department of Justice abused the preclearance regime in the Voting Rights Act

Alleyne v. United States, 570 U.S. 99 (2013)

- Authored amicus on behalf of Texas and other states urging the Court not to extend the holding of *Apprendi v. New Jersey*, 530 U.S. 466 (2000), and criticizing *Apprendi*’s historical analysis

Wos v. E.M.A., 568 U.S. 627 (2013)

- Authored amicus on behalf of Texas and other states arguing that the Medicaid Act is incapable of “preempting” state law, because a state does not violate federal law merely by acting in a manner that might cause federal money to be withheld

Messerschmidt v. Millender, 565 U.S. 535 (2012)

- Authored amicus on behalf of Texas and other states arguing that a qualified-immunity defense should be coextensive with the good-faith exception to the exclusionary rule, and that the Ninth Circuit erred by automatically equating a violation of the warrant clause with a violation of an individual’s fourth amendment rights

Greene v. Fisher, 565 U.S. 34 (2011)

- Authored amicus on behalf of Texas and other states arguing that the *Teague* exceptions were not incorporated into 28 U.S.C. § 2254(d)

REPRESENTATIVE LITIGATION IN THE U.S. COURTS OF APPEALS

Barber v. Bryant, 860 F.3d 345 (5th Cir. 2017) (argued)

- Successfully defended the constitutionality of Mississippi’s religious-freedom law (HB 1523); Fifth Circuit dismissed plaintiffs’ claims for lack of standing

Braidwood Management Inc. v. Becerra, No. 23-10326 (5th Cir.) (to be argued)

- Representing citizens and business owners in an Appointments Clause challenge to the Affordable Care Act’s preventive-care coverage mandates; case pending in Fifth Circuit

Braidwood Management Inc. v. EEOC, 70 F.4th 914 (5th Cir. 2023) (argued)

- Successfully sued EEOC under the Religious Freedom Restoration Act for failing to exempt employers who object to homosexual and transgender behavior from *Bostock*

Davis v. Abbott, No. 781 F.3d 207 (5th Cir. 2015) (argued)

- Successfully appealed an award of attorneys’ fees that had been awarded to plaintiffs in a redistricting lawsuit brought against Texas officials

Deanda v. Becerra, No. 23-10159 (5th Cir.) (argued)

- Representing plaintiffs suing Secretary Becerra for claiming that Title X “preempts” Texas’s parental-consent laws; case argued in the Fifth Circuit and awaiting decision

Fraternal Order of Police v. Springfield, No. 23-3165 (3rd Cir.) (to be argued)

- Representing police officers in First Amendment lawsuit against township that prohibited display of the “Thin Blue Line American Flag” on township property

Friends of George’s Inc. v. Mulroy, No. 23-5611 (6th Cir.) (amicus)

- Authored amicus criticizing district-court ruling that facially enjoined enforcement of Tennessee’s anti-drag-show law on “overbreadth” grounds

Hecox v. Little, No. 20-35813 (9th Cir.) (amicus)

- Authored amicus supporting Idaho’s petition for re-hearing en banc over its women’s sports law; argued that the district court never entered an injunction and that the private civil-enforcement provisions of the law remain in effect

HM Florida-Orl, LLC v. Griffin, No. 23-12160 (11th Cir.) (amicus)

- Authored amicus criticizing district-court ruling that facially enjoined enforcement of Florida’s anti-drag-show law on “overbreadth” grounds

L.W. v. Skrmetti, 83 F.4th 460 (6th Cir.) (amicus)

- Authored amicus attacking plaintiffs’ standing to challenge Tennessee law protecting children from gender-transitioning treatments, as well as the universal remedy issued by the district court; Sixth Circuit agreed and vacated preliminary injunction

Little v. Llano County, No. 23-50224 (5th Cir.) (argued)

- Representing Llano County in lawsuit brought by library patrons who accused the county librarian of weeding library books containing nudity or LGBTQ content; awaiting ruling from Fifth Circuit

Lowery v. Texas A&M University, No. 23-20481 (5th Cir.) (to be argued)

- Representing a professor suing Texas A&M University for discriminating against whites and Asians in its faculty hiring

Neese v. Becerra, No. 23-10078 (5th Cir.) (to be argued)

- Representing doctors and medical professionals challenging Biden Administration’s interpretation of section 1557 of the Affordable Care Act; case pending in Fifth Circuit

Planned Parenthood v. Abbott, 734 F.3d 406 (5th Cir. 2013) (emergency stay)

- Successfully obtained a stay of district-court injunction against Texas law requiring abortionists to hold hospital-admitting privileges, allowing law to take immediate effect

Planned Parenthood v. Abbott, 748 F.3d 583 (5th Cir. 2014) (argued)

- Successfully defended the constitutionality of Texas laws requiring abortion providers to hold hospital-admitting privileges and restricting the use of abortion-inducing drugs

Sons of Confederate Veterans v. Vandergriff, 759 F.3d 388 (5th Cir. 2014) (argued)

- Unsuccessfully argued in Fifth Circuit that Texas could refuse to issue specialty license plates featuring the confederate battle flag; Supreme Court later reversed in a 5-4 vote

Texas Medical Providers v. Lakey, 667 F.3d 570 (5th Cir. 2012) (argued)

- Successfully defended the constitutionality of Texas's ultrasound law

The Aransas Project v. Shaw, 775 F.3d 641 (5th Cir. 2014) (argued)

- Successfully defended Texas state officials in lawsuit that accused them of violating the Endangered Species Act

Umphress v. Hall, No. 20-11216 (5th Cir.) (argued)

- Representing county judge who brought First Amendment claim against members of the state commission on judicial conduct for threatening judges who refuse to perform same-sex marriage ceremonies; awaiting ruling from Fifth Circuit

Voting for America v. Steen, 732 F.3d 382 (5th Cir. 2013) (argued)

- Successfully defended the constitutionality of Texas's voter-registration laws

OTHER REPRESENTATIVE LITIGATION (ONGOING)

Bolduc v. Amazon.com Inc., No. 4:22-cv-00615-ALM (E.D. Tex.)

- Representing plaintiff suing Amazon for discriminating against whites and Asians in its "delivery service partners" program; case is pending in the district court

Fund Texas Choice v. Garza, No. 1:22-cv-00859-RP (W.D. Tex.)

- Representing four pro-life residents of Texas who were sued by Texas abortion funds in an attempt to challenge SB 8; case is pending in the district court

Hensley v. State Commission on Judicial Conduct, No. 23-CV-0375 (SCOTEX)

- Representing a justice of the peace who sued the state commission on judicial conduct after it disciplined her for recusing herself from same-sex marriage ceremonies on account of her Christian faith; awaiting ruling from Supreme Court of Texas

Jackson v. Wright, No. 23-CV-0375 (Galveston County, Texas)

- Representing a UNT music professor who was disciplined after he published a journal article criticizing a black musicologist; the Fifth Circuit rejected UNT's sovereign-immunity defense and case is pending in the district court

Roberts v. Progressive Preferred Insurance, No. 1:23-cv-01597-PAG (E.D. Ohio)

- Representing plaintiff suing Progressive Insurance for discriminating against non-black-owned small businesses when awarding grants; case is pending in the district court

San Antonio Family Ass'n v. San Antonio, No. 2023CI22459 (Bexar County, Texas)

- Representing taxpayers suing San Antonio over its creation of a "Reproductive Justice Fund," which will award taxpayer money to organizations that pay the travel costs and related expenses of women seeking out-of-state abortions; case is pending in trial court

Sefelino v. Community Coll. of Morris Cty., No. 2:23-cv-01595-MEF-LDW (D.N.J.)

- Representing college student who was suspended and removed from campus for speaking and preaching against homosexuality; case is pending in the district court

Silva v. Noyola, No. 23-CV-0375 (Galveston County, Texas)

- Representing father of an aborted fetus in wrongful-death lawsuit brought against three women who illegally provided abortion pills to his then-wife; case is pending in the district court

Stewart v. Texas Tech University, No. 5:23-cv-00007-H (N.D. Tex.)

- Representing white medical-school applicant suing each of Texas's state medical schools for discriminating against whites and Asians in student admissions; case is pending in the district court

Texas Right to Life v. Van Stean, No. 23-0468 (Supreme Court of Texas)

- Representing Texas Right to Life in lawsuits brought by abortion providers and abortion funds over its website that invited members of the public to report violations of the Texas Heartbeat Act; case is pending in the Supreme Court of Texas

Zimmerman v. City of Austin, No. D-1-GN-19-005930 (Travis County)

- Representing taxpayer suing Austin over its decision to give taxpayer money to abortion funds; case is pending in the district court

OTHER REPRESENTATIVE LITIGATION (COMPLETED)

Davis v. Sharp, 656 F. Supp. 3d 687 (W.D. Tex. 2023)

- Successfully defended four pro-life residents of Texas who were sued by Wendy Davis in an attempt to have the Texas Heartbeat Act declared unconstitutional; district court dismissed for lack of standing

DeOtte v. Azar, No. 4:18-cv-00825-O (N.D. Tex.)

- Successfully sued HHS under the Religious Freedom Restoration Act over insufficient religious exemptions to the Contraceptive Mandate; Fifth Circuit vacated injunction as moot after the Trump Administration's rules took effect in 2020

Garcia v. Carroll Indep. Sch. Dist., No. 153-319405-20 (Tarrant County, Texas)

- Successfully sued Carroll ISD over its attempt to implement a "cultural competence action plan" in violation of the Texas Open Meeting Act; the school district settled the case, withdrew the plan, and paid our attorneys' fees

Great Northern Resources v. Coba, No. 3:20-cv-01866-IM (D. Oregon)

- Successfully sued Oregon officials over their racially discriminatory distribution of pandemic aid; the state settled on a class-wide basis and paid our attorneys' fees

Lilith Fund v. Dickson, 662 S.W.3d 355 (Tex. 2023)

- Successfully defended pastor Mark Lee Dickson in three defamation lawsuits brought by Texas abortion funds; the Supreme Court of Texas granted our anti-SLAPP motion, requiring the abortion funds to pay Mr. Dickson's costs and attorneys' fees

Planned Parenthood v. Lubbock, No. 542 F. Supp. 465 (N.D. Tex. 2021)

- Served as court-appointed amicus in lawsuit brought by Planned Parenthood over a Lubbock abortion ban that was enforceable solely by private citizen suits; district court dismissed case for lack of standing because the city did not enforce the ban

BAR ADMISSIONS

District of Columbia, Pennsylvania, Texas, Washington

Supreme Court of the United States

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

U.S. District Court for the District of Columbia

U.S. District Courts for the Northern and Central Districts of Illinois

U.S. District Courts for the Eastern, Middle, and Western Districts of Pennsylvania

U.S. District Courts for Northern, Southern, Eastern, and Western Districts of Texas

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

REFERENCES

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Exhibit B

to Mitchell Declaration

JFM Timesheet

Activity type	Duration	From	To	Comment
U.S. Pastor Council v. EEOC	0.1	Dec 04, 2023 02:11 pm	Dec 04, 2023 02:13 pm	Review press release; read and respond to email from co-counsel
U.S. Pastor Council v. EEOC	0.1	Dec 02, 2023 10:21 pm	Dec 02, 2023 10:22 pm	Listen to voicemail from co-counsel Dusty Fillmore; draft and send text message to co-counsel Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Dec 02, 2023 06:29 pm	Dec 02, 2023 06:32 pm	Read and respond to text message from co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 29, 2023 11:14 am	Nov 29, 2023 11:17 am	Draft and send email to co-counsel about application for costs and attorneys' fees
U.S. Pastor Council v. EEOC	0.1	Nov 29, 2023 11:08 am	Nov 29, 2023 11:14 am	Download and review ECF filings; calculate and calendar deadline for submitting application application for attorneys' fees
U.S. Pastor Council v. EEOC	0.1	Nov 28, 2023 10:29 pm	Nov 28, 2023 10:31 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Sep 29, 2023 10:48 pm	Sep 29, 2023 10:55 pm	Download and review ECF filings; e-mail MSWord version of proposed judgment to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	1.7	Sep 29, 2023 07:16 pm	Sep 29, 2023 08:57 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.5	Sep 29, 2023 06:46 pm	Sep 29, 2023 07:14 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.4	Sep 29, 2023 06:20 pm	Sep 29, 2023 06:41 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.6	Sep 29, 2023 05:30 pm	Sep 29, 2023 06:05 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.6	Sep 29, 2023 04:51 pm	Sep 29, 2023 05:24 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.1	Sep 29, 2023 04:35 pm	Sep 29, 2023 04:40 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.2	Sep 29, 2023 04:18 pm	Sep 29, 2023 04:30 pm	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.3	Sep 28, 2023 11:45 pm	Sep 29, 2023 12:00 am	Research, draft, and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.8	Sep 24, 2023 10:11 pm	Sep 24, 2023 10:56 pm	Draft and edit reply brief in support of motion for entry of final judgment
U.S. Pastor Council v. EEOC	0.1	Sep 17, 2023 04:51 pm	Sep 17, 2023 04:51 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Sep 15, 2023 12:47 pm	Sep 15, 2023 12:54 pm	Read and annotate defendants' response to our motion for judgment
U.S. Pastor Council v. EEOC	0.1	Sep 15, 2023 12:18 pm	Sep 15, 2023 12:24 pm	Download and review ECF filings; calculate and calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Aug 30, 2023 06:39 pm	Aug 30, 2023 06:42 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.8	Aug 30, 2023 05:55 pm	Aug 30, 2023 06:39 pm	Draft and edit motion for entry of judgment and proposed order; file motion on PACER
U.S. Pastor Council v. EEOC	0.1	Aug 30, 2023 05:52 pm	Aug 30, 2023 05:55 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Aug 30, 2023 05:45 pm	Aug 30, 2023 05:52 pm	Read and respond to email from opposing counsel Ben Takemoto; review DOJ's edits to joint status report; finalize joint status report and file on PACER
U.S. Pastor Council v. EEOC	0.2	Aug 30, 2023 05:14 pm	Aug 30, 2023 05:25 pm	Edit and finalize joint status report and proposed order; circulate drafts to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 30, 2023 05:09 pm	Aug 30, 2023 05:14 pm	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 30, 2023 01:42 pm	Aug 30, 2023 01:46 pm	Edit and recirculate proposed order; read and respond to emails from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 30, 2023 12:11 pm	Aug 30, 2023 12:17 pm	Review and accept edits to joint status report; read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.3	Aug 30, 2023 10:40 am	Aug 30, 2023 10:55 am	Draft and edit proposed status report and proposed order
U.S. Pastor Council v. EEOC	0.2	Aug 30, 2023 10:05 am	Aug 30, 2023 10:15 am	Draft and edit proposed status report and proposed order
U.S. Pastor Council v. EEOC	0.2	Aug 30, 2023 09:55 am	Aug 30, 2023 10:05 am	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 29, 2023 02:35 pm	Aug 29, 2023 02:36 pm	Read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 27, 2023 06:10 pm	Aug 27, 2023 06:13 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.5	Aug 24, 2023 10:14 pm	Aug 24, 2023 10:41 pm	Edit and amend draft proposed final judgment sent by opposing counsel
U.S. Pastor Council v. EEOC	0.4	Aug 24, 2023 09:51 pm	Aug 24, 2023 10:10 pm	Edit and amend draft proposed final judgment sent by opposing counsel
U.S. Pastor Council v. EEOC	0.3	Aug 24, 2023 08:44 pm	Aug 24, 2023 09:00 pm	Edit and amend draft proposed final judgment sent by opposing counsel
U.S. Pastor Council v. EEOC	0.1	Aug 24, 2023 06:46 pm	Aug 24, 2023 06:49 pm	Review draft of proposed final judgment written by opposing counsel; read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 20, 2023 05:16 pm	Aug 20, 2023 05:20 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Aug 20, 2023 04:59 pm	Aug 20, 2023 05:01 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Aug 19, 2023 11:18 pm	Aug 19, 2023 11:19 pm	Calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Aug 19, 2023 11:12 pm	Aug 19, 2023 11:18 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Aug 17, 2023 10:49 am	Aug 17, 2023 10:50 am	Read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 15, 2023 09:20 pm	Aug 15, 2023 09:26 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Aug 15, 2023 02:49 pm	Aug 15, 2023 02:53 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Aug 14, 2023 12:43 pm	Aug 14, 2023 12:45 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.5	Aug 14, 2023 09:52 am	Aug 14, 2023 10:18 am	Download and review ECF filings; draft and send emails to cocounsel Gene Hamilton; draft and send email to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jul 16, 2023 08:45 pm	Jul 16, 2023 08:47 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jul 16, 2023 08:42 pm	Jul 16, 2023 08:45 pm	Read and annotate CA5 opinion
U.S. Pastor Council v. EEOC	0.3	Jul 16, 2023 08:17 pm	Jul 16, 2023 08:34 pm	Read and annotate CA5 opinion
U.S. Pastor Council v. EEOC	0.6	Jul 16, 2023 07:35 pm	Jul 16, 2023 08:11 pm	Read and annotate CA5 opinion
U.S. Pastor Council v. EEOC	0.1	Jun 26, 2023 06:04 pm	Jun 26, 2023 06:05 pm	Listen to voicemail from client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jun 26, 2023 12:18 pm	Jun 26, 2023 12:19 pm	Read and respond to text message from client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jun 26, 2023 11:22 am	Jun 26, 2023 11:28 am	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.2	Jun 26, 2023 11:11 am	Jun 26, 2023 11:19 am	Read and respond to email from client Steve Hotze
U.S. Pastor Council v. EEOC	0.2	Jun 23, 2023 11:47 am	Jun 23, 2023 11:56 am	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Jun 23, 2023 11:24 am	Jun 23, 2023 11:41 am	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jun 22, 2023 12:02 pm	Jun 22, 2023 12:03 pm	Draft and send text message to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.6	Jun 22, 2023 01:04 am	Jun 22, 2023 01:36 am	Read and annotate CA5 opinion
U.S. Pastor Council v. EEOC	0.1	Jun 21, 2023 10:41 pm	Jun 21, 2023 10:42 pm	Read e-mail from amicus counsel Eric Rassbach
U.S. Pastor Council v. EEOC	0.1	Jun 21, 2023 11:17 am	Jun 21, 2023 11:23 am	Read and respond to text messages from Adam Mortara
U.S. Pastor Council v. EEOC	0.5	Jun 21, 2023 10:22 am	Jun 21, 2023 10:52 am	Phone call with amicus counsel Eric Rassbach
U.S. Pastor Council v. EEOC	0.2	Jun 21, 2023 09:52 am	Jun 21, 2023 10:02 am	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jun 21, 2023 09:47 am	Jun 21, 2023 09:51 am	Draft and send email to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.3	Jun 21, 2023 09:30 am	Jun 21, 2023 09:46 am	Phone call with client Steven Hotze; read and respond to text message from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Jun 21, 2023 09:22 am	Jun 21, 2023 09:30 am	Review and edit AFL press release
U.S. Pastor Council v. EEOC	0.1	Jun 20, 2023 03:38 pm	Jun 20, 2023 03:39 pm	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Jun 20, 2023 02:33 pm	Jun 20, 2023 02:44 pm	Read and respond to text messages from Adam Mortara; draft and send emails to clients John Salvesen and Steven Hotze
U.S. Pastor Council v. EEOC	0.2	Jun 20, 2023 02:15 pm	Jun 20, 2023 02:27 pm	Download and review ECF filings; skim Fifth Circuit opinion
U.S. Pastor Council v. EEOC	0.1	Apr 26, 2023 11:15 pm	Apr 26, 2023 11:16 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Apr 16, 2023 04:06 pm	Apr 16, 2023 04:07 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Mar 26, 2023 01:48 pm	Mar 26, 2023 01:49 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Mar 18, 2023 02:52 am	Mar 18, 2023 02:54 am	Draft and send text message to client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Feb 22, 2023 06:22 pm	Feb 22, 2023 06:25 pm	Download oral argument mp3
U.S. Pastor Council v. EEOC	0.1	Feb 20, 2023 05:01 pm	Feb 20, 2023 05:02 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Feb 08, 2023 10:14 am	Feb 08, 2023 10:16 am	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.8	Feb 07, 2023 08:13 pm	Feb 07, 2023 08:56 pm	TRAVEL Uber from airport to home
U.S. Pastor Council v. EEOC	0.4	Feb 07, 2023 07:50 pm	Feb 07, 2023 08:13 pm	TRAVEL Disembark from plane; walk to Uber
U.S. Pastor Council v. EEOC	5.0	Feb 07, 2023 02:54 pm	Feb 07, 2023 07:50 pm	TRAVEL Flight from MSY to SEA
U.S. Pastor Council v. EEOC	0.5	Feb 07, 2023 02:25 pm	Feb 07, 2023 02:54 pm	TRAVEL Board plane from MSY to SEA
U.S. Pastor Council v. EEOC	0.4	Feb 07, 2023 10:29 am	Feb 07, 2023 10:53 am	TRAVEL Arrive at MSY airport; go through security; walk to gate
U.S. Pastor Council v. EEOC	0.4	Feb 07, 2023 10:08 am	Feb 07, 2023 10:29 am	TRAVEL Uber to MSY
U.S. Pastor Council v. EEOC	0.1	Feb 07, 2023 09:03 am	Feb 07, 2023 09:08 am	Leave courthouse
U.S. Pastor Council v. EEOC	0.7	Feb 07, 2023 08:07 am	Feb 07, 2023 08:48 am	Debrief with client John Salvesen
U.S. Pastor Council v. EEOC	0.7	Feb 07, 2023 07:25 am	Feb 07, 2023 08:07 am	Present oral argument to CA5
U.S. Pastor Council v. EEOC	0.9	Feb 07, 2023 06:31 am	Feb 07, 2023 07:25 am	Prepare for oral argument

U.S. Pastor Council v. EEOC	0.2	Feb 07, 2023 06:20 am	Feb 07, 2023 06:31 am	Arrive at courthouse; go through security; check in with the clerk's office; proceed to lawyers' lounge
U.S. Pastor Council v. EEOC	0.1	Feb 07, 2023 06:14 am	Feb 07, 2023 06:20 am	Prepare for oral argument
U.S. Pastor Council v. EEOC	0.1	Feb 07, 2023 05:07 am	Feb 07, 2023 05:10 am	Prepare for oral argument
U.S. Pastor Council v. EEOC	0.7	Feb 07, 2023 04:25 am	Feb 07, 2023 05:04 am	Prepare for oral argument
U.S. Pastor Council v. EEOC	0.5	Feb 06, 2023 11:01 pm	Feb 06, 2023 11:31 pm	Prepare for oral argument
U.S. Pastor Council v. EEOC	0.1	Feb 06, 2023 04:21 pm	Feb 06, 2023 04:23 pm	Check in to MSY-SEA flight
U.S. Pastor Council v. EEOC	0.1	Feb 06, 2023 02:57 pm	Feb 06, 2023 03:03 pm	TRAVEL check in at hotel; walk to hotel room
U.S. Pastor Council v. EEOC	0.7	Feb 06, 2023 02:19 pm	Feb 06, 2023 02:57 pm	TRAVEL Uber from MSY to hotel
U.S. Pastor Council v. EEOC	0.5	Feb 06, 2023 01:50 pm	Feb 06, 2023 02:18 pm	TRAVEL Get off plane; walk to Uber
U.S. Pastor Council v. EEOC	4.8	Feb 06, 2023 09:06 am	Feb 06, 2023 01:50 pm	TRAVEL Flight from SEA to MSY
U.S. Pastor Council v. EEOC	0.3	Feb 06, 2023 08:52 am	Feb 06, 2023 09:06 am	TRAVEL Board plane to MSY
U.S. Pastor Council v. EEOC	0.3	Feb 06, 2023 07:46 am	Feb 06, 2023 07:59 am	TRAVEL walk to gate
U.S. Pastor Council v. EEOC	0.2	Feb 06, 2023 07:29 am	Feb 06, 2023 07:37 am	TRAVEL Arrive at airport; go through security
U.S. Pastor Council v. EEOC	1.0	Feb 06, 2023 06:25 am	Feb 06, 2023 07:25 am	TRAVEL Uber from home to airport
U.S. Pastor Council v. EEOC	0.1	Feb 05, 2023 08:40 pm	Feb 05, 2023 08:44 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Feb 05, 2023 08:34 pm	Feb 05, 2023 08:39 pm	Check into flight from SEA to MSY
U.S. Pastor Council v. EEOC	0.1	Feb 05, 2023 04:55 pm	Feb 05, 2023 05:00 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Feb 05, 2023 04:53 pm	Feb 05, 2023 04:54 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Feb 02, 2023 09:37 am	Feb 02, 2023 09:45 am	Book return flight from New Orleans to Seattle
U.S. Pastor Council v. EEOC	0.1	Feb 01, 2023 09:36 pm	Feb 01, 2023 09:39 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jan 30, 2023 08:14 am	Jan 30, 2023 08:17 am	Check fifth circuit panel; draft and send email to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jan 29, 2023 04:53 pm	Jan 29, 2023 04:56 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jan 25, 2023 06:48 am	Jan 25, 2023 06:49 am	Read and respond to signal message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jan 22, 2023 08:37 am	Jan 22, 2023 08:38 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 13, 2023 02:08 pm	Jan 13, 2023 02:10 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.3	Jan 10, 2023 04:24 am	Jan 10, 2023 04:37 am	Plan travel to New Orleans for oral argument on February 7
U.S. Pastor Council v. EEOC	0.1	Jan 10, 2023 03:56 am	Jan 10, 2023 04:00 am	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jan 06, 2023 11:34 pm	Jan 06, 2023 11:37 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jan 03, 2023 01:09 pm	Jan 03, 2023 01:12 pm	Finalize oral argument acknowledgment form; draft and send email to Pam Trice at Fifth Circuit
U.S. Pastor Council v. EEOC	0.1	Jan 03, 2023 10:16 am	Jan 03, 2023 10:21 am	Finalize oral argument acknowledgment form; draft and send email to Pam Trice at Fifth Circuit
U.S. Pastor Council v. EEOC	0.1	Jan 03, 2023 10:14 am	Jan 03, 2023 10:16 am	Read and respond to email from opposing counsel Jack Starcher
U.S. Pastor Council v. EEOC	0.1	Dec 31, 2022 02:26 pm	Dec 31, 2022 02:28 pm	Draft and send email to opposing counsel about order of oral argument
U.S. Pastor Council v. EEOC	0.2	Dec 24, 2022 08:20 pm	Dec 24, 2022 08:30 pm	Calendar new deadlines; draft and send email to DOJ counsel about order of argument in the fifth circuit
U.S. Pastor Council v. EEOC	0.1	Dec 24, 2022 06:31 pm	Dec 24, 2022 06:37 pm	Fill out oral argument acknowledgment form
U.S. Pastor Council v. EEOC	0.1	Dec 21, 2022 05:19 pm	Dec 21, 2022 05:23 pm	Calendar oral argument and in CA5
U.S. Pastor Council v. EEOC	0.1	Dec 02, 2022 12:39 pm	Dec 02, 2022 12:40 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Nov 30, 2022 09:01 pm	Nov 30, 2022 09:02 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Oct 21, 2022 10:53 pm	Oct 21, 2022 10:57 pm	Draft and send e-mail to student RA Scott Kim
U.S. Pastor Council v. EEOC	0.1	Oct 19, 2022 05:43 pm	Oct 19, 2022 05:48 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Oct 12, 2022 01:17 pm	Oct 12, 2022 01:20 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Oct 11, 2022 03:56 pm	Oct 11, 2022 03:58 pm	Listen to voicemail from fifth circuit clerk's office
U.S. Pastor Council v. EEOC	0.1	Oct 11, 2022 02:49 pm	Oct 11, 2022 02:50 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Oct 11, 2022 12:25 pm	Oct 11, 2022 12:28 pm	Listen to voicemail from fifth circuit clerk's office; phone call with Casey Sullivan from fifth circuit clerk's office
U.S. Pastor Council v. EEOC	0.1	Oct 10, 2022 08:38 pm	Oct 10, 2022 08:42 pm	Read and respond to email from Cockle Legal Briefs
U.S. Pastor Council v. EEOC	0.2	Oct 08, 2022 11:06 pm	Oct 08, 2022 11:13 pm	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.1	Oct 08, 2022 08:30 pm	Oct 08, 2022 08:34 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.5	Oct 08, 2022 08:00 pm	Oct 08, 2022 08:30 pm	Draft, edit, and file Rule 28(j) letter about Texas v. EEOC
U.S. Pastor Council v. EEOC	0.1	Oct 08, 2022 07:56 pm	Oct 08, 2022 08:00 pm	Read Stollings v. Tex. Tech Univ., No. 5:20-CV-250-H, 2021 WL 3748964, at *10 (N.D. Tex. Aug. 25, 2021)
U.S. Pastor Council v. EEOC	0.2	Oct 08, 2022 07:49 pm	Oct 08, 2022 07:56 pm	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.3	Oct 08, 2022 07:35 pm	Oct 08, 2022 07:48 pm	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.1	Oct 08, 2022 02:32 pm	Oct 08, 2022 02:36 pm	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.1	Oct 08, 2022 02:06 pm	Oct 08, 2022 02:11 pm	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.6	Oct 07, 2022 11:48 pm	Oct 08, 2022 12:24 am	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.1	Oct 07, 2022 10:36 am	Oct 07, 2022 10:39 am	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.3	Oct 07, 2022 10:09 am	Oct 07, 2022 10:25 am	Read and annotate Texas v. EEOC (Kacsmaryk, J.)
U.S. Pastor Council v. EEOC	0.1	Oct 06, 2022 03:58 pm	Oct 06, 2022 04:02 pm	Draft and send email to Cockle Legal Briefs
U.S. Pastor Council v. EEOC	0.1	Oct 06, 2022 03:54 pm	Oct 06, 2022 03:58 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Oct 06, 2022 11:45 am	Oct 06, 2022 11:48 am	Download Judge Kacsmaryk's opinion in Texas v. EEOC
U.S. Pastor Council v. EEOC	0.1	Sep 23, 2022 05:12 pm	Sep 23, 2022 05:12 pm	Read and respond to text message from cocounsel Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Sep 23, 2022 11:50 am	Sep 23, 2022 11:53 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	3.5	Sep 21, 2022 06:30 pm	Sep 21, 2022 09:56 pm	Draft and edit Fifth Circuit reply brief
U.S. Pastor Council v. EEOC	0.6	Sep 21, 2022 05:49 pm	Sep 21, 2022 06:23 pm	Draft and edit Fifth Circuit reply brief
U.S. Pastor Council v. EEOC	2.5	Sep 21, 2022 03:16 pm	Sep 21, 2022 05:44 pm	Draft and edit Fifth Circuit reply brief
U.S. Pastor Council v. EEOC	1.0	Sep 21, 2022 01:12 pm	Sep 21, 2022 02:09 pm	Draft and edit Fifth Circuit reply brief
U.S. Pastor Council v. EEOC	0.9	Sep 21, 2022 12:03 pm	Sep 21, 2022 12:52 pm	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.6	Sep 21, 2022 12:26 am	Sep 21, 2022 01:02 am	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.5	Sep 20, 2022 11:51 pm	Sep 21, 2022 12:17 am	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.1	Sep 20, 2022 10:54 pm	Sep 20, 2022 10:59 pm	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.7	Sep 20, 2022 10:07 pm	Sep 20, 2022 10:44 pm	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.1	Sep 18, 2022 05:01 pm	Sep 18, 2022 05:02 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Sep 17, 2022 10:14 am	Sep 17, 2022 10:24 am	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.1	Sep 05, 2022 10:21 am	Sep 05, 2022 10:27 am	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.1	Sep 05, 2022 10:17 am	Sep 05, 2022 10:20 am	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.2	Sep 05, 2022 10:06 am	Sep 05, 2022 10:17 am	Read and annotate the EEOC's CA5 reply brief
U.S. Pastor Council v. EEOC	0.1	Aug 31, 2022 11:52 pm	Aug 31, 2022 11:55 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Aug 27, 2022 12:24 pm	Aug 27, 2022 12:28 pm	Check CA5 docket
U.S. Pastor Council v. EEOC	0.4	Aug 04, 2022 11:29 am	Aug 04, 2022 11:51 am	File letter on PACER; download and review ECF filings
U.S. Pastor Council v. EEOC	1.5	Aug 04, 2022 09:51 am	Aug 04, 2022 11:18 am	Proofread brief; call Fifth Circuit clerk's office; draft and send email to opposing counsel; draft letter to Lyle Cayce in Fifth Circuit clerk's office
U.S. Pastor Council v. EEOC	0.6	Aug 01, 2022 09:22 pm	Aug 01, 2022 09:53 pm	Assemble record excerpts; file record excerpts on pacer; final proofread and file Fifth Circuit brief
U.S. Pastor Council v. EEOC	4.0	Aug 01, 2022 05:27 pm	Aug 01, 2022 09:22 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	1.9	Aug 01, 2022 03:25 pm	Aug 01, 2022 05:16 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.7	Aug 01, 2022 02:30 pm	Aug 01, 2022 03:10 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	1.2	Aug 01, 2022 12:36 pm	Aug 01, 2022 01:46 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.3	Aug 01, 2022 12:12 pm	Aug 01, 2022 12:30 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	1.1	Aug 01, 2022 11:01 am	Aug 01, 2022 12:03 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	3.6	Aug 01, 2022 07:23 am	Aug 01, 2022 10:57 am	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	1.4	Aug 01, 2022 05:33 am	Aug 01, 2022 06:57 am	Draft and edit fifth circuit brief

U.S. Pastor Council v. EEOC	0.9	Aug 01, 2022 12:01 am	Aug 01, 2022 12:51 am	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.7	Jul 31, 2022 11:22 pm	Jul 31, 2022 11:59 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.7	Jul 31, 2022 10:28 pm	Jul 31, 2022 11:08 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.2	Jul 31, 2022 08:22 pm	Jul 31, 2022 08:31 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.6	Jul 31, 2022 07:28 pm	Jul 31, 2022 07:59 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.9	Jul 31, 2022 06:29 pm	Jul 31, 2022 07:21 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.4	Jul 31, 2022 02:43 pm	Jul 31, 2022 03:04 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.2	Jul 31, 2022 01:52 pm	Jul 31, 2022 02:01 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.5	Jul 31, 2022 11:50 am	Jul 31, 2022 12:17 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.7	Jun 21, 2022 08:40 am	Jun 21, 2022 09:20 am	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.5	Jun 21, 2022 01:44 am	Jun 21, 2022 02:10 am	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.2	Jun 21, 2022 01:18 am	Jun 21, 2022 01:28 am	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.5	Jun 20, 2022 11:29 pm	Jun 20, 2022 11:55 pm	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.3	Jun 20, 2022 11:07 pm	Jun 20, 2022 11:21 pm	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.2	Jun 20, 2022 07:58 pm	Jun 20, 2022 08:05 pm	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.3	Jun 20, 2022 12:47 am	Jun 20, 2022 01:00 am	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.2	Jun 19, 2022 03:07 pm	Jun 19, 2022 03:14 pm	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.1	Jun 18, 2022 01:20 pm	Jun 18, 2022 01:24 pm	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.1	Jun 15, 2022 12:34 pm	Jun 15, 2022 12:35 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Jun 15, 2022 02:04 am	Jun 15, 2022 02:14 am	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.1	Jun 15, 2022 01:58 am	Jun 15, 2022 02:01 am	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.1	Jun 14, 2022 02:13 pm	Jun 14, 2022 02:15 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.4	Jun 14, 2022 01:54 pm	Jun 14, 2022 02:13 pm	Draft, edit, and file motion to amend the caption
U.S. Pastor Council v. EEOC	0.1	Jun 13, 2022 05:53 pm	Jun 13, 2022 05:59 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.2	Jun 13, 2022 05:46 pm	Jun 13, 2022 05:53 pm	Draft and send email to opposing counsel Jack Starcher
U.S. Pastor Council v. EEOC	0.2	Jun 13, 2022 05:34 pm	Jun 13, 2022 05:46 pm	Draft and edit fifth circuit brief
U.S. Pastor Council v. EEOC	0.1	Jun 13, 2022 05:28 pm	Jun 13, 2022 05:33 pm	Read Federal Election Commission v. Ted Cruz for Senate, 142 S. Ct. 1638 (2022) on pre-enforcement standing
U.S. Pastor Council v. EEOC	0.3	Jun 13, 2022 04:35 pm	Jun 13, 2022 04:48 pm	Phone call with client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jun 12, 2022 08:44 pm	Jun 12, 2022 08:46 pm	Read and respond to text message from client John Salvesen; calendar phone call with client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jun 12, 2022 02:26 pm	Jun 12, 2022 02:27 pm	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.5	Jun 12, 2022 01:38 pm	Jun 12, 2022 02:08 pm	Read and annotate appellants' fifth circuit brief
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2022 04:56 pm	Jun 09, 2022 04:57 pm	Download record on appeal for the Fifth Circuit
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2022 02:01 am	Jun 09, 2022 02:02 am	Read and respond to email from amicus counsel Joe Davis at Becket Fund
U.S. Pastor Council v. EEOC	0.1	Jun 08, 2022 11:53 pm	Jun 08, 2022 11:56 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 07, 2022 07:44 pm	Jun 07, 2022 07:49 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2022 01:15 am	Jun 06, 2022 01:16 am	Read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jun 04, 2022 07:07 pm	Jun 04, 2022 07:10 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 02, 2022 12:40 pm	Jun 02, 2022 12:42 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 01, 2022 02:02 pm	Jun 01, 2022 02:03 pm	Read and respond to email from amicus counsel Jane Robinson
U.S. Pastor Council v. EEOC	0.1	May 31, 2022 11:42 pm	May 31, 2022 11:44 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	May 24, 2022 02:56 pm	May 24, 2022 02:57 pm	Read and respond to email from amicus counsel Adam Pulver
U.S. Pastor Council v. EEOC	0.1	Apr 28, 2022 02:07 am	Apr 28, 2022 02:09 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Apr 26, 2022 10:23 pm	Apr 26, 2022 10:31 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Apr 08, 2022 01:24 pm	Apr 08, 2022 01:32 pm	Phone call with amicus counsel Becket Fund
U.S. Pastor Council v. EEOC	0.1	Apr 01, 2022 11:09 am	Apr 01, 2022 11:11 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Apr 01, 2022 09:12 am	Apr 01, 2022 09:23 am	Edit, finalize, and file motion to amend CA5 briefing schedule
U.S. Pastor Council v. EEOC	0.5	Mar 31, 2022 08:48 pm	Mar 31, 2022 09:13 pm	Draft and circulate joint motion to amend briefing schedule
U.S. Pastor Council v. EEOC	0.1	Mar 31, 2022 08:45 pm	Mar 31, 2022 08:48 pm	Calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Mar 31, 2022 08:43 pm	Mar 31, 2022 08:45 pm	Read and respond to e-mail from opposing counsel Jack Starcher
U.S. Pastor Council v. EEOC	0.1	Mar 31, 2022 06:01 pm	Mar 31, 2022 06:06 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Mar 31, 2022 12:57 pm	Mar 31, 2022 12:58 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Mar 26, 2022 03:44 am	Mar 26, 2022 03:45 am	Read and respond to e-mail from co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Mar 21, 2022 12:07 pm	Mar 21, 2022 12:10 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Mar 16, 2022 10:54 pm	Mar 16, 2022 10:57 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Mar 13, 2022 02:36 pm	Mar 13, 2022 02:43 pm	Draft and send email to opposing counsel
U.S. Pastor Council v. EEOC	0.1	Mar 13, 2022 02:33 pm	Mar 13, 2022 02:35 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.4	Mar 12, 2022 04:30 pm	Mar 12, 2022 04:50 pm	Pay court reporter Zoie Williams for transcript
U.S. Pastor Council v. EEOC	0.1	Mar 11, 2022 10:09 pm	Mar 11, 2022 10:10 pm	Read and respond to e-mail from court reporter Zoie Williams
U.S. Pastor Council v. EEOC	0.1	Mar 11, 2022 10:07 pm	Mar 11, 2022 10:08 pm	Read and respond to e-mail from CA5 clerk's office
U.S. Pastor Council v. EEOC	0.4	Mar 10, 2022 04:07 pm	Mar 10, 2022 04:27 pm	Read and respond to email from CA5 clerks office; file revised transcript order form; draft and send email to court reporter Zoie Williams; file notice of appearance form in CA5; downlo
U.S. Pastor Council v. EEOC	0.2	Mar 10, 2022 11:12 am	Mar 10, 2022 11:21 am	File transcript order forms with CA5 and district court
U.S. Pastor Council v. EEOC	0.1	Mar 10, 2022 11:09 am	Mar 10, 2022 11:12 am	Phone call with CA5 clerk's office
U.S. Pastor Council v. EEOC	0.1	Mar 09, 2022 03:22 pm	Mar 09, 2022 03:27 pm	Listen to voicemail from court reporter Zoie Williams; draft and send e-mail to court reporter Zoie Williams
U.S. Pastor Council v. EEOC	0.1	Mar 09, 2022 01:39 pm	Mar 09, 2022 01:41 pm	Call and leave voicemail with court reporter Zoie Williams
U.S. Pastor Council v. EEOC	0.4	Mar 08, 2022 11:11 pm	Mar 08, 2022 11:34 pm	Download and review ECF filings; fill out transcript-order form
U.S. Pastor Council v. EEOC	0.1	Feb 22, 2022 02:09 am	Feb 22, 2022 02:15 am	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Feb 09, 2022 12:19 pm	Feb 09, 2022 12:21 pm	Read and respond to e-mail from Gene Hamilton
U.S. Pastor Council v. EEOC	0.4	Feb 09, 2022 11:16 am	Feb 09, 2022 11:35 am	Draft and file notice of appeal; pay \$505 filing fee; download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Feb 08, 2022 03:27 pm	Feb 08, 2022 03:28 pm	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Feb 08, 2022 02:52 pm	Feb 08, 2022 02:57 pm	Call and leave voicemail with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Feb 06, 2022 11:58 am	Feb 06, 2022 12:00 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jan 19, 2022 01:24 am	Jan 19, 2022 01:27 am	Calendar deadline for filing notice of appeal
U.S. Pastor Council v. EEOC	0.1	Jan 13, 2022 07:42 pm	Jan 13, 2022 07:46 pm	Download and review ECF filings; calculate and calendar deadline to file notice of appeal
U.S. Pastor Council v. EEOC	0.1	Jan 09, 2022 12:02 pm	Jan 09, 2022 12:04 pm	Conference call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jan 09, 2022 12:56 am	Jan 09, 2022 12:59 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 09, 2022 12:53 am	Jan 09, 2022 12:56 am	File reply brief in support of the plaintiffs' motions to amend final judgment and enter a class-certification order, along with supporting exhibits
U.S. Pastor Council v. EEOC	0.2	Jan 09, 2022 12:44 am	Jan 09, 2022 12:53 am	Draft, edit, and execute signed declaration
U.S. Pastor Council v. EEOC	0.2	Jan 09, 2022 12:33 am	Jan 09, 2022 12:44 am	Draft, edit, and file motion to exceed page limits; email MS Word version of proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.3	Jan 09, 2022 12:18 am	Jan 09, 2022 12:33 am	Final proofread of reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.4	Jan 08, 2022 11:57 pm	Jan 09, 2022 12:18 am	Code and generate tables for reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	1.2	Jan 08, 2022 10:50 pm	Jan 08, 2022 11:57 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.4	Jan 08, 2022 08:51 pm	Jan 08, 2022 09:15 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.3	Jan 08, 2022 08:07 pm	Jan 08, 2022 08:23 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.4	Jan 08, 2022 06:33 pm	Jan 08, 2022 06:57 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.5	Jan 08, 2022 04:37 pm	Jan 08, 2022 05:02 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.3	Jan 08, 2022 04:14 pm	Jan 08, 2022 04:30 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Jan 08, 2022 03:59 pm	Jan 08, 2022 04:02 pm	Draft and edit reply brief in support of motion to amend final judgment

U.S. Pastor Council v. EEOC	0.5	Jan 08, 2022 03:27 pm	Jan 08, 2022 03:53 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	1.6	Jan 08, 2022 12:13 pm	Jan 08, 2022 01:47 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.6	Jan 08, 2022 03:12 am	Jan 08, 2022 03:46 am	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.5	Jan 08, 2022 02:11 am	Jan 08, 2022 02:39 am	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	1.5	Jan 07, 2022 11:50 pm	Jan 08, 2022 01:17 am	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Jan 07, 2022 10:22 pm	Jan 07, 2022 10:26 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.6	Jan 07, 2022 09:27 pm	Jan 07, 2022 10:00 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	1.0	Jan 07, 2022 07:47 pm	Jan 07, 2022 08:44 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Jan 07, 2022 06:40 pm	Jan 07, 2022 06:45 pm	Call and leave voicemail with opposing counsel Ben Takemoto; draft and send email to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.8	Jan 07, 2022 05:52 pm	Jan 07, 2022 06:40 pm	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.4	Jan 06, 2022 11:49 pm	Jan 07, 2022 12:09 am	Draft and edit reply brief in support of motion to amend final judgment
U.S. Pastor Council v. EEOC	0.9	Jan 06, 2022 10:58 pm	Jan 06, 2022 11:49 pm	Research case law on Rule 59 and Rule 60
U.S. Pastor Council v. EEOC	0.1	Jan 06, 2022 09:11 pm	Jan 06, 2022 09:12 pm	Research case law on Rule 59 and Rule 60
U.S. Pastor Council v. EEOC	1.3	Jan 06, 2022 07:52 pm	Jan 06, 2022 09:10 pm	Research case law on Rule 59 and Rule 60
U.S. Pastor Council v. EEOC	0.2	Jan 06, 2022 06:07 pm	Jan 06, 2022 06:18 pm	Research case law on Rule 59 and Rule 60
U.S. Pastor Council v. EEOC	0.6	Jan 06, 2022 05:28 pm	Jan 06, 2022 06:02 pm	Research case law on Rule 59 and Rule 60
U.S. Pastor Council v. EEOC	0.1	Jan 05, 2022 03:51 pm	Jan 05, 2022 03:53 pm	Draft and send e-mail to potential amicus counsel Eric Rassbach
U.S. Pastor Council v. EEOC	0.6	Jan 05, 2022 02:53 am	Jan 05, 2022 03:28 am	Research case law on Rule 59 and Rule 60
U.S. Pastor Council v. EEOC	0.1	Jan 05, 2022 02:46 am	Jan 05, 2022 02:47 am	Read and respond to e-mail from John Smith T
U.S. Pastor Council v. EEOC	0.1	Jan 03, 2022 04:52 pm	Jan 03, 2022 04:56 pm	Read and annotate defendants' response to our motion to amend final judgment
U.S. Pastor Council v. EEOC	0.2	Jan 02, 2022 11:00 am	Jan 02, 2022 11:10 am	Read and annotate defendants' response to our motion to amend final judgment
U.S. Pastor Council v. EEOC	0.2	Jan 01, 2022 10:59 am	Jan 01, 2022 11:09 am	Read and annotate defendants' response to our motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Dec 30, 2021 01:58 pm	Dec 30, 2021 02:02 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Dec 28, 2021 08:18 pm	Dec 28, 2021 08:29 pm	Draft and send email to elders at Covenant Presbyterian Church
U.S. Pastor Council v. EEOC	0.1	Dec 28, 2021 12:33 pm	Dec 28, 2021 12:37 pm	Conference call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Dec 24, 2021 12:07 pm	Dec 24, 2021 12:15 pm	Phone call with John Smith T
U.S. Pastor Council v. EEOC	0.1	Dec 23, 2021 08:14 pm	Dec 23, 2021 08:14 pm	Read and respond to e-mail from attorney John W. Smith T
U.S. Pastor Council v. EEOC	0.1	Dec 23, 2021 04:45 pm	Dec 23, 2021 04:47 pm	Read and respond to e-mail from attorney John W. Smith T
U.S. Pastor Council v. EEOC	0.1	Dec 23, 2021 04:38 pm	Dec 23, 2021 04:40 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Dec 22, 2021 07:07 pm	Dec 22, 2021 07:12 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Dec 22, 2021 05:52 pm	Dec 22, 2021 06:02 pm	Edit, finalize, and file motion to amend final judgment; email proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.2	Dec 22, 2021 05:40 pm	Dec 22, 2021 05:51 pm	Edit, finalize, and file motion to amend class certification order; email MS word version of proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.4	Dec 22, 2021 05:18 pm	Dec 22, 2021 05:39 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Dec 22, 2021 05:11 pm	Dec 22, 2021 05:14 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.3	Dec 22, 2021 04:13 pm	Dec 22, 2021 04:29 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.5	Dec 22, 2021 03:24 pm	Dec 22, 2021 03:53 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Dec 22, 2021 01:45 pm	Dec 22, 2021 01:46 pm	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.4	Dec 22, 2021 12:39 pm	Dec 22, 2021 12:59 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Dec 21, 2021 10:08 pm	Dec 21, 2021 10:11 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.1	Dec 21, 2021 01:49 pm	Dec 21, 2021 01:52 pm	Draft and edit motion to amend final judgment
U.S. Pastor Council v. EEOC	0.3	Dec 21, 2021 01:34 pm	Dec 21, 2021 01:49 pm	Draft and edit motion to issue class-certification order that complies with Rule 23; circulate draft to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Dec 15, 2021 11:52 am	Dec 15, 2021 11:53 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Dec 14, 2021 10:33 pm	Dec 14, 2021 10:45 pm	Edit, finalize, and file joint motion to extend deadline for filing application for attorneys' fees; e-mail MSWord version of proposed order to Judge O'Connor's chambers; download and r
U.S. Pastor Council v. EEOC	0.1	Dec 14, 2021 10:31 pm	Dec 14, 2021 10:32 pm	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Dec 14, 2021 12:57 pm	Dec 14, 2021 01:01 pm	Phone call with Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Dec 12, 2021 02:42 pm	Dec 12, 2021 02:47 pm	Download and review ECF filings; e-mail MSWord version of proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.2	Dec 12, 2021 02:26 pm	Dec 12, 2021 02:42 pm	Draft, edit, and file notice and proposed order on class certification
U.S. Pastor Council v. EEOC	0.1	Dec 12, 2021 02:07 pm	Dec 12, 2021 02:11 pm	Send e-mail to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.4	Dec 12, 2021 01:47 pm	Dec 12, 2021 02:07 pm	Edit proposed final judgment; draft e-mail for opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.6	Dec 12, 2021 12:18 pm	Dec 12, 2021 12:49 pm	Edit proposed final judgment; draft e-mail for opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Dec 11, 2021 12:48 am	Dec 11, 2021 12:50 am	Read e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Dec 02, 2021 02:38 pm	Dec 02, 2021 02:42 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.4	Dec 02, 2021 11:34 am	Dec 02, 2021 11:54 am	Draft joint motion to extend deadline for submitting application for costs and fees and proposed order; circulate to opposing counsel
U.S. Pastor Council v. EEOC	0.1	Dec 02, 2021 11:23 am	Dec 02, 2021 11:25 am	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Nov 30, 2021 06:45 pm	Nov 30, 2021 06:46 pm	Read e-mail from co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 30, 2021 06:15 pm	Nov 30, 2021 06:20 pm	Phone call with potential amicus counsel John Sullivan
U.S. Pastor Council v. EEOC	0.1	Nov 30, 2021 05:11 pm	Nov 30, 2021 05:15 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.4	Nov 30, 2021 04:09 pm	Nov 30, 2021 04:31 pm	Edit proposed final judgment; circulate proposed final judgment to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Nov 29, 2021 11:22 pm	Nov 29, 2021 11:24 pm	Draft and send email to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 28, 2021 04:18 pm	Nov 28, 2021 04:24 pm	Draft and send email to opposing counsel Ben Takemoto regarding proposed order on class certification
U.S. Pastor Council v. EEOC	0.4	Nov 28, 2021 03:59 pm	Nov 28, 2021 04:18 pm	Email draft final judgment to cocounsel Gene Hamilton; phone call with cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.8	Nov 28, 2021 03:10 pm	Nov 28, 2021 03:56 pm	Draft and edit proposed final judgment
U.S. Pastor Council v. EEOC	0.1	Nov 28, 2021 12:02 pm	Nov 28, 2021 12:04 pm	Conference call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.4	Nov 28, 2021 11:39 am	Nov 28, 2021 12:01 pm	Draft and edit proposed final judgment
U.S. Pastor Council v. EEOC	1.4	Nov 28, 2021 01:40 am	Nov 28, 2021 03:00 am	Draft and edit proposed final judgment
U.S. Pastor Council v. EEOC	0.3	Nov 28, 2021 01:18 am	Nov 28, 2021 01:34 am	Draft and send email to Becket Fund attorneys
U.S. Pastor Council v. EEOC	0.1	Nov 28, 2021 01:15 am	Nov 28, 2021 01:18 am	Draft and edit proposed order on class certification
U.S. Pastor Council v. EEOC	0.4	Nov 28, 2021 12:43 am	Nov 28, 2021 01:07 am	Draft and edit proposed order on class certification
U.S. Pastor Council v. EEOC	0.4	Nov 28, 2021 12:23 am	Nov 28, 2021 12:42 am	Read and annotate Judge O'Connor's opinion
U.S. Pastor Council v. EEOC	0.5	Nov 27, 2021 11:27 pm	Nov 27, 2021 11:54 pm	Read and annotate Judge O'Connor's opinion
U.S. Pastor Council v. EEOC	0.7	Nov 27, 2021 10:21 pm	Nov 27, 2021 11:02 pm	Read and annotate Judge O'Connor's opinion
U.S. Pastor Council v. EEOC	0.6	Nov 27, 2021 09:43 pm	Nov 27, 2021 10:17 pm	Read and annotate Judge O'Connor's opinion
U.S. Pastor Council v. EEOC	1.1	Nov 27, 2021 08:29 pm	Nov 27, 2021 09:33 pm	Read and annotate Judge O'Connor's opinion
U.S. Pastor Council v. EEOC	0.1	Nov 27, 2021 07:15 pm	Nov 27, 2021 07:20 pm	Draft and edit proposed order on class certification
U.S. Pastor Council v. EEOC	0.1	Nov 24, 2021 05:13 pm	Nov 24, 2021 05:17 pm	Download and review ECF filings; read and respond to e-mail from amicus counsel Luke Goodrich
U.S. Pastor Council v. EEOC	0.1	Nov 22, 2021 07:37 am	Nov 22, 2021 07:38 am	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 19, 2021 07:50 pm	Nov 19, 2021 07:53 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Nov 19, 2021 07:38 pm	Nov 19, 2021 07:50 pm	Draft and edit response to motion for reconsideration
U.S. Pastor Council v. EEOC	0.5	Nov 19, 2021 06:28 pm	Nov 19, 2021 06:57 pm	Draft and edit response to motion for reconsideration
U.S. Pastor Council v. EEOC	0.1	Nov 16, 2021 12:09 am	Nov 16, 2021 12:14 am	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Nov 15, 2021 06:54 pm	Nov 15, 2021 07:01 pm	Finalize and file joint status report; calendar new deadlines
U.S. Pastor Council v. EEOC	0.3	Nov 15, 2021 03:32 am	Nov 15, 2021 03:49 am	Download and review ECF filings; draft status report; circulate status report to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Nov 12, 2021 12:01 pm	Nov 12, 2021 12:03 pm	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.3	Nov 09, 2021 12:05 pm	Nov 09, 2021 12:21 pm	Phone call with amicus counsel Luke Goodrich
U.S. Pastor Council v. EEOC	0.1	Nov 09, 2021 12:02 pm	Nov 09, 2021 12:05 pm	Draft and send e-mail to opposing counsel Ben Takemoto about status conference
U.S. Pastor Council v. EEOC	0.1	Nov 09, 2021 11:58 am	Nov 09, 2021 12:02 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.3	Nov 09, 2021 11:45 am	Nov 09, 2021 11:58 am	Read email from opposing counsel Ben Takemoto; review district court's opinion; phone call with opposing counsel Ben Takemoto; draft and send proposed certificate of conference to

U.S. Pastor Council v. EEOC	0.5	Nov 09, 2021 07:59 am	Nov 09, 2021 08:28 am	Conference call with AFL and media
U.S. Pastor Council v. EEOC	0.1	Nov 08, 2021 10:52 pm	Nov 08, 2021 10:55 pm	Calendar conference call
U.S. Pastor Council v. EEOC	0.1	Nov 08, 2021 10:30 am	Nov 08, 2021 10:35 am	Call into meeting
U.S. Pastor Council v. EEOC	0.1	Nov 07, 2021 12:21 pm	Nov 07, 2021 12:25 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Nov 04, 2021 12:39 pm	Nov 04, 2021 12:47 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 03, 2021 07:31 pm	Nov 03, 2021 07:36 pm	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Nov 03, 2021 03:23 pm	Nov 03, 2021 03:23 pm	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 02, 2021 07:06 pm	Nov 02, 2021 07:07 pm	Read and respond to e-mail from co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Nov 02, 2021 01:58 pm	Nov 02, 2021 02:01 pm	Read and respond to email from client Stacey Bandfield; draft and send text message to client Steven Hotze
U.S. Pastor Council v. EEOC	0.3	Nov 02, 2021 12:07 pm	Nov 02, 2021 12:20 pm	Review and edit press release
U.S. Pastor Council v. EEOC	0.3	Nov 01, 2021 06:27 pm	Nov 01, 2021 06:43 pm	Read and annotate district-court opinion
U.S. Pastor Council v. EEOC	0.1	Nov 01, 2021 02:32 pm	Nov 01, 2021 02:33 pm	Phone call with client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Oct 09, 2021 08:22 pm	Oct 09, 2021 08:24 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	1.8	Oct 08, 2021 08:07 pm	Oct 08, 2021 09:54 pm	Edit, finalize, and file reply brief on statutory exemption to Title VII
U.S. Pastor Council v. EEOC	0.2	Oct 07, 2021 05:13 pm	Oct 07, 2021 05:22 pm	Phone call with Lael Weinberger
U.S. Pastor Council v. EEOC	0.1	Oct 07, 2021 05:04 pm	Oct 07, 2021 05:05 pm	Phone call with Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Oct 07, 2021 03:42 pm	Oct 07, 2021 03:52 pm	Download and review ECF filings; draft and send text message to co-counsel Lael Weinberger
U.S. Pastor Council v. EEOC	0.1	Oct 07, 2021 11:54 am	Oct 07, 2021 11:58 am	Draft and send e-mail to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Oct 05, 2021 11:38 pm	Oct 05, 2021 11:41 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Oct 05, 2021 11:22 am	Oct 05, 2021 11:23 am	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Sep 29, 2021 01:36 pm	Sep 29, 2021 01:38 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Sep 28, 2021 07:05 pm	Sep 28, 2021 07:07 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Sep 28, 2021 10:04 am	Sep 28, 2021 10:05 am	Read emails from Luke Goodrich at Becket and opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.2	Sep 26, 2021 12:03 pm	Sep 26, 2021 12:10 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Sep 24, 2021 09:48 pm	Sep 24, 2021 09:49 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	1.6	Sep 24, 2021 08:12 pm	Sep 24, 2021 09:47 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	1.1	Sep 24, 2021 06:17 pm	Sep 24, 2021 07:23 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.1	Sep 24, 2021 06:11 pm	Sep 24, 2021 06:17 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.5	Sep 24, 2021 05:41 pm	Sep 24, 2021 06:09 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.6	Sep 24, 2021 04:58 pm	Sep 24, 2021 05:32 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.9	Sep 24, 2021 04:00 pm	Sep 24, 2021 04:49 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.5	Sep 24, 2021 03:09 pm	Sep 24, 2021 03:36 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.3	Sep 24, 2021 02:38 pm	Sep 24, 2021 02:54 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.5	Sep 24, 2021 02:04 pm	Sep 24, 2021 02:32 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.1	Sep 24, 2021 09:50 am	Sep 24, 2021 09:54 am	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.1	Sep 24, 2021 07:59 am	Sep 24, 2021 08:00 am	Read and respond to email from amicus Luke Goodrich
U.S. Pastor Council v. EEOC	0.3	Sep 23, 2021 10:35 pm	Sep 23, 2021 10:50 pm	Research briefing and case law on Title VII statutory exemption
U.S. Pastor Council v. EEOC	0.1	Sep 23, 2021 04:31 pm	Sep 23, 2021 04:32 pm	Draft and send emails to cocounsel Lael Weinberger
U.S. Pastor Council v. EEOC	0.4	Sep 23, 2021 10:30 am	Sep 23, 2021 10:49 am	Phone call with Luke Goodrich of Becket
U.S. Pastor Council v. EEOC	0.1	Sep 21, 2021 12:55 pm	Sep 21, 2021 01:00 pm	Phone call with Lael Weinberger
U.S. Pastor Council v. EEOC	0.1	Sep 20, 2021 11:21 am	Sep 20, 2021 11:25 am	Conference call with AFL
U.S. Pastor Council v. EEOC	0.1	Sep 12, 2021 03:43 pm	Sep 12, 2021 03:46 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Aug 29, 2021 12:51 pm	Aug 29, 2021 12:53 pm	Conference call with AFL
U.S. Pastor Council v. EEOC	0.1	Aug 29, 2021 12:09 pm	Aug 29, 2021 12:12 pm	Phone call with cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.7	Aug 27, 2021 07:58 pm	Aug 27, 2021 08:40 pm	TRAVEL Lyft from SEA to home
U.S. Pastor Council v. EEOC	0.2	Aug 27, 2021 07:50 pm	Aug 27, 2021 07:58 pm	TRAVEL Walk to Lyft
U.S. Pastor Council v. EEOC	0.2	Aug 27, 2021 07:41 pm	Aug 27, 2021 07:48 pm	TRAVEL Get off plane
U.S. Pastor Council v. EEOC	4.2	Aug 27, 2021 03:34 pm	Aug 27, 2021 07:41 pm	TRAVEL Flight from DFW to SEA
U.S. Pastor Council v. EEOC	0.5	Aug 27, 2021 03:03 pm	Aug 27, 2021 03:33 pm	TRAVEL Board plane from DFW to SEA
U.S. Pastor Council v. EEOC	0.4	Aug 27, 2021 01:50 pm	Aug 27, 2021 02:11 pm	TRAVEL Go through security at DFW; walk to gate
U.S. Pastor Council v. EEOC	0.7	Aug 27, 2021 01:10 pm	Aug 27, 2021 01:50 pm	TRAVEL Drive to DFW airport
U.S. Pastor Council v. EEOC	2.5	Aug 27, 2021 08:00 am	Aug 27, 2021 10:30 am	Hearing before Judge O'Connor
U.S. Pastor Council v. EEOC	0.8	Aug 27, 2021 07:17 am	Aug 27, 2021 08:00 am	Prepare for hearing before Judge O'Connor
U.S. Pastor Council v. EEOC	1.1	Aug 27, 2021 06:08 am	Aug 27, 2021 07:12 am	Prepare for hearing before Judge O'Connor
U.S. Pastor Council v. EEOC	0.3	Aug 26, 2021 10:08 pm	Aug 26, 2021 10:22 pm	Prepare for hearing before Judge O'Connor
U.S. Pastor Council v. EEOC	0.1	Aug 26, 2021 05:21 pm	Aug 26, 2021 05:23 pm	Check in for flight from DFW to SEA
U.S. Pastor Council v. EEOC	0.2	Aug 26, 2021 01:57 pm	Aug 26, 2021 02:05 pm	TRAVEL Check in at hotel; walk up to hotel room
U.S. Pastor Council v. EEOC	0.6	Aug 26, 2021 01:21 pm	Aug 26, 2021 01:57 pm	TRAVEL Lyft from DFW to hotel
U.S. Pastor Council v. EEOC	0.3	Aug 26, 2021 01:06 pm	Aug 26, 2021 01:20 pm	TRAVEL Disembark plane; walk to Lyft
U.S. Pastor Council v. EEOC	3.5	Aug 26, 2021 09:39 am	Aug 26, 2021 01:06 pm	TRAVEL Flight from PHL to DFW
U.S. Pastor Council v. EEOC	0.1	Aug 26, 2021 09:33 am	Aug 26, 2021 09:39 am	TRAVEL Board plane to DFW
U.S. Pastor Council v. EEOC	0.3	Aug 26, 2021 08:32 am	Aug 26, 2021 08:45 am	TRAVEL Arrive at airport; go through security
U.S. Pastor Council v. EEOC	0.5	Aug 26, 2021 08:06 am	Aug 26, 2021 08:32 am	TRAVEL Drive to PHL airport
U.S. Pastor Council v. EEOC	0.3	Aug 25, 2021 02:00 pm	Aug 25, 2021 02:17 pm	Phone call with Mark Rienzi
U.S. Pastor Council v. EEOC	0.1	Aug 22, 2021 12:02 pm	Aug 22, 2021 12:04 pm	Conference call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Aug 20, 2021 02:44 pm	Aug 20, 2021 02:45 pm	Read and respond to email from cocounsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Aug 20, 2021 02:17 pm	Aug 20, 2021 02:20 pm	Draft and send email to co-counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.6	Aug 20, 2021 01:42 pm	Aug 20, 2021 02:14 pm	Plan and book travel to and from Fort Worth for hearing of August 27, 2021
U.S. Pastor Council v. EEOC	0.1	Aug 20, 2021 01:31 pm	Aug 20, 2021 01:33 pm	Draft and send email to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Aug 20, 2021 01:28 pm	Aug 20, 2021 01:31 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Aug 19, 2021 07:38 pm	Aug 19, 2021 07:41 pm	Download and review ECF filings; read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.2	Aug 19, 2021 07:27 pm	Aug 19, 2021 07:38 pm	Edit, finalize, and file response to District Court order of August 18, 2021
U.S. Pastor Council v. EEOC	0.3	Aug 19, 2021 11:18 am	Aug 19, 2021 11:34 am	Draft proposed hearing dates for Judge O'Connor
U.S. Pastor Council v. EEOC	0.2	Aug 19, 2021 09:52 am	Aug 19, 2021 10:04 am	Draft proposed hearing dates for Judge O'Connor
U.S. Pastor Council v. EEOC	0.4	Aug 19, 2021 08:59 am	Aug 19, 2021 09:20 am	Phone call with Ben Takemoto and Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Aug 19, 2021 08:22 am	Aug 19, 2021 08:23 am	Read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Aug 18, 2021 09:34 pm	Aug 18, 2021 09:38 pm	Research Hobby Lobby transgender bathroom incident
U.S. Pastor Council v. EEOC	0.2	Aug 18, 2021 09:26 pm	Aug 18, 2021 09:34 pm	Download and review ECF filings; draft and send email to cocounsel Gene Hamilton; draft and send email to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jul 25, 2021 12:08 pm	Jul 25, 2021 12:10 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jul 20, 2021 10:36 pm	Jul 20, 2021 10:39 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jul 15, 2021 04:31 pm	Jul 15, 2021 04:32 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.6	Jul 13, 2021 08:40 pm	Jul 13, 2021 09:12 pm	Draft, edit, and file motion to extend time; download and review ECF filings; email text of proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.1	Jul 13, 2021 01:43 am	Jul 13, 2021 01:45 am	Read and respond to email from student RA Abigail Balmert
U.S. Pastor Council v. EEOC	0.1	Jul 13, 2021 01:41 am	Jul 13, 2021 01:43 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jul 12, 2021 11:55 pm	Jul 12, 2021 11:57 pm	Draft and send email to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	5.6	Jul 12, 2021 06:22 pm	Jul 12, 2021 11:53 pm	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.4	Jul 12, 2021 05:59 pm	Jul 12, 2021 06:19 pm	Draft and edit response to defendants' MSJ

U.S. Pastor Council v. EEOC	0.6	Jul 12, 2021 05:09 pm	Jul 12, 2021 05:43 pm	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	1.4	Jul 12, 2021 02:54 pm	Jul 12, 2021 04:18 pm	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.4	Jul 12, 2021 11:36 am	Jul 12, 2021 11:59 am	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.7	Jul 12, 2021 10:55 am	Jul 12, 2021 11:33 am	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	1.3	Jul 12, 2021 02:05 am	Jul 12, 2021 03:21 am	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	1.2	Jul 12, 2021 12:51 am	Jul 12, 2021 01:59 am	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.5	Jul 12, 2021 12:20 am	Jul 12, 2021 12:49 am	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.3	Jul 11, 2021 11:39 pm	Jul 11, 2021 11:57 pm	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.3	Jul 11, 2021 11:16 pm	Jul 11, 2021 11:34 pm	Draft and edit response to defendants' MSJ
U.S. Pastor Council v. EEOC	0.1	Jul 11, 2021 06:51 pm	Jul 11, 2021 06:57 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.2	Jul 11, 2021 06:33 pm	Jul 11, 2021 06:40 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.3	Jul 11, 2021 04:02 pm	Jul 11, 2021 04:19 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.3	Jul 10, 2021 11:10 pm	Jul 10, 2021 11:28 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.8	Jul 10, 2021 10:09 pm	Jul 10, 2021 10:54 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.1	Jul 10, 2021 10:02 pm	Jul 10, 2021 10:08 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.2	Jul 10, 2021 08:05 pm	Jul 10, 2021 08:15 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.1	Jul 10, 2021 06:53 pm	Jul 10, 2021 06:57 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.3	Jul 10, 2021 04:43 pm	Jul 10, 2021 04:57 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.1	Jul 10, 2021 04:32 pm	Jul 10, 2021 04:38 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.2	Jul 10, 2021 04:00 pm	Jul 10, 2021 04:11 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.3	Jul 10, 2021 03:43 pm	Jul 10, 2021 03:57 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.3	Jul 10, 2021 01:06 am	Jul 10, 2021 01:23 am	Draft, edit, and file motion for leave to file fourth amended complaint; email MS Word proposed order to Judge O'Connor's chambers; download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jul 09, 2021 02:20 am	Jul 09, 2021 02:24 am	Draft and send email to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jul 08, 2021 09:35 pm	Jul 08, 2021 09:36 pm	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.3	Jul 06, 2021 09:10 pm	Jul 06, 2021 09:24 pm	Read and annotate defendants' brief in support of summary judgment
U.S. Pastor Council v. EEOC	0.1	Jul 05, 2021 01:20 pm	Jul 05, 2021 01:23 pm	Call and leave voicemail with Judge O'Connor's courtroom deputy
U.S. Pastor Council v. EEOC	0.2	Jul 04, 2021 05:38 pm	Jul 04, 2021 05:49 pm	Download and review ECF filings; review district-court orders; calculate and calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Jun 28, 2021 09:49 pm	Jun 28, 2021 09:57 pm	Download and review ECF filings; calculate and calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Jun 27, 2021 12:04 pm	Jun 27, 2021 12:05 pm	Conference call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.3	Jun 24, 2021 06:59 am	Jun 24, 2021 07:16 am	Draft, edit, and file a motion for leave to file reply brief in excess of page limits; email MS Word proposed order to Judge O'Connor's chambers; download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 23, 2021 09:59 pm	Jun 23, 2021 10:00 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	2.2	Jun 23, 2021 07:48 pm	Jun 23, 2021 09:59 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	1.6	Jun 23, 2021 06:10 pm	Jun 23, 2021 07:43 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.7	Jun 23, 2021 05:29 pm	Jun 23, 2021 06:07 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.5	Jun 23, 2021 04:42 pm	Jun 23, 2021 05:09 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.3	Jun 23, 2021 03:59 pm	Jun 23, 2021 04:15 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.6	Jun 23, 2021 03:18 pm	Jun 23, 2021 03:50 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.4	Jun 23, 2021 02:47 pm	Jun 23, 2021 03:11 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.3	Jun 23, 2021 02:26 pm	Jun 23, 2021 02:39 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.2	Jun 22, 2021 11:41 pm	Jun 22, 2021 11:51 pm	Draft and edit reply brief in support of motion for class certification
U.S. Pastor Council v. EEOC	0.2	Jun 22, 2021 07:50 pm	Jun 22, 2021 08:02 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.8	Jun 22, 2021 07:05 pm	Jun 22, 2021 07:48 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.3	Jun 22, 2021 06:36 pm	Jun 22, 2021 06:50 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.5	Jun 22, 2021 05:26 pm	Jun 22, 2021 05:53 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.2	Jun 22, 2021 04:49 pm	Jun 22, 2021 04:59 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.2	Jun 22, 2021 04:26 pm	Jun 22, 2021 04:36 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.1	Jun 22, 2021 02:20 pm	Jun 22, 2021 02:21 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.2	Jun 22, 2021 11:08 am	Jun 22, 2021 11:15 am	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.1	Jun 22, 2021 11:04 am	Jun 22, 2021 11:06 am	Calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Jun 22, 2021 10:37 am	Jun 22, 2021 10:42 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.3	Jun 21, 2021 09:45 pm	Jun 21, 2021 09:59 pm	Edit, finalize, and file amended brief in support of MSJ
U.S. Pastor Council v. EEOC	0.8	Jun 21, 2021 08:30 pm	Jun 21, 2021 09:17 pm	Edit amended brief in support of MSJ
U.S. Pastor Council v. EEOC	0.1	Jun 21, 2021 02:12 pm	Jun 21, 2021 02:14 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.5	Jun 21, 2021 11:58 am	Jun 21, 2021 12:25 pm	Draft, edit, and file motion to extend time to file reply brief in support of class certification; email MSWord version of proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.1	Jun 21, 2021 11:46 am	Jun 21, 2021 11:52 am	Draft, edit, and file motion to extend time to file reply brief in support of class certification; email MSWord version of proposed order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.1	Jun 21, 2021 11:42 am	Jun 21, 2021 11:46 am	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jun 20, 2021 12:04 pm	Jun 20, 2021 12:07 pm	Conference call with AFL
U.S. Pastor Council v. EEOC	0.1	Jun 20, 2021 11:20 am	Jun 20, 2021 11:22 am	Update AFL project list
U.S. Pastor Council v. EEOC	0.2	Jun 20, 2021 10:12 am	Jun 20, 2021 10:21 am	Read and annotate Tandon v. Newsom
U.S. Pastor Council v. EEOC	0.1	Jun 19, 2021 12:06 pm	Jun 19, 2021 12:12 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.1	Jun 19, 2021 12:03 pm	Jun 19, 2021 12:06 pm	Read and annotate defendants' response opposing our motion for class certification
U.S. Pastor Council v. EEOC	0.1	Jun 18, 2021 11:21 pm	Jun 18, 2021 11:23 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.7	Jun 17, 2021 07:49 pm	Jun 17, 2021 08:26 pm	Read and annotate Fulton v. Philadelphia, No. 19-123 (2021)
U.S. Pastor Council v. EEOC	0.8	Jun 17, 2021 07:00 pm	Jun 17, 2021 07:44 pm	Read and annotate Fulton v. Philadelphia, No. 19-123 (2021)
U.S. Pastor Council v. EEOC	0.4	Jun 17, 2021 04:41 pm	Jun 17, 2021 05:02 pm	Edit and finalize joint motion for leave to file an amended brief in support of MSJ; file fourth amended complaint and joint motion on CM/ECF; email proposed order to Judge O'Connor
U.S. Pastor Council v. EEOC	0.5	Jun 17, 2021 11:47 am	Jun 17, 2021 12:15 pm	Draft and circulate joint motion for leave to file an amended brief in support of motion for summary judgment and proposed order
U.S. Pastor Council v. EEOC	0.2	Jun 17, 2021 11:28 am	Jun 17, 2021 11:40 am	Draft and edit fourth amended complaint; circulate for the medical complaint to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.3	Jun 17, 2021 11:13 am	Jun 17, 2021 11:28 am	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jun 17, 2021 11:04 am	Jun 17, 2021 11:06 am	Read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jun 16, 2021 02:42 am	Jun 16, 2021 02:46 am	Draft and edit fourth amended complaint
U.S. Pastor Council v. EEOC	0.3	Jun 16, 2021 02:27 am	Jun 16, 2021 02:42 am	Draft and send email to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.4	Jun 15, 2021 05:05 pm	Jun 15, 2021 05:27 pm	Read and annotate EEOC's "guidance document" of June 15, 2021
U.S. Pastor Council v. EEOC	0.1	Jun 13, 2021 12:40 pm	Jun 13, 2021 12:42 pm	Conference call with AFL
U.S. Pastor Council v. EEOC	0.1	Jun 12, 2021 11:54 pm	Jun 12, 2021 11:56 pm	Update AFL project list
U.S. Pastor Council v. EEOC	0.1	Jun 10, 2021 08:17 pm	Jun 10, 2021 08:18 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Jun 09, 2021 10:53 am	Jun 09, 2021 11:00 am	Edit motion for summary judgment; prepare motion for leave to file corrected brief in support of MSJ
U.S. Pastor Council v. EEOC	0.2	Jun 09, 2021 10:43 am	Jun 09, 2021 10:50 am	Edit motion for summary judgment; prepare motion for leave to file corrected brief in support of MSJ
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2021 10:31 am	Jun 09, 2021 10:36 am	Edit motion for summary judgment; prepare motion for leave to file corrected brief in support of MSJ
U.S. Pastor Council v. EEOC	0.3	Jun 09, 2021 09:51 am	Jun 09, 2021 10:08 am	Edit, finalized, and file a motion for leave to file corrected third amended complaint; Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2021 09:44 am	Jun 09, 2021 09:50 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2021 09:28 am	Jun 09, 2021 09:30 am	Read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2021 12:03 am	Jun 09, 2021 12:06 am	Draft and send email to Gene Hamilton and Stephen Miller
U.S. Pastor Council v. EEOC	0.6	Jun 08, 2021 02:26 pm	Jun 08, 2021 03:02 pm	Phone call with N.D. Tex. Clerk's Office; phone call with Judge O'Connor's courtroom deputy; draft motion to file corrected third amended complaint; draft and send email to opposing
U.S. Pastor Council v. EEOC	0.1	Jun 07, 2021 04:29 pm	Jun 07, 2021 04:33 pm	Edit third amended complaint; read and respond to email from cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Jun 07, 2021 01:53 pm	Jun 07, 2021 02:05 pm	Edit third amended complaint
U.S. Pastor Council v. EEOC	0.1	Jun 07, 2021 01:52 pm	Jun 07, 2021 01:53 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2021 03:20 pm	Jun 06, 2021 03:26 pm	Download and review ECF filings; edit third amended complaint

U.S. Pastor Council v. EEOC	0.6	Jun 06, 2021 02:25 pm	Jun 06, 2021 02:57 pm	Draft and edit third amended complaint; circulate third amended complaint to opposing counsel Ben Takemoto for his review; draft and send email to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2021 02:18 pm	Jun 06, 2021 02:23 pm	Review and edit notice of appearance form for Gene Hamilton; draft and send email to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Jun 06, 2021 12:11 pm	Jun 06, 2021 12:18 pm	Conference call with co-counsel
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2021 11:18 am	Jun 06, 2021 11:21 am	Update deadlines
U.S. Pastor Council v. EEOC	0.2	Jun 02, 2021 02:52 pm	Jun 02, 2021 03:01 pm	Phone call with N.D. Tex. clerk's office; phone call with Judge O'Connor's courtroom deputy
U.S. Pastor Council v. EEOC	0.1	May 31, 2021 11:47 pm	May 31, 2021 11:51 pm	Draft and send email to Gene Hamilton and Stephen Miller
U.S. Pastor Council v. EEOC	0.2	May 31, 2021 09:24 pm	May 31, 2021 09:32 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	May 31, 2021 11:09 am	May 31, 2021 11:17 am	Conference call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	May 29, 2021 10:34 pm	May 29, 2021 10:39 pm	Email proposed order granting motion for class certification to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.1	May 29, 2021 10:31 pm	May 29, 2021 10:34 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	May 29, 2021 11:10 am	May 29, 2021 11:14 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	May 28, 2021 11:17 am	May 28, 2021 11:25 am	Draft and send e-mail to client Steven Hotze
U.S. Pastor Council v. EEOC	0.2	May 28, 2021 10:50 am	May 28, 2021 10:59 am	Phone call with client Steven Hotze
U.S. Pastor Council v. EEOC	0.1	May 26, 2021 06:33 pm	May 26, 2021 06:34 pm	Phone call with Gene Hamilton
U.S. Pastor Council v. EEOC	2.2	May 24, 2021 07:55 pm	May 24, 2021 10:05 pm	Draft motion for summary judgment and brief in support
U.S. Pastor Council v. EEOC	0.9	May 24, 2021 06:42 pm	May 24, 2021 07:32 pm	Draft motion for summary judgment and brief in support
U.S. Pastor Council v. EEOC	0.4	May 24, 2021 06:20 pm	May 24, 2021 06:42 pm	Edit, file, and finalize motion for class certification and supporting documents
U.S. Pastor Council v. EEOC	0.1	May 24, 2021 06:17 pm	May 24, 2021 06:20 pm	Draft motion for summary judgment and brief in support
U.S. Pastor Council v. EEOC	1.3	May 24, 2021 04:57 pm	May 24, 2021 06:12 pm	Draft motion for summary judgment and brief in support
U.S. Pastor Council v. EEOC	1.0	May 24, 2021 03:57 pm	May 24, 2021 04:57 pm	Edit brief in support of motion for class certification; generate tables; circulate brief to Stanford research assistants for proofreading
U.S. Pastor Council v. EEOC	0.2	May 24, 2021 03:49 pm	May 24, 2021 03:57 pm	Edit Salvesen affidavit; read and respond to text message from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	May 24, 2021 02:24 pm	May 24, 2021 02:30 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.1	May 24, 2021 02:11 pm	May 24, 2021 02:17 pm	Edit and finalize Hotze affidavit
U.S. Pastor Council v. EEOC	0.2	May 24, 2021 01:58 pm	May 24, 2021 02:05 pm	Review and edit Salvesen declaration; text declaration to John Salvesen; draft and send text message to cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.5	May 24, 2021 01:33 pm	May 24, 2021 01:58 pm	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	May 24, 2021 01:03 pm	May 24, 2021 01:08 pm	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	May 24, 2021 05:01 am	May 24, 2021 05:06 am	Draft and send text messages to clients John Salvesen and Steven Hotze
U.S. Pastor Council v. EEOC	0.1	May 13, 2021 11:33 am	May 13, 2021 11:35 am	Edit and re-circulate engagement letter to America First Legal
U.S. Pastor Council v. EEOC	0.3	May 12, 2021 11:39 am	May 12, 2021 11:55 am	Conference call with Stephen Miller and Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	May 11, 2021 09:46 pm	May 11, 2021 09:53 pm	Draft and send engagement letter to America First Legal
U.S. Pastor Council v. EEOC	0.1	May 04, 2021 12:48 pm	May 04, 2021 12:54 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	May 03, 2021 07:08 pm	May 03, 2021 07:10 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	May 03, 2021 06:52 pm	May 03, 2021 06:58 pm	Edit, finalize, and file stipulations of facts and joint status report
U.S. Pastor Council v. EEOC	0.1	May 03, 2021 06:21 pm	May 03, 2021 06:26 pm	Edit draft stipulation; circulate draft stipulation to opposing counsel
U.S. Pastor Council v. EEOC	0.3	May 03, 2021 05:43 pm	May 03, 2021 05:56 pm	Edit draft stipulation; circulate draft stipulation to opposing counsel
U.S. Pastor Council v. EEOC	0.1	May 03, 2021 05:35 pm	May 03, 2021 05:40 pm	Edit draft stipulation; circulate draft stipulation to opposing counsel
U.S. Pastor Council v. EEOC	0.4	May 03, 2021 03:14 pm	May 03, 2021 03:34 pm	Edit draft stipulation; circulate draft stipulation to opposing counsel
U.S. Pastor Council v. EEOC	0.1	May 02, 2021 06:47 pm	May 02, 2021 06:53 pm	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.2	May 02, 2021 06:28 pm	May 02, 2021 06:35 pm	Call and leave voicemail with opposing counsel Ben Takemoto; draft and send text message to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	May 02, 2021 02:49 pm	May 02, 2021 02:54 pm	Phone call with cocounsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.7	May 01, 2021 11:49 pm	May 02, 2021 12:30 am	Edit draft stipulation; circulate to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.2	Apr 28, 2021 05:51 pm	Apr 28, 2021 06:00 pm	Draft and send email to potential client
U.S. Pastor Council v. EEOC	0.5	Apr 28, 2021 04:52 pm	Apr 28, 2021 05:21 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	0.2	Apr 28, 2021 04:15 pm	Apr 28, 2021 04:22 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	1.1	Apr 28, 2021 02:45 pm	Apr 28, 2021 03:49 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	0.1	Apr 28, 2021 01:55 pm	Apr 28, 2021 02:01 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	0.1	Apr 28, 2021 01:44 pm	Apr 28, 2021 01:46 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	0.1	Apr 28, 2021 12:30 pm	Apr 28, 2021 12:33 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	0.7	Apr 28, 2021 11:46 am	Apr 28, 2021 12:27 pm	Edit stipulation and draft supporting declarations
U.S. Pastor Council v. EEOC	0.1	Apr 27, 2021 12:37 pm	Apr 27, 2021 12:40 pm	Read and respond to email from potential client
U.S. Pastor Council v. EEOC	0.1	Apr 19, 2021 09:53 am	Apr 19, 2021 09:56 am	Read and respond to email from opposing counsel Ben Takemoto; draft and send email to potential client
U.S. Pastor Council v. EEOC	0.3	Apr 06, 2021 01:54 pm	Apr 06, 2021 02:08 pm	Draft and send email to Mark Rienzi
U.S. Pastor Council v. EEOC	0.2	Apr 05, 2021 11:28 pm	Apr 05, 2021 11:39 pm	Draft and edit affidavit of David Welch
U.S. Pastor Council v. EEOC	0.2	Apr 05, 2021 11:19 pm	Apr 05, 2021 11:28 pm	Edit draft stipulation
U.S. Pastor Council v. EEOC	0.6	Apr 05, 2021 09:43 pm	Apr 05, 2021 10:18 pm	Read and respond to email from potential client
U.S. Pastor Council v. EEOC	0.4	Apr 05, 2021 09:22 pm	Apr 05, 2021 09:42 pm	Edit draft stipulation
U.S. Pastor Council v. EEOC	0.1	Apr 05, 2021 09:14 pm	Apr 05, 2021 09:19 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Apr 02, 2021 09:18 am	Apr 02, 2021 09:25 am	Edit joint motion to extend time on stipulation; read and respond to email from opposing counsel Benjamin Takemoto
U.S. Pastor Council v. EEOC	0.3	Apr 01, 2021 01:17 pm	Apr 01, 2021 01:31 pm	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.3	Apr 01, 2021 01:00 pm	Apr 01, 2021 01:15 pm	Phone call with client Dave Welch
U.S. Pastor Council v. EEOC	0.6	Apr 01, 2021 12:44 am	Apr 01, 2021 01:19 am	Edit draft stipulation
U.S. Pastor Council v. EEOC	0.1	Mar 30, 2021 07:24 pm	Mar 30, 2021 07:30 pm	Read and respond to email from potential client
U.S. Pastor Council v. EEOC	0.1	Mar 30, 2021 11:37 am	Mar 30, 2021 11:38 am	Draft and send text message to potential client
U.S. Pastor Council v. EEOC	0.1	Mar 29, 2021 11:25 am	Mar 29, 2021 11:26 am	Read and respond to email from client David Welch
U.S. Pastor Council v. EEOC	0.1	Mar 29, 2021 12:55 am	Mar 29, 2021 12:59 am	Draft and send email to potential client
U.S. Pastor Council v. EEOC	0.1	Mar 29, 2021 12:53 am	Mar 29, 2021 12:55 am	Draft and send email to client David Welch
U.S. Pastor Council v. EEOC	0.1	Mar 26, 2021 02:40 pm	Mar 26, 2021 02:46 pm	Read and respond to email from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Mar 25, 2021 03:39 pm	Mar 25, 2021 03:44 pm	Draft and circulate engagement letter
U.S. Pastor Council v. EEOC	0.1	Mar 25, 2021 01:24 am	Mar 25, 2021 01:25 am	Draft and send text message to client David Welch
U.S. Pastor Council v. EEOC	0.2	Mar 22, 2021 06:51 pm	Mar 22, 2021 07:01 pm	Edit, finalize, and file motion to extend time to file stipulation regarding facts relevant to jurisdiction and class certification
U.S. Pastor Council v. EEOC	0.2	Mar 22, 2021 02:22 pm	Mar 22, 2021 02:32 pm	Draft and circulate motion to extend deadline for filing stipulation
U.S. Pastor Council v. EEOC	0.1	Mar 22, 2021 02:05 pm	Mar 22, 2021 02:09 pm	Draft and circulate motion to extend deadline for filing stipulation
U.S. Pastor Council v. EEOC	0.1	Mar 22, 2021 12:21 pm	Mar 22, 2021 12:23 pm	Call and leave a voicemail with client David Welch
U.S. Pastor Council v. EEOC	1.1	Mar 22, 2021 10:58 am	Mar 22, 2021 12:01 pm	Draft and edit stipulation
U.S. Pastor Council v. EEOC	0.1	Mar 18, 2021 11:32 am	Mar 18, 2021 11:34 am	Draft and send text message to client David Welch
U.S. Pastor Council v. EEOC	0.5	Mar 18, 2021 09:01 am	Mar 18, 2021 09:31 am	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Mar 18, 2021 04:53 am	Mar 18, 2021 04:55 am	Read and respond to email from Ben Takemoto
U.S. Pastor Council v. EEOC	0.2	Mar 16, 2021 06:19 pm	Mar 16, 2021 06:26 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.1	Mar 16, 2021 11:23 am	Mar 16, 2021 11:24 am	Read and respond to email from client Steven Hotze; calendar conference call
U.S. Pastor Council v. EEOC	0.1	Mar 16, 2021 11:13 am	Mar 16, 2021 11:14 am	Read and respond to email from client Steven Hotze; calendar conference call
U.S. Pastor Council v. EEOC	0.1	Mar 16, 2021 10:31 am	Mar 16, 2021 10:32 am	Call and leave a voicemail with potential client
U.S. Pastor Council v. EEOC	0.1	Mar 16, 2021 12:18 am	Mar 16, 2021 12:19 am	Draft and send email to potential client
U.S. Pastor Council v. EEOC	0.1	Mar 16, 2021 12:14 am	Mar 16, 2021 12:18 am	Draft and send email to client Steven Hotze; draft and send text message to client Steve Hotze
U.S. Pastor Council v. EEOC	0.2	Mar 16, 2021 12:06 am	Mar 16, 2021 12:14 am	Draft and send email to potential client
U.S. Pastor Council v. EEOC	0.1	Mar 14, 2021 12:17 pm	Mar 14, 2021 12:19 pm	Draft and send email to potential client
U.S. Pastor Council v. EEOC	0.1	Mar 10, 2021 03:42 pm	Mar 10, 2021 03:44 pm	Call and leave voicemail with potential client
U.S. Pastor Council v. EEOC	0.1	Mar 09, 2021 04:17 pm	Mar 09, 2021 04:23 pm	Call and leave a voicemail with potential client; draft and send email to potential client

U.S. Pastor Council v. EEOC	0.4	Mar 08, 2021 02:07 pm	Mar 08, 2021 02:30 pm	Phone call with client David Welch
U.S. Pastor Council v. EEOC	0.1	Mar 08, 2021 01:31 pm	Mar 08, 2021 01:33 pm	Phone call with client David Welch
U.S. Pastor Council v. EEOC	0.1	Mar 07, 2021 07:08 pm	Mar 07, 2021 07:10 pm	Read and respond to email from client David Welch
U.S. Pastor Council v. EEOC	0.1	Mar 07, 2021 03:28 pm	Mar 07, 2021 03:30 pm	Read and respond to text message from client David Welch; calendar phone call
U.S. Pastor Council v. EEOC	0.1	Mar 07, 2021 10:59 am	Mar 07, 2021 11:00 am	Read and respond to text message from client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Mar 07, 2021 10:58 am	Mar 07, 2021 10:59 am	Read and respond to text message from client David Welch
U.S. Pastor Council v. EEOC	0.1	Mar 05, 2021 01:08 pm	Mar 05, 2021 01:12 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Mar 05, 2021 08:26 am	Mar 05, 2021 08:33 am	Edit, finalize, and file joint motion to extend deadline for submitting the stipulation of facts regarding standing and class certification
U.S. Pastor Council v. EEOC	0.4	Mar 04, 2021 10:54 pm	Mar 04, 2021 11:13 pm	Draft and circulate joint motion to extend time to submit stipulation of facts
U.S. Pastor Council v. EEOC	0.1	Mar 04, 2021 09:49 pm	Mar 04, 2021 09:53 pm	Read and respond to text message from client Steve Hotze; draft and send e-mail to Stacey Bandfield and Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Mar 04, 2021 01:37 pm	Mar 04, 2021 01:39 pm	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Mar 04, 2021 01:20 pm	Mar 04, 2021 01:24 pm	Draft and send e-mail to client Steve Hotze; draft and send text message to client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Mar 04, 2021 01:16 pm	Mar 04, 2021 01:20 pm	Call and leave voicemail with client David Welch; draft and send text message to client David Welch
U.S. Pastor Council v. EEOC	0.3	Mar 04, 2021 01:00 pm	Mar 04, 2021 01:16 pm	Phone call with client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Mar 03, 2021 12:17 am	Mar 03, 2021 12:20 am	Read and respond to e-mail from client John Salvesen; calendar phone call with client John Salvensen
U.S. Pastor Council v. EEOC	0.2	Mar 01, 2021 12:54 am	Mar 01, 2021 01:03 am	Review e-mail from Ben Takemoto; draft and send e-mail to each client regarding draft stipulation
U.S. Pastor Council v. EEOC	1.1	Feb 15, 2021 05:52 pm	Feb 15, 2021 07:12 pm	Read and annotate Department of Homeland Security v. Regents of the University of California, 140 S. Ct. 1891 (2020)
U.S. Pastor Council v. EEOC	1.0	Feb 13, 2021 10:37 pm	Feb 13, 2021 11:36 pm	Read and annotate Department of Homeland Security v. Regents of the University of California, 140 S. Ct. 1891 (2020)
U.S. Pastor Council v. EEOC	0.7	Feb 13, 2021 08:32 pm	Feb 13, 2021 09:11 pm	Read and annotate Department of Homeland Security v. Regents of the University of California, 140 S. Ct. 1891 (2020)
U.S. Pastor Council v. EEOC	0.1	Feb 09, 2021 05:48 pm	Feb 09, 2021 05:49 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Feb 09, 2021 09:27 am	Feb 09, 2021 09:30 am	Draft and send e-mail to opposing counsel Ben Takemoto about draft stipulation
U.S. Pastor Council v. EEOC	0.1	Feb 09, 2021 09:23 am	Feb 09, 2021 09:27 am	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.2	Feb 08, 2021 03:07 pm	Feb 08, 2021 03:18 pm	Edit and recirculate joint status report
U.S. Pastor Council v. EEOC	0.2	Feb 07, 2021 01:26 pm	Feb 07, 2021 01:37 pm	Review proposed joint status report; draft and send e-mail to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.4	Feb 07, 2021 12:51 pm	Feb 07, 2021 01:12 pm	Review proposed joint status report; draft and send e-mail to opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.4	Feb 04, 2021 10:00 am	Feb 04, 2021 10:24 am	Phone call with opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Feb 03, 2021 11:43 pm	Feb 03, 2021 11:47 pm	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.1	Jan 31, 2021 02:58 am	Jan 31, 2021 03:00 am	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Jan 29, 2021 12:55 pm	Jan 29, 2021 12:57 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 29, 2021 09:55 am	Jan 29, 2021 10:00 am	Read and respond to e-mail from opposing counsel Ben Takemoto
U.S. Pastor Council v. EEOC	0.2	Jan 29, 2021 09:44 am	Jan 29, 2021 09:53 am	Draft and send e-mail to opposing counsel Benjamin Takemoto; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Jan 29, 2021 09:41 am	Jan 29, 2021 09:43 am	Read and respond to e-mail from potential client; calendar conference call
U.S. Pastor Council v. EEOC	0.1	Jan 28, 2021 11:51 pm	Jan 28, 2021 11:54 pm	Draft and send text message to client Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Jan 28, 2021 11:34 pm	Jan 28, 2021 11:47 pm	Review Braidwood's self-insured plan
U.S. Pastor Council v. EEOC	0.5	Jan 28, 2021 11:01 pm	Jan 28, 2021 11:27 pm	Read and respond to e-mails from potential clients
U.S. Pastor Council v. EEOC	0.2	Jan 27, 2021 11:12 pm	Jan 27, 2021 11:21 pm	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.2	Jan 26, 2021 12:53 pm	Jan 26, 2021 01:01 pm	Draft and send e-mails to clients
U.S. Pastor Council v. EEOC	0.2	Jan 26, 2021 12:46 pm	Jan 26, 2021 12:53 pm	Read and annotate district-court opinion denying EEOC's MTD
U.S. Pastor Council v. EEOC	0.1	Jan 26, 2021 12:11 pm	Jan 26, 2021 12:15 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 26, 2021 12:09 pm	Jan 26, 2021 12:11 pm	Download Braidwood's self-insured plan
U.S. Pastor Council v. EEOC	0.1	Jan 24, 2021 10:47 pm	Jan 24, 2021 10:48 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 24, 2021 10:45 pm	Jan 24, 2021 10:47 pm	Draft and send e-mail to client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Jan 24, 2021 10:41 pm	Jan 24, 2021 10:45 pm	File notice of supplemental authority on CM/ECF
U.S. Pastor Council v. EEOC	0.4	Jan 24, 2021 10:17 pm	Jan 24, 2021 10:41 pm	Draft and edit notice of supplemental authority
U.S. Pastor Council v. EEOC	0.5	Jan 24, 2021 09:51 pm	Jan 24, 2021 10:17 pm	Read and annotate Catholic Benefits case case from D.N.D.
U.S. Pastor Council v. EEOC	0.1	Jan 24, 2021 09:47 pm	Jan 24, 2021 09:50 pm	Read and respond to e-mail from client John Salvesen
U.S. Pastor Council v. EEOC	0.6	Jan 22, 2021 12:55 am	Jan 22, 2021 01:26 am	Read and annotate Catholic Benefits case case from D.N.D.
U.S. Pastor Council v. EEOC	0.1	Jan 20, 2021 09:26 pm	Jan 20, 2021 09:32 pm	Review Biden executive order on SOGI discrimination
U.S. Pastor Council v. EEOC	0.1	Jan 17, 2021 03:24 pm	Jan 17, 2021 03:26 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 06, 2021 12:49 am	Jan 06, 2021 12:50 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jan 01, 2021 12:10 am	Jan 01, 2021 12:12 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Oct 19, 2020 11:50 pm	Oct 19, 2020 11:53 pm	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.1	Oct 19, 2020 11:45 pm	Oct 19, 2020 11:47 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Oct 05, 2020 09:25 am	Oct 05, 2020 09:33 am	Phone call with co-counsel Dusty Fillmore
U.S. Pastor Council v. EEOC	0.2	Oct 04, 2020 01:49 pm	Oct 04, 2020 02:01 pm	Draft and send e-mail to co-counsel
U.S. Pastor Council v. EEOC	0.1	Oct 02, 2020 10:57 pm	Oct 02, 2020 10:58 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	3.7	Oct 02, 2020 06:41 pm	Oct 02, 2020 10:20 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	0.8	Oct 02, 2020 04:56 pm	Oct 02, 2020 05:41 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	1.1	Oct 02, 2020 03:15 pm	Oct 02, 2020 04:18 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	0.3	Oct 02, 2020 02:38 pm	Oct 02, 2020 02:51 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	0.5	Oct 02, 2020 01:41 pm	Oct 02, 2020 02:09 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	0.1	Oct 01, 2020 09:57 pm	Oct 01, 2020 09:57 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	0.6	Oct 01, 2020 09:17 pm	Oct 01, 2020 09:49 pm	Research, draft, and edit response to feds' MTD
U.S. Pastor Council v. EEOC	0.5	Oct 01, 2020 07:42 pm	Oct 01, 2020 08:09 pm	Read and annotate MTD
U.S. Pastor Council v. EEOC	0.2	Oct 01, 2020 06:00 pm	Oct 01, 2020 06:09 pm	Read and annotate MTD
U.S. Pastor Council v. EEOC	0.1	Oct 01, 2020 03:37 pm	Oct 01, 2020 03:43 pm	Read and annotate MTD
U.S. Pastor Council v. EEOC	0.2	Oct 01, 2020 09:53 am	Oct 01, 2020 10:05 am	Read and annotate MTD
U.S. Pastor Council v. EEOC	0.1	Sep 30, 2020 11:49 pm	Sep 30, 2020 11:51 pm	Read and respond to e-mail from client John Salvesen
U.S. Pastor Council v. EEOC	0.2	Sep 30, 2020 11:37 pm	Sep 30, 2020 11:44 pm	Download and review ECF filings; calendar deadlines
U.S. Pastor Council v. EEOC	0.1	Sep 23, 2020 06:51 am	Sep 23, 2020 06:52 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Sep 17, 2020 09:35 pm	Sep 17, 2020 09:37 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.2	Sep 09, 2020 08:56 pm	Sep 09, 2020 09:07 pm	File second amended complaint on CM/ECF; download and review ECF filings
U.S. Pastor Council v. EEOC	0.8	Sep 09, 2020 08:08 pm	Sep 09, 2020 08:51 pm	Proofread second amended complaint
U.S. Pastor Council v. EEOC	0.8	Sep 09, 2020 07:22 pm	Sep 09, 2020 08:08 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	1.8	Sep 09, 2020 04:14 pm	Sep 09, 2020 06:01 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	1.0	Sep 09, 2020 02:42 pm	Sep 09, 2020 03:41 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.3	Sep 09, 2020 12:42 pm	Sep 09, 2020 12:55 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	1.4	Sep 09, 2020 10:29 am	Sep 09, 2020 11:53 am	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.4	Sep 09, 2020 09:57 am	Sep 09, 2020 10:20 am	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.1	Sep 09, 2020 08:41 am	Sep 09, 2020 08:42 am	Read and respond to e-mail from client John Salvesen
U.S. Pastor Council v. EEOC	0.1	Sep 05, 2020 09:59 pm	Sep 05, 2020 10:01 pm	Draft and send e-mail to John Salvesen of Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.1	Aug 31, 2020 03:55 pm	Aug 31, 2020 04:00 pm	Download and review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.1	Aug 31, 2020 02:47 pm	Aug 31, 2020 02:49 pm	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Aug 27, 2020 09:02 pm	Aug 27, 2020 09:06 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.3	Aug 27, 2020 08:43 pm	Aug 27, 2020 09:00 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.3	Aug 27, 2020 08:22 pm	Aug 27, 2020 08:37 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	1.2	Aug 27, 2020 07:07 pm	Aug 27, 2020 08:16 pm	Draft and edit second amended complaint

U.S. Pastor Council v. EEOC	0.1	Aug 27, 2020 05:13 pm	Aug 27, 2020 05:19 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.1	Aug 27, 2020 05:08 pm	Aug 27, 2020 05:12 pm	Phone call with Pastor John Salvesen of Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.5	Aug 27, 2020 04:30 pm	Aug 27, 2020 04:57 pm	Phone call with Bob Maurer of Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.3	Aug 27, 2020 04:12 pm	Aug 27, 2020 04:30 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.2	Aug 27, 2020 02:32 pm	Aug 27, 2020 02:39 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.2	Aug 27, 2020 12:33 pm	Aug 27, 2020 12:40 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.4	Aug 27, 2020 12:04 pm	Aug 27, 2020 12:24 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.2	Aug 27, 2020 10:56 am	Aug 27, 2020 11:08 am	Phone call with opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Aug 27, 2020 10:47 am	Aug 27, 2020 10:50 am	Call and leave voicemail with opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Aug 25, 2020 11:19 pm	Aug 25, 2020 11:21 pm	Review Judge O'Connor's order
U.S. Pastor Council v. EEOC	0.1	Aug 25, 2020 12:45 pm	Aug 25, 2020 12:48 pm	Rad and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Aug 25, 2020 09:58 am	Aug 25, 2020 10:00 am	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Aug 17, 2020 10:53 pm	Aug 17, 2020 10:56 pm	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.1	Aug 17, 2020 05:45 am	Aug 17, 2020 05:51 am	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	2.2	Aug 07, 2020 03:57 pm	Aug 07, 2020 06:04 pm	Read and annotate Bostock opinion
U.S. Pastor Council v. EEOC	0.2	Aug 06, 2020 10:13 am	Aug 06, 2020 10:21 am	Read and respond to e-mail from Pastor John Salvesen
U.S. Pastor Council v. EEOC	0.3	Aug 04, 2020 12:14 pm	Aug 04, 2020 12:31 pm	Phone call with elders from Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.3	Aug 04, 2020 01:25 am	Aug 04, 2020 01:43 am	Read and respond to e-mail from The Village Church
U.S. Pastor Council v. EEOC	0.6	Aug 03, 2020 03:23 pm	Aug 03, 2020 03:58 pm	Read and annotate Bostock opinion
U.S. Pastor Council v. EEOC	1.0	Aug 03, 2020 01:27 am	Aug 03, 2020 02:25 am	Read and annotate Bostock opinion
U.S. Pastor Council v. EEOC	0.2	Jul 30, 2020 04:30 pm	Jul 30, 2020 04:38 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Jul 30, 2020 09:22 am	Jul 30, 2020 09:26 am	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.3	Jul 29, 2020 09:29 am	Jul 29, 2020 09:47 am	Draft and send letter to Pastor John Salvesen of Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.2	Jul 29, 2020 09:18 am	Jul 29, 2020 09:29 am	Phone call with Pastor John Salvesen of Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.1	Jul 28, 2020 02:58 pm	Jul 28, 2020 03:00 pm	Read and respond to e-mail from John Salvesen; calendar phone call with John Salvesan
U.S. Pastor Council v. EEOC	0.8	Jul 27, 2020 09:43 pm	Jul 27, 2020 10:26 pm	Draft and send letter to potential client
U.S. Pastor Council v. EEOC	0.4	Jul 27, 2020 02:37 pm	Jul 27, 2020 02:57 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.1	Jul 27, 2020 10:51 am	Jul 27, 2020 10:52 am	Read e-mail from potential client
U.S. Pastor Council v. EEOC	0.2	Jul 27, 2020 10:19 am	Jul 27, 2020 10:29 am	Call and leave voicemail with Pastor John Salvesen of Bear Creek Bible Church; draft and send e-mail to Pastor John Salvesen of Bear Creek Bible Church
U.S. Pastor Council v. EEOC	0.5	Jul 26, 2020 10:12 pm	Jul 26, 2020 10:37 pm	Annotate Bostock opinion
U.S. Pastor Council v. EEOC	0.5	Jul 26, 2020 11:29 am	Jul 26, 2020 11:55 am	Read and annotate Our Lady of Guadalupe School v. Morrissey-Berru, No. 19-267 (2020)
U.S. Pastor Council v. EEOC	0.4	Jul 26, 2020 10:43 am	Jul 26, 2020 11:04 am	Read and annotate Our Lady of Guadalupe School v. Morrissey-Berru, No. 19-267 (2020)
U.S. Pastor Council v. EEOC	0.3	Jul 25, 2020 10:47 am	Jul 25, 2020 11:00 am	Read and annotate Our Lady of Guadalupe School v. Morrissey-Berru, No. 19-267 (2020)
U.S. Pastor Council v. EEOC	0.1	Jul 24, 2020 04:16 pm	Jul 24, 2020 04:18 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.2	Jul 24, 2020 03:57 pm	Jul 24, 2020 04:06 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.1	Jul 23, 2020 10:48 pm	Jul 23, 2020 10:53 pm	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.2	Jul 23, 2020 03:54 pm	Jul 23, 2020 04:04 pm	Draft and send e-mail to potential clients
U.S. Pastor Council v. EEOC	0.2	Jul 23, 2020 01:29 pm	Jul 23, 2020 01:39 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.1	Jul 23, 2020 12:52 pm	Jul 23, 2020 12:58 pm	Draft and send e-mail to potential clients
U.S. Pastor Council v. EEOC	0.2	Jul 23, 2020 10:42 am	Jul 23, 2020 10:54 am	Draft and send e-mails to potential clients
U.S. Pastor Council v. EEOC	0.1	Jul 22, 2020 09:48 am	Jul 22, 2020 09:54 am	Read and respond to e-mails from potential clients
U.S. Pastor Council v. EEOC	0.2	Jul 22, 2020 09:21 am	Jul 22, 2020 09:32 am	Phone call with potential client; draft and send text message to client potential client
U.S. Pastor Council v. EEOC	1.4	Jul 21, 2020 10:05 pm	Jul 21, 2020 11:28 pm	Draft and send e-mails to potential clients
U.S. Pastor Council v. EEOC	0.2	Jul 21, 2020 09:56 pm	Jul 21, 2020 10:05 pm	Research Dr. Hotze's employment policies and dress codes
U.S. Pastor Council v. EEOC	0.1	Jul 21, 2020 02:02 pm	Jul 21, 2020 02:08 pm	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Jul 21, 2020 10:06 am	Jul 21, 2020 10:22 am	Research Dr. Hotze's employment policies and dress codes
U.S. Pastor Council v. EEOC	0.1	Jul 21, 2020 09:50 am	Jul 21, 2020 09:56 am	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jul 11, 2020 11:31 am	Jul 11, 2020 11:33 am	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.6	Jul 07, 2020 02:34 pm	Jul 07, 2020 03:08 pm	Phone call with Andrew Graham of First Liberty
U.S. Pastor Council v. EEOC	0.1	Jul 07, 2020 12:17 pm	Jul 07, 2020 12:22 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.4	Jul 07, 2020 11:40 am	Jul 07, 2020 12:00 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Jul 07, 2020 11:35 am	Jul 07, 2020 11:37 am	Draft and send text message to client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jun 25, 2020 11:59 pm	Jun 26, 2020 12:01 am	Read and respond to text message from potential clients
U.S. Pastor Council v. EEOC	0.1	Jun 25, 2020 07:51 pm	Jun 25, 2020 07:55 pm	Download and review ECF filings; review commentary critical of Bostock
U.S. Pastor Council v. EEOC	0.2	Jun 25, 2020 10:04 am	Jun 25, 2020 10:15 am	Finalize and file joint status report; download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 23, 2020 02:09 pm	Jun 23, 2020 02:11 pm	Read and response to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.2	Jun 23, 2020 12:39 pm	Jun 23, 2020 12:50 pm	Read and annotate Daniel Hemel's WaPo article
U.S. Pastor Council v. EEOC	0.6	Jun 23, 2020 11:29 am	Jun 23, 2020 12:00 pm	Draft and send e-mails to potential clients
U.S. Pastor Council v. EEOC	0.8	Jun 21, 2020 08:38 pm	Jun 21, 2020 09:22 pm	Submit ADF grant application
U.S. Pastor Council v. EEOC	0.3	Jun 21, 2020 02:49 pm	Jun 21, 2020 03:07 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.7	Jun 21, 2020 01:45 pm	Jun 21, 2020 02:25 pm	Draft and edit second amended complaint
U.S. Pastor Council v. EEOC	0.3	Jun 21, 2020 01:32 pm	Jun 21, 2020 01:45 pm	Research Texas employment discrimination laws
U.S. Pastor Council v. EEOC	0.2	Jun 20, 2020 12:53 pm	Jun 20, 2020 01:04 pm	Research Texas employment discrimination laws
U.S. Pastor Council v. EEOC	0.6	Jun 20, 2020 12:04 pm	Jun 20, 2020 12:36 pm	Draft and send e-mail to client Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Jun 20, 2020 11:50 am	Jun 20, 2020 12:04 pm	Draft and send e-mails to potential clients
U.S. Pastor Council v. EEOC	0.4	Jun 20, 2020 11:31 am	Jun 20, 2020 11:50 am	Draft and send e-mails to potential clients
U.S. Pastor Council v. EEOC	0.3	Jun 20, 2020 11:12 am	Jun 20, 2020 11:25 am	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Jun 19, 2020 09:27 pm	Jun 19, 2020 09:27 pm	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.4	Jun 18, 2020 07:43 pm	Jun 18, 2020 08:04 pm	Phone call with Darren Keyes
U.S. Pastor Council v. EEOC	0.6	Jun 16, 2020 09:18 pm	Jun 16, 2020 09:51 pm	Draft joint status report and circulate to opposing counsel; calendar deadlines
U.S. Pastor Council v. EEOC	0.2	Jun 16, 2020 02:18 pm	Jun 16, 2020 02:30 pm	Read and respond to e-mail from potential client
U.S. Pastor Council v. EEOC	0.6	Jun 16, 2020 10:32 am	Jun 16, 2020 11:04 am	Phone call with opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Jun 16, 2020 09:51 am	Jun 16, 2020 09:53 am	Read and respond to e-mail from opposing counsel Eric Soskin; calendar conference call
U.S. Pastor Council v. EEOC	1.2	Jun 16, 2020 02:59 am	Jun 16, 2020 04:06 am	Read and annotate SCOTUS Bostock opinion
U.S. Pastor Council v. EEOC	0.9	Jun 16, 2020 02:05 am	Jun 16, 2020 02:59 am	Draft and send e-mails to clients and potential clients
U.S. Pastor Council v. EEOC	0.4	Jun 15, 2020 10:39 pm	Jun 15, 2020 10:58 pm	Review amended complaint
U.S. Pastor Council v. EEOC	0.2	Jun 15, 2020 06:35 pm	Jun 15, 2020 06:45 pm	Read and annotate SCOTUS Bostock opinion
U.S. Pastor Council v. EEOC	1.1	Jun 15, 2020 04:09 pm	Jun 15, 2020 05:14 pm	Read and annotate SCOTUS Bostock opinion
U.S. Pastor Council v. EEOC	0.1	Jun 15, 2020 02:54 pm	Jun 15, 2020 02:59 pm	Download and review ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 15, 2020 01:42 pm	Jun 15, 2020 01:47 pm	Phone call with co-counsel Dusty Fillmore
U.S. Pastor Council v. EEOC	0.3	Jun 15, 2020 01:24 pm	Jun 15, 2020 01:42 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.5	Jun 15, 2020 12:33 pm	Jun 15, 2020 01:02 pm	Read and annotate SCOTUS Bostock opinion
U.S. Pastor Council v. EEOC	0.3	Jun 15, 2020 11:47 am	Jun 15, 2020 12:00 pm	Read and annotate SCOTUS Bostock opinion
U.S. Pastor Council v. EEOC	0.2	Jun 15, 2020 10:02 am	Jun 15, 2020 10:09 am	Read and annotate SCOTUS Bostock opinion
U.S. Pastor Council v. EEOC	0.2	Jun 15, 2020 09:44 am	Jun 15, 2020 09:51 am	Phone call with co-counsel Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Jun 04, 2020 03:14 pm	Jun 04, 2020 03:16 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.1	May 28, 2020 04:30 pm	May 28, 2020 04:32 pm	Draft and send e-mail to potential client

U.S. Pastor Council v. EEOC	0.2	May 28, 2020 04:09 pm	May 28, 2020 04:18 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Nov 11, 2019 10:19 am	Nov 11, 2019 10:23 am	Conference call with Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.2	Oct 22, 2019 10:36 am	Oct 22, 2019 10:44 am	Conference call with Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.6	Oct 18, 2019 11:28 pm	Oct 18, 2019 11:59 pm	Read and annotate Eighth Circuit opinion in Telescope Media Corp.
U.S. Pastor Council v. EEOC	1.3	Oct 18, 2019 09:33 pm	Oct 18, 2019 10:51 pm	Read and annotate Eighth Circuit opinion in Telescope Media Corp.
U.S. Pastor Council v. EEOC	0.2	Oct 07, 2019 10:54 am	Oct 07, 2019 11:03 am	Conference call with Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Aug 25, 2019 07:21 am	Aug 25, 2019 07:23 am	Review N.D. Tex. rules on supplemental authorities
U.S. Pastor Council v. EEOC	0.1	Aug 25, 2019 06:34 am	Aug 25, 2019 06:37 am	Review N.D. Tex. rules on supplemental authorities
U.S. Pastor Council v. EEOC	0.2	Aug 24, 2019 06:01 pm	Aug 24, 2019 06:09 pm	File notice of supplemental authority on CM/ECF
U.S. Pastor Council v. EEOC	0.3	Aug 24, 2019 05:42 pm	Aug 24, 2019 05:58 pm	Draft and edit notice of supplemental authority regarding Telescope Media Corp.
U.S. Pastor Council v. EEOC	0.2	Aug 24, 2019 05:31 pm	Aug 24, 2019 05:41 pm	Draft and edit notice of supplemental authority regarding Telescope Media Corp.
U.S. Pastor Council v. EEOC	0.1	Aug 24, 2019 04:18 pm	Aug 24, 2019 04:20 pm	Draft and edit notice of supplemental authority regarding Telescope Media Corp.
U.S. Pastor Council v. EEOC	0.4	Aug 24, 2019 03:51 pm	Aug 24, 2019 04:12 pm	Draft and edit notice of supplemental authority regarding Telescope Media Corp.
U.S. Pastor Council v. EEOC	1.4	Aug 24, 2019 02:32 pm	Aug 24, 2019 03:51 pm	Read and annotate Eighth Circuit's ruling in Telescope Media Corp.
U.S. Pastor Council v. EEOC	0.7	Aug 18, 2019 11:58 pm	Aug 19, 2019 12:37 am	Read and annotate Texas v. EEOC (Fifth Circuit ruling on felon hiring)
U.S. Pastor Council v. EEOC	0.3	Jun 16, 2019 11:17 am	Jun 16, 2019 11:34 am	Download and review ECF filings; read and annotate government's reply brief in support of conditional motion to stay
U.S. Pastor Council v. EEOC	0.1	Jun 10, 2019 04:02 pm	Jun 10, 2019 04:04 pm	Phone call with co-counsel Chad Fillmore
U.S. Pastor Council v. EEOC	1.1	Jun 09, 2019 05:32 pm	Jun 09, 2019 06:37 pm	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.5	Jun 09, 2019 05:03 pm	Jun 09, 2019 05:30 pm	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.7	Jun 09, 2019 03:56 pm	Jun 09, 2019 04:35 pm	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.3	Jun 09, 2019 02:47 pm	Jun 09, 2019 03:03 pm	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.1	Jun 09, 2019 01:29 pm	Jun 09, 2019 01:33 pm	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.1	Jun 08, 2019 11:48 pm	Jun 08, 2019 11:53 pm	File response to government's motion to stay on ECF; download file-stamped ECF document
U.S. Pastor Council v. EEOC	0.7	Jun 08, 2019 11:07 pm	Jun 08, 2019 11:48 pm	Edit and proofread response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	1.2	Jun 08, 2019 09:57 pm	Jun 08, 2019 11:07 pm	Draft response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	0.2	Jun 08, 2019 06:27 pm	Jun 08, 2019 06:37 pm	Draft response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	1.1	Jun 08, 2019 03:24 pm	Jun 08, 2019 04:26 pm	Draft response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	0.6	Jun 08, 2019 02:38 pm	Jun 08, 2019 03:14 pm	Draft response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	0.7	Jun 08, 2019 01:48 pm	Jun 08, 2019 02:28 pm	Draft response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	1.1	Jun 08, 2019 12:11 am	Jun 08, 2019 01:12 am	Draft response to government's conditional motion to stay
U.S. Pastor Council v. EEOC	0.1	Jun 07, 2019 08:51 pm	Jun 07, 2019 08:56 pm	Research EEOC poster regulations
U.S. Pastor Council v. EEOC	0.4	Jun 06, 2019 10:07 pm	Jun 06, 2019 10:26 pm	Read and annotate defendants' motion to stay proceedings
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2019 10:03 pm	Jun 06, 2019 10:07 pm	Download ECF filings
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2019 03:09 pm	Jun 06, 2019 03:11 pm	Call and leave voicemail with client Dave Welch
U.S. Pastor Council v. EEOC	0.1	Jun 06, 2019 12:46 pm	Jun 06, 2019 12:51 pm	Phone call with client Dave Welch
U.S. Pastor Council v. EEOC	0.1	Jun 04, 2019 12:51 pm	Jun 04, 2019 12:52 pm	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.5	Jun 03, 2019 02:52 am	Jun 03, 2019 03:20 am	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.1	Jun 02, 2019 04:25 pm	Jun 02, 2019 04:28 pm	Draft class-certification motion
U.S. Pastor Council v. EEOC	0.1	May 25, 2019 04:23 pm	May 25, 2019 04:24 pm	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	May 23, 2019 09:41 am	May 23, 2019 09:45 am	Review ECF filings; draft and send e-mail to opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.3	May 22, 2019 10:41 pm	May 22, 2019 10:56 pm	Final proofread of response to defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.4	May 22, 2019 10:22 pm	May 22, 2019 10:41 pm	Generate tables for brief opposing MTD
U.S. Pastor Council v. EEOC	8.7	May 22, 2019 01:44 pm	May 22, 2019 10:22 pm	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	0.3	May 22, 2019 01:23 pm	May 22, 2019 01:37 pm	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	0.8	May 22, 2019 12:29 pm	May 22, 2019 01:12 pm	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	1.0	May 22, 2019 11:17 am	May 22, 2019 12:13 pm	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	0.4	May 22, 2019 10:13 am	May 22, 2019 10:36 am	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	1.8	May 21, 2019 11:21 pm	May 22, 2019 01:08 am	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	0.2	May 21, 2019 01:32 am	May 21, 2019 01:44 am	Draft response to defendants' motion to dismiss first amended complaint
U.S. Pastor Council v. EEOC	0.3	May 06, 2019 01:13 am	May 06, 2019 01:37 am	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.2	May 06, 2019 12:54 am	May 06, 2019 01:04 am	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.1	May 05, 2019 09:23 pm	May 05, 2019 09:27 pm	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.3	May 05, 2019 03:22 pm	May 05, 2019 03:37 pm	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.1	May 04, 2019 12:24 pm	May 04, 2019 12:26 pm	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.3	May 03, 2019 12:52 pm	May 03, 2019 01:09 pm	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.3	May 03, 2019 12:35 pm	May 03, 2019 12:50 pm	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.1	May 03, 2019 12:07 pm	May 03, 2019 12:09 pm	Read and annotate defendants' renewed motion to dismiss
U.S. Pastor Council v. EEOC	0.1	May 01, 2019 02:25 pm	May 01, 2019 02:26 pm	Review ECF filings
U.S. Pastor Council v. EEOC	0.1	May 01, 2019 02:03 pm	May 01, 2019 02:05 pm	Review ECF filings
U.S. Pastor Council v. EEOC	0.1	Apr 24, 2019 06:41 pm	Apr 24, 2019 06:45 pm	Draft and send e-mail to student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.2	Apr 22, 2019 09:31 am	Apr 22, 2019 09:38 am	Review ECF filings; calculate and calendar deadlines
U.S. Pastor Council v. EEOC	0.2	Apr 19, 2019 10:36 pm	Apr 19, 2019 10:43 pm	Read and annotate Fifth Circuit opinion in O'Daniel v. Industrial Service Solutions
U.S. Pastor Council v. EEOC	0.7	Apr 09, 2019 10:49 pm	Apr 09, 2019 11:29 pm	TRAVEL Uber from SEA-TAC airport to home
U.S. Pastor Council v. EEOC	0.9	Apr 09, 2019 09:55 pm	Apr 09, 2019 10:49 pm	TRAVEL Get off plane; collect suitcase from baggage claim; walk to uber
U.S. Pastor Council v. EEOC	4.2	Apr 09, 2019 05:48 pm	Apr 09, 2019 09:55 pm	TRAVEL Board flight; flight from DFW-SEA
U.S. Pastor Council v. EEOC	0.1	Apr 09, 2019 03:14 pm	Apr 09, 2019 03:18 pm	Update new mailing address on CM/ECF
U.S. Pastor Council v. EEOC	0.3	Apr 09, 2019 02:50 pm	Apr 09, 2019 03:08 pm	TRAVEL Check in through airport security; walk to gate
U.S. Pastor Council v. EEOC	0.8	Apr 09, 2019 02:05 pm	Apr 09, 2019 02:50 pm	TRAVEL Call and wait for uber; take Uber from Fort Worth to airport
U.S. Pastor Council v. EEOC	0.5	Apr 09, 2019 11:15 am	Apr 09, 2019 11:45 am	Status hearing before Judge O'Connor
U.S. Pastor Council v. EEOC	0.1	Apr 09, 2019 10:47 am	Apr 09, 2019 10:50 am	Record expenses for 4/9 trip to Fort Worth
U.S. Pastor Council v. EEOC	0.1	Apr 09, 2019 10:04 am	Apr 09, 2019 10:09 am	Record expenses for 4/9 trip to Fort Worth
U.S. Pastor Council v. EEOC	0.2	Apr 08, 2019 01:59 pm	Apr 08, 2019 02:11 pm	TRAVEL Check into hotel in Fort Worth
U.S. Pastor Council v. EEOC	0.9	Apr 08, 2019 01:08 pm	Apr 08, 2019 01:59 pm	TRAVEL Get off plane; walk to uber; take uber to hotel
U.S. Pastor Council v. EEOC	4.0	Apr 08, 2019 09:10 am	Apr 08, 2019 01:07 pm	TRAVEL Flight from SEA to DFW
U.S. Pastor Council v. EEOC	0.5	Apr 08, 2019 08:45 am	Apr 08, 2019 09:10 am	TRAVEL Board flight to DFW
U.S. Pastor Council v. EEOC	0.2	Apr 08, 2019 06:28 am	Apr 08, 2019 06:37 am	TRAVEL Go through security line
U.S. Pastor Council v. EEOC	1.0	Apr 08, 2019 05:32 am	Apr 08, 2019 06:28 am	TRAVEL Uber from home to SEA-TAC
U.S. Pastor Council v. EEOC	0.1	Apr 07, 2019 11:05 am	Apr 07, 2019 11:08 am	Review ECF filings; calendar status conference hearing; read and respond to e-mail from local counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Apr 07, 2019 11:01 am	Apr 07, 2019 11:02 am	Draft and send e-mail to local counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.2	Apr 07, 2019 10:54 am	Apr 07, 2019 11:01 am	Plan travel to 4/9 hearing; check in to SEA-DFW flight
U.S. Pastor Council v. EEOC	0.1	Apr 07, 2019 10:46 am	Apr 07, 2019 10:52 am	Plan travel to Fort Worth for 4/9/2019 status conference hearing
U.S. Pastor Council v. EEOC	0.2	Apr 06, 2019 12:30 pm	Apr 06, 2019 12:40 pm	Plan travel to Fort Worth for 4/9/2019 status conference hearing
U.S. Pastor Council v. EEOC	0.1	Apr 05, 2019 03:52 pm	Apr 05, 2019 03:58 pm	Plan travel to Fort Worth for 4/9/2019 status conference hearing
U.S. Pastor Council v. EEOC	1.1	Apr 05, 2019 02:36 pm	Apr 05, 2019 03:37 pm	Draft and emergency motion to reset time of status conference; phone call with opposing counsel Eric Soskin; file emergency motion on ECF; e-mail proposed order to Judge O'Connor
U.S. Pastor Council v. EEOC	0.4	Apr 05, 2019 02:16 pm	Apr 05, 2019 02:36 pm	Call and leave voicemail with Judge O'Connor's chambers; phone call with local counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.4	Apr 05, 2019 01:33 pm	Apr 05, 2019 01:55 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.4	Apr 05, 2019 01:13 pm	Apr 05, 2019 01:33 pm	Phone call with potential client

U.S. Pastor Council v. EEOC	0.2	Apr 05, 2019 11:39 am	Apr 05, 2019 11:47 am	Draft and send e-mail to local counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.4	Apr 04, 2019 11:02 am	Apr 04, 2019 11:22 am	Phone call with local counsel Chad Fillmore
U.S. Pastor Council v. EEOC	0.1	Apr 02, 2019 11:25 am	Apr 02, 2019 11:27 am	Read and respond to e-mail from opposing counsel Eric Soskin; calendar briefing deadlines
U.S. Pastor Council v. EEOC	0.1	Apr 02, 2019 11:01 am	Apr 02, 2019 11:02 am	Read and respond to e-mail from opposing counsel Eric Soskin; calendar briefing deadlines
U.S. Pastor Council v. EEOC	0.1	Mar 31, 2019 11:56 am	Mar 31, 2019 12:00 pm	Review ECF filings
U.S. Pastor Council v. EEOC	3.1	Mar 29, 2019 06:50 pm	Mar 29, 2019 09:54 pm	Draft and edit first amended complaint
U.S. Pastor Council v. EEOC	0.5	Mar 29, 2019 06:14 pm	Mar 29, 2019 06:42 pm	Draft and edit first amended complaint
U.S. Pastor Council v. EEOC	0.4	Mar 29, 2019 05:48 pm	Mar 29, 2019 06:07 pm	Draft and edit first amended complaint
U.S. Pastor Council v. EEOC	0.4	Mar 29, 2019 05:16 pm	Mar 29, 2019 05:39 pm	Draft and edit first amended complaint
U.S. Pastor Council v. EEOC	0.7	Mar 29, 2019 04:31 pm	Mar 29, 2019 05:09 pm	Draft and edit first amended complaint
U.S. Pastor Council v. EEOC	1.1	Mar 29, 2019 03:18 pm	Mar 29, 2019 04:24 pm	Draft and edit first amended complaint
U.S. Pastor Council v. EEOC	0.4	Mar 27, 2019 11:00 am	Mar 27, 2019 11:21 am	Phone call with opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Mar 27, 2019 10:00 am	Mar 27, 2019 10:02 am	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Mar 27, 2019 12:05 am	Mar 27, 2019 12:07 am	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Mar 07, 2019 11:04 pm	Mar 07, 2019 11:10 pm	Draft and send e-mail to Martin Nussbaum
U.S. Pastor Council v. EEOC	0.2	Mar 07, 2019 01:24 pm	Mar 07, 2019 01:35 pm	Phone call with Martin Nussbaum
U.S. Pastor Council v. EEOC	0.2	Mar 02, 2019 10:46 pm	Mar 02, 2019 10:54 pm	Draft and send e-mail to RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.1	Feb 27, 2019 03:44 pm	Feb 27, 2019 03:47 pm	Review ECF filings; calendar new deadlines
U.S. Pastor Council v. EEOC	0.5	Feb 27, 2019 03:03 pm	Feb 27, 2019 03:33 pm	Draft and send e-mails to potential clients
U.S. Pastor Council v. EEOC	0.2	Feb 27, 2019 12:35 am	Feb 27, 2019 12:43 am	File motion to extend time on ECF; e-mail MSWord order to Judge O'Connor's chambers
U.S. Pastor Council v. EEOC	0.6	Feb 26, 2019 11:59 pm	Feb 27, 2019 12:35 am	Draft motion to extend time to respond to motion to dismiss
U.S. Pastor Council v. EEOC	0.2	Feb 24, 2019 06:59 pm	Feb 24, 2019 07:06 pm	Review draft of joint status report; draft and send e-mail to opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.3	Feb 24, 2019 06:43 pm	Feb 24, 2019 06:59 pm	Review DOJ's motion to dismiss
U.S. Pastor Council v. EEOC	0.2	Feb 24, 2019 06:35 pm	Feb 24, 2019 06:43 pm	Draft and send e-mail to client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Feb 24, 2019 06:25 pm	Feb 24, 2019 06:29 pm	Draft and send e-mail to potential clients
U.S. Pastor Council v. EEOC	0.2	Feb 21, 2019 10:24 pm	Feb 21, 2019 10:33 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Feb 21, 2019 05:20 pm	Feb 21, 2019 05:21 pm	Draft and send text message to Ryan Bangert in Texas AG's office
U.S. Pastor Council v. EEOC	0.4	Feb 21, 2019 01:49 pm	Feb 21, 2019 02:13 pm	Phone call with opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Feb 21, 2019 04:29 am	Feb 21, 2019 04:30 am	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Feb 17, 2019 09:58 pm	Feb 17, 2019 09:59 pm	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.1	Feb 16, 2019 06:27 pm	Feb 16, 2019 06:32 pm	E-mail letter from Dr. Hotze to Mac Meadows at Entrust; draft and send e-mail to client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Feb 14, 2019 03:59 pm	Feb 14, 2019 04:15 pm	Edit letter from Dr. Hotze to Entrust; put letter on Hotze stationery
U.S. Pastor Council v. EEOC	0.3	Feb 13, 2019 01:41 pm	Feb 13, 2019 01:59 pm	Phone call with Matthew Kacsmaryk
U.S. Pastor Council v. EEOC	0.1	Feb 13, 2019 01:20 pm	Feb 13, 2019 01:21 pm	Phone call with Matthew Kacsmaryk of First Liberty
U.S. Pastor Council v. EEOC	0.3	Feb 13, 2019 12:24 pm	Feb 13, 2019 12:42 pm	Draft letter to Entrust for Dr. Hotze on Braidwood stationery
U.S. Pastor Council v. EEOC	0.1	Feb 13, 2019 09:37 am	Feb 13, 2019 09:41 am	Phone call with Matthew Kacsmaryk of First Liberty
U.S. Pastor Council v. EEOC	1.3	Feb 12, 2019 10:08 pm	Feb 12, 2019 11:21 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.8	Feb 12, 2019 07:03 pm	Feb 12, 2019 07:49 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.4	Feb 12, 2019 06:44 pm	Feb 12, 2019 07:03 pm	Review government's motion to dismiss; research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.2	Feb 12, 2019 06:36 pm	Feb 12, 2019 06:44 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	1.0	Feb 12, 2019 05:37 pm	Feb 12, 2019 06:34 pm	Draft letter to Entrust about definition of spouse and send to client Steve Hotze for his review
U.S. Pastor Council v. EEOC	0.2	Feb 07, 2019 06:08 pm	Feb 07, 2019 06:20 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.4	Feb 07, 2019 04:50 pm	Feb 07, 2019 05:11 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Feb 07, 2019 11:56 am	Feb 07, 2019 11:58 am	Phone call with student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.6	Feb 07, 2019 10:39 am	Feb 07, 2019 11:13 am	Read and annotate Fifth Circuit opinion in Wittmer v. Phillips 66
U.S. Pastor Council v. EEOC	0.9	Jan 31, 2019 09:54 am	Jan 31, 2019 10:44 am	Video conference with client U.S. Pastor Council
U.S. Pastor Council v. EEOC	0.3	Jan 31, 2019 08:16 am	Jan 31, 2019 08:32 am	Phone call with client Dave Welch
U.S. Pastor Council v. EEOC	0.2	Jan 30, 2019 03:59 pm	Jan 30, 2019 04:11 pm	Phone call with client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jan 30, 2019 02:43 pm	Jan 30, 2019 02:46 pm	Draft and send text message to client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Jan 30, 2019 02:18 pm	Jan 30, 2019 02:41 pm	Phone call with Mac Meadows and Katy Belew at Entrust
U.S. Pastor Council v. EEOC	0.2	Jan 30, 2019 01:49 pm	Jan 30, 2019 02:01 pm	Video conference with client Dave Welch
U.S. Pastor Council v. EEOC	0.1	Jan 30, 2019 12:56 am	Jan 30, 2019 12:57 am	Read and respond to e-mail from client Dave Welch
U.S. Pastor Council v. EEOC	0.2	Jan 30, 2019 12:33 am	Jan 30, 2019 12:43 am	Correspondence with student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.2	Jan 29, 2019 11:36 pm	Jan 29, 2019 11:43 pm	Draft and send e-mail to RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.7	Jan 29, 2019 07:59 pm	Jan 29, 2019 08:37 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.8	Jan 29, 2019 06:26 pm	Jan 29, 2019 07:10 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.2	Jan 29, 2019 11:39 am	Jan 29, 2019 11:50 am	Review ECF filings; read and respond to e-mail from opposing counsel
U.S. Pastor Council v. EEOC	0.2	Jan 27, 2019 04:25 pm	Jan 27, 2019 04:37 pm	Call and leave voicemail with Entrust compliance attorney Kaitlyn Belew
U.S. Pastor Council v. EEOC	0.2	Jan 27, 2019 04:12 pm	Jan 27, 2019 04:23 pm	Read and respond to text message from client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	1.1	Jan 27, 2019 01:30 pm	Jan 27, 2019 02:32 pm	Draft and send e-mail to potential clients
U.S. Pastor Council v. EEOC	0.2	Jan 27, 2019 01:22 pm	Jan 27, 2019 01:30 pm	Read and respond to e-mail from opposing counsel Eric Soskin
U.S. Pastor Council v. EEOC	0.3	Jan 22, 2019 06:58 pm	Jan 22, 2019 07:14 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.8	Jan 14, 2019 03:26 pm	Jan 14, 2019 04:11 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.1	Jan 13, 2019 12:47 pm	Jan 13, 2019 12:52 pm	Research pre-enforcement challenges to anti-discrimination laws
U.S. Pastor Council v. EEOC	0.2	Jan 12, 2019 02:01 pm	Jan 12, 2019 02:08 pm	Draft and send e-mail to client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Jan 12, 2019 01:39 pm	Jan 12, 2019 01:57 pm	Phone call with client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Jan 12, 2019 01:34 pm	Jan 12, 2019 01:38 pm	Phone call with student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.1	Jan 12, 2019 01:26 pm	Jan 12, 2019 01:32 pm	Draft and send e-mail to student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	1.1	Jan 08, 2019 01:43 am	Jan 08, 2019 02:47 am	Draft and send e-mail to Michael McConnell regarding standing and ripeness issues
U.S. Pastor Council v. EEOC	0.6	Dec 27, 2018 01:22 pm	Dec 27, 2018 01:57 pm	Draft and send e-mail to client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.2	Dec 27, 2018 01:10 pm	Dec 27, 2018 01:21 pm	Phone call with student RA Rebekah Mercer; draft and send e-mail to student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.2	Dec 27, 2018 12:22 pm	Dec 27, 2018 12:33 pm	Research potential clients
U.S. Pastor Council v. EEOC	0.8	Dec 27, 2018 11:35 am	Dec 27, 2018 12:22 pm	Draft and send e-mail to client David Welch
U.S. Pastor Council v. EEOC	0.4	Dec 27, 2018 11:15 am	Dec 27, 2018 11:35 am	Draft and file letter to the court agreeing with defendants' request to stay proceedings in light of lapsed appropriations
U.S. Pastor Council v. EEOC	0.3	Dec 27, 2018 11:02 am	Dec 27, 2018 11:15 am	Review ECF filings; draft and send e-mail to opposing counsel
U.S. Pastor Council v. EEOC	0.2	Dec 26, 2018 08:38 pm	Dec 26, 2018 08:48 pm	Phone call with student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.2	Dec 26, 2018 08:26 pm	Dec 26, 2018 08:38 pm	Draft and send e-mail to student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.1	Dec 26, 2018 07:46 pm	Dec 26, 2018 07:47 pm	Draft and send e-mail to student RA Rebekah Mercer
U.S. Pastor Council v. EEOC	0.4	Dec 26, 2018 07:13 pm	Dec 26, 2018 07:37 pm	Draft and send e-mail to student RAs
U.S. Pastor Council v. EEOC	0.3	Dec 26, 2018 06:50 pm	Dec 26, 2018 07:05 pm	Draft and send e-mail to Gene Schaerr
U.S. Pastor Council v. EEOC	0.3	Dec 26, 2018 06:36 pm	Dec 26, 2018 06:49 pm	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.8	Dec 24, 2018 12:26 am	Dec 24, 2018 01:14 am	Draft and send e-mail to potential client
U.S. Pastor Council v. EEOC	0.1	Dec 21, 2018 12:39 am	Dec 21, 2018 12:45 am	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.1	Dec 19, 2018 04:55 pm	Dec 19, 2018 05:01 pm	Phone call with client Dave Welch
U.S. Pastor Council v. EEOC	0.1	Dec 19, 2018 09:59 am	Dec 19, 2018 10:04 am	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.2	Dec 19, 2018 08:31 am	Dec 19, 2018 08:38 am	Phone call with Adam Mortara regarding standing issue
U.S. Pastor Council v. EEOC	0.4	Dec 18, 2018 11:56 pm	Dec 19, 2018 12:15 am	Look into standing issues

U.S. Pastor Council v. EEOC	1.0	Dec 18, 2018 10:25 pm	Dec 18, 2018 11:25 pm	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.1	Dec 18, 2018 10:13 pm	Dec 18, 2018 10:17 pm	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.2	Dec 18, 2018 12:27 pm	Dec 18, 2018 12:34 pm	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.2	Dec 18, 2018 12:50 am	Dec 18, 2018 01:02 am	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.2	Dec 17, 2018 11:42 pm	Dec 17, 2018 11:51 pm	Read and annotate defendants' motion to dismiss for lack of subject-matter jurisdiction
U.S. Pastor Council v. EEOC	0.1	Dec 17, 2018 12:23 pm	Dec 17, 2018 12:25 pm	Review ECF filings
U.S. Pastor Council v. EEOC	0.1	Dec 17, 2018 11:03 am	Dec 17, 2018 11:09 am	Phone call with DOJ lawyer Brett Schumate
U.S. Pastor Council v. EEOC	0.1	Dec 15, 2018 10:24 am	Dec 15, 2018 10:27 am	Draft and send e-mail to Adam Mortara regarding Fifth Circuit transgender Title VII case
U.S. Pastor Council v. EEOC	0.6	Dec 14, 2018 06:50 pm	Dec 14, 2018 07:26 pm	Phone call with Adam Mortara discussing SOGI Title VII case in CA5
U.S. Pastor Council v. EEOC	1.0	Dec 06, 2018 12:24 pm	Dec 06, 2018 01:24 pm	Conference call with U.S. Pastor Council
U.S. Pastor Council v. EEOC	0.1	Dec 02, 2018 07:35 am	Dec 02, 2018 07:38 am	Review ECF filings
U.S. Pastor Council v. EEOC	0.5	Dec 01, 2018 12:17 pm	Dec 01, 2018 12:43 pm	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.2	Nov 25, 2018 12:15 am	Nov 25, 2018 12:22 am	Draft and send e-mail to client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Nov 25, 2018 12:03 am	Nov 25, 2018 12:06 am	Draft and send e-mail to client David Welch
U.S. Pastor Council v. EEOC	0.1	Nov 18, 2018 07:46 pm	Nov 18, 2018 07:49 pm	Read and respond to text message from client David Welch
U.S. Pastor Council v. EEOC	1.1	Nov 11, 2018 08:50 pm	Nov 11, 2018 09:52 pm	Research and read scholarship on religious exemptions (Singer, Religious Liberty and Public Accommodations, recently posted on SSRN)
U.S. Pastor Council v. EEOC	0.5	Nov 02, 2018 12:42 pm	Nov 02, 2018 01:11 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.5	Nov 02, 2018 12:01 pm	Nov 02, 2018 12:31 pm	Phone call with potential client
U.S. Pastor Council v. EEOC	0.1	Oct 30, 2018 12:35 pm	Oct 30, 2018 12:39 pm	Draft and send e-mail to local counsel Chad Fillmore
U.S. Pastor Council v. EEOC	0.1	Oct 30, 2018 02:02 am	Oct 30, 2018 02:07 am	Review proof of service and draft and send e-mail to local counsel Chad Fillmore
U.S. Pastor Council v. EEOC	0.2	Oct 27, 2018 11:37 pm	Oct 27, 2018 11:49 pm	Draft and send e-mail to local counsel Chad Fillmore
U.S. Pastor Council v. EEOC	0.2	Oct 16, 2018 12:32 pm	Oct 16, 2018 12:41 pm	Phone call with client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.4	Oct 15, 2018 10:37 pm	Oct 15, 2018 10:57 pm	Phone call with client Dr. Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Oct 14, 2018 09:36 pm	Oct 14, 2018 09:39 pm	Read court filings
U.S. Pastor Council v. EEOC	0.1	Oct 14, 2018 09:09 pm	Oct 14, 2018 09:13 pm	Read John Melcon article on Title VII religious exemption
U.S. Pastor Council v. EEOC	0.1	Oct 14, 2018 08:58 pm	Oct 14, 2018 09:01 pm	Read John Melcon article on Title VII religious exemption
U.S. Pastor Council v. EEOC	0.1	Oct 14, 2018 03:09 pm	Oct 14, 2018 03:12 pm	Draft and send e-mail to client David Welch
U.S. Pastor Council v. EEOC	0.5	Oct 08, 2018 03:01 pm	Oct 08, 2018 03:26 pm	Phone call with local counsel Chad Fillmore
U.S. Pastor Council v. EEOC	0.3	Oct 08, 2018 11:10 am	Oct 08, 2018 11:28 am	Phone call with client Steve Hotze
U.S. Pastor Council v. EEOC	0.1	Oct 07, 2018 05:10 pm	Oct 07, 2018 05:12 pm	Draft and send e-mail to client Steve Hotze
U.S. Pastor Council v. EEOC	0.3	Oct 06, 2018 09:43 pm	Oct 06, 2018 09:57 pm	Draft and send e-mail to co-counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Oct 06, 2018 09:30 pm	Oct 06, 2018 09:35 pm	Read court filings
U.S. Pastor Council v. EEOC	0.3	Oct 06, 2018 02:05 pm	Oct 06, 2018 02:23 pm	File complaint on CM/ECF
U.S. Pastor Council v. EEOC	0.2	Oct 06, 2018 01:57 pm	Oct 06, 2018 02:05 pm	Prepare civil cover sheet
U.S. Pastor Council v. EEOC	0.6	Oct 06, 2018 01:22 pm	Oct 06, 2018 01:57 pm	Final proofread of complaint
U.S. Pastor Council v. EEOC	0.2	Oct 05, 2018 11:44 pm	Oct 05, 2018 11:51 pm	Edit complaint
U.S. Pastor Council v. EEOC	0.5	Oct 05, 2018 11:07 pm	Oct 05, 2018 11:34 pm	Edit complaint
U.S. Pastor Council v. EEOC	0.1	Oct 05, 2018 01:08 pm	Oct 05, 2018 01:11 pm	Phone call with local counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.7	Oct 05, 2018 11:47 am	Oct 05, 2018 12:25 pm	Phone call with local counsel Chad and Dusty Fillmore
U.S. Pastor Council v. EEOC	0.1	Oct 05, 2018 10:48 am	Oct 05, 2018 10:51 am	Phone call with client David Welch
U.S. Pastor Council v. EEOC	0.1	Oct 04, 2018 11:08 am	Oct 04, 2018 11:11 am	Draft and send e-mail to client Steve Hotze
U.S. Pastor Council v. EEOC	0.2	Oct 04, 2018 10:30 am	Oct 04, 2018 10:37 am	Draft and send e-mail to clients Steve Hotze and David Welch
U.S. Pastor Council v. EEOC	0.1	Oct 04, 2018 10:21 am	Oct 04, 2018 10:25 am	Draft and send e-mail to potential local counsel
U.S. Pastor Council v. EEOC	0.1	Oct 03, 2018 10:00 pm	Oct 03, 2018 10:03 pm	Draft and send e-mail to client David Welch
U.S. Pastor Council v. EEOC	0.3	Aug 22, 2018 10:18 am	Aug 22, 2018 10:36 am	Review and edit complaint
U.S. Pastor Council v. EEOC	3.3	Aug 21, 2018 09:10 pm	Aug 22, 2018 12:25 am	Draft complaint
U.S. Pastor Council v. EEOC	2.3	Aug 21, 2018 05:23 pm	Aug 21, 2018 07:38 pm	Draft complaint
U.S. Pastor Council v. EEOC	1.3	Aug 21, 2018 03:29 pm	Aug 21, 2018 04:44 pm	Draft complaint
U.S. Pastor Council v. EEOC	0.7	Aug 21, 2018 02:36 pm	Aug 21, 2018 03:13 pm	Draft complaint
U.S. Pastor Council v. EEOC	0.1	Aug 21, 2018 11:29 am	Aug 21, 2018 11:35 am	Draft complaint
U.S. Pastor Council v. EEOC	0.3	Aug 21, 2018 11:08 am	Aug 21, 2018 11:22 am	Draft complaint
U.S. Pastor Council v. EEOC	0.5	Aug 21, 2018 10:33 am	Aug 21, 2018 11:00 am	Draft complaint
U.S. Pastor Council v. EEOC	0.3	Aug 21, 2018 09:47 am	Aug 21, 2018 10:03 am	Draft complaint
U.S. Pastor Council v. EEOC	0.4	Aug 21, 2018 01:11 am	Aug 21, 2018 01:31 am	Draft complaint
U.S. Pastor Council v. EEOC	0.4	Aug 21, 2018 12:06 am	Aug 21, 2018 12:30 am	Draft complaint
U.S. Pastor Council v. EEOC	0.9	Aug 20, 2018 10:28 pm	Aug 20, 2018 11:20 pm	Draft complaint
U.S. Pastor Council v. EEOC	0.2	Aug 20, 2018 08:58 pm	Aug 20, 2018 09:10 pm	Draft complaint
U.S. Pastor Council v. EEOC	0.3	Aug 20, 2018 07:38 pm	Aug 20, 2018 07:54 pm	Draft complaint
U.S. Pastor Council v. EEOC	0.5	Aug 20, 2018 05:15 pm	Aug 20, 2018 05:45 pm	Draft complaint
U.S. Pastor Council v. EEOC	0.7	Aug 20, 2018 04:49 pm	Aug 20, 2018 05:26 pm	Research standing and ripeness issues, especially Texas v. EEOC litigation
U.S. Pastor Council v. EEOC	0.7	Aug 20, 2018 03:53 pm	Aug 20, 2018 04:34 pm	Research standing and ripeness issues, especially Texas v. EEOC litigation
U.S. Pastor Council v. EEOC	0.7	Aug 20, 2018 02:54 pm	Aug 20, 2018 03:35 pm	Research standing and ripeness issues, especially Texas v. EEOC litigation
U.S. Pastor Council v. EEOC	0.3	Aug 18, 2018 04:30 pm	Aug 18, 2018 04:45 pm	Research standing and ripeness issues, especially Texas v. EEOC litigation
U.S. Pastor Council v. EEOC	0.6	Aug 18, 2018 03:57 pm	Aug 18, 2018 04:29 pm	Research standing and ripeness issues, especially Texas v. EEOC litigation
U.S. Pastor Council v. EEOC	0.2	Aug 18, 2018 12:39 pm	Aug 18, 2018 12:51 pm	Draft and send e-mail to client Dave Welch
U.S. Pastor Council v. EEOC	0.1	Aug 18, 2018 12:04 pm	Aug 18, 2018 12:09 pm	Phone call with client Dave Welch
U.S. Pastor Council v. EEOC	0.2	Aug 18, 2018 10:30 am	Aug 18, 2018 10:40 am	Research Title VII's religious exemption
U.S. Pastor Council v. EEOC	1.2	Aug 15, 2018 09:26 pm	Aug 15, 2018 10:35 pm	Read Harris Funeral Homes case from CA6
U.S. Pastor Council v. EEOC	0.1	Aug 15, 2018 09:21 pm	Aug 15, 2018 09:25 pm	Read Harris Funeral Homes case from CA6
U.S. Pastor Council v. EEOC	0.1	Aug 01, 2018 12:09 pm	Aug 01, 2018 12:15 pm	Rede religious exemptions in Title VII
U.S. Pastor Council v. EEOC	0.2	Jul 25, 2018 07:14 am	Jul 25, 2018 07:22 am	Draft and send engagement letter to Hotze Health and Wellness Center
U.S. Pastor Council v. EEOC	0.1	Jul 25, 2018 07:02 am	Jul 25, 2018 07:05 am	Draft and send engagement letter to Hotze Health and Wellness Center
U.S. Pastor Council v. EEOC	0.4	Jul 06, 2018 09:37 pm	Jul 06, 2018 09:58 pm	Research EEOC interpretations of Title VII
Work	386.9			

Exhibit C

to Mitchell Declaration

JFM Timesheet (December 5, 2023 through December 12, 2023)

Activity type	Duration	From	To	Comment
U.S. Pastor Council v. EEOC	1.0	Dec 12, 2023 10:56 pm	Dec 12, 2023 11:55 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.2	Dec 12, 2023 09:35 pm	Dec 12, 2023 09:43 pm	Review John Sullivan's declaration; make formatting edits and tweaks
U.S. Pastor Council v. EEOC	0.1	Dec 12, 2023 07:19 pm	Dec 12, 2023 07:23 pm	Edit and re-circulate Dusty Fillmore declaration
U.S. Pastor Council v. EEOC	1.0	Dec 12, 2023 05:59 pm	Dec 12, 2023 06:59 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	2.8	Dec 12, 2023 03:16 pm	Dec 12, 2023 05:59 pm	Prepare supporting exhibits
U.S. Pastor Council v. EEOC	0.2	Dec 12, 2023 12:19 pm	Dec 12, 2023 12:28 pm	Prepare supporting exhibits
U.S. Pastor Council v. EEOC	2.1	Dec 11, 2023 11:00 pm	Dec 12, 2023 01:05 am	Prepare supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 11, 2023 09:37 pm	Dec 11, 2023 09:40 pm	Correspondence with student RA [REDACTED]
U.S. Pastor Council v. EEOC	0.5	Dec 11, 2023 09:05 pm	Dec 11, 2023 09:30 pm	Prepare supporting exhibits
U.S. Pastor Council v. EEOC	0.3	Dec 11, 2023 08:49 pm	Dec 11, 2023 09:05 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.5	Dec 11, 2023 07:57 pm	Dec 11, 2023 08:27 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.3	Dec 11, 2023 07:31 pm	Dec 11, 2023 07:48 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	3.0	Dec 11, 2023 03:07 pm	Dec 11, 2023 06:02 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	1.6	Dec 11, 2023 12:41 pm	Dec 11, 2023 02:13 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.5	Dec 11, 2023 11:33 am	Dec 11, 2023 12:01 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	1.2	Dec 11, 2023 12:01 am	Dec 11, 2023 01:13 am	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	1.3	Dec 10, 2023 08:13 pm	Dec 10, 2023 09:29 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.3	Dec 10, 2023 07:52 pm	Dec 10, 2023 08:09 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.2	Dec 10, 2023 07:24 pm	Dec 10, 2023 07:36 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.3	Dec 10, 2023 06:54 pm	Dec 10, 2023 07:09 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 10, 2023 06:37 pm	Dec 10, 2023 06:43 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 10, 2023 06:10 pm	Dec 10, 2023 06:15 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.3	Dec 10, 2023 05:43 pm	Dec 10, 2023 06:01 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 10, 2023 05:31 pm	Dec 10, 2023 05:33 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 10, 2023 04:45 pm	Dec 10, 2023 04:49 pm	Phone call with co-counsel Gene Hamilton
U.S. Pastor Council v. EEOC	0.2	Dec 10, 2023 04:27 pm	Dec 10, 2023 04:36 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.4	Dec 10, 2023 04:03 pm	Dec 10, 2023 04:23 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	1.3	Dec 10, 2023 02:43 pm	Dec 10, 2023 03:56 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	1.4	Dec 09, 2023 11:53 pm	Dec 10, 2023 01:14 am	Prepare supporting exhibits
U.S. Pastor Council v. EEOC	0.2	Dec 09, 2023 11:41 pm	Dec 09, 2023 11:52 pm	Read an annotate fee application in Franciscan Alliance
U.S. Pastor Council v. EEOC	0.4	Dec 09, 2023 11:19 pm	Dec 09, 2023 11:41 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.8	Dec 09, 2023 10:37 pm	Dec 09, 2023 11:19 pm	Read and annotate Franciscan Alliance, Inc. v. Becerra --- F. Supp. 3d ----, 2023 WL 4462049 (N.D. Tex.) (fee award)
U.S. Pastor Council v. EEOC	0.1	Dec 09, 2023 09:08 pm	Dec 09, 2023 09:14 pm	Read and annotate Franciscan Alliance, Inc. v. Becerra --- F. Supp. 3d ----, 2023 WL 4462049 (N.D. Tex.) (fee award)
U.S. Pastor Council v. EEOC	0.3	Dec 09, 2023 07:28 pm	Dec 09, 2023 07:42 pm	Phone call with John Sullivan
U.S. Pastor Council v. EEOC	0.1	Dec 09, 2023 07:24 pm	Dec 09, 2023 07:28 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.5	Dec 09, 2023 06:55 pm	Dec 09, 2023 07:24 pm	Review billing records and apply billing judgment to write off unrecoverable hours
U.S. Pastor Council v. EEOC	0.3	Dec 09, 2023 06:37 pm	Dec 09, 2023 06:55 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 09, 2023 06:30 pm	Dec 09, 2023 06:36 pm	Draft and send email to student RA [REDACTED]
U.S. Pastor Council v. EEOC	0.1	Dec 09, 2023 06:24 pm	Dec 09, 2023 06:30 pm	Phone call with student RA [REDACTED]
U.S. Pastor Council v. EEOC	0.2	Dec 09, 2023 06:17 pm	Dec 09, 2023 06:24 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 09, 2023 06:12 pm	Dec 09, 2023 06:14 pm	Draft and send text message to student RA [REDACTED]
U.S. Pastor Council v. EEOC	0.9	Dec 09, 2023 05:21 pm	Dec 09, 2023 06:12 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.6	Dec 09, 2023 12:11 am	Dec 09, 2023 12:47 am	Review billing records and apply billing judgment to write off unrecoverable hours
U.S. Pastor Council v. EEOC	0.2	Dec 09, 2023 12:01 am	Dec 09, 2023 12:11 am	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 08, 2023 11:39 pm	Dec 08, 2023 11:45 pm	Draft and send email to student RA [REDACTED]
U.S. Pastor Council v. EEOC	0.1	Dec 08, 2023 11:34 pm	Dec 08, 2023 11:39 pm	Phone call with student research assistant [REDACTED]
U.S. Pastor Council v. EEOC	2.3	Dec 08, 2023 09:20 pm	Dec 08, 2023 11:34 pm	Research, draft and edit application for attorneys' fees and supporting exhibits
U.S. Pastor Council v. EEOC	0.1	Dec 08, 2023 03:21 pm	Dec 08, 2023 03:24 pm	Phone call with co-counsel Dusty Fillmore about fee application
U.S. Pastor Council v. EEOC	0.3	Dec 08, 2023 03:05 pm	Dec 08, 2023 03:19 pm	Phone call with co-counsel Dusty Fillmore about fee application
U.S. Pastor Council v. EEOC	0.1	Dec 08, 2023 12:01 pm	Dec 08, 2023 12:04 pm	Assemble and prepare timesheets for attorneys' fee application
U.S. Pastor Council v. EEOC	0.1	Dec 08, 2023 11:58 am	Dec 08, 2023 12:00 pm	Assemble and prepare timesheets for attorneys' fee application
U.S. Pastor Council v. EEOC	0.3	Dec 08, 2023 11:21 am	Dec 08, 2023 11:37 am	Assemble and prepare timesheets for attorneys' fee application
U.S. Pastor Council v. EEOC	0.2	Dec 08, 2023 11:04 am	Dec 08, 2023 11:16 am	Assemble and prepare timesheets for attorneys' fee application
U.S. Pastor Council v. EEOC	0.3	Dec 08, 2023 02:21 am	Dec 08, 2023 02:37 am	Assemble and prepare timesheets for attorneys' fee application
Total Time	30.3			

Exhibit D

to Mitchell Declaration

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Subject: Pay.gov Payment Confirmation: TXND CM ECF
Date: October 6, 2018 at 2:24 PM
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Your payment has been submitted to [Pay.gov](https://pay.gov) and the details are below. If you have any questions or you wish to cancel this payment, please contact the U.S. District Court of Northern Texas at (214) 753-2240.

Application Name: TXND CM ECF
[Pay.gov](https://pay.gov) Tracking ID: 26CNQEVA
Agency Tracking ID: 0539-9499810
Transaction Type: Sale
Transaction Date: Oct 6, 2018 5:21:53 PM

Account Holder Name: Jonathan Mitchell
Transaction Amount: \$400.00
Card Type: Visa
Card Number: *****2519

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

From: ecf_txnd@txnd.uscourts.gov
Subject: Activity in Case 4:18-cv-00824-O U.S. Pastor Council et al v. Equal Employment Opportunity Commission et al Notice of Appeal
Date: February 9, 2022 at 11:30 AM
To: Courtmail@txnd.uscourts.gov

E

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If you need to know whether you must send the presiding judge a paper copy of a document that you have docketed in this case, click here: [Judges' Copy Requirements](#). Click here to see [Judge Specific Requirements](#). Unless exempted, attorneys who are not admitted to practice in the Northern District of Texas must seek admission promptly. [Forms and Instructions](#) found at www.txnd.uscourts.gov. If admission requirements are not satisfied within 21 days, the clerk will notify the presiding judge.

**U.S. District Court
Northern District of Texas**

Notice of Electronic Filing

The following transaction was entered by Mitchell, Jonathan on 2/9/2022 at 1:30 PM CST and filed on 2/9/2022

Case Name: U.S. Pastor Council et al v. Equal Employment Opportunity Commission et al

Case Number: [4:18-cv-00824-O](#)

Filer: Bear Creek Bible Church
Braidwood Management Inc

WARNING: CASE CLOSED on 12/14/2021

Document Number: [137](#)

Docket Text:

NOTICE OF APPEAL as to [136] Judgment,,, to the Fifth Circuit by Bear Creek Bible Church, Braidwood Management Inc. Filing fee \$505, receipt number 0539-12586942. T.O. form to appellant electronically at [Transcript Order Form](#) or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. **IMPORTANT ACTION REQUIRED:** Provide an electronic copy of any exhibit you offered during a hearing or trial that was admitted into evidence to the clerk of the district court within 14 days of the date of this notice. Copies must be transmitted as PDF attachments through ECF by all ECF Users or delivered to the clerk on a CD by all non-ECF Users. See detailed instructions [here](#). (Exception: This requirement does not apply to a pro se prisoner litigant.) Please note that if original exhibits are in your possession, you must maintain them through final disposition of the case. (Mitchell, Jonathan)

4:18-cv-00824-O Notice has been electronically mailed to:

Benjamin Thomas Takemoto benjamin.takemoto@usdoj.gov

Brian Walters Stoltz-DOJ brian.stoltz@usdoj.gov, CaseView.ECF@usdoj.gov, scott.hogan@usdoj.gov

Charles W Fillmore chad@fillmorefirm.com, dusty@fillmorefirm.com, sprovest@fillmorefirm.com

Gene Patrick Hamilton gene.hamilton@aflegal.org

H Dustin Fillmore , III dusty@fillmorefirm.com, chad@fillmorefirm.com, sprovest@fillmorefirm.com

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Joseph C Davis jdavis@becketlaw.org

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Michael Fraser Knapp michael.f.knapp@usdoj.gov

4:18-cv-00824-O The CM/ECF system has NOT delivered notice electronically to the names listed below. The clerk's office

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362e1d7ef256bdbf31349599f68d8ccbb59a87e61ef8c08ebaa216f8e49bb]]

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Derived from AO44 Rev. 04/18UNITED STATES DISTRICT COURT
For the Northern District Texas

INVOICE 95

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jonathan@mitchell.lawZoie M Williams, RMR, RDR, FCRR
US District Court
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Fort Worth, TX 76102-3673
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In the matter of: 4:18-CV-824, Bear Creek Bible v EEOC

CATEGORY	ORIGINAL			1 ST COPY			2 ND COPY			TOTAL CHARGES
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14-Day		4.25			0.90			0.60		
Expedited		4.85			0.90			0.60		
3-Day		5.45			1.05			0.75		
Daily		6.05			1.20			0.90		
Hourly		7.25			1.20			0.90		
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Misc.	Misc. Charges									
Subtotal										81.00
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Qty	Item	Amt.	Charge
1	Appellant's Brief Printing	450.00	450.00
7	Reply Brief Printing	2.40	16.80
4	Record Excerpts Printing	11.20	44.80
20	Tabs	1.00	20.00
11	Spiral Bind	1.00	11.00
1	Time to Bind Tabs	50.00	50.00
Total ITEMIZED CHARGES:			592.60
MAILING			
Qty	Who	How Sent	Charge
18	Clerk	FedEx Priority	243.33
0	Service		
0	Attorney		
0	Courtesy		
0	Return	1st Class	
Total Postage:			243.33
Total:			835.93
Less Downpayment:			-835.93
Invoice Amount:			0.00

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Receipt from Cockle Legal Briefs

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Issued: Apr 6, 2019

Your trip confirmation and receipt

Record locator: **XSVSAO**

You're booked in Basic Economy

Restrictions include:

- Seats assigned at check-in
- Not eligible for upgrades
- No flight changes or refunds
- Board in last group

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Monday, April 8, 2019

SEA

9:17 AM

Seattle



DFW

3:08 PM

Dallas/Fort Worth

Seats: --

Class: Economy (B)

Meals: Food For Purchase

American Airlines 1644

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Tuesday, April 9, 2019

DFW

7:42 PM

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SEA

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Seattle

Seats: --

Class: Economy (B)

Meals: Food For Purchase

Jonathan Mitchell

Earn up to a \$250 statement credit + 40,000 bonus miles after qualifying purchases

[Learn More >>](#)



AAdvantage # K7188V4

Ticket # 0012347130075

Your trip receipt



Visa XXXXXXXXXXXXXXX2519

Jonathan Mitchell

FARE-USD	\$ 600.00
TAXES AND CARRIER-IMPOSED FEES	\$ 73.60
TICKET TOTAL	\$ 673.60



Hotel offers



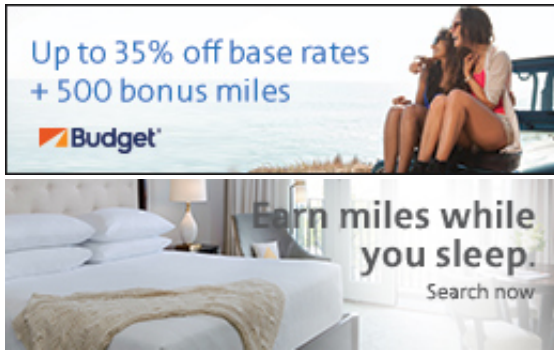
Car rental offers



Buy trip insurance



SuperShuttle



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Baggage Information

Baggage charges for your itinerary will be governed by American Airlines BAG ALLOWANCE - SEADFW-No free checked bags/ American Airlines BAG ALLOWANCE -DFWSEA-No free checked bags/ American Airlines 1STCHECKED BAG FEE-SEADFW-USD30.00/ American Airlines /UP TO 50 LB/23 KG AND UP TO 62 LINEAR IN/158 LINEAR CM 1STCHECKED BAG FEE-DFWSEA-USD30.00/ American Airlines /UP TO 50 LB/23 KG AND UP TO 62 LINEAR IN/158 LINEAR CM 2NDCHECKED BAG FEE-SEADFW-USD40.00/ American Airlines /UP TO 50 LB/23 KG AND UP TO 62 LINEAR IN/158 LINEAR CM 2NDCHECKED BAG FEE-DFWSEA-USD40.00/ American Airlines /UP TO 50 LB/23 KG AND UP TO 62 LINEAR IN/158 LINEAR CM ADDITIONAL ALLOWANCES AND/OR DISCOUNTS MAY APPLY

If you have purchased a NON-REFUNDABLE fare the itinerary must be canceled before the ticketed departure time of the first unused coupon or the ticket has NO VALUE.. If the fare allows changes, a fee may be assessed for changes and restrictions may apply.

You have up to 24 hours from the time of ticket purchase to receive a full refund if you booked at least 2 days before departure. You must [log in](#) on aa.com or [Contact Reservations](#) to cancel. Once cancelled, your refund will be processed automatically.[Refund Policy>>](#).

Some American Airlines check-in counters do not accept cash as a form of payment. For more information, visit our [Airport Information](#) page.

SERVICE & SUPPORT ANIMAL REQUIREMENTS

For travel on or after April 1, 2019, the policy for traveling with Emotional Support and Service animals has changed. Visit [Traveling with Service Animals](#) for more information.



Some everyday products, like a cigarette and aerosol spray starch, can be dangerous when

Some everyday products, like e-cigarettes and aerosol spray starch, can be dangerous when transported on the aircraft in carry-on and/or checked baggage. Changes in temperature or pressure can cause some items to leak, generate toxic fumes or start a fire. Carriage of prohibited items may result in fines or in certain cases imprisonment. Please ensure there are no forbidden hazardous materials in your baggage like:

Some Lithium batteries (e.g. spares in checked baggage, batteries over a certain size), Explosives / Fireworks, Strike anywhere matches/ Lighter fluid, Compressed gases / Aerosols Oxygen bottles/ Liquid oxygen, Flammable liquids, Pesticides/ Poison, Corrosive material.

There are special exceptions for small quantities (up to 70 ounces total) of medicinal and toilet articles carried in your luggage, spare lithium batteries for most consumer electronic devices in carry-on baggage, and certain smoking materials carried on your person.

Certain items are required to be carried with you onboard the aircraft. For example, spare lithium batteries for portable electronic devices, cigarette lighters and e-cigarettes must be removed from checked or gate-checked baggage and carried onboard the aircraft. However, e-cigarettes may not be used on-board the aircraft.

Traveling with medical oxygen, liquid oxygen, mobility aids and other assistive devices may require airline pre-approval or be restricted from carriage entirely. Passengers requiring these items should contact the airline operator for information on use of such devices.

To change your reservation, please call 1-800-433-7300 and refer to your record locator.

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You can obtain additional information on items 1 through 6 above at any U.S. location where the transporting air carrier's tickets are sold. You have the right to inspect the full text of each transporting air carrier's terms at its airport and city ticket offices. You also have the right, upon request, to receive (free of charge) the full text of the applicable terms incorporated by reference from each of the transporting air carriers. Information on ordering the full text of each air carrier's terms is available at any U.S. location where the air carrier's tickets are sold or you can click on the Conditions of Carriage link below.

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NRID: 6429622911250614511889100

From: **Hotwire Booking Confirmation** HotwireBookingConfirmation@e.Hotwire.com
Subject: Your stay in Fort Worth on 04/08 is confirmed
Date: April 7, 2019 at 12:50 PM
To: [REDACTED]

HC

Review your Hotwire itinerary



Everything is set for your stay at Sheraton Fort Worth Downtown Hotel

Your Hotwire confirmation number is 6788509980

Check-in
Apr 8, 2019
3:00 PM

[+ Add nights before](#)

Check-out
Apr 9, 2019
12:00 PM

[+ Add nights after](#)



Sheraton Fort Worth Downtown Hotel

1701 Commerce Street
Fort Worth, TX 76102
(817) 335-7000



Get your detailed itinerary online .

[View my booking](#)



Add to calendar: [Gmail](#)



[Print/Download](#) confirmation



[Share](#) booking confirmation

Add more to your trip



The more the merrier

[+Add a room](#)



Rule the road

[+Add a car to your trip](#)



The sky's the limit

[+Add a flight](#)

Reservation details

Hotel confirmation #	93485907
Hotel phone #	(817) 335-7000
Number of nights	1 night
Check-in	Apr 8, 2019 3:00 PM + Add nights before
Check-out	Apr 9, 2019 12:00 PM + Add nights after
Room type	1 room(s) + Add a room
Number of guests	Adults: 1
Primary guest	Jonathan Mitchell - must be present upon check-in
Account email	jfmitchell@mac.com
Hotel amenities	Pet friendly, Indoor pool(s), Smoke-free rooms, Fitness center, Pool(s), Restaurant(s), Business center, Internet access, Golf nearby, Accessible for visually impaired, Accessible for hearing impaired, Accessible path of travel, In-room accessibility, Accessible bathroom, Accessible parking, Roll-in shower

Price summary (USD)

Room price	77.00 (77.00 per night)
Taxes and fees	20.33
Total (USD)	97.33 (Charged to Visa ending in *****2519 on Apr 7, 2019)

Payment summary

Customer name	Jonathan Mitchell	Phone number	xxx-xxx-9276
Payment method	Visa ending in 2519	Transaction date	Apr 7, 2019

Know before you go

Guest info	Primary guest must be 21 and bring ID.
Payment	Hotels will require a credit card when you check-in; debit cards may not be accepted. You'll pay the hotel directly for additional charges, like room service.
Cancellation	Your booking is final and can't be refunded or changed. For details, view Hotwire Travel Products Rules and Restrictions .
More info	Rooms will sleep the number of guests, but bed types and sizes aren't guaranteed.
Read more	Terms of Use, Privacy Policy, Hotwire's Travel Products Rules and Restrictions

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U.S./Canada	1-800-845-4026 (24/7, toll-free)
International	1-417-520-1680 (fees may apply)
Allianz Global Assistance	1-800-771-1281 (fees may apply)
FAQ	Visit our help center
Itinerary #	6788509980

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(NID: N-TXB-CON-H) (VID: V-TXB-CON-H) (HWID: 2142082201) (MD: 2019-04-07)

From: Lyft Ride Receipt no-reply@lyftmail.com
Subject: Your ride with Abdirahman on April 9
Date: April 10, 2019 at 11:29 PM
To: jonathan@mitchell.law

LR



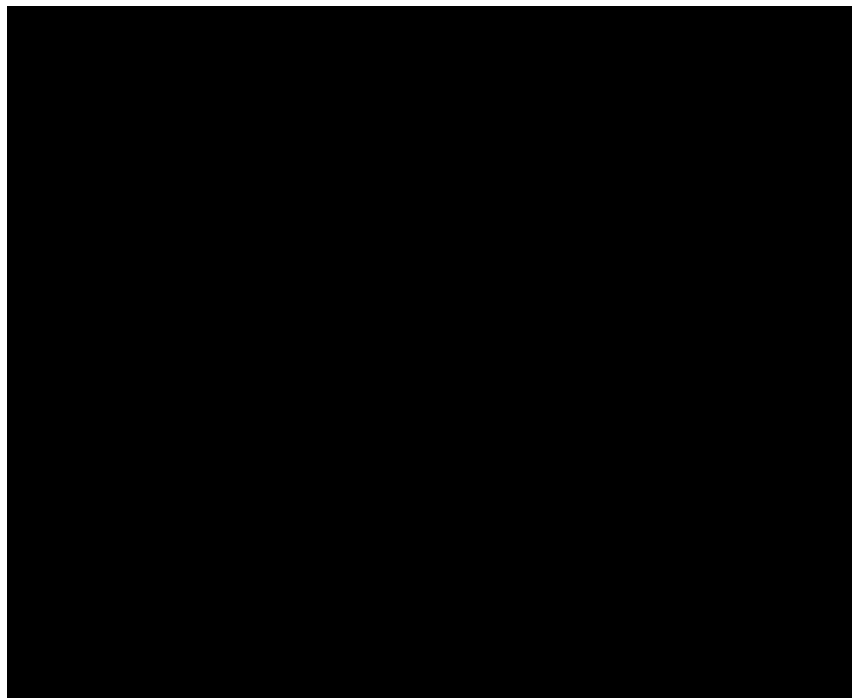
Thanks for riding with Abdirahman!

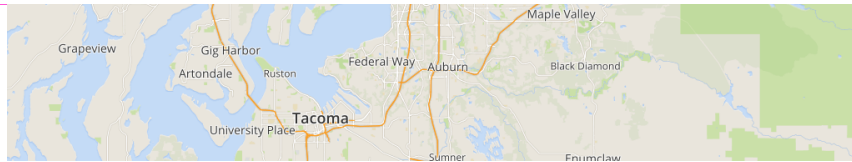
April 9, 2019 at 10:47 PM

Ride Details

Lyft fare (40.46mi, 41m 23s)	\$74.35

 Visa *2519	\$74.35





● Pickup 10:47 PM
Seattle-Tacoma Int'l Airport, Seatac, WA

● Drop-off 11:29 PM
[Redacted Address]

Help Center

Receipt #1256581775036307388

We never share your address with your driver after a ride.

[Learn more](#) about our commitment to safety.

Map data © [OpenStreetMap](#) contributors

© Lyft 2019

548 Market St., P.O. Box 68514

San Francisco, CA 94104



Become a Driver

From: Lyft Ride Receipt no-reply@lyftmail.com
Subject: Your ride with Julie on April 8
Date: April 8, 2019 at 8:28 AM
To: jonathan@mitchell.law

LR



Thanks for riding with Julie!

April 8, 2019 at 5:36 AM

Ride Details

Lyft fare (40.74mi, 45m 16s) \$69.99

 Visa *2519 **\$69.99**

● Pickup 5:36 AM



● Drop-off 6:21 AM

Seattle-Tacoma Int'l Airport, Seatac, WA

Help Center

Receipt #1255944533786540898

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Map data © [OpenStreetMap](#) contributors

© Lyft 2019

549 Market St. PO Box 69514



340 Market St., P.O. Box 66314
San Francisco, CA 94104

Become a Driver

From: **Uber Receipts** uber.us@uber.com 
Subject: [Business] Your Monday afternoon trip with Uber
Date: April 8, 2019 at 4:00 PM
To: jonathan@mitchell.law

UR

Uber

Total: \$36.86
Mon, Apr 08, 2019

Thanks for riding,
Jonathan

We hope you enjoyed your ride this
afternoon.



Total

\$36.86

◆ You earned 73 points on this trip

Trip Fare	\$29.01

Subtotal	\$29.01

Tolls, Surcharges, and Fees 	\$7.85

Amount Charged



•••• 2519 Switch

\$36.86

You rode with Steven



4.86 ★ Rating

Steven is known for:
Excellent Service

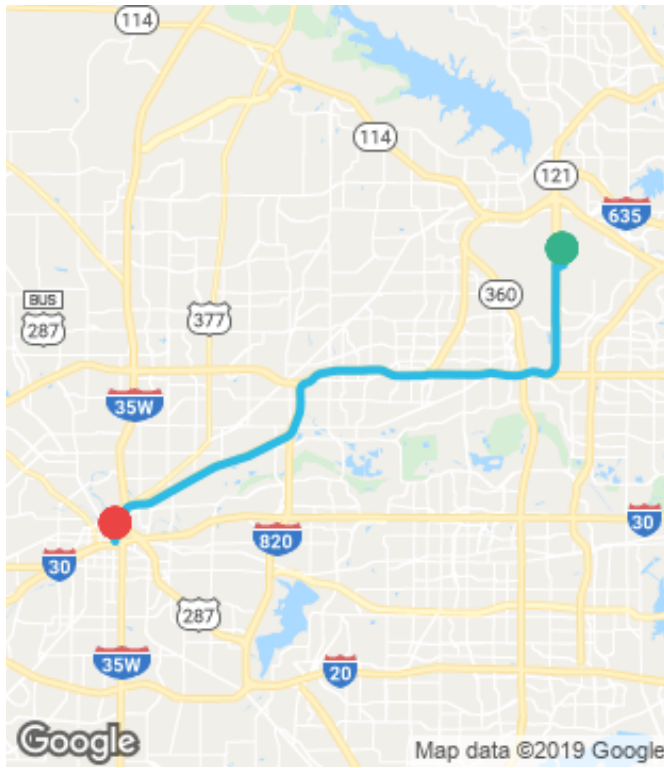
How was your ride?

RATE OR TIP ➞

When you ride with Uber, your trips are insured in case of a covered accident. [Learn more.](#)

UberX 24.79 mi | 38 min

- 03:20pm
Terminal C @ Entry II C21 - N -
NS, Grapevine, TX
- 03:58pm
1701 Commerce St, Fort
Worth, TX



Invite your friends and family.

Get \$5 off your next ride when you refer a friend to try
Uber. Share code: pqz9d

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[MY TRIPS](#) >

[FAQ](#)

[Forgot password](#)

Uber Technologies

1455 Market St

San Francisco, CA 94103

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[Terms](#)

From: **Uber Receipts** uber.us@uber.com 
Subject: [Business] Your Tuesday afternoon trip with Uber
Date: April 9, 2019 at 4:48 PM
To: jonathan@mitchell.law

UR

Uber

Total: \$35.63
Tue, Apr 09, 2019

Thanks for riding,
Jonathan

We hope you enjoyed your ride this
afternoon.



Total

\$35.63

◆ You earned 71 points on this trip

Base Fare	\$1.00
Time	\$5.43
Distance	\$20.86
Subtotal	\$27.29
South Airport Entrance Surcharge 	\$2.00
Wait Time 	\$0.49

Booking Fee ⓘ \$2.85

DFW Airport Surcharge ⓘ \$3.00

Amount Charged



•••• 2519 Switch

\$35.63

You rode with Derek



4.77 ★ Rating

Derek is known for:
Excellent Service

How was your ride?

RATE OR TIP ➞

When you ride with Uber, your trips are insured in case of a covered accident. [Learn more.](#)

UberX 26.08 mi | 33 min

■ 04:14pm

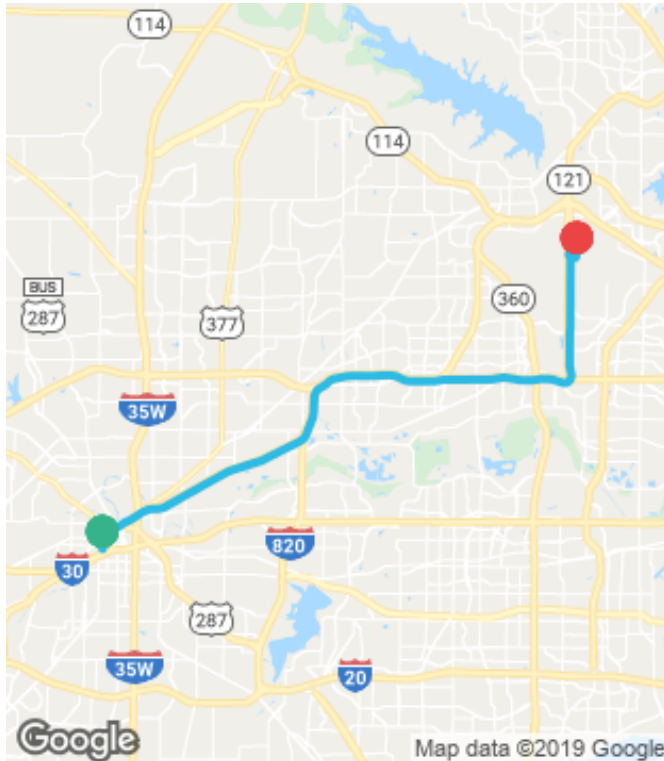
1000 Summit Ave. Fort Worth

1209 Summit Ave, Fort Worth,
TX



04:48pm

United States, Texas, DFW
Airport,



Invite your friends and family.

Get \$5 off your next ride when you refer a friend to try
Uber. Share code: pqz9d

MY TRIPS >

FAQ

Forgot password

Uber Technologies

1455 Market St

San Francisco, CA 94103

Privacy

Terms

Dilettante

MOCHA CAFÉ

Order# 500061
 Station# POS2
 Server: Janessa C
 Date: 4/8/19, 6:49 AM

Type: Pre Auth

Entry Method: Chip Read
 Mode: Issuer
 AID: A00000000031010
 TVR: 0880000000
 IAD: 00010A0060A000
 TSI: F800
 ARC: 00

Sausage Breakfast Sandwich \$6.00
 Bagel w/ Side \$4.25
 Cream Cheese \$0.00
 Macaroon \$3.50
 Tall Mocha - 72 \$4.70
 Decaf Espresso \$0.00

Subtotal: \$19.20
 Total Tax: \$1.03

Total: \$21.23

Paid With: VISA
 Total: xxxx2519
 \$21.23

Tip: \$
 Total: \$

200

BUY ONE GET ONE FREE QUARTER POUNDER
W/CHEESE OR EGG MCMUFFIN

Go to www.mcdvoice.com within 7 days
and tell us about your visit.

Validation Code: _____

Expires 30 days after receipt date.

Valid at participating US McDonald's.

Survey Code:

35425-02000-40919-18587-00127-8

McDonald's Restaurant #35425

DFW Terminal A-17

DALLAS, TX 75261

TEL# (972) 973-7312

KS# 2

04/09/2019 06:58 PM

Side1

Order 00

1 Side Salad	2.51
1 Low Fat Bls Vin Drsg	
1 L French Fries	2.99
NO Salt	
1 Db1 Qtr Cheese	6.31
NO Slivered Onions	
Subtotal	11.81
Tax	0.97
Take-Out Total	12.78
Cashless	12.78
Change	0.00

MER# 253632

CARD ISSUER

ACCOUNT#

CAPITAL ONE VISA SALE *****2519

TRANSACTION AMOUNT 12.78

CHIP READ

AUTHORIZATION CODE - 08184G

SEQ# 184024

AID: A0000000031010

McDonald's Restaurant

From: American Airlines no-reply@notify.email.aa.com
Subject: Your trip confirmation (PHL - DFW)
Date: August 20, 2021 at 4:51 PM
To: [REDACTED]

AA



Issued: August 20, 2021

Your trip confirmation and receipt

Record Locator: CYJSWP

We charged \$118.40 to the card ending in 7716 for your ticket purchase.

A face covering is required while flying on American, except for children under 2 years old. You are also required to wear a face covering while in the airport before and after your flight. [Read more about travel requirements.](#)

You'll need your record locator to find your trip at the kiosk and when you call Reservations.

Manage your trip

Thursday, August 26, 2021

PHL

1:00 PM

Philadelphia

AA 410



DFW

3:28 PM

Dallas/Fort Worth

Seat: 16E

Class: Economy (N)

Meals:

[Free entertainment with the American app »](#)

Your payment

Credit Card (Visa ending 7716)	\$118.40
Total paid	\$118.40

Your purchase

JONATHAN MITCHELL

AAdvantage #: K7188V4

New ticket	\$118.40
Ticket #: 0012196418671	
[\$96.74 + Taxes and fees \$21.66]	
Total	\$118.40
Total cost (all passengers)	\$118.40

Bag information

Checked bags

Online*		Airport	
1 st bag	2 nd bag	1 st bag	2 nd bag
\$30.00	\$40.00	\$30.00	\$40.00

Maximum dimensions: 62 inches or 158 centimeters calculated as (length + width + height)

Maximum weight: 50 pounds or 23 kilograms

Bag fees apply at each Check-in location. Additional allowances and/or discounts may apply. [Bag and optional fees](#)

If your flight is operated by a partner airline, see the [other airline's](#) website for carry-on and checked bag policies.

*Online payment available beginning 24 hours (and up to 4 hours) before departure.

Carry-on bags

1st carry-on: Includes purse, briefcase, laptop bag, or similar item that must fit under the seat in front of you.

2nd carry-on: Maximum dimensions not to exceed: 22" long x 14" wide x 9" tall (56 x 35 x 23 cm).



[Book a hotel »](#)



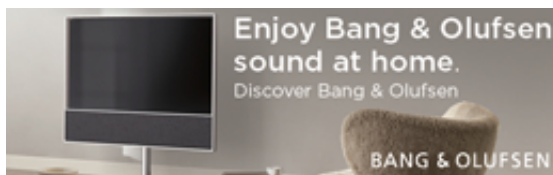
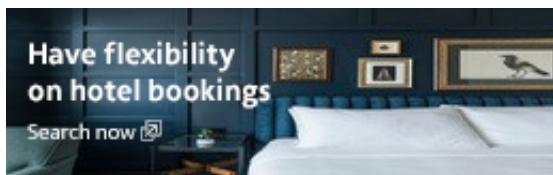
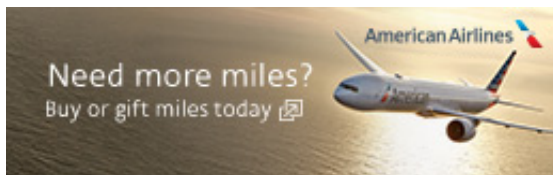
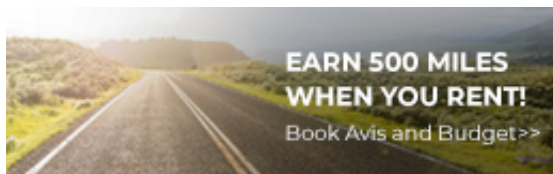
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[Things to do »](#)



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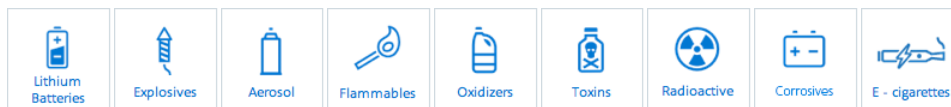
Additional Services are subject to credit card approval at time of ticketing. Additional Services may appear on multiple accompanied documents as a matter of reference.

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Some Lithium batteries (e.g. spares in checked baggage, batteries over a certain size), Explosives / Fireworks, Strike anywhere matches/ Lighter fluid, Compressed gases / Aerosols Oxygen bottles/ Liquid oxygen, Flammable liquids, Pesticides/ Poison, Corrosive material.

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For more on Canada passenger protection regulations visit [aa.com/CanadaPassengers](https://www.aa.com/CanadaPassengers).

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From: Hotels.com confirmation@mail.hotels.com
Subject: Hotels.com reservation confirmation 9180646695326 - Hilton Fort Worth - Fort Worth
Date: August 20, 2021 at 4:59 PM
To: [REDACTED]

H



Travel advisory

Please be aware of any coronavirus (COVID-19) travel advisories and review updates from the World Health Organization (WHO).

[Find out more](#)



Dear Jonathan, your booking is guaranteed.



Manage booking



View receipt



Book again



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[Download for free](#)

Hilton Fort Worth

815 Main St
Fort Worth
76102
TX
US
+18178702100



Need to make a change? Don't worry, it's quick and easy to amend or cancel your booking online. [Manage your booking](#)

Hotels.com confirmation number

9180646695326

Check-in

Thursday, August 26, 2021 (3:00 PM-noon local time)

Check-out

Friday, August 27, 2021 (Before noon local time)

Your stay

1 night, 1 room

Cancellation policy

See details below in "Room details"

Cancellation policy

See details below in Room details

Amount paid

\$138.31

Total price

approx. \$139.28

Including taxes and fees

[See full payment details below](#)

Hotels.com Rewards Silver™

**You'll collect 1 stamp after your 1-night stay**

It will appear in your account on Monday, August 30, 2021

Hotel Details

Hilton Fort Worth

815 Main St, Fort Worth, 76102, TX, US

Phone: +18178702100



Important notices

This property doesn't offer after-hours check-in. To make arrangements for check-in please contact the property at least 24 hours before arrival using the information on the booking confirmation. Guests must contact the property in advance for check-in instructions. Front desk staff will greet guests on arrival. This property offers only valet parking (surcharge). Self-parking is not available.

Required at check-in

- Credit card required for incidental charges
- Government-issued photo ID may be required
- Minimum check-in age is 21

Room details

Room details**Standard Room****Guests** Jonathan Mitchell, 1 adult**Preferences** Non Smoking

Please note: Preferences and requests cannot be guaranteed. Special requests are subject to availability upon check-in and may incur additional charges.

Included with this room**Free Wi-Fi**

Free Wi-Fi is available in this room

**Breakfast available (pay at the property)****Cancellation policy****Non-refundable reservation**

- If you change or cancel your booking you will not get a refund or credit to use for a future stay. This policy will apply regardless of COVID-19, subject to any local consumer laws.

Payment details

Standard Room	Thursday, August 26, 2021	\$100.60
Taxes & fees ¹		\$37.71
Amount paid		\$138.31
Total price		approx. \$139.28
		Including taxes and fees

¹ Taxes and fees are tax recovery charges paid to the hotel for its tax obligations. The fees are service charges that we keep as additional compensation for servicing your travel booking. Please see [Terms and Conditions](#).

Fees due at the property

You'll be asked to pay the following charges at the property:

- Deposit: USD 50.00 per night
- 0.7 percent destination fee will be charged

We have included all charges provided to us by the property.



Thank you for paying using your Visa ending in 7716. Your booking is guaranteed.

You'll need to pay any additional charges and fees incurred during your stay at the hotel in their local currency.

The hotel will ask you to pay a hotel-imposed fee of \$0.97 when you check in or check out.

Your contact details

jfmitchell@mac.com, 7033149276

Got a question?

If you've already checked in or have questions related to the property, contact Hilton Fort Worth at +18178702100

For other questions, [check out our FAQs](#), or call our Hotels.com® Rewards Priority Customer Service team:

United States:

Exclusive members-only number to speak with specially-trained Hotels.com Rewards customer service agents or email silverhr@chat.hotels.com.

800-997-9138 Toll Free and 817-983-0664 (charges may apply)

You'll need your **Hotels.com Confirmation Number 9180646695326**.

Your Hotels.com® Rewards membership number is 11371727.

We will find you a rental car that suits your travel needs.



Aug 26 - Aug 27

[Edit search](#)

Car Hire at Fort Worth



[Book now](#)



If you've got time we'd like to ask you [2 questions](#) about your booking.



[Sign up to our newsletter](#) for the latest deals, coupons and special offers

View our [Terms & Conditions](#) and [Privacy Policy](#) that apply to your booking. Please print a copy to keep for future reference.

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From: American Airlines no-reply@notify.email.aa.com
Subject: Your trip confirmation (DFW - SEA)
Date: August 20, 2021 at 5:09 PM
To: [REDACTED]

AA



Issued: August 20, 2021

Your trip confirmation and receipt

Record Locator: UXIKWZ

We charged \$285.40 to the card ending in 7716 for your ticket purchase.

A face covering is required while flying on American, except for children under 2 years old. You are also required to wear a face covering while in the airport before and after your flight. [Read more about travel requirements.](#)

You'll need your record locator to find your trip at the kiosk and when you call Reservations.

Manage your trip

Friday, August 27, 2021

DFW

5:02 PM

Dallas/Fort Worth

SEA

7:26 PM

Seattle

Seat: 16B

Class: Economy (L)

Meals:

AA 2009

[Free entertainment with the American app »](#)

Your payment

Credit Card (Visa ending 7716) \$285.40

Total paid **\$285.40**

Your purchase

JONATHAN MITCHELL

AAdvantage #: K7188V4

New ticket \$285.40

Ticket #: 0012196424137

[\$252.09 + Taxes and fees \$33.31]

Total **\$285.40**

Total cost (all passengers) **\$285.40**

Bag information

Checked bags

Online*

1st bag

\$30.00

2nd bag

\$40.00

Airport

1st bag

\$30.00

2nd bag

\$40.00

Maximum dimensions: 62 inches or 158 centimeters calculated as (length + width + height)

Maximum weight: 50 pounds or 23 kilograms

Bag fees apply at each Check-in location. Additional allowances and/or discounts may apply. [Bag and optional fees](#)

If your flight is operated by a partner airline, see the [other airline's](#) website for carry-on and checked bag policies.

*Online payment available beginning 24 hours (and up to 4 hours) before departure.

Carry-on bags

1st carry-on: Includes purse, briefcase, laptop bag, or similar item that must fit under the seat in front of you.

2nd carry-on: Maximum dimensions not to exceed: 22" long x 14" wide x 9" tall (56 x 35 x 23 cm).



[Book a hotel »](#)



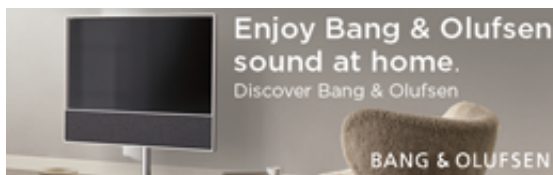
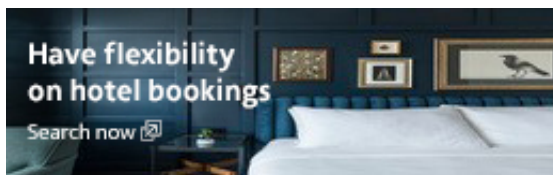
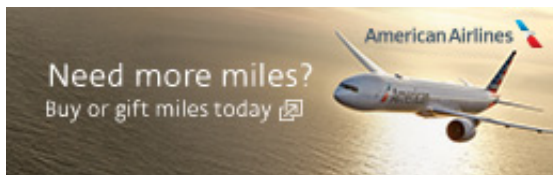
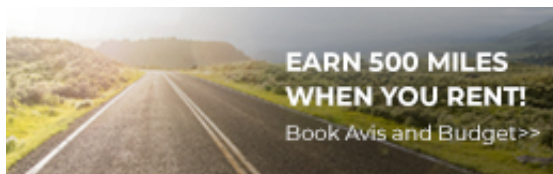
[Book a car »](#)



[Buy trip insurance »](#)



[Things to do »](#)



[Contact us](#) | [Privacy policy](#)

[Get the American Airlines app](#)



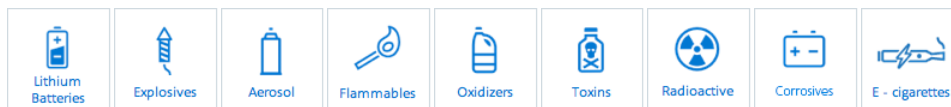
Additional Services are subject to credit card approval at time of ticketing. Additional Services may appear on multiple accompanied documents as a matter of reference.

If you have purchased a NON-REFUNDABLE fare, the itinerary must be canceled before the ticketed departure time of the first unused coupon or the ticket has NO VALUE. If the fare allows changes, a fee may be assessed for changes and restrictions may apply.

You have up to 24 hours from the time of ticket purchase to receive a full refund if you booked at least 2 days before departure. You must [log in](#) on aa.com or [Contact Reservations](#) to cancel. Once cancelled, your refund will be processed automatically. [Refunds](#).

Some American Airlines check-in counters do not accept cash as a form of payment. For more information, visit our [Airport Information](#) page.

The policy for traveling with Emotional Support and Service animals has changed. Visit [Traveling with Service Animals](#) for more information.



Some everyday products, like e-cigarettes and aerosol spray starch, can be dangerous when transported on the aircraft in carry-on and/or checked baggage. Changes in temperature or pressure can cause some items to leak, generate toxic fumes or start a fire. Carriage of prohibited items may result in fines or in certain cases imprisonment. Please ensure there are no forbidden hazardous materials in your baggage like:

Some Lithium batteries (e.g. spares in checked baggage, batteries over a certain size), Explosives / Fireworks, Strike anywhere matches/ Lighter fluid, Compressed gases / Aerosols Oxygen bottles/ Liquid oxygen, Flammable liquids, Pesticides/ Poison, Corrosive material.

There are special exceptions for small quantities (up to 70 ounces total) of medicinal and toilet articles carried in your luggage, spare lithium batteries for most consumer electronic devices in carry-on baggage, and certain smoking materials carried on your person.

Certain items are required to be carried with you onboard the aircraft. For example, spare lithium batteries for portable electronic devices, cigarette lighters and e-cigarettes must be removed from checked or gate-checked baggage and carried onboard the aircraft. However, e-cigarettes may not be used on-board the aircraft.

Traveling with medical oxygen, liquid oxygen, mobility aids and other assistive devices may require airline pre-approval or be restricted from carriage entirely. Passengers requiring these items should contact the airline operator for information on use of such devices.

To change your reservation, please call 1-800-433-7300 and refer to your record locator.

NOTICE OF INCORPORATED TERMS OF CONTRACT

Air Transportation, whether it is domestic or international (including domestic portions of international journeys), is subject to the individual terms of the transporting air carriers, which are herein incorporated by reference and made part of the contract of carriage. Other carriers on which you may be ticketed may have different conditions of carriage. International air transportation, including the carrier's liability, may also be governed by applicable tariffs on file with the U.S. and other governments and by the Warsaw Convention, as amended, or by the Montreal Convention. Incorporated terms may include, but are not restricted to: 1. Rules and limits on liability for personal injury or death, 2. Rules and limits on liability for baggage, including fragile or perishable goods, and availability of excess valuation charges, 3. Claim restrictions, including time periods in which passengers must file a claim or bring an action against the air carrier, 4. Rights on the air carrier to change terms of the contract, 5. Rules on reconfirmation of reservations, check-in times and refusal to carry, 6. Rights of the air carrier and limits on liability for delay or failure to perform service, including schedule changes, substitution of alternate air carriers or aircraft and rerouting.

You can obtain additional information on items 1 through 6 above at any U.S. location where the transporting air carrier's tickets are sold. You have the right to inspect the full text of each transporting air carrier's terms at its airport and city ticket offices. You also have the right, upon request, to receive (free of charge) the full text of the applicable terms incorporated by reference from each of the transporting air carriers. Information on ordering the full text of each air carrier's terms is available at any U.S. location where the air carrier's tickets are sold or you can click on the Conditions of Carriage link below.

Air transportation on American Airlines and the American Eagle carriers® is subject to American's [conditions of carriage](#).

For more on Canada passenger protection regulations visit [aa.com/CanadaPassengers](https://www.aa.com/CanadaPassengers).

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From: no-reply@viasat.com
Subject: Viasat In-Flight Wi-Fi Service Payment Confirmation
Date: August 27, 2021 at 5:20 PM
To: jonathan@mitchell.law



Thank you for purchasing a Wi-Fi session from Viasat. Your purchase information is below. If you have any questions about your order, please contact Passenger Care at <https://inflight.viasat.com> or call 1 (888) 649-6711.

===

Order Identifier: a0O3k00000dYXC2EAO

Purchase Date: 2021-08-27 22:20:46
Airline: American Airlines
Flight Date: 2021-08-27
Flight Number: AAL2009
Description: Flight pass
Payment Method: Visa
Total Purchase: \$18.00

===

Viasat Inc.
6155 El Camino Real
Carlsbad, CA 92009
USA

===

Viasat: <https://www.viasat.com>
Legal and Privacy: <https://www.viasat.com/legal>

===

Additional Information

If you have questions about the Inflight Wi-Fi service or want to give feedback, please visit <https://inflight.viasat.com>.

From: no-reply@viasat.com
Subject: Viasat In-Flight Wi-Fi Service Payment Confirmation
Date: August 26, 2021 at 1:28 PM
To: jonathan@mitchell.law



Thank you for purchasing a Wi-Fi session from Viasat. Your purchase information is below. If you have any questions about your order, please contact Passenger Care at <https://inflight.viasat.com> or call 1 (888) 649-6711.

===

Order Identifier: a0O3k00000dY1QvEAK

Purchase Date: 2021-08-26 17:28:15
Airline: American Airlines
Flight Date: 2021-08-26
Flight Number: AAL410
Description: Flight Pass
Payment Method: Visa
Total Purchase: \$19.00

===

Viasat Inc.
6155 El Camino Real
Carlsbad, CA 92009
USA

===

Viasat: <https://www.viasat.com>
Legal and Privacy: <https://www.viasat.com/legal>

===

Additional Information

If you have questions about the Inflight Wi-Fi service or want to give feedback, please visit <https://inflight.viasat.com>.

From: Lyft Receipts no-reply@lyftmail.com
Subject: Your ride with Nawid on August 26
Date: August 27, 2021 at 12:28 PM
To: jonathan@mitchell.law

LR



AUGUST 26, 2021 AT 3:20 PM

**Thanks for riding with
Nawid!**



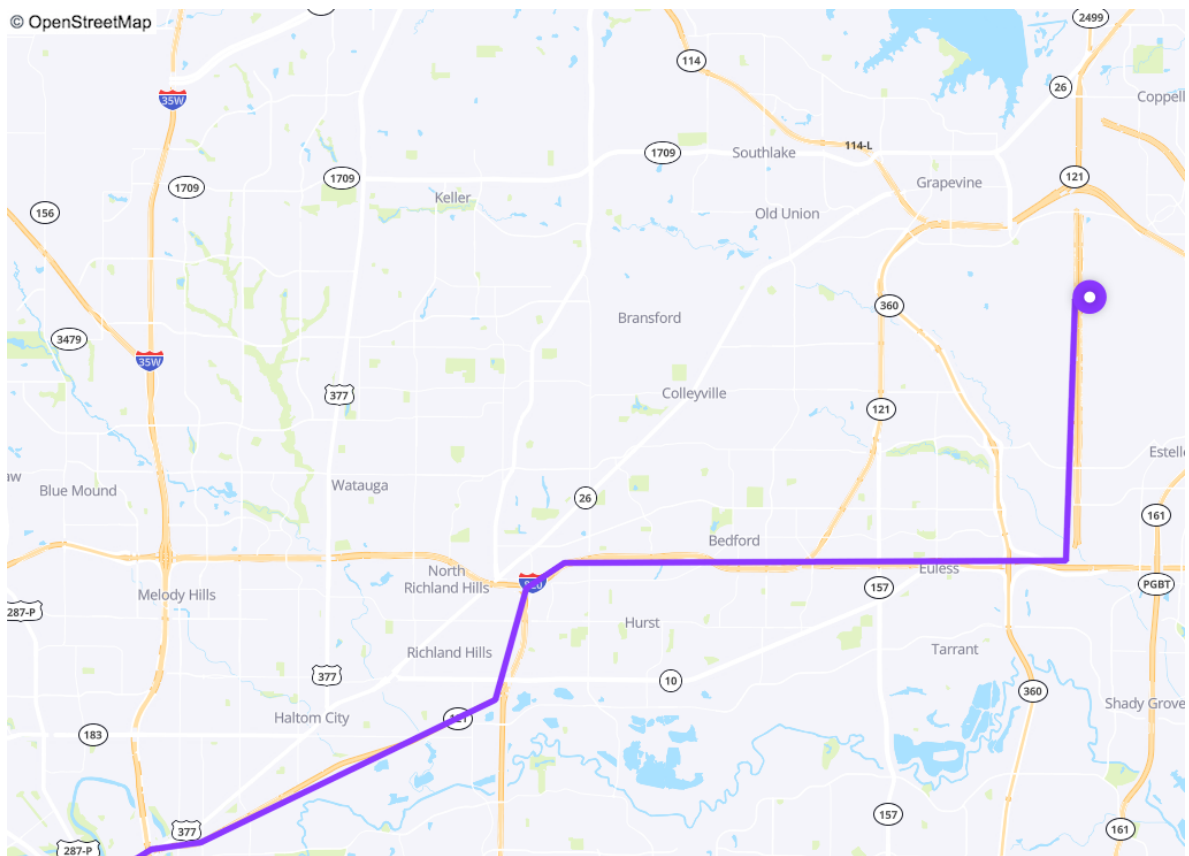
Lyft fare (25.02mi, 37m 24s)
Texas Surcharge

\$35.36
\$0.91



Visa *7900

\$36.27





- **Pickup** 3:20 PM
Terminal A, Grapevine, TX, US
- **Drop-off** 3:57 PM
108 W 8th St, Fort Worth, TX

TIP DRIVER

FIND LOST ITEM

REQUEST REVIEW

[Help Center](#)

Receipt #1579280491331070654

We never share your address with your driver after a ride.
[Learn more](#) about our commitment to safety.

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548 Market St., P.O. Box 68514
San Francisco, CA 94104
CPUC ID No. TCP0032513 - P

Work at Lyft
Become a Driver

From: Lyft Receipts no-reply@lyftmail.com
Subject: Your ride with Yahye on August 27
Date: August 28, 2021 at 8:41 PM
To: jonathan@mitchell.law

LR



AUGUST 27, 2021 AT 7:56 PM

**Thanks for riding with
Yahye!**



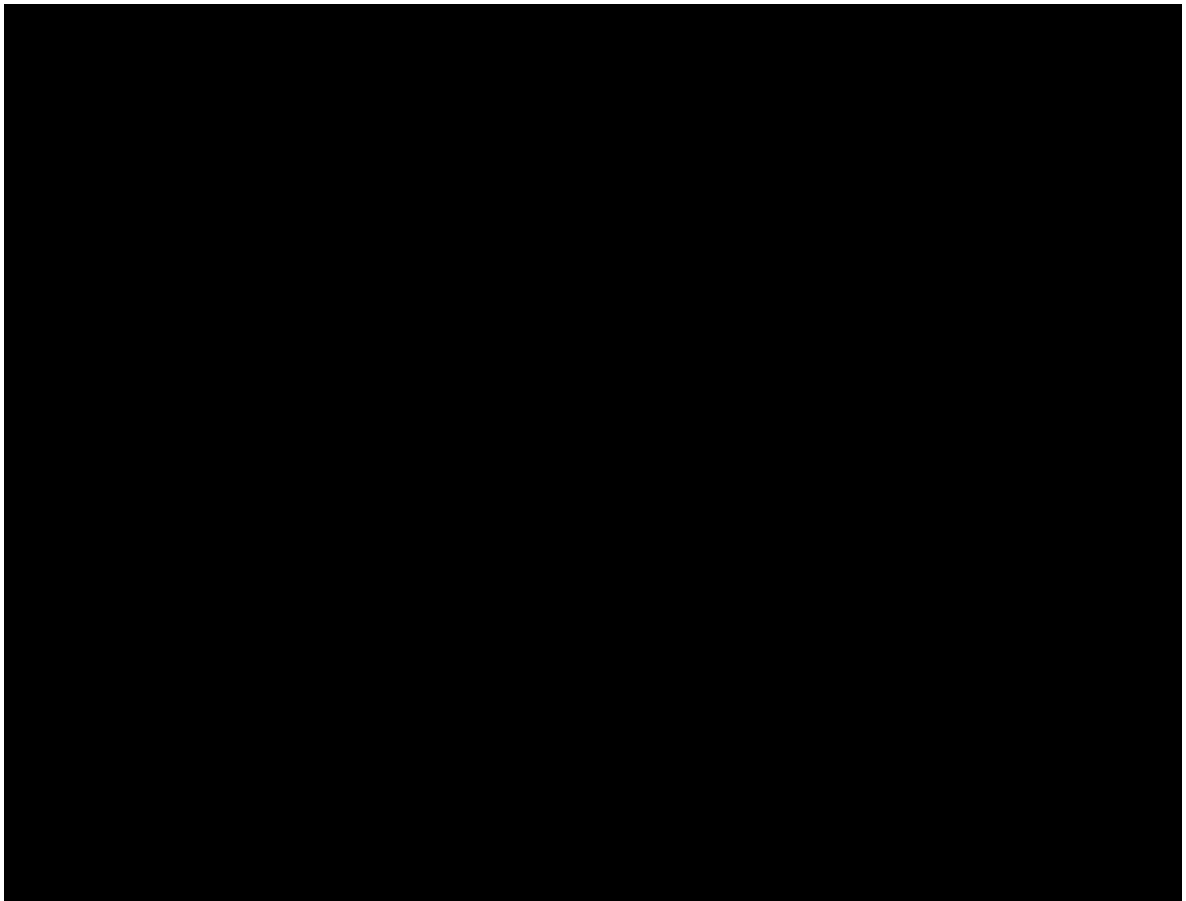
Lyft fare (40.58mi, 44m 43s)

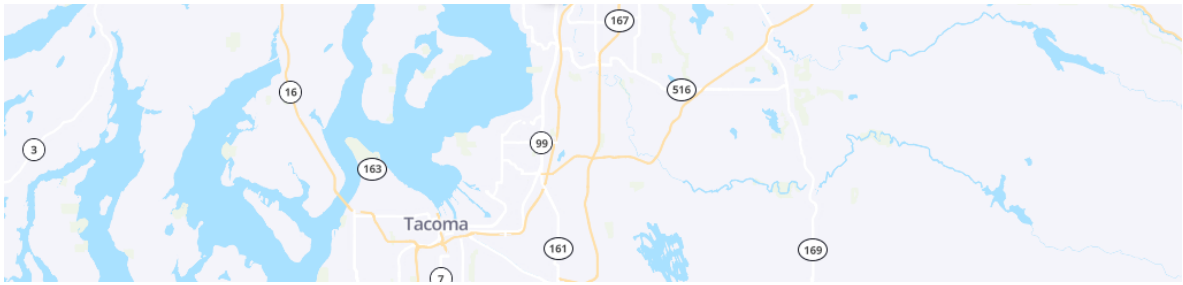
\$81.99



Visa *7900

\$81.99





● **Pickup** 7:56 PM

Seattle-Tacoma Airport Arrivals, SeaTac, WA, US

● **Drop-off** 8:41 PM



TIP DRIVER

FIND LOST ITEM

REQUEST REVIEW

To protect against unauthorized behavior, you may see [an authorization hold](#) on your bank statement. This is to verify your payment method and will not be charged.

[Help Center](#)

Receipt #1579754654680828610

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[© OpenStreetMap](#)

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548 Market St., P.O. Box 68514
San Francisco, CA 94104

Philadelphia International
Airport
Philadelphia, PA

1071 Joshua S

Chk 2561 JOHNATHAN Gst 0
Aug26'21 12:14PM

Dine In

1 CFA Sandwich	4.72
1 Fruit Cup	4.02
1 Fudge Brownie	2.19
AT026628 XXX6701	
Discover	11.80
Subtotal	10.93
Tax	0.87
Payment	11.80

-----1071 Check Closed-----

-----Aug26'21 12:16PM-----

We would love to hear from you
regarding your experience today.

Your valuable feedback is
crucial in our strive to
constantly provide great guest
service and assist us in
recognizing our associates who
provide First Class Service.

Please visit

MyFoodFeedback.smg.com

You will need to provide
specific information from
this receipt.

SURVEY CODE:

4252 8261 1000 6860 2101

* COOPER'S BBQ *

817-626-6464

301 Stockyards Blvd.
Fort Worth, TX 76164

TABLE# 0

SERVER 318/MGR C

CHECK# 459

***** TRANSACTION RECORD *****

Tran. : 31408 Table : 0

Check : 459 Employee : 318

Trace : 224681

Pre-Auth Purchase

Discover xxxxxxxxxxxxxx6701

APPROVED Chip Read

Amount USD \$97.79

I agree to pay the above total
amount according to the card
issuer agreement

X _____
Cardholder Signature

RRN: 000000113144 C

Auth. : 02685B Mode: Issuer

1/COPB02CC01 00 (001)

08/26/2021 6:01:50 PM

AID: A0000001523010

App Name: Discover Credit

TVR: 0000008000

IAD:

01056080030000000000000000000000

TSI: E800

ARC: 00

Customer Copy

From: Alaska Airlines service@iffly.alaskaair.com
Subject: Your confirmation receipt: FZXWBZ for your flight to New Orleans on 2/6/23.
Date: January 10, 2023 at 7:28 AM
To: [REDACTED]

AA



**Jonathan,
you're all set.**

We can't wait to see you on board. Before you fly, [view full reservation](#) details or make changes to your flight online.

MANAGE TRIP

Confirmation code:

FZXWBZ

Alaska

Flight 568

Boeing 737-9 MAX

(ETOPS)

Traveler(s)

Jonathan Mitchell

Seat: , Class: X (Coach)

Mon, Feb 06
09:25 AM

SEA

Seattle



Mon, Feb 06
03:57 PM

MSY

New Orleans

Summary of airfare charges

Jonathan Mitchell

*Mileage Plan MVP # *****9900*

Ticket 0272322526049

Base fare and surcharges	\$161.95
Taxes and other fees	\$27.05
Per-person total	\$189.00

Total charges for air travel	\$189.00

[View all taxes, fees and charges.](#)

Nonrefundable fare of \$189.00 to be charged to the Visa card with number *****7716 held by Jonathan F Mitchell on Jan 10, 2023.

Saver fare restrictions

This is a Saver fare reservation. It is not eligible for refund or credit beyond the first 24 hours after booking. Saver tickets purchased within 24 hours of scheduled departure are not eligible for refunds or cancellations.

In most cases Saver seats are assigned at the gate on a space-available basis, and parties of two or more might not be seated together.

Trip insurance by Allianz Global Assistance

Purchase travel insurance benefits and travel assistance services for your trip from [Allianz Global Assistance](#). [Learn more](#).

An app-solute must-have

Major crowds are causing long lines at the Seattle airport. Please use the Alaska app to check in, pay for bags and get your digital boarding pass BEFORE arriving at the airport.

GET THE APP

Before you fly

Baggage

Carry-on baggage: On Alaska Airlines flights, each traveler is limited to one carry-on bag plus one personal item. See our [carry-on baggage](#) page for the latest policies and size information.

Checked baggage: Alaska Airlines rules and fees apply for this itinerary. See the [checked baggage](#) page for details and exceptions.

Alaska Airlines baggage service guarantee: Get your bag in 20 minutes or less, [guaranteed](#).

The federal government has specific restrictions about hazardous materials in carry-on and checked baggage. Failure to declare hazardous materials may result in civil and criminal penalties. For more information, visit [the FAA website](#).

Check-in and digital boarding pass

Save time by using the [Alaska Airlines mobile app](#) to check in for your flight and access your digital boarding pass 1-24 hours prior to departure. You can also check in on [our website](#), at select airport kiosks or at the ticket counter.

For more information about minimum check-in times, required identification, international travel and traveling with minors, please [visit our website](#).

Use the Alaska app to stay informed about your flight

[Download the app](#) and enable notifications to find out about any flight changes. You can also sign up for [text or email notifications](#).

Sign up for email deals

Our email deals feature exclusive fare sales, discount code and web specials tailored to your preferences, as well as Alaska Airlines Mileage Plan™ offers and news. [Sign up](#).

What to expect on board

■

Inflight service

We've equipped almost all of our fleet with inflight Wi-Fi so you can surf the web or stay productive in flight. For more information, please see our [onboard guide](#).

Visit our [website](#) for the most up-to-date information on inflight food and beverage services and what to expect.

Service requests

Alaska Airlines provides a meet-and-assist service for travelers who need assistance through the airport. [Request this service online](#) or over the phone.

Additional services can be requested online or over the phone. [More info](#).

[View full details](#) about your flight reservation and fare.

Alaska Airlines reservations: 1-800-ALASKAAIR (1-800-252-7522)

Do you have a redress number? If so, and you did not provide it when you made your reservation, please visit www.alaskaair.com or call reservations. To learn more about redress numbers go to dhs.gov/trip.

[Book](#) | [My account](#) | [Preferences](#) | [Contact us](#) | [oneworld®](#)



Please review important information about your [consumer rights and our limitations of liability](#). You may also wish to review the [contract of carriage](#) applicable to your trip.

Reference number TL04358685. Requested at 1/10/23 12:28 PM.

This email was sent to jfmitchell@mac.com.

ALASKA AIRLINES | 1-800-ALASKAAIR | 1-800-252-7522 | WWW.ALASKAAIR.COM

Alaska Airlines, PO Box 68900, Seattle, WA 98168-0900.

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View our [privacy notice](#) or [contact us](#).



From: Hotels.com confirmation@mail.hotels.com
Subject: Hotels.com travel confirmation - Feb 6 - (Itinerary # 72467763024888)
Date: January 10, 2023 at 7:36 AM
To: [REDACTED]



Thanks!

Your reservation is confirmed. No need to call to reconfirm.

Lafayette Hotel, New Orleans

Feb 6, 2023 - Feb 7, 2023

[See your itinerary](#)

[Download to your phone](#)

Hotel overview

Lafayette Hotel

600 Saint Charles Ave, New Orleans, LA, 70130 United States of America

[Manage your booking](#) [View hotel Map and directions](#)

Reservation dates

Feb 6, 2023 - Feb 7, 2023

Itinerary

72467763024888

Learn about the [cleaning and safety practices](#) before your trip begins.

Check in and Check out

Check-in and Check-out

Check-in time

4 PM

Check-out time

11 AM

Check-in policies

Check-in time starts at 4 PM

Check-in time ends at midnight

Minimum check-in age is: 18

If a late check-in is planned, contact this property directly for their late check-in policy.

Special instructions

Front desk staff will greet guests on arrival.

Room

Guests

Reserved for Jonathan Mitchell

1 adult

Room

Deluxe Room, 1 King Bed

Room requests

1 King Bed

Non-smoking room

Price summary

[See your rewards activity](#)

Price breakdown

Room price: \$185.02

1 night: \$158.36

Taxes & fees: \$26.66

Total: \$185.02

Collected by Hotels.com

Unless specified otherwise, rates are quoted in US dollars.

Additional hotel fees

The below fees and deposits only apply if they are not included in your selected room rate.

You'll be asked to pay the following charges at the property:

- Deposit: USD 50 per stay

We have included all charges provided to us by the property.

The price shown above DOES NOT include any applicable hotel service fees, charges for optional incidentals (such as minibar snacks or telephone calls), or regulatory surcharges. The hotel will assess these fees, charges, and surcharges upon check-out.

Rules and restrictions

Cancellations and changes

We understand that sometimes plans fall through. We do not charge a cancel or change fee. When the property charges such fees in accordance with its own policies, the cost will be passed on to you. Lafayette Hotel charges the following cancellation and change fees.

Free cancellation until February 3 at 11:59 PM (Central Standard Time (US & Canada))

Cancellations or changes made after 11:59pm (property local time) on Feb 3, 2023 or no-shows are subject to a property fee equal to 100% of the total amount paid for the reservation.

Pricing and Payment

Hotel fees

The price DOES NOT include any applicable hotel service fees, charges for optional incidentals (such as minibar snacks or telephone calls), or regulatory surcharges. The hotel will assess these fees, charges, and surcharges upon check-out.

Pricing

Your credit card is charged the total cost at time of purchase. Prices and room/unit availability are not guaranteed until full payment is received

room/unit availability are not guaranteed until full payment is received.

Some properties request that we wait to submit guest names until 7 days prior to check in. In such a case, your room/unit is reserved, but your name is not yet on file with the property.

Guest Charges and Room Capacity

Base rate is for 1 guest.

Total maximum number of guests per room/unit is 3.

Maximum number of adults per room/unit is 2.

Maximum number of children per room/unit is 2.

Maximum number of infants per room/unit is 2.

This property considers guests aged 13 and under, at time of travel, to be children.

Availability of accommodation in the same property for extra guests is not guaranteed.

The fee for extra adults is \$20.00 per person.

Need to cancel or make a change to your trip?

Don't worry, it's quick and easy to [manage your booking](#) online.

We're here to help

For special requests and questions about your reserved room or the property, contact Lafayette Hotel.

Tel: 1 (855) 236-9329, Fax: 1 (504) 523-7327

Itinerary #72467763024888

Hotels.com customer support

Get support anytime on the [Hotels.com app](#) with 24/7 access to our virtual agent.

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From: Alaska Airlines service@ifly.alaskaair.com
Subject: Your confirmation receipt: FAFTNZ for your flight to Seattle on 2/7/23.
Date: February 2, 2023 at 12:42 PM
To: [REDACTED]

AA



**Jonathan,
you're all set.**

We can't wait to see you on board. Before you fly, [view full reservation](#) details or make changes to your flight online.

MANAGE TRIP

Confirmation code:

FAFTNZ

Alaska

Flight 569

Boeing 737-900

(Winglets)

Traveler(s)

Jonathan Mitchell

Seat: , Class: L (Coach)

**Tue, Feb 07
05:05 PM**

MSY

New Orleans



**Tue, Feb 07
08:30 PM**

SEA

Seattle

Summary of airfare charges

Jonathan Mitchell

*Mileage Plan MVP # *****9900*

Ticket 0272324807105

Base fare and surcharges	\$329.30

Taxes and other fees	\$39.60

Per-person total	\$368.90

Total charges for air travel	\$368.90

[View all taxes, fees and charges.](#)

Nonrefundable fare of \$368.90 to be charged to the Visa card with number *****7716 held by Jonathan F Mitchell on Feb 2, 2023.

Trip insurance by Allianz Global Assistance

Purchase travel insurance benefits and travel assistance services for your trip from [Allianz Global Assistance](#). [Learn more](#).

Before you fly

Baggage

Carry-on baggage: On Alaska Airlines flights, each traveler is limited to one carry-on bag plus one personal item. See our [carry-on baggage](#) page for the latest policies and size information.

Checked baggage: Alaska Airlines rules and fees apply for this itinerary. See the [checked baggage](#) page for details and exceptions.

Alaska Airlines baggage service guarantee: Get your bag in 20 minutes or less, [guaranteed](#).

The federal government has specific restrictions about hazardous materials in carry-on and checked baggage. Failure to declare hazardous materials may result in civil and criminal penalties. For more information, visit [the FAA website](#).

Check-in and digital boarding pass

Save time by using the [Alaska Airlines mobile app](#) to check in for your flight and access your digital boarding pass 1-24 hours prior to departure. You can also check in on [our website](#), at select airport kiosks or at the ticket counter.

For more information about minimum check-in times, required identification, international travel and traveling with minors, please [visit our website](#).

Sign up for email deals

Our email deals feature exclusive fare sales, discount code and web specials tailored to your preferences, as well as Alaska Airlines Mileage Plan™ offers and news. [Sign up](#).

What to expect on board

Inflight service

We've equipped almost all of our fleet with inflight Wi-Fi so you can surf the web or stay productive in flight. For more information, please see our [onboard guide](#).

Visit our [website](#) for the most up-to-date information on inflight food and beverage services and what to expect.

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Additional services can be requested online or over the phone. [More info](#).

[View full details](#) about your flight reservation and fare.

Alaska Airlines reservations: 1-800-ALASKAAIR (1-800-252-7522)

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Please review important information about your [consumer rights and our limitations of liability](#). You may also wish to review the [contract of carriage](#) applicable to your trip.

Reference number TL04358685. Requested at 2/2/23 17:42 PM.

This email was sent to jfmitchell@mac.com.

Alaska Airlines, PO Box 68900, Seattle, WA 98168-0900.

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Server: Daytime P
Check: 2006
Dine-In:

02/07/2023
11:22 AM

Item	Price
Falafel Bowl	\$10.95
Spanakopita	\$3.25
Baklava	\$3.55
Feta	\$0.55
Subtotal	\$18.30
Sales Tax	\$1.73
Total	\$20.03
Visa Tendered	\$20.03

The Simple Greek



Thank you for supporting The Simple Greek!

Card Type:	Credit
Card Number:	*****6310
Reference:	8721968
Authorization:	253630

From: Uber Receipts noreply@uber.com
Subject: [Personal] Your Monday evening order with Uber Eats
Date: February 6, 2023 at 6:44 PM
To: [REDACTED]

UR

Uber Eats

Total **\$25.08**
February 6, 2023

Thanks for tipping, Jonathan

Here's your updated receipt for
Felipe's Mexican Taqueria (French
Quarter).

[Rate order](#)



Total

\$25.08

 To view your full receipt go to [Uber Eats](#), or [download this PDF](#)

Payments



PayPal - jfmitchell@mac.com

\$21.26

2/6/23 5:44 PM



PayPal - jfmitchell@mac.com

\$3.82

 2/6/23 6:44 PM

A temporary hold of \$25.08 was placed on your payment method PayPal - jfmitchell@mac.com. This is not a charge and will be removed. It should disappear from your bank statement shortly.

[Learn More](#)

Trip ID: a9115d58-e2c7-5025-875e-c735de333d4e

Switch Payment Method >

You ordered from Felipe's Mexican Taqueria (French Quarter)

Delivered to

600 St. Charles Ave, New Orleans, LA 70130, US

Delivered by ferel

Contact support >

My orders >

[Forgot password](#)

[Privacy](#)

[Terms](#)

Uber Technologies

1515 3rd Street

San Francisco, CA 94158

From: Beecher's Handmade Cheese - SeaTac no-reply@toasttab.com
Subject: Receipt for Order #240 at Beecher's Handmade Cheese - SeaTac
Date: February 6, 2023 at 9:41 AM
To: [REDACTED]



Thank you for your order. Below is a receipt for your recent visit to Beecher's Handmade Cheese.
[trouble viewing this email?](#)



Beecher's Handmade Cheese
17801 International Boulevard
SeaTac, WA 98158
(206)209-5190

Server: J'mie G
Check #240
Ordered: Jonathon
2/6/23 7:41 AM

"World's Best" Mac & Cheese	\$13.89
Large	
2 Demi Baguette	\$3.90
Mocha 16oz	\$6.45

Subtotal	\$24.24
Tax	\$2.45
Total	\$26.69

Input Type	C (EMV Chip Read)
VISA CREDIT	xxxxxxx6310

Transaction Type	Sale
Authorization	Approved
Approval Code	59877C
Payment ID	C9HpmLKC9xmk
Application ID	A0000000031010
Application Label	VISA CREDIT
Terminal ID	482663f628b6c327
Card Reader	BBPOS

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From: Lyft Receipts no-reply@lyftmail.com
Subject: Your ride with Reinaldo on February 7
Date: February 7, 2023 at 8:03 PM
To: [REDACTED]

LR



FEBRUARY 7, 2023 AT 12:09 PM

Thanks for riding with Reinaldo!

Lyft fare (14.79mi, 19m 34s)	\$36.63
Louisiana State Fee	\$0.36

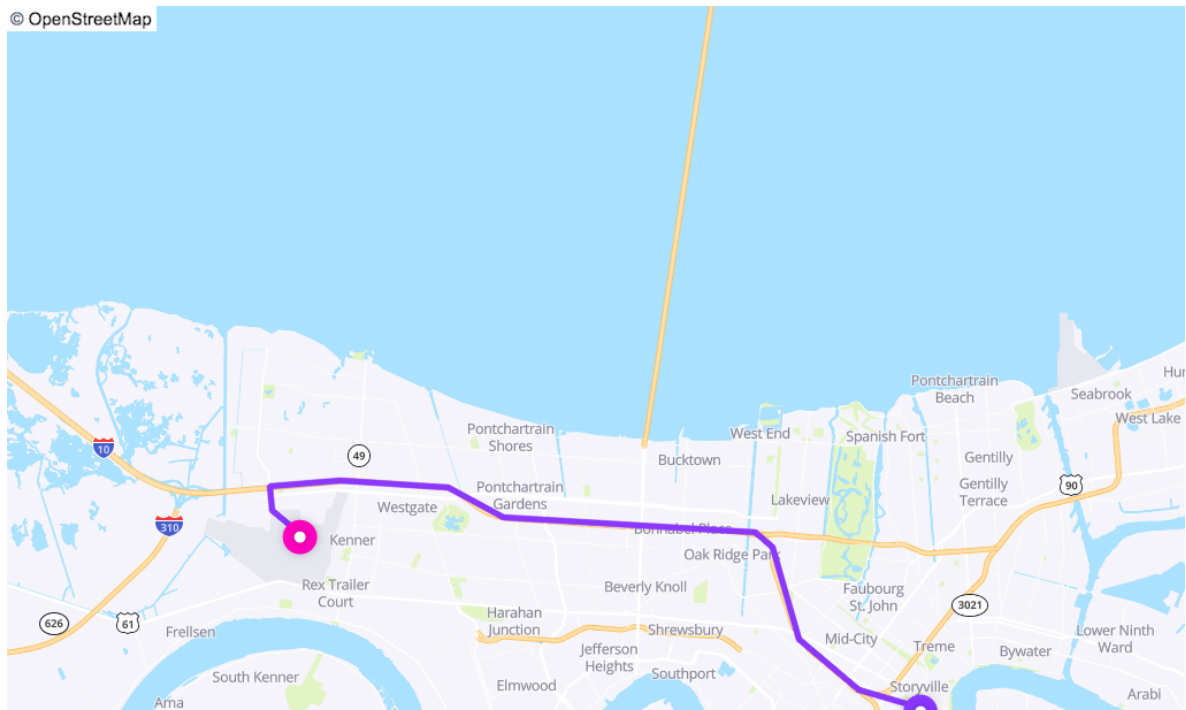


Visa *7900

\$36.99

You've already paid for this ride.

This total may not match the charge on your account statement. The payment for this ride might be combined with any other rides you took on February 7, 2023. Keep in mind that the cost of this ride and the total charge may not reflect refunds, credits, or other changes.





● **Pickup** 12:09 PM
800 Perdido St, New Orleans, LA

● **Drop-off** 12:28 PM
1 Terminal Dr, Kenner, LA

Tip driver

Find lost item

Request review

Help Center

Receipt #1775922840691148238

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548 Market St., P.O. Box 68514
San Francisco, CA 94104
CPUC ID No. TCP0032513 - P

Work at Lyft
Become a Driver

From: Lyft Receipts no-reply@lyftmail.com
Subject: Your ride with Rex on February 6
Date: February 6, 2023 at 5:25 PM
To: [REDACTED]

LR



FEBRUARY 6, 2023 AT 4:18 PM

Thanks for riding with Rex!

Lyft fare (15.39mi, 37m 7s)	\$42.61
Louisiana State Fee	\$0.38

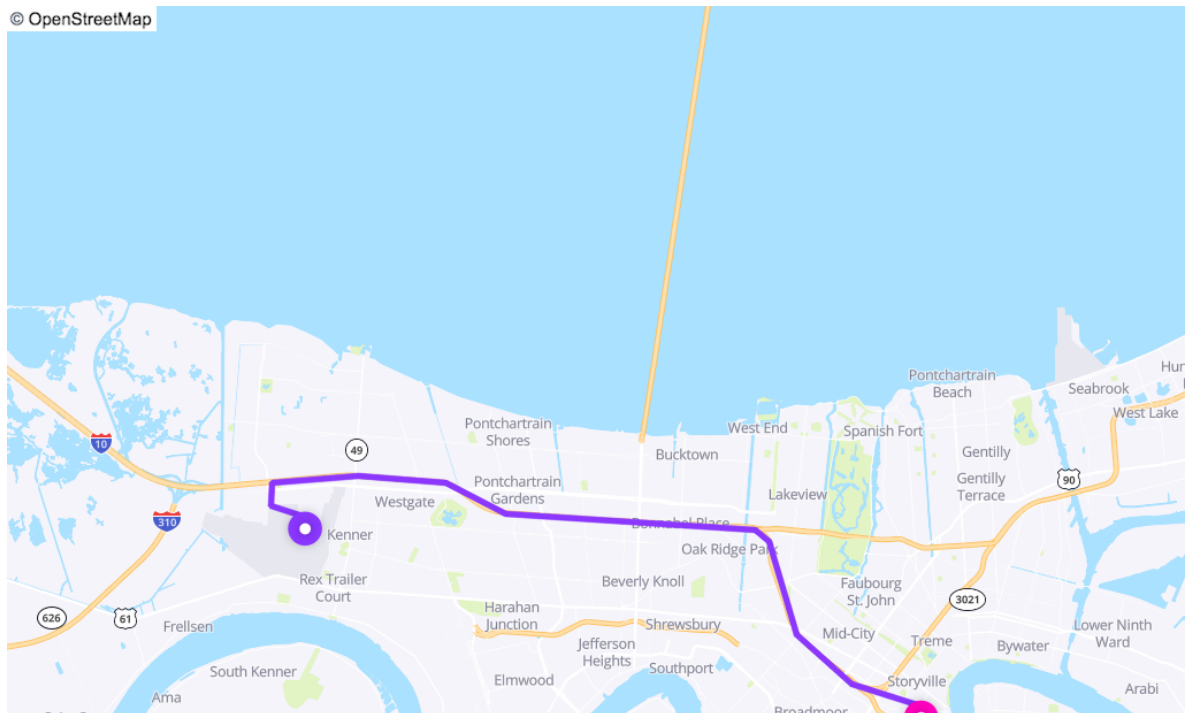


Visa *7900

\$42.99

You've already paid for this ride.

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- **Pickup** 4:18 PM
1 Terminal Dr Kenner, LA
- **Drop-off** 4:55 PM
628 St Charles Ave, New Orleans, LA

Tip driver

Find lost item

Request review

Help Center

Receipt #1775613709719116372

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CPUC ID No. TCP0032513 - P

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Become a Driver

From: Lyft Receipts no-reply@lyftmail.com
Subject: Your ride with Andargachew on February 6
Date: February 6, 2023 at 10:05 AM
To: [REDACTED]

LR



FEBRUARY 6, 2023 AT 6:26 AM

Thanks for riding with Andargachew!

Lyft fare (39.98mi, 59m 22s)

\$104.99

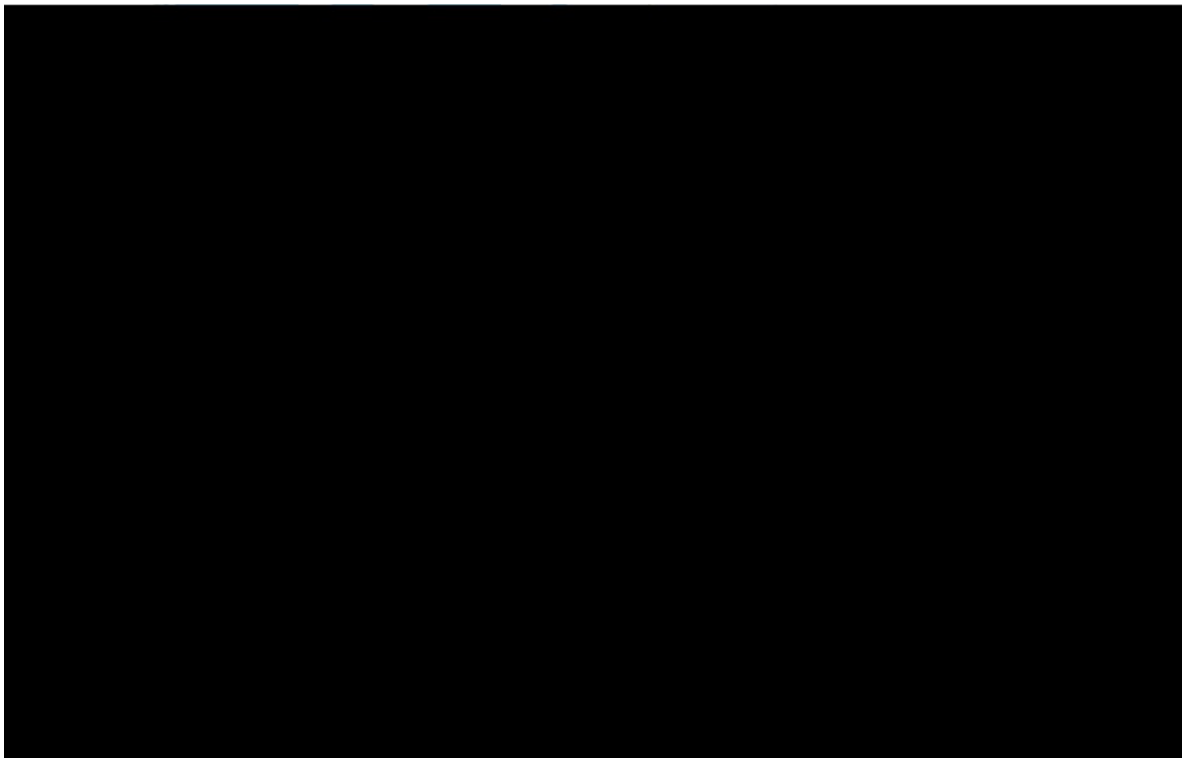


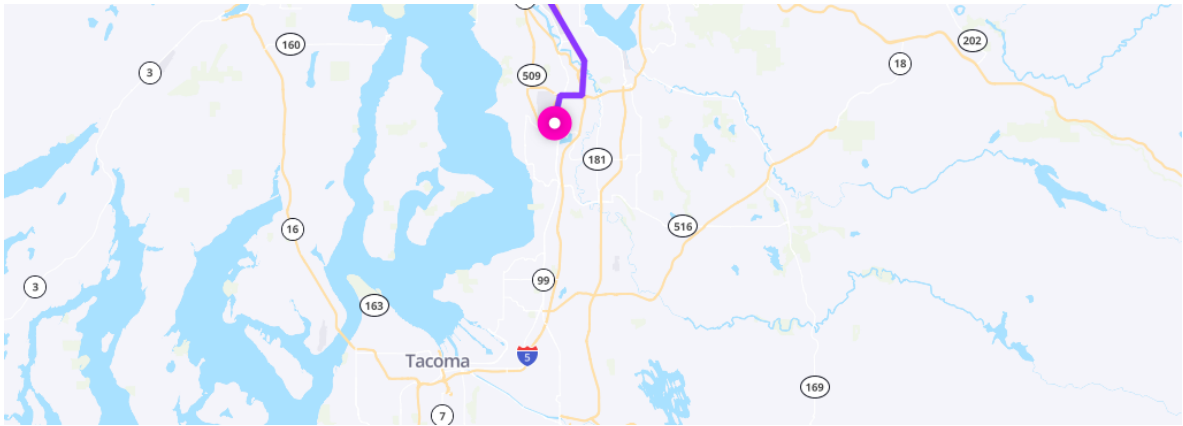
Visa *7900

\$104.99

You've already paid for this ride.

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● **Pickup** 6:26 AM



● **Drop-off** 7:25 AM

17801 International Blvd Seatac, WA

Tip driver

Find lost item

Request review

[Help Center](#)

Receipt #1775492525076880762

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548 Market St., P.O. Box 68514
San Francisco, CA 94104

San Francisco, CA 94104
CPUC ID No. TCP0032513 - P

Work at Lyft
Become a Driver

From: Lyft Receipts no-reply@lyftmail.com
Subject: Your ride with Kyaw on February 7
Date: February 8, 2023 at 9:40 AM
To: [REDACTED]

LR



FEBRUARY 7, 2023 AT 8:12 PM

Thanks for riding with Kyaw!

Lyft fare (40.70mi, 42m)	\$98.99
Tip	\$50.00

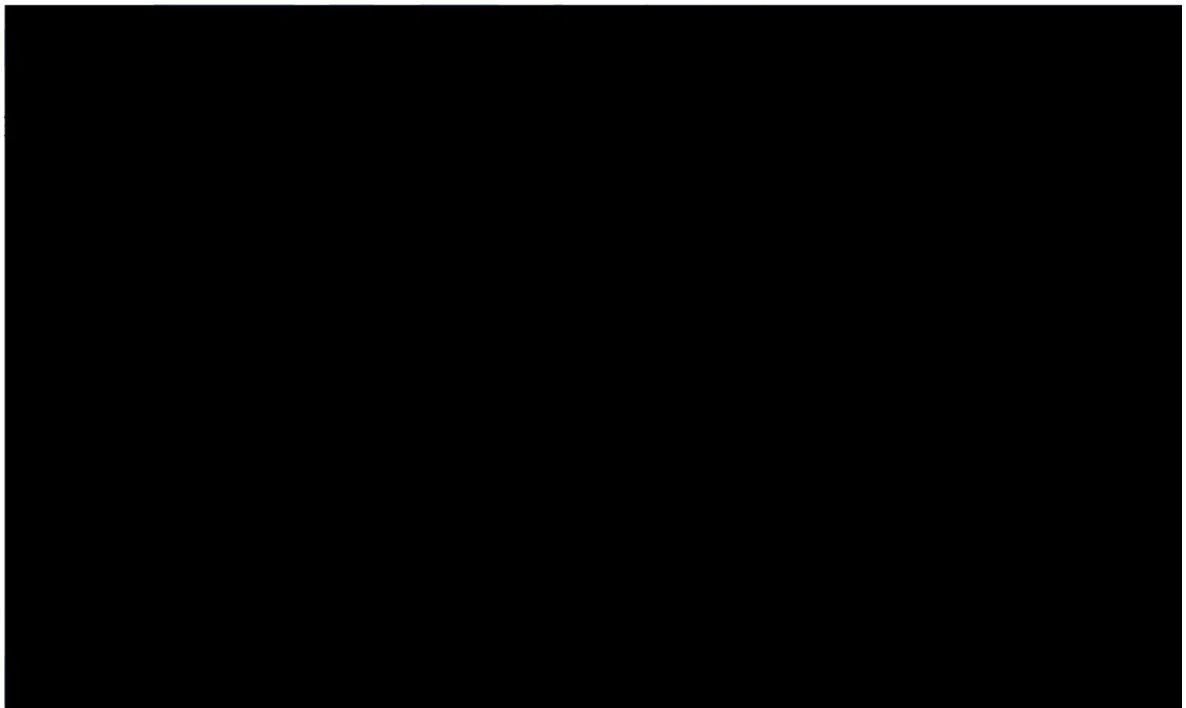


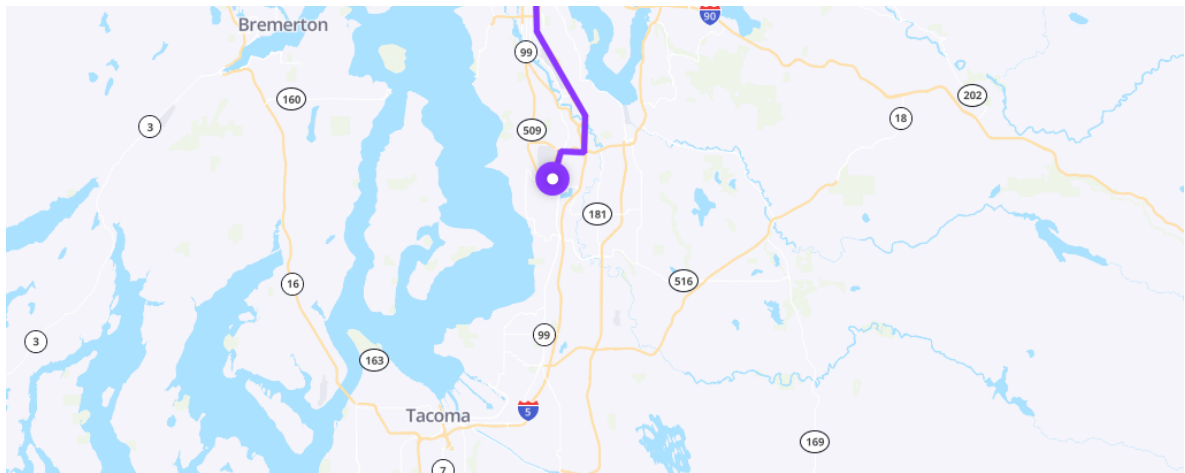
Visa *7900

\$148.99

You've already paid for this ride.

This total may not match the charge on your account statement. The payment for this ride might be combined with any other rides you took on February 7, 2023. Keep in mind that the cost of this ride and the total charge may not reflect refunds, credits, or other changes.





● **Pickup** 8:12 PM
22 Air Cargo Rd, Seatac, WA

● **Drop-off** 8:54 PM



Tip driver

Find lost item

Request review

Help Center

Receipt #1776077789478978468

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San Francisco, CA 94104
CPUC ID No. TCP0032513 - P

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Exhibit E

to Mitchell Declaration

THIS IS MEMBER-EXCLUSIVE CONTENT

NEWSPOLITICS

High-dollar lawyers aim to prove Texas in ‘substantial compliance’ to serve foster kids

Private attorneys hired to represent the state are indicating an aggressive defense ahead of this month’s hearing.



Texas is paying a Dallas lawyer more than \$1,300 an hour to aggressively try to extricate the state from a costly, embarrassing lawsuit over how it treats foster children. And the attorney, Allyson N. Ho, appears to be swinging for the fences to prove that the state has achieved “substantial compliance” in improvements to serve those kids. 2017 file photo shows homes painted by children staying at Austin-based foster care facility Helping Hand Home. (Rose Baca / Staff Photographer)

By [Robert T. Garrett](#)

2:44 PM on Jun 14, 2023 CDT

[LISTEN](#)

AUSTIN — Texas is paying a Dallas lawyer more than \$1,300 an hour to aggressively try to extricate the state from a costly, embarrassing lawsuit over how it treats foster children.

And the attorney, Allyson N. Ho, appears to be swinging for the fences to prove that the state has achieved “substantial compliance” in improvements to serve those kids.

In a filing late Tuesday, Ho announced she and her colleagues from the international law firm Gibson Dunn & Crutcher may call as many as 14 state protective-services and child-care regulatory officials as witnesses at a hearing this month.

Ho intends to show then that enough progress has been made to meet U.S. District Judge Janis Graham Jack’s remedial orders, she wrote.

“Defendants intend to call these witnesses to assist with demonstrating Defendants’ substantial compliance with the Remedial Orders and carrying out their responsibility of safeguarding the children in their care,” she said.

Ho could not be reached for comment.

Spokesmen for Gov. Greg Abbott did not respond to a request for comment on why he’s hired outside lawyers and whether he wants more robust challenges to Jack’s handling of the case.

Lead plaintiffs’ lawyer Paul Yetter said Wednesday that he finds the state’s new posture discouraging.

“It’s gone back to fighting and not fixing,” Yetter said in a written statement.

[The class-action suit was filed in March 2011](#) by New York-based Children’s Rights, a nonprofit advocacy group, which recruited law firms Yetter Coleman of Houston and Haynes and Boone of Dallas as in-state, pro bono counsel.

In late 2015, Jack found that Texas runs an unsafe long-term foster care system. Children abused or neglected by their birth families emerge from it in worse shape than when they entered, Jack said.

In early April, Abbott’s office hired Gibson Dunn. The three-term Republican governor ended the practice of having separate sets of lawyers in Attorney

General Ken Paxton's office represent himself, the Department of Family and Protective Services, and the Health and Human Services Commission.

In Abbott's original April 6 contract with Gibson Dunn, which appeared to be signed by his chief of staff Gardner Pate, the parties set a \$1 million cap on attorney fees and costs through Aug. 31. But on May 22, Abbott's office said in a revised contract that it "continues to require the assistance of outside legal counsel," according to copies of the contracts and related correspondence *The Dallas Morning News* obtained through the state's open-records law.

The cap is apparently lifted because on Friday, Abbott signed a ["supplemental" or emergency spending bill](#) that gives his office \$6 million to pay lawyers to represent the state in the foster-care suit.

'Texas no longer is trying'

Yetter, the plaintiffs' lawyer, added the two figures together and said the governor has a \$7 million legal war chest. It's not clear whether Abbott has authority to spend more than \$6 million.

"It's a sad day for children when the state decides to spend \$7 million on new lawyers instead of safe homes, improved training and better care," Yetter said. "Fixing a broken system is not easy. This looks like the state of Texas no longer is trying."

In recent "motions for clarification," Ho, who is co-chair of Gibson Dunn's appellate and constitutional law practice group, questioned what she described as the judge's imprecise instructions on how the state should challenge her monitors' invoices to the state.

In nearly 3½ years of court monitoring, Deborah Fowler of Austin-based Texas Appleseed, Kevin Ryan of New Jersey-based Public Catalyst and their staff members have rung up about \$46 million in billings, according to the protective-services department.

Ho said she had questions about, though she wasn't necessarily challenging, what appears to be a \$79,027 bill for the time of 41 people on the monitors' staffs to virtually attend Jack's April 12 status conference in the case.

The costs to state taxpayers of the monitors and plaintiffs' lawyers, who've been awarded millions in fees, have been exorbitant, House Human Services Committee Chairman James Frank, R-Wichita Falls, has said.

Ho also has repeated the objections made by Paxton aides on April 12 that Jack's monitors exceeded their authority by trying to oversee children's use of psychotropic drugs, which aren't specifically mentioned in approved remedial orders. Jack overruled the objections.

In filings and emails, Yetter, Fowler and Ryan have told Ho and her Gibson Dunn team that orders requiring Texas to shield children from shoddy providers and investigate medical neglect of children give Jack discretion to ride herd on overuse of mental health drugs.

In a recent 13-month period, monitors visiting 14 congregate-care facilities reviewed files for 161 children. Of them, 75 were on four or more psychotropic medications. Only one of the 75 had a current version of a utilization review for such powerful drugs. The state imposed the review requirement on itself, given [past abuses chronicled by former Comptroller Carole Keeton Strayhorn](#).

'No substitute for an order'

In a June 5 filing, Ho referred to communications she'd received from the monitors.

"Those emails are no substitute for an order" on her requests that Jack clarify invoice-challenge procedures and whether the judge has authority to challenge individual doctors' decisions on prescription drugs, Ho wrote.

Jack scheduled a June 27 hearing, at which [she may again hold the state in contempt of court](#).

In late 2019, Jack slapped fines on Texas of \$50,000 a day, mostly for not ensuring there were nighttime watches of kids in all group settings. She suspended the fines after three days. Since then, Jack has threatened — but not actually levied — fines on two other occasions.

In March through May, Texas' foster care system had more than 200 children housed in hotels and other makeshift settings, such as churches, for at least two consecutive nights per month. That was the first time the monthly "children without placements" number topped 200 since October. In the summer of 2021, the census topped 400.

Last month, 75% of the children lacking placements were 14 to 17 years old, with 88% having experienced psychiatric hospitalizations, according to department data. Having to tend the children 24/7 on overtime shifts has fueled high turnover among Child Protective Services caseworkers.

At the upcoming hearing, lawyers for the 9,000 children in long-term foster care want the judge to force the state to prove it's in compliance with reform orders, Yetter said.

"We'll focus on three areas: overworked caseworkers, medical neglect as to powerful psychotropic meds, and children not knowing how to report abuse."

On Tuesday, Ho did something state lawyers have not done before periodic hearings.

She submitted a witness list. In addition to the 14 bureaucrats, Ho said "defendants reserve the right to call additional witnesses if needed to show substantial compliance with the Remedial Orders."

Whether the move is aimed at fending off a contempt order or building a record for a more frontal challenge to Jack is unclear.

On Wednesday, Ho did not respond to questions about whether she plans later in the summer to ask the 5th U.S. Circuit Court of Appeals in New Orleans, on which her husband James Ho sits, to overturn any of Jack's recent rulings or release Texas from the case.

Under Jack's remedial orders, she would retain jurisdiction in the case for three years after her monitors said Texas has fully complied.

Whether that can be accelerated hinges on improvements or the state's defense strategy — and, perhaps, the 5th Circuit.

The Gibson Dunn team's ample connections to the New Orleans-based court have drawn notice. Four of the five Gibson Dunn lawyers mentioned in contracts with Abbott's office, including Ho and of counsel Prerak Shah of Houston, have clerked for current 5th Circuit judges.

Abbott is paying Ho \$1,313 an hour; and Shah, a former acting U.S. attorney for the Northern District of Texas, \$1,069 an hour.

In the original contract, Abbott's office agreed to pay two Dallas-based associates in the Gibson Dunn firm \$945 and \$859 an hour, respectively.

On May 22, the contract's hourly rate sheet was amended to note that Dallas-based associate Savannah Silver would be paid \$754 an hour, with "other unspecified associates" receiving sums "not to exceed \$859/hr."



[Robert T. Garrett](#), Austin Bureau Chief. Bob has covered state government and politics for The Dallas Morning News since 2002. Earlier, he was a statehouse reporter for three newspapers, including the Dallas Times Herald. A fifth-generation Texan, Bob earned a bachelor's degree from Harvard University.

rtgarrett@dallasnews.com /[bob.garrett.39](#) @RobertTGarrett [robertgarrett54](#)

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Exhibit F

to Mitchell Declaration

[NEWSPOLITICS](#)

Texas hires well-connected private lawyers, may stiffen defense in foster-care lawsuit

In hiring Allyson Ho and Prerak Shah, Texas may be signaling a new defense strategy in the long-running suit.



Texas has hired well-connected private lawyers Allyson Ho and Prerak Shah to defend the state in a long-running federal lawsuit over foster care. Texas' switch of lawyers may signal a new, more aggressive defense strategy. (Staff Photographer)

By [Robert T. Garrett](#)

1:28 PM on May 11, 2023 CDT

LISTEN

Update:

Updated at 2:18 p.m. to include plaintiffs' lawyers' reaction.

AUSTIN — Texas Attorney General Ken Paxton has hired experienced and well-connected private lawyers to represent the state in a federal class-action suit over foster care.

They include Allyson N. Ho, the wife of a federal appellate judge on the court who may hear additional appeals, and two other lawyers with the multinational law firm [Gibson Dunn](#) who — like Ho — have clerked for other sitting judges on that court.

Together with recent moves by aides to Paxton challenging activities of judge-appointed monitors, Texas' switch of lawyers may signal a new, more aggressive defense strategy.

In a court filing Thursday, Ho and Prerak Shah announced their appearances in the long-running suit that accuses the state's long-term foster care of being unsafe and harmful to children.

Ho "has been assigned to appear as Attorney-in-Charge in this case on behalf of all Defendants," the notice read.

[Ho](#), of Dallas, is co-chair of the 1,800-lawyer firm's nationwide appellate and constitutional law practice group. She has presented more than 90 oral arguments in state and federal courts, many in high-dollar business disputes.

She is married to James Ho, a judge on the 5th U.S. Circuit Court of Appeals, and once clerked for another judge who sits on the New Orleans-based appellate court, Jacques Wiener Jr..

[Shah](#), of Houston, is of counsel to Gibson Dunn. Shah is a former acting U.S. attorney for the Northern District of Texas. Previously, he was chief of staff to U.S. Sen. Ted Cruz. Shah, who clerked for 5th Circuit Judge Jerry Smith, sits on Cruz and Sen. John Cornyn's Federal Judicial Evaluation Committee. It advises the senators on federal judge and U.S. attorney appointments in Texas.

Also entering the case is the firm's Dallas-based litigation associate [Savannah Silver](#). Silver clerked for 5th Circuit Judge Jennifer Walker Elrod.

The state's move to hire some of the most highly regarded appellate attorneys in the country may suggest that it will appeal District Judge Janis Graham Jack's decisions back to the 5th Circuit, with the aim of narrowing remedies and seeking an end to the case.

In the 12-year-old suit, state-employed lawyers from the attorney general's office have represented the three defendants — the governor, protective services department and Health and Human Services Commission.

Ho and Shah are the first outside lawyers Texas has retained.

In April 2021, Gov. Greg Abbott and the two state agencies had to obtain separate lawyers from Paxton's office because of a "perceived conflict," according to the new attorneys' notice. The protective services department once operated child placing agencies in several regions, which the commission filed enforcement actions against, the notice said. However, the need for separate lawyers has ended because the department gave up its licenses, it said.

On Thursday, the two defendant agencies issued a joint statement saying Paxton's office hired Gibson Dunn "to ensure that the State's interests are best represented in the lawsuit."

It noted that Kimberly Gdula, deputy chief of Paxton's General Litigation Division, who once represented state agencies in the case, is returning "as counsel" and will coordinate the state lawyers' work under Ho's supervision.

"The agencies look forward to working with the new litigation team," department and commission officials said.

Paxton's media affairs office did not immediately respond to an email inquiring how much the three Gibson Dunn lawyers will be paid.

New York-based nonprofit groups Children's Rights and A Better Childhood brought the suit, with help from two Texas firms working in the case for free, Yetter Coleman of Houston and Haynes and Boone of Dallas.

Paul Yetter, the lead plaintiffs' lawyer at a bench trial in the case, said that although Ho and Shah are "excellent lawyers," he wishes the state instead would spend money on foster care improvements. The state's fastest exit from the case is to ensure children's safety, he said.

"Lawyering up won't fix this broken system," Yetter said in an email. "The State needs more caseworkers and more safe homes, not more litigators."

Marcia Robinson Lowry, who founded Children's Rights and now heads A Better Childhood, said state leaders should be focusing on "the serious and continuing problems that continue to be identified by the monitors," not legal strategy.

“I have not seen this extraordinary level of resistance in any of the other cases I have worked on,” she said in an email. Lowry said she’s been involved in “at least 20.”

In recent decades, Children’s Rights has sued dozens of states and counties, alleging that they run foster care systems that unconstitutionally expose children to undue risk of harm.

Texas resisted the class-action lawsuit more vigorously than others, but it wasn’t able to beat it back.

Nearly 2½ years ago, [Abbott ordered the Department of Family and Protective Services and the Health and Human Services Commission](#) to “fully comply” with Jack’s orders.

Tension-filled hearings in the past two months, though, signaled to many providers and others who have closely followed the case that Texas may be preparing to ask the 5th Circuit to rein in Jack, an appointee of former President Bill Clinton.

Last week, Assistant Attorney General Reynolds Brissenden, who represents the commission, said Jack’s two monitors’ combined request for payment of \$1.7 million for their work in March was more than usual, raising concerns.

At an April 12 hearing in Corpus Christi, Brissenden and another lawyer in Paxton’s office who represents the protective services department [lodged objections that monitors were inappropriately reviewing the psychotropic drugs](#) being given to a sample of the 9,000 children in long-term foster care.

“There is no remedial order that specifically addresses the use of psychotropic medications,” Brissenden said.

Jack shot back, “This is a safety issue for the children. You’re putting them in unsafe placements where they’re being thrown eight, nine psychotropic drugs at a time without proper supervision.”

Allyson Ho argued multiple cases at the U.S. Supreme Court, according to a January 2021 article in the legal publication Texas Lawbook.

She also once played the harp for the justices when she clerked for the late Justice Sandra Day O’Connor and helped Justice Amy Barrett through the confirmation process.

At Gibson Dunn, she took the position vacated by James Ho after former President Donald Trump nominated him for an opening on the 5th Circuit in 2017.

Asked about James and Allyson Ho's similar careers as Texas appellate lawyers, and whether that has caused ethical conflicts, Allyson Ho responded, "No impact as a substantive matter," Texas Lawbook reported.

James Ho ticked off other legal power couples. He said "obviously" he would recuse himself from any case involving his wife and Gibson Dunn.



[Robert T. Garrett](#), Austin Bureau Chief. Bob has covered state government and politics for The Dallas Morning News since 2002. Earlier, he was a statehouse reporter for three newspapers, including the Dallas Times Herald. A fifth-generation Texan, Bob earned a bachelor's degree from Harvard University.

rtgarrett@dallasnews.com /[bob.garrett.39](#) @RobertTGarrett [roberttgarrett54](#)

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.,

Plaintiffs,

v.

**Equal Employment Opportunity
Commission**, et al.,

Defendants.

Case No. 4:18-cv-00824-O

DECLARATION OF CHARLES W. FILLMORE

1. My name is Charles W. Fillmore. I am over the age of 18 and fully competent in all respects to make this declaration.

2. I have personal knowledge of the facts stated in this declaration, and all of these facts are true and correct.

3. I represent the plaintiffs in this litigation, and I submit this declaration in support of the plaintiffs' application for costs and attorneys' fees under 42 U.S.C. § 1988(b) (Docket Entry No. 153).

4. I am a licensed attorney in the State of Texas. I am a partner of the Fillmore Law Firm, L.L.P.

5. Attached as Exhibit A to this declaration is an authentic copy of my current curriculum vitae. I have been practicing law for 29 years. After graduating from law school magna cum laude in 1993, I served as a law clerk to the Honorable Harold R. DeMoss, Jr., a Justice on the United States Court of Appeals for the Fifth Circuit. Since 1994, I have practiced law at the Fillmore Law Firm with my brother and law partner, H. Dustin Fillmore III. In the course of our law practice, we have represented clients in various types of complex litigation matters, including medical malpractice,

Emergency Medical Treatment and Active Labor Act litigation, commercial litigation, oil and gas litigation, insurance litigation, legal malpractice litigation, and class-action litigation.

6. My law practice has included, and still does include, both trial and appellate work at both the state and federal court levels. I also represent both plaintiffs and defendants.

7. I represent clients on a contingency fee basis and an hourly-rate basis. I have also represented plaintiffs in commercial cases where the law allowed for the recovery of attorneys' fees. In these types of cases, I employed the same billing practices that I routinely employ when representing defense clients whom I charge on an hourly-rate basis.

8. I am familiar with the standards for recovering attorneys' fees, both in Texas and in federal court, including those set forth in *Arthur Andersen & Co. v. Perry Equipment Corp.*, 945 S.W.2d 812 (Tex. 1997), Texas Disciplinary Rule of Professional Conduct 1.04, and more recently in *Robrmoos Venture v. UTSW DVA Healthcare, LLP*, 578 S.W.3d 469 (Tex. 2019).

9. I am familiar with the standards for recovering attorneys' fees, both in Texas and in federal court, including those set forth in *Arthur Andersen & Co. v. Perry Equipment Corp.*, 945 S.W.2d 812 (Tex. 1997), Texas Disciplinary Rule of Professional Conduct 1.04, and more recently in *Robrmoos Venture v. UTSW DVA Healthcare, LLP*, 578 S.W.3d 469 (Tex. 2019).

10. In connection with the above styled and numbered case, I have served the role as lead counsel and primary briefing attorney for Plaintiffs, both in this Court and at the Court of Appeals and the Texas Supreme Court.

11. My billing records in this case are attached as Exhibit B to this declaration. A review of Exhibit B will reveal that I have kept detailed records of my work activities. Exhibit B describes the specific work activities ("services") that I have performed, the

date on which the services were performed, and the amount of time I spent performing such services, calculated in tenths of an hour.

12. In my opinion, the services that I have described in detail in Exhibit B were reasonable and necessary in the performance of my duties as local counsel in this case.

13. In my opinion, the services represented by these hours were reasonable and necessary. It is further my opinion that the attorneys' fee rate at which the attorney time has been calculated, \$500.00 per hour, is a reasonable hourly rate in this locality for similar legal services by attorneys of similar experience and skill.

14. The timesheet attached as Exhibit B shows that I spent 3.1 hours on this matter in my role as local counsel. When multiplied by my reasonable hourly rate of \$500, that produces a lodestar of \$1,550.00.

This concludes my sworn statement. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 12, 2023

DocuSigned by:
Charles W. Fillmore
ED268FF352D44F1...
CHARLES W. FILLMORE

Exhibit A

to Chad Fillmore Declaration

Charles W. Fillmore
The Fillmore Law Firm, L.L.P.
201 Main Street, Suite 700
Fort Worth, Texas 76102
(817) 332-2351
email: chad@fillmorefirm.com

Education

South Texas College of Law, Juris Doctor, Magna Cum Laude	1993
Southwestern University, Georgetown, Texas, B.A.	1989

Bar Admissions

State Bar of Texas
United States Supreme Court
United States Court of Appeals, Fifth Judicial Circuit
United States District Court for the Northern District of Texas
United States District Court for the Eastern District of Texas
United States District Court for the Western District of Texas

Employment

The Fillmore Law Firm	1994 - present
Law Clerk to the Hon. Harold R. DeMoss Jr., United States Court of Appeals, Fifth Circuit	1993 - 1994

Professional Societies (selected)

Member, Bar Association of the Fifth Federal Circuit
Member, State Bar of Texas
Member, Appellate Section, State Bar of Texas
Member, Tarrant County Bar Association
Member, Wichita County Bar Association
Member, The Federalist Society, Tarrant County Lawyers Chapter

Professional Honors (selected)

Texas Monthly "Super Lawyer," Corporate Counsel Edition, Practice Area – Appellate	2009 - present
Martindale-Hubbell - AV Preeminent rated	

Published Cases (selected)

Federal - Appellate and District Court

Cates v. Creamer,
431 F.3d 456 (5th Cir. 2005), cert denied, 127 S. Ct. 219
(2006)

Martinez v. Porta,
601 F. Supp.2d 865 (N.D. Tex. 2009)

Martinez v. Porta,
598 F. Supp.2d 807 (N.D. Tex. 2009)

Fuqua v. Horizon/CMS Healthcare Corp.,
199 F.R.D. 200 (N.D. Tex. 2000)

State - Appellate

Boyd v. Kallam,
232 S.W.3d 774 (Tex. 2007)

Boyd v. Kallam,
152 S.W.3d 670 (Tex. App.—Fort Worth 2004),
pet. denied, improvidently granted,
232 S.W.3d 774 (Tex. 2007)

Tesfa v. Stewart,
135 S.W.3d 272 (Tex. App.—Fort Worth 2004, pet. denied)

Horizon/CMS Healthcare Corp. v. Auld,
34 S.W.3d 887 (Tex. 2000)

Lavy v. Pitts,
29 S.W.3d 353 (Tex. App.—Eastland 2000, pet. denied)

Horizon/CMS Healthcare Corp. v. Auld,
985 S.W.2d 216 (Tex. App—Fort Worth 1999),
aff'd in part, rev'd in part, 34 S.W.3d 887 (Tex. 2000)

Unpublished Cases (selected)

Federal - Appellate and District Court

Harris v. Devon Energy Prod. Co., L.P.,
500 Fed. Appx. 267 (5th Cir. 2012)

Cates v. Hertz Corp.,
347 Fed. Appx. 2 (5th Cir 2009)

Seaberry v. Richeson Manage. Corp.,
103 F.3d 125, 1996 WL 731400 (5th Cir. 1996)

Martinez v. Porta,
2006 WL 3289187 (N.D. Tex. 2006)

Martinez v. Porta,
2006 WL 3267699 (N.D. Tex. 2006)

Martinez v. Porta,
2006 WL 3267749 (N.D. Tex. 2006)

Hufnagle v. Provident Foundation, Inc.,
2005 WL 119468 (N.D. Tex. 2005)

Hufnagle v. Provident Foundation, Inc.,
2005 WL 65626 (N.D. Tex. 2005)

State - Appellate

Enserch Exploration, Inc. v. Thorne,
2000 WL 34234577 (Tex. App.—Eastland 2000)

Unauthorized Practice of Public Insurance Adjusting Cases

Lon Smith & Associates, Inc. v. Key,
527 S.W.3d 604 (Tex. App.—Fort Worth 2017, pet. denied)

Reyelts v. Cross,
968 F. Supp. 2d 835 (N.D. Tex. 2013),
aff'd, 566 Fed. Appx. 316 (5th Cir. 2014)

Hill v. Spracklen,
05-17-00829-CV, 2018 WL 3387452 (Tex. App.-Dallas July 12,
2018, pet. denied)

Grogan v. Tri-W Enterprises LLC, No. 1-21-0040 (439th Dist.
Ct., Rockwall County, Tex. June 4, 2021)

Weaver v. R and R Exteriors LLC,
No. 19-9580-367
(467th Dist. Ct., Denton County, Tex. Feb. 25, 2021)

Ayala v. R and R Exteriors LLC,
No. 19-8957-362
(362nd Dist. Ct., Denton County, Tex. Jan. 28, 2021)

Burton v. R and R Exteriors LLC,
No. 19-10692-211
(211th Dist. Ct., Denton County, Tex. Dec. 11, 2020)

Trejo v. R and R Exteriors LLC,
No. 19-9599-211
(211th Dist. Ct., Denton County, Tex. Dec. 11, 2020)

*Tyler Cardiovascular Consultants, P.A., v. Stonewater
Roofing, Ltd. Co.*, No. 102934-86
(86th Dist. Ct., Kaufman County, Tex. Sept. 4, 2020)

Truong v. R and R Exteriors LLC,
No. 19-8892-16
(16th Dist. Ct., Denton County, Tex. Feb. 7, 2020)

Bowers v. Hilliard,
No. 141-310312-19
(141st Dist. Ct., Tarrant County, Tex. Dec. 18, 2019)

Blair v. R and R Exteriors LLC,
No. 96-304464-18
(96th Dist. Ct., Tarrant County, Tex. July 19, 2019)

Blair v. R and R Exteriors LLC,
No. 96-304464-18
(96th Dist. Ct., Tarrant County, Tex. June 7, 2019)

Spracklen v. Hill,
No. 67-276646-15 (67th Dist. Ct., Tarrant County, Tex. June 3,
2016), *aff'd*, 2018 WL 3387452 (Tex. App.—Dallas July 12,
2018, *pet. denied*)

Spracklen v. Hill,
No. 67-276646-15 (67th Dist. Ct., Tarrant County, Tex. May
19, 2015), *aff'd*, 2018 WL 3387452 (Tex. App.—Dallas July 12,
2018, *pet. denied*)

Papers and Presentations (selected)

“Recent Civil Court Enforcement of Chapter 4102,”
Texas Association of Public Insurance Adjusters,
Spring 2019 Conference, Austin Texas

“Combating Discovery Abuse in Federal Court,”
Texas Trial Lawyers Association Advanced Personal Injury
Course, April 25-26, 2002, Dallas, Texas

“How to Handle Abusive Discovery Techniques by the
Defense,” Litigating Nursing Home Cases,
Association of Trial Lawyers of America,
October 5-6, 2001, Phoenix, Arizona

Service Outside the Practice of Law (selected)

Bible Study Fellowship (BSF)

- Teaching Leader, Fort Worth (Southwest) Evening Men’s Class	2014 - present
- Group Leader, Fort Worth Evening Men’s Class	2010 - 2014

Exhibit B

to Chad Fillmore Declaration

The Fillmore Law Firm, L.L.P.

201 Main Street, Suite 700
Fort Worth, Texas 76102

Case: Braidwood Management Inc., et al. v. EEOC, et al.
Civil Action No. 4:18-cv-00824-O

Party Represented: Plaintiffs Bear Creek Bible Church and Braidwood Management Inc.

Abbreviations: HDF – H. Dustin Fillmore III
CWF – Chad W. Fillmore
JFM – Jonathan F. Mitchell (co-counsel for plaintiffs)

Date	Service	Time	Provider	Rate	Amount
11-29-23	Call and leave voicemail with JFM	0.1	HDF	500	50
10-5-20	Phone call with JFM	0.2	HDF	500	100
6-15-20	Phone call with JFM	0.1	HDF	500	50
6-15-20	Phone call with JFM	0.2	HDF	500	100
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4-9-19	Attend status hearing before Judge O'Connor	0.5	CWF	500	250
4-5-19	Conference call with JFM and HDF	0.3	CWF	500	150
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10-8-18	Phone call with JFM	0.5	CWF	500	250
10-5-18	Conference call with JFM and HDF	0.1	CWF	500	50
10-5-18	Conference call with JFM and HDF	0.7	CWF	500	350

Total Hours for HDF: 2.7 (2.7 × 500 = \$1,350.00)

Total Hours for CWF: 3.1 (3.1 × 500 = \$1,550.00)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.,

Plaintiffs,

v.

**Equal Employment Opportunity
Commission, et al.,**

Defendants.

Case No. 4:18-cv-00824-O

DECLARATION OF H. DUSTIN FILLMORE III

1. My name is H. Dustin Fillmore III. I am over the age of 18 and fully competent in all respects to make this declaration.

2. I have personal knowledge of the facts stated in this declaration, and all of these facts are true and correct.

3. I represent the plaintiffs in this litigation, and I submit this declaration in support of the plaintiffs' application for costs and attorneys' fees under 42 U.S.C. § 1988(b) (Docket Entry No. 153).

4. I am a licensed attorney in the State of Texas and have been since 1989. Thus, I am a licensed Texas attorney with more than 30 years of experience.

5. I am also admitted to practice before the Supreme Court of the United States, the United States Court of Appeals for the Fifth Circuit, and the United States District Courts for the Northern, Western, and Eastern Districts of Texas.

6. My résumé is attached as Exhibit A to this declaration, and I declare under penalty of perjury that everything that that appears in my résumé is truthful and accurate.

7. After graduating from law school in 1989, I served as a briefing attorney for United States District Judge David O. Belew, Jr. In August of 1990, after my term as a briefing attorney for Judge Belew ended, I joined my father's law practice and have practiced law at The Fillmore Law Firm ever since that time. Since 1994, I have practiced law with my brother Charles "Chad" Fillmore, and he and I are the two partners that compose The Fillmore Law Firm, L.L.P. During my law practice, I (along with my brother) have represented clients in various types of complex litigation matters, including nursing home malpractice litigation, medical malpractice litigation, Emergency Medical Treatment and Active Labor Act litigation, commercial litigation, employment litigation, oil and gas litigation, insurance litigation, legal malpractice litigation, class action litigation, and religious liberty litigation. During my law practice, I have served as both trial and appellate counsel in state and federal courts. During my law practice, I have represented plaintiffs, defendants, and amicus curiae in state and federal courts at both the trial and appellate levels. During my law practice, I have also been appointed to serve as guardian ad litem on numerous occasions in state and federal courts.

8. I have represented clients on a contingency fee basis and an hourly-rate basis. I have also represented numerous clients in cases where the law permitted the recovery of attorney's fees. In non-contingency fee cases, I employ billing practices that are, in my opinion, compliant with the current legal standards for the recovery of attorney's fees in Texas and federal courts.

9. My billing records in this case are attached as Exhibit B to this declaration. A review of Exhibit B will reveal that I have kept detailed records of my work activities. Exhibit B describes the work activities ("services") that I have performed, the date on

which the services were performed, and the amount of time I spent performing such services, calculated in tenths of an hour.

10. In my opinion, the services that I have described in detail in Exhibit B were reasonable and necessary in the performance of my duties as local counsel in this case.

11. A \$500.00 hourly rate is, in my opinion, a conservative rate in the Dallas/Fort Worth Metroplex for legal services provided by attorneys of similar experience and skill. Years ago, I represented the late U.S. District Judge John McBryde in a claim against his insurance carrier. Judge McBryde paid me a \$500 hourly rate for my services. Most recently, my brother and I were approved for a \$650 hourly rate in a case pending in the Fort Worth Division of the United States District Court for the Northern District of Texas. Finally, *a little over ten years ago*, a court determined that a \$400.00 hourly rate was reasonable for an attorney of my skill and experience at that time. *See Reyelts v. Cross*, 968 F. Supp. 2d 835, 849 (N.D. Tex. 2013), *aff'd*, 566 Fed. Appx. 316 (5th Cir. 2014) (Cureton, MJ). Finally, this Court recently approved a \$500.00 hourly rate for my services when awarding a guardian ad litem fee in *Fidelity Life Ass'n v. Ntui*, No. 4:22-cv-00556-O, ECF Nos. 55, 55-1, & 60 (N.D. Tex.) (Ray, MJ). Thus, it is my opinion that my proposed rate of \$500.00 per hour is reasonable.

12. The timesheet attached as Exhibit B shows that I spent 2.7 hours on this matter in my role as local counsel. When multiplied by my reasonable hourly rate of \$500, that produces a lodestar of \$1,350.00.

This concludes my sworn statement. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 12, 2023

DocuSigned by:

TC9AF54EEDFB4DE...
H. DUSTIN FILLMORE

Exhibit A

to Dusty Fillmore Declaration

H. DUSTIN FILLMORE III

THE FILLMORE LAW FIRM, L.L.P.
201 Main Street, Suite 700
Fort Worth, Texas 76102
(817) 332-2351
email: dusty@fillmorefirm.com

EDUCATION

St. Mary's University School of Law, J.D., 1989

Baylor University, B.A. (English), 1986

BAR ADMISSIONS

State Bar of Texas

United States Supreme Court

United States Court of Appeals, Fifth Judicial Circuit

United States District Court for the Northern District of Texas

United States District Court for the Eastern District of Texas

United States District Court for the Western District of Texas

EMPLOYMENT

The Fillmore Law Firm - 1990 - present

Briefing Attorney for U.S. D.J. David O. Belew Jr. - 1989 - 1990

PROFESSIONAL SOCIETIES AND COMMITTEES (SELECTED)

Member The Federalist Society

Member Texas Bar Association

Member Federal Bar Association

Member Tarrant County Bar Association

Member American Bar Association

Member Court Advisory Committee for the U. S. District Courts for the Northern District of Texas (2009-2012), appointed by U.S. District Judge Terry R. Means

Chair	Court Advisory Committee for the U. S. District Courts for the Northern District of Texas (2012-2015), appointed by U.S. District Judge Sidney A. Fitzwater
Member	Advisory Panel for the Reappointment of the Honorable R. Kerry Roach as United States Magistrate Judge for the Northern District of Texas, appointed by U.S. District Judge Sidney A. Fitzwater

PROFESSIONAL HONORS (SELECTED)

Martindale-Hubbell – “AV Preeminent,” 1999 - present.

Texas Monthly “Super Lawyer”: 2003 - 2005, 2007 - present.

NOTABLE CASES (SELECTED)

Sister Initiative, LLC v. Broughton Maint. Ass'n, Inc., 02-19-00102-CV, 2020 WL 726785 (Tex. App.-Fort Worth Feb. 13, 2020, pet. denied)

Stonegate Fin. Corp. v. Broughton Maint. Ass'n, Inc., 02-18-00091-CV, 2019 WL 3436616 (Tex. App.—Fort Worth July 30, 2019, no pet.)

Hill v. Spracklen, 05-17-00829-CV, 2018 WL 3387452 (Tex. App.—Dallas July 12, 2018, pet. denied)

Lon Smith & Associates, Inc. v. Key, 527 S.W.3d 604 (Tex. App.—Fort Worth 2017, pet. denied)

Starnes v. Wallace, 849 F.3d 627 (5th Cir. 2017)

Reyelts v. Cross, 968 F. Supp. 2d 835 (N.D. Tex. 2013), aff'd, 566 Fed. Appx. 316 (5th Cir. 2014)

Martinez v. Porta, 598 F. Supp. 2d 807 (N.D. Tex. 2009)

Southard v. United Reg'l Health Care Sys., Inc., 245 F.R.D. 257 (N.D. Tex. 2007)

Tesfa v. Stewart, 135 S.W.3d 272 (Tex. App.—Fort Worth 2004, pet. denied)

Fuqua v. Horizon/CMS Healthcare Corp., 4:98-00-CV-1087-Y, 2001 WL 267650 (N.D. Tex. Feb. 14, 2001)

Fuqua v. Horizon/CMS Healthcare Corp., 199 F.R.D. 200 (N.D. Tex. 2000)

Horizon/CMS Healthcare Corp. v. Auld, 34 S.W.3d 887 (Tex. 2000)

Lee v. Palo Pinto County, 966 S.W.2d 83 (Tex. App.—Eastland 1998, no pet.)

SERVICE TO COMMUNITY (SELECTED)

Bible Study Fellowship (BSF)

Teaching Leader

Fort Worth Young Adult's Class - 2011 - 2020

Group Leader

Fort Worth Evening Men's Class - 2010 - 2011

Christ Chapel Bible Church, Fort Worth

College Ministry Volunteer - 2020 - 2021

Avenew Ministry Volunteer - 2021 - present

CONTINUING LEGAL EDUCATION PRESENTATIONS (SELECTED)

ATLA National College of Advocacy-
1999 Winter Convention,
San Antonio, Texas

"Proving the Value of Life and Dignity -
How to Obtain a Just Award in Nursing
Home Cases." (January, 1999)

Professional Educational
Systems, Inc.
"Nursing Home Negligence"
Las Vegas, Nevada

"Developing and Trying the Nursing
Home Malpractice Case." (January, 1999)

Professional Educational
Systems, Inc.
"Nursing Home Negligence"
Las Vegas, Nevada

"Trial of the Nursing Home Case:
Plaintiffs' Depositions; Screening and
Evaluation of Possible Claims."
(September, 1999)

ATLA National College of Advocacy
"Litigating Nursing Home Cases"
Las Vegas, Nevada

"Proving and Demonstrating the Effects
of Inadequate Staffing and Abuse."
(March, 2000)

ATLA National College of Advocacy
2000 Annual Convention
Chicago, Illinois

"Plaintiff's Closing Arguments in a
Nursing Home Case." (July, 2000)

Texas Trial Lawyers Association
Advanced Personal Injury Course
Houston, Texas

"Combating Discovery Abuse in Federal
Court." (May, 2002)

Exhibit B

to Dusty Fillmore Declaration

The Fillmore Law Firm, L.L.P.

201 Main Street, Suite 700
Fort Worth, Texas 76102

Case: Braidwood Management Inc., et al. v. EEOC, et al.
Civil Action No. 4:18-cv-00824-O

Party Represented: Plaintiffs Bear Creek Bible Church and Braidwood Management Inc.

Abbreviations: HDF – H. Dustin Fillmore III
CWF – Chad W. Fillmore
JFM – Jonathan F. Mitchell (co-counsel for plaintiffs)

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Total Hours for HDF: 2.7 (2.7 × 500 = \$1,350.00)

Total Hours for CWF: 3.1 (3.1 × 500 = \$1,550.00)

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

Bear Creek Bible Church, et al.,

Plaintiffs,

v.

**Equal Employment Opportunity
Commission, et al.,**

Defendants.

Case No. 4:18-cv-00824-O

DECLARATION OF JOHN C. SULLIVAN

1. My name is John Sullivan. I am over the age of 18 and fully competent in all respects to make this declaration.

2. I have personal knowledge of the facts stated in this declaration, and all of these facts are true and correct.

3. I have practiced law in Texas for 11 years, and I have been a member of the Texas bar since 2012. I am admitted to practice in Texas and the District of Columbia; the United States District Courts for the Northern, Southern, Eastern, and Western Districts of Texas, and the Eastern District of Michigan; the United States Courts of Appeals for the D.C., First, Second, Third, Fourth, Fifth, Sixth, Ninth, Eleventh, and Federal Circuits; and the Supreme Court of the United States.

4. I received my law degree from the University of Notre Dame Law School in 2012. Following graduation from law school, I clerked for then-Chief Judge Edith H. Jones of the United States Court of Appeals for the Fifth Circuit. Most of my career after that was spent in private practice at the law firm of Morgan Lewis & Bockius—one of the largest firms in the world—serving in an issues-and-appeals role. I also spent two years as an Assistant Solicitor General for the State of Texas, working

at the Office of the Attorney General in Austin. I founded my own law firm two years ago and practice primarily in federal courts around the country with a focus on religious-liberty cases.

5. My résumé is attached as Exhibit A to this declaration.

6. I have agreed to provide this declaration without compensation, so I have no financial stake in this matter or in the amount of fees recovered.

7. I am familiar with the rates of experienced litigators in the Dallas–Fort Worth market. It is common in my practice to make application myself for attorney fees in much the same manner as the lawyers in this case. Likewise, having practiced in a wide variety of types of cases, including cases involving religious-freedom claims such as this one, I know and understand the market for experienced litigators handling the type of work being evaluated.

8. I am familiar with the résumé and background of Jonathan F. Mitchell, and I am familiar with the quality of his written work and oral advocacy. A lawyer of Mr. Mitchell’s skill, experience, and reputation would easily command a rate of \$1,800 to 2,000/hour in private practice in the Dallas–Fort Worth legal market. Mr. Mitchell has clerked at the Supreme Court, served as Solicitor General of Texas, argued five times before the Supreme Court with a sixth Supreme Court argument on the way, and has had a distinguished career in academia where he has taught at elite law schools and published influential articles in top law journals. Mr. Mitchell also graduated with high honors from an elite law school and has more than 20 years of experience in the legal profession. I am somewhat surprised that Mr. Mitchell is requesting a reasonable hourly rate of \$1,200, as attorneys with less experience and less impressive credentials than Mr. Mitchell charge hourly fees at or above this range in the Dallas–Fort Worth market. For example, I know young partners in big law—with only ten years’ experience—who are billed to their clients at more than \$1,600/hour.

9. I am also familiar with the fee application that this Court recently approved in *Franciscan Alliance, Inc. v. Becerra*, --- F. Supp. 3d ----, 2023 WL 4462049 (N.D. Tex.). The Court in *Franciscan Alliance* approved a \$1,200 hourly rate for Mark Rienzi, President of the Becket Fund. In my opinion, Mr. Mitchell's reasonable hourly rate should be at least the \$1,200/hour rate that this Court approved for Mr. Rienzi. Mr. Rienzi is a class of 2000 law-school graduate, while Mr. Mitchell graduated from law school in 2001, so they have nearly identical years of experience in the legal profession. And although the \$1,200 hourly rate that this Court approved from Mr. Rienzi was based on the D.C. market, hourly rates in Dallas are comparable with D.C. rates for work in federal court on complex class-action issues. Moreover, Mr. Mitchell would command a higher hourly rate than Mr. Rienzi in the Dallas–Fort Worth legal market on account of his Supreme Court clerkship, his numerous Supreme Court arguments, his experience as a state solicitor general, and his credentials as a scholar and academic.

10. I have also reviewed the résumés and backgrounds of H. Dustin Fillmore III and Charles W. Fillmore, who served as local counsel in this case, and I agree with their assessment that \$500/hour is more than a reasonable hourly rate for attorneys of their skill, experience, and reputation in the Dallas–Fort Worth legal market. They could easily charge at least \$600/hour or more for work in Texas state court, to say nothing of federal court.

11. Finally, \$100/hour is a reasonable and appropriate hourly rate for the work performed by Mr. Mitchell's student research assistants. All of these students are enrolled at elite law schools, and law firms in the Dallas–Fort Worth area bill the time of their summer associates at comparable rates.

12. I have carefully reviewed the timesheets submitted by Mr. Mitchell and his local counsel. In my opinion, all of the 323.4 hours of attorney work time that Mr. Mitchell is seeking recovery for were reasonably expended. He performed all of the

required tasks with efficiency and speed. He has already written off time entries spent on questionable tasks (such as discussions with potential clients who never joined the case), and has discounted his travel time at 50%, in accordance with accepted practice in this circuit and district. In fact, 323.4 hours is an *extraordinarily low* amount of time for a case that was litigated for over five years, involved justiciability and class-certification issues, was litigated to summary judgment in the district court, and involved cross-appeals from both sides that were litigated to conclusion in the Fifth Circuit.

13. It is also my opinion that 20 hours is a reasonable amount of time to spend preparing the fee application in this case.

14. I have reviewed the actual billing of all of the attorneys submitting applications, and believe the work itself as described is consistent with what would be reasonable and necessary in the respective positions in which these attorneys were handling the legal needs of their clients.

15. The plaintiffs in this case were fortunate to obtain Mr. Mitchell's services. Given the subject matter at issue, "big law" firms would not represent the plaintiffs here (who could certainly not afford an attorney of Mr. Mitchell's quality if they had to pay by the hour). And to be sure, the rate he is seeking is lower than the quality at which he was able to perform, surpassing most big law partners who bill at substantially higher rates.

Dated: December 12, 2023


JOHN C. SULLIVAN

Exhibit A

to Sullivan Declaration

JOHN C. SULLIVAN

610 Uptown Blvd., Ste. 2000 | Cedar Hill, TX 75104
 (469) 523-1351 | john.sullivan@the-sl-lawfirm.com

PROFESSIONAL EXPERIENCE

S|L LAW PLLC, CEDAR HILL, TX 2021–present
Principal

Representing multiple putative classes addressing religious accommodations from COVID-19 vaccine mandates, including in *Sambrano v. United Airlines*, 2022 WL 486610 (5th Cir. Feb. 17, 2022); managing defense of nationwide class action for client.

MORGAN, LEWIS & BOCKIUS LLP, DALLAS, TX 2019–2021
Of Counsel

Represented multiple defendants in class action cases and appeals, including *Plumley v. Sempra Energy*, 847 F. App'x 426 (9th Cir. 2021).

OFFICE OF THE ATTORNEY GENERAL OF TEXAS, AUSTIN, TX 2017-2019
Assistant Solicitor General

Represented State as lead counsel in both the U.S. Court of Appeals for the Fifth Circuit and the Supreme Court of Texas.

MORGAN, LEWIS & BOCKIUS LLP, DALLAS, TX 2013–2017
Appellate Associate

Served as counsel and drafted party briefs at both the certiorari and merits stage in four Supreme Court cases.

THE HONORABLE EDITH H. JONES, UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT, HOUSTON, TX 2012–2013
Judicial Clerk

BLACKSTONE LEGAL FELLOWSHIP, PHOENIX, AZ 2010-2011
Legal Fellow and Research Assistant for Alliance Defending Freedom

CHEROKEE NATION WASHINGTON OFFICE, WASHINGTON, DC 2009
Volunteer Legislative Assistant

THE HONORABLE JIM R. WRIGHT, TEXAS COURT OF APPEALS FOR THE ELEVENTH CIRCUIT, EASTLAND, TX 2008
Judicial Intern

EDUCATION

UNIVERSITY OF NOTRE DAME, SOUTH BEND, IN 2012
J.D. summa cum laude

Honors: Farabaugh Prize for High Scholarship in Law (top three in graduating class); Top Student—Program of Study in Law, Ethics, & Public Policy; Dean's Award (multiple classes)

Activities: *Notre Dame Law Review*, Executive Editor (Deputy Editor-in-Chief); The Federalist Society, Public Relations Chair; Married Law Students Association, President; Teaching Assistant, Torts and Civil Procedure

HARDIN-SIMMONS UNIVERSITY, ABILENE, TX 2009
 B.A., Philosophy

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PUBLICATIONS

Article, *Statutory Interpretation in the U.S. Supreme Court*, Co-Authoring with Allyson N. Ho, THE ADVOCATE 29 (Summer 2015).

Article, *Litigating the Constitution—Update on Establishment Clause Cases*, Co-Authoring with Allyson N. Ho, 2014 Bill of Rights Course for the State Bar of Texas (presented paper at CLE course).

Note, *Considering the Constitutionality of Nonstate Intervenors in Original Jurisdiction Actions*, 86 NOTRE DAME L. REV. 2219 (2011).

2023 WL 4462049

Only the Westlaw citation is currently available.

United States District Court, N.D. Texas, Wichita Falls Division.

FRANCISCAN ALLIANCE, INC., et al., Plaintiffs,

v.

Xavier BECERRA, Secretary of the United States Department of Health and Human Services; and United States Department of Health and Human Services, Defendants.

Civil Action No. 7:16-cv-00108-O

|

Signed July 11, 2023

Synopsis

Background: Private religious healthcare providers and eight states brought action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and Religious Freedom Restoration Act (RFRA), seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions. The United States District Court for the Northern District of Texas, Reed O'Connor, J., 414 F. Supp. 3d 928, granted motion of civil rights advocacy organizations to intervene, granted plaintiffs' motion for partial summary judgment in part, but denied motion for permanent injunction. Plaintiffs appealed. While appeal was pending, HHS modified rule, and Court of Appeals, 843 Fed.Appx. 662, remanded for further consideration. On remand, the District Court, 553 F. Supp. 3d 361, granted permanent injunction, and advocacy organizations appealed. The Court of Appeals, 47 F.4th 368, dismissed APA claim but otherwise affirmed. Plaintiffs filed motion for attorney fees.

Holdings: The District Court, Reed O'Connor, J., held that:

[¹] time that plaintiffs' counsel averred they spent litigating APA and RFRA claims, specifically, 3,235.9 hours, discounted by 15% in exercise of billing judgment, was not excessive;

[2] plaintiffs could recover attorney fees for hours spent litigating against intervenors' merits arguments;

[3] plaintiffs could not recover attorney fees for time spent opposing the intervenors' participation in action;

[4] plaintiffs could recover attorney fees for the 76.6 hours counsel spent litigating their motion to set deadline for filing petition for fees and expenses;

[5] plaintiffs could recover attorney fees for the 21 hours counsel spent on deadline extension requests;

[6] plaintiffs could recover attorney fees under RFRA for time spent litigating their APA claim;

[7] 5% reduction in the total lodestar figure of attorney fees to account for "block billing" entries in plaintiffs' billing records was warranted;

[8] district court would decline to reduce the amount of attorney fees for time spent litigating fees;

[9] plaintiffs could recover attorney fees calculated according to prevailing market rate of counsel's "home" district in Washington, D.C.;

[10] plaintiffs' proposed rates, for purposes of calculating lodestar amount of attorney fees, were reasonable;

[11] enhancement of fee award was not warranted; and

[12] plaintiffs were entitled to reasonable expenses incurred during attorney travel under RFRA.

Motion granted in part and denied in part.

Procedural Posture(s): Motion for Attorney's Fees.

West Headnotes (28)

[1] Civil Rights Amount and computation

To determine the propriety of an award of attorney fees, in an action brought under the Religious Freedom Restoration Act (RFRA), district courts follow a two-step process: at step one, the court makes its “lodestar” calculation in which it determines the reasonable number of hours expended on the litigation and the reasonable hourly rate to be charged, then multiplies the hours expended by the hourly rate; in determining the reasonable hours expended, courts may accept the attorneys’ adequately documented billing records but must exclude any time deemed excessive, duplicative, or inadequately descriptive. 42 U.S.C.A. § 1988(b).

[2] Civil Rights Amount and computation

At step two of the two-step process for determining the propriety of an award of attorney fees, in an action brought under the Religious Freedom Restoration Act (RFRA), the court exercises its broad discretion to determine whether the lodestar should be adjusted upward or downward, taking into consideration the factors set out in *Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714. 42 U.S.C.A. § 1988(b).

[3] Costs, Fees, and Sanctions Time Spent and Rates Charged

The factors from *Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714, used to enhance or decrease the amount of attorney fees following calculation of lodestar amount include: (1) the time and labor required for the litigation; (2) the novelty and difficulty of the questions presented; (3) the skill required to perform the legal services properly; (4) the preclusion of other employment by the attorney by acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or circumstances; (8) the amount involved and the result obtained; (9) the experience, reputation and ability of the attorneys; (10) the ‘undesirability’ of the case; (11) the nature and length of the professional relationship with the client; and (12) awards in similar cases.

[4] Costs, Fees, and Sanctions Time Spent and Rates Charged

Though the district court has broad discretion to weigh the factors from *Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714, for determining a reasonable attorney-fee award, the lodestar may not be adjusted due to a *Johnson* factor that was already taken into account during the initial calculation of the lodestar.

- [5] **Costs, Fees, and Sanctions**🔑Presumptions, inferences, and burden of proof
There is a strong presumption that requested lodestar amount of attorney fees is reasonable, meaning it should only be modified if exceptional circumstances warrant an adjustment.
- [6] **Costs, Fees, and Sanctions**🔑Time Spent and Rates Charged
To determine the reasonable number of hours expended on litigation, for purposes of calculating an award of attorney fees, the court must determine whether the total number of hours claimed were reasonable and whether specific hours claimed were reasonably expended; the court must eliminate excessive or duplicative time.
- [7] **Costs, Fees, and Sanctions**🔑Form, requisites, and sufficiency
Contemporaneous billing records are acceptable, and indeed a preferred, method of determining hours reasonably expended, for purposes of awarding attorney fees.
- [8] **Civil Rights**🔑Time expended; hourly rates
Time that counsel for private religious healthcare providers and states averred they spent litigating claims under Administrative Procedure Act (APA) and Religious Freedom Restoration Act (RFRA) against Department of Health and Human Services (HHS) and the HHS Secretary for injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions, specifically, 3,235.9 hours, discounted by 15% in exercise of billing judgment, was not excessive, for purposes of plaintiffs' motion for attorney fees as prevailing parties under RFRA; plaintiffs' counsel spent six years litigating the case, both in the district court and at Fifth Circuit where they won two appeals, and expended great amount of effort litigating the vigorously contested case. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).
- More cases on this issue
- [9] **Civil Rights**🔑Services or activities for which fees may be awarded
Private religious healthcare providers and eight states could recover attorney fees under the Religious Freedom Restoration Act (RFRA) for hours spent litigating against intervenors' merits arguments, in action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against

enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; plaintiffs' claims and the defenses put forth by the intervenors shared a common core of facts and related legal theories, there was no point during litigation where government did not oppose plaintiffs on any issue on which plaintiffs ultimately prevailed, and intervenors' defense was directly related to underlying controversy. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

[10] **Civil Rights**🔑 Services or activities for which fees may be awarded

Private religious healthcare providers and eight states could not recover attorney fees, as prevailing parties, under the Religious Freedom Restoration Act (RFRA) for time spent opposing the intervenors' participation, in action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; HHS and HHS Secretary did not oppose or support the intervenor's participation in the lawsuit, but rather, they remained neutral on the issue. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

[11] **Civil Rights**🔑 Services or activities for which fees may be awarded

Private religious healthcare providers and eight states could recover attorney fees under the Religious Freedom Restoration Act (RFRA) for the 76.6 hours counsel spent litigating their motion to set deadline for filing petition for fees and expenses, in action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions, even though the motion was untimely; district court ultimately granted the motion, concluding that plaintiffs' error was due to excusable neglect. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b); Fed. R. Civ. P. 54.

More cases on this issue

[12] **Civil Rights**🔑 Services or activities for which fees may be awarded

Private religious healthcare providers and eight states could recover attorney fees

under the Religious Freedom Restoration Act (RFRA) for the 21 hours counsel spent on deadline extension requests, in action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; there was no categorical rule stating that time spent on deadline extension requests were not recoverable, and HHS and HHS Secretary admitted that such extension requests were commonplace. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

[13] **Civil Rights**🔑 Services or activities for which fees may be awarded

Private religious healthcare providers and eight states could recover attorney fees, as prevailing parties, under Religious Freedom Restoration Act (RFRA) for time spent litigating their claim under the Administrative Procedure Act (APA) against Department of Health and Human Services (HHS) and the HHS Secretary, in action seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; plaintiffs' RFRA and APA claims involved a common core of facts, namely HHS's rule requiring plaintiffs to perform and insure gender transitions and abortions against conscience, and the RFRA and APA issues were briefed together at preliminary-injunction and summary-judgment stages and adjudicated in tandem. 5 U.S.C.A. § 551 et seq.; 28 U.S.C.A. § 2412(d); 42 U.S.C.A. § 1988(b).

More cases on this issue

[14] **Costs, Fees, and Sanctions**🔑 Multiple counts or causes of action

When the successful and unsuccessful claims involve a "common core of facts" or are based upon "related legal theories," then attorney fees incurred in the presentation of unsuccessful claims are recoverable on the theory that they contributed to the plaintiff's ultimate success.

[15] **Civil Rights**🔑 Taxation

Was five-percent reduction in total lodestar figure of attorney fees awarded warranted? **Yes**

Five-percent reduction in the total lodestar figure of attorney fees awarded to private religious healthcare providers and eight states, as prevailing parties, under

the Religious Freedom Restoration Act (RFRA), to account for “block billing” entries in plaintiffs’ billing records, was warranted, in plaintiffs’ action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

[16] **Costs, Fees, and Sanctions**🔑Time Spent and Rates Charged

For purposes of calculating attorney fees, the term “block billing” refers to the disfavored time-keeping method by which each lawyer and legal assistant enters the total daily time spent working on a case, rather than itemizing the time expended on specific tasks.

[17] **Costs, Fees, and Sanctions**🔑Time Spent and Rates Charged

Although counsel is not required to record in great detail how each minute of his time was expended, for purposes of determining a reasonable amount of attorney fees to be awarded, at least counsel should identify the general subject matter of his time expenditures.

[18] **Civil Rights**🔑Amount and computation

Did court decline to reduce the amount of attorney fees? **Yes**

District court would decline to reduce the amount of attorney fees awarded to private religious healthcare providers and eight states, as prevailing parties, under the Religious Freedom Restoration Act (RFRA), for time spent litigating fees by an amount proportional to plaintiffs’ success on the underlying litigation, in their action against Department of Health and Human Services (HHS) and the HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

[19] **Costs, Fees, and Sanctions**🔑Customary or Usual Charges for Similar Services

For purposes of attorney-fee awards, reasonable hourly rates are to be calculated

according to prevailing market rates in relevant community.

- [20] **Costs, Fees, and Sanctions**🔑 Customary or Usual Charges for Similar Services
Generally, the relevant market for purposes of determining the prevailing rate to be paid in an attorney-fee award is the community in which the district court sits.

- [21] **Civil Rights**🔑 Time expended; hourly rates
Private religious healthcare providers and eight states could recover attorney fees, as prevailing parties, under Religious Freedom Restoration Act (RFRA) calculated according to prevailing market rate of counsel's "home" district in Washington, D.C., rather than Texas where the case was filed, in action against Department of Health and Human Services (HHS) and HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; plaintiffs provided evidence that local counsel in Texas would be unable or unwilling to litigate the case, and case was highly complex wherein having counsel with specialized expertise in the subject matter was necessary. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

- [22] **Civil Rights**🔑 Time expended; hourly rates
Proposed rates provided by counsel for private religious healthcare providers and eight states, for purposes of calculating lodestar amount of attorney fees to be awarded to plaintiffs, as prevailing parties, under Religious Freedom Restoration Act (RFRA), were reasonable compared to what similar attorneys charged in Washington, D.C. area, in action against Department of Health and Human Services (HHS) and HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; plaintiffs provided declaration of partner at a Washington, D.C.-based law firm, in which he stated plaintiffs' proposed rates were reasonable for the area and were, in fact, lower than his own rates. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

- [23] **Costs, Fees, and Sanctions**🔑 Evidence

Generally, the reasonable hourly rate for a particular community, for purposes of calculating an attorney-fee award, is established through affidavits of other attorneys practicing there.

[24] **Civil Rights** ➡ Amount and computation

Enhancement of attorney fees under Religious Freedom Restoration Act (RFRA) in the amount of \$2,203,053.32 awarded to private religious healthcare providers and eight states, as prevailing parties, was not warranted, in action against Department of Health and Human Services (HHS) and HHS Secretary under Administrative Procedure Act (APA) and RFRA, seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions; plaintiffs did not analyze specific factors for determining whether to enhance or decrease the amount of fee award following calculation of lodestar amount or otherwise attempt to justify enhancement, and any factors discussed by plaintiffs in lodestar calculation could not be doubly accounted for through enhancement. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

[25] **Civil Rights** ➡ Taxation

In making an award of attorney fees in an action brought under the Religious Freedom Restoration Act (RFRA), the district court is required to explain with a reasonable degree of specificity the findings and reasons upon which the award is based, which includes an indication of how the factors from *Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714, were applied. 42 U.S.C.A. § 1988.

[26] **Costs, Fees, and Sanctions** ➡ Results obtained; benefit to client

Excellent results in a case should usually result only in a fully compensatory award of attorney fees. i.e., the lodestar amount.

[27] **Costs, Fees, and Sanctions** ➡ Lodestar or touchstone in general

The lodestar amount of attorney fees should only be enhanced in extraordinary circumstances.

[28] **Civil Rights** ➡ Services or activities for which fees may be awarded

Civil Rights ➡ Amount and computation

Private religious healthcare providers and eight states were entitled to reasonable

expenses in the amount of \$4,209.28 consisting of expenses for airfare, ground transportation, lodging, and meals incurred during attorney travel to in-person hearings and oral arguments under the Religious Freedom Restoration Act (RFRA), in action against Department of Health and Human Services (HHS) and the HHS Secretary, in action seeking preliminary and permanent injunction against enforcement of HHS rule requiring providers to perform and insure gender-transition procedures and abortions. 5 U.S.C.A. § 551 et seq.; 42 U.S.C.A. § 1988(b).

More cases on this issue

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ORDER AND OPINION

Reed O'Connor, UNITED STATES DISTRICT JUDGE

***1** Before the Court are Plaintiffs' Motion for Attorney Fees (ECF No. 223), filed December 23, 2022; Defendants' Response (ECF No. 227), filed January 18, 2023; and Plaintiffs' Reply (ECF No. 228), filed February 1, 2023. For the reasons contained herein, Plaintiffs' Motion is **GRANTED in part** and **DENIED in part**.

I. Factual Background

This case was first filed on August 23, 2016. Plaintiffs brought the case to challenge a rule issued by the Department of Health and Human Services (“HHS”) that would require doctors and hospitals across the country to perform and insure gender transitions and abortions—regardless of one’s religious beliefs and experienced medical judgment.

After approximately six years of hard-fought litigation, the Fifth Circuit Court of Appeals issued a Judgment and Opinion dismissing Plaintiffs’ Administrative Procedure Act (“APA”) claim as moot and affirming this Court’s decision to grant Plaintiffs their requested permanent injunction as to Plaintiffs’ Religious Freedom Restoration Act (“RFRA”) claim.¹ Plaintiffs filed their Motion for Attorney Fees on December 23, 2022.² Defendants filed their Response on January 18, 2023.³ Plaintiffs filed their Reply on February 1, 2023.⁴ The motion is now ripe for the Court’s review.

¹ See ECF Nos. 221, 222.

² Pls. Mot., ECF No. 223.

³ Defs. Resp., ECF No. 227.

⁴ Pls. Reply, ECF No. 228.

II. Legal Standard

[1] [2] [3] To determine the propriety of an award of attorney’s fees, district courts follow a two-step process. *Alexander v. City of Jackson Miss.*, 456 F. App’x 397, 399–400 (5th Cir. 2011) (citing *Hensley v. Eckerhart*, 461 U.S. 424, 433, 103 S. Ct. 1933, 76 L. Ed. 2d 40 (1983)). At step one, the court makes its “lodestar” calculation in which it determines the reasonable number of hours expended on the litigation and the reasonable hourly rate to be charged, then multiplies the hours expended by the hourly rate. *Id.* In determining the reasonable hours expended, courts may accept the attorneys’ adequately documented billing records but must exclude any time deemed excessive, duplicative, or inadequately descriptive. *Watkins v. Fordice*, 7 F.3d 453, 457 (5th Cir. 1993). At step two, the court exercises its broad discretion to determine whether the lodestar should be adjusted upward or downward, taking into consideration the factors set out in *Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974). See *Alexander*, 456 F. App’x at 399–400. Those factors include:

(1) the time and labor required for the litigation; (2) the novelty and difficulty of the questions presented; (3) the skill required to perform the legal services properly; (4) the preclusion of other employment by the attorney by acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or circumstances; (8) the amount involved and the result obtained; (9) the experience, reputation and ability of the attorneys; (10) the ‘undesirability’ of the case; (11) the nature and length of the professional relationship with the client; and (12) awards in similar cases.

*2 *Johnson*, 488 F.2d at 717-19.

[4] [5] Though the district court has broad discretion to weigh these factors, “[t]he lodestar may not be adjusted due to a *Johnson* factor that was already taken into account during the initial calculation of the lodestar.” *Black v. SettlePou, P.C.*, 732 F.3d 492, 502 (5th Cir. 2013). Importantly, there is a strong presumption that the requested lodestar amount is reasonable, meaning it should only be modified if exceptional circumstances warrant an adjustment. *Watkins*, 7 F.3d at 457.

III. Analysis

Plaintiffs contend, and Defendants do not dispute, that they are entitled to recover attorney’s fees and expenses under 42 U.S.C. § 1988(b), which authorizes “reasonable” attorney’s fees for the prevailing party “[i]n any action or proceeding to enforce . . . the Religious Freedom Restoration Act.”⁵ 42 U.S.C. § 1988(b). The Court agrees. The Court therefore must determine a reasonable attorney’s fee award.

⁵ Pls. Brief 2, ECF No. 224; Defs. Resp. 1, ECF No. 227.

1. Lodestar Calculation

i. Reasonable Number of Hours Expended on Litigation

[6] [7] To determine the reasonable number of hours expended on litigation, the Court must determine “whether the total number of hours claimed were reasonable and whether specific hours claimed were reasonably expended.” *League of United Latin Am.*

Citizens No. 4552 (LULAC) v. Roscoe Indep. Sch. Dist., 119 F.3d 1228, 1232 (5th Cir. 1997) (citation omitted). The court must eliminate excessive or duplicative time. *Id.* (citing *Watkins*, 7 F.3d at 457). Contemporaneous billing records are an acceptable, and indeed a preferred, method of determining the hours reasonably expended. *Bode v. United States*, 919 F.2d 1044, 1047 (5th Cir. 1990).

In this case, Plaintiffs' counsel has provided contemporaneous billing records detailing the hours spent litigating this case.⁶ In total, Plaintiffs' counsel contend they expended 3,805.6 hours litigating this lawsuit.⁷ However, in the exercise of billing judgment, Plaintiffs' counsel state they reduced the total number of hours by 569.7, around fifteen percent, leaving a total of 3,235.9 hours.⁸ Defendants aver that the number of hours claimed by Plaintiffs' counsel is not reasonable.⁹ They claim that the litigation was straightforward and should not have required the great amount of effort claimed by Plaintiffs' counsel.¹⁰ They contend that Plaintiffs should not be allowed to recover fees for work performed opposing intervenors.¹¹ They contend Plaintiffs should not recover fees related to their untimely request to modify fee petition deadlines.¹² Defendants further contend that Plaintiffs should not recover for time spent seeking deadline extensions.¹³ Lastly, Defendants contend Plaintiffs are not entitled to fees for time spent pursuing their APA claim.¹⁴

⁶ Pls. Ex. 1-C, 1-D, ECF No. 224-1.

⁷ Pls. Brief 6, ECF No 224.

⁸ *Id.*

⁹ Defs. Resp. 10–21, ECF No. 227.

¹⁰ *Id.* at 10–12.

¹¹ *Id.* at 14.

¹² *Id.* at 16.

¹³ *Id.* at 17.

¹⁴ *Id.* at 18.

[8] As an initial matter, the Court rejects Defendants' contention that the number of hours billed was excessive as this litigation "involved straightforward APA, RFRA, and

justiciability arguments” and should not have required an extreme amount of effort when performed by religious liberty litigation experts.¹⁵ Plaintiffs’ counsel spent six years litigating this case, both here in the district court and at the Fifth Circuit where they won two appeals—first on the preliminary injunction and then on the permanent injunction.¹⁶ Plaintiffs’ counsel expended a great amount of effort litigating this case, which was vigorously contested, and thereby the Court declines to find that the hours claimed by Plaintiffs’ counsel were extreme. The Court shall address in turn each of Defendants’ remaining arguments regarding the reasonable number of hours expended.

¹⁵ *Id.* at 11.

¹⁶ Pls. Brief 1–2, ECF No. 224.

a. Opposing Intervenorors

***3** ¹⁹ Defendants contend that Plaintiffs should not be able to recover fees for the 462.3 hours spent litigating against the intervenors in this case.¹⁷ Defendants aver Plaintiffs should not be able to recover for time spent litigating both as to the propriety of the intervenors’ participation in the case and in opposing the intervenors’ arguments on the merits.¹⁸

¹⁷ Defs. Resp. 14, ECF No. 227.

¹⁸ *Id.*

The Court first considers whether Plaintiffs can recover fees for time spent litigating against the intervenors’ arguments on the merits. The Fifth Circuit has held that, while a prevailing litigant may not recover for hours devoted solely to claims against other parties, a prevailing litigant can recover when claims against multiple parties share a “common core of facts” or “related legal theories.” *La. Power & Light Co. v. Kellstrom*, 50 F.3d 319, 327 (5th Cir. 1995); *accord, e.g., Stevenson v. Lasalle Corr. Transp., LLC*, No. 3:13-CV-2105-N, 2015 WL 11120525, at *2–3 (N.D. Tex. Apr. 21, 2015). Defendants cite to *Avoyelles Sportsmen’s League v. Marsh*, wherein the government argued that it should not be responsible for fees related to “matters of dispute between the plaintiffs and the private defendants rather than between the plaintiffs and the government.” 786 F.2d 631, 633–34 (5th Cir. 1986). The Fifth Circuit agreed, concluding that a fee award is “not appropriate

for expenses incurred . . . in a phase of the litigation in which the party seeking an award was opposed only by other, non-governmental parties.” *Id.* at 632.

Defendants contend that the intervenors in this case are organizations wholly separate from Defendants, and that Defendants did not support the intervenors’ merits arguments.¹⁹

¹⁹ Defs. Resp. 15, ECF No. 227.

In this case, the Court finds there was no point during the litigation where the government “did not oppose the plaintiffs on any issue on which the plaintiffs ultimately prevailed.” *Avoyes*, 786 F.2d at 633. Rather, Defendants—alongside the intervenors—resisted injunctive relief for Plaintiffs all the way through the Fifth Circuit’s affirmance in August 2022. Further, the Court has already found that the intervenors’ defense was directly related to the underlying controversy.²⁰ As noted by Plaintiffs, the sole basis for intervention in this case was to defend the same HHS actions challenged by Plaintiffs against the same legal theories Plaintiffs urged. Therefore, the claims against Defendants and the defenses put forth by the intervenors shared a “common core of facts” and “related legal theories.” Accordingly, the Court finds Plaintiffs may recover for the hours spent litigating against the intervenor’s merits arguments.

²⁰ Order 14, ECF No. 175.

[10] The Court holds that Plaintiffs cannot, however, recover for time spent opposing the intervenor’s participation in the case. Defendants did not oppose or support the intervenor’s participation in the lawsuit, but rather, they remained neutral on the issue. The Court concludes it would be inequitable to charge Defendants for time spent opposing intervention under such circumstances. *See Hopwood v. Texas*, 236 F.3d 256, 280 (5th Cir. 2000). However, in the exercise of billing judgment, Plaintiffs’ counsel has already cut 138.4 intervenor-related hours.²¹ The remaining hours incurred opposing intervenor participation equal 38.65 hours.²² Therefore, the Court concludes Plaintiffs’ claimed hours spent litigating against the intervenors should be reduced by 38.65 hours. Accordingly, Plaintiffs can recover for 423.65 hours spent litigating against the intervenors in this case.

²¹ Pls. Reply 8, ECF No. 228.

²² *Id.* (citing Goodrich Suppl. Decl. Ex. 4-D, ECF No. 228-1).

b. Fees Related to Plaintiffs' Request to Modify Fee Petition Deadlines

*4 [11] Defendants next contend that Plaintiffs should not be able to recover fees for 76.6 hours of work performed in support of their “Motion to Set Deadline for Filing Petition for Fees and Expenses,” which Plaintiffs filed on January 17, 2020.²³ Defendants highlight that Plaintiffs’ filing of this motion was untimely under Federal Rule 54, which the Court recognized.²⁴ However, the Court ultimately granted Plaintiffs’ motion, concluding that Plaintiffs’ error was due to “excusable neglect.”²⁵ Defendants aver that these hours would not have been incurred if Plaintiffs had timely filed their fee petition or had sought an extension of the deadline before its expiration.²⁶

²³ Defs. Resp. 16, ECF No. 227 (referring to ECF No. 184).

²⁴ *Id.* (citing Order 6–7, ECF No. 193).

²⁵ Order 8, ECF No. 193.

²⁶ Defs. Resp. 16, ECF No. 227.

Plaintiffs counter that this motion for an extension and the accompanying briefing were necessary only because the government refused to agree to an extension and then vigorously contested it.²⁷ The Court, in its Order on Plaintiffs’ motion, found that Defendants were not prejudiced by Plaintiffs’ motion.²⁸ Ultimately the Court finds that Plaintiffs should be able to recover for the 76.6 hours spent litigating this motion.

²⁷ Pls. Reply 9, ECF No. 228 (citing Pls. Mot., ECF No. 184; Defs. Resp. to Pls. Mot., ECF No. 187).

²⁸ Order 8, ECF No. 193.

c. Fees for Time Spent Seeking Deadline Extensions

[12] Defendants next contend that Plaintiffs should not be able to recover for 21 hours spent on deadline extension requests for Plaintiffs’ own purposes.²⁹ Plaintiffs aver that there is no categorical rule stating that time spent on deadline extension requests is not recoverable.³⁰ The Court agrees with Plaintiffs that there does not appear to be a hard-and-fast rule regarding whether hours spent on deadline extension requests are or are not recoverable. The Court further notes that Defendants admit such extension requests are

“commonplace” and that Defendants make no argument the time spent on such extension requests was unreasonable.³¹ The Court overall finds that Plaintiffs should be able to recover for the 21 hours spent on deadline extension requests.

²⁹ Defs. Resp. 17, ECF No. 227.

³⁰ Pls. Reply 9, ECF No. 228.

³¹ *See* Defs. Resp. 17, ECF No. 227.

d. Fees on Plaintiffs’ APA Claim

[¹³] Defendants next aver that the Court should also substantially reduce Plaintiffs’ fee request because Plaintiffs are not entitled to fees—much less fees at market rate—on the time spent pursuing their APA claim.³² Defendants state that Plaintiffs must meet the requirements of Section 2412(d) of the Equal Access to Justice Act (“EAJA”) to recover such fees.³³ Plaintiffs counter that all of their fees are recoverable under 42 U.S.C. § 1988.³⁴ Further, Plaintiffs argue that even if Plaintiffs’ APA hours were separately subject to the EAJA, those hours still must be compensated at the EAJA rate.³⁵ Finally, Plaintiffs attest that since November 2019, all of Plaintiffs’ fees were attributable solely to litigating the RFRA claim.³⁶ The Court agrees. The issue is therefore whether the pre-November 2019 fees can be recovered under § 1988(b).

³² *Id.* at 18.

³³ *Id.*

³⁴ Pls. Reply 4, ECF No. 228.

³⁵ *Id.*

³⁶ *Id.* at 5.

Section 2412(d) of the EAJA applies to APA claims, “[e]xcept as otherwise specifically provided by statute.” 28 U.S.C. § 2412(d)(1)(A). Meanwhile, 42 U.S.C. § 1988(b) explicitly states that it applies “[i]n any action or proceeding to enforce a provision of [RFRA].” 42 U.S.C. § 1988(b). The Department of Justice has emphasized § 2412(d)’s “subordinate status,” explaining that when plaintiffs seek relief under two distinct claims that implicate

two distinct fee-shifting mechanisms, § 2412(d) should be applied “only as a fall-back to other fee shifting provisions.” *Payment of Att’y’s Fees in Litig. Involving Successful Challenges to Fed. Agency Action Arising Under the Admin. Proc. Act & the Citizen-Suit Provisions of the Endangered Species Act*, 24 U.S. Op. O.L.C. 311, 2000 WL 34474453, at *3–4 (2000) (“*OLC Op.*”). Applying this logic where there were claims under both the EAJA and the Endangered Species Act (“ESA”), a district court in Oregon stated that “only if a fee is not authorized under the ESA does the court determine whether the fee would be authorized pursuant to the EAJA.” *Landwatch v. Jefferies*, No. 2:17-cv-01004-SU, 2020 WL 8172994, at *8 (D. Or. Aug. 7, 2020), *report and recommendation vacated after settlement*, No. 2:17-cv-1004-SU, 2021 WL 1022584 (D. Or. Mar. 16, 2021). The district court in that case rejected any allocation of APA fees to § 2412(d), as all fees were recoverable under another fee provision, the ESA. *Id.* at 8-9. While this case is not binding on the Court, the Court does find it persuasive and informative as to how § 2412(d) of the EAJA works in conjunction with other fee statutes.

***5** ^[14] The Supreme Court and the Fifth Circuit have held that a partially prevailing party may recover all reasonably incurred fees, even where the party did not prevail on all claims, as to all defendants, or as to all issues. *See Hensley*, 461 U.S. at 435–40, 103 S. Ct. 1933; *Coleman v. Hous. Indep. Sch. Dist.*, No. 98-20692, 1999 WL 1131554, at *5 (5th Cir. 1999). In such cases, the Fifth Circuit has explained that, in deciding whether the prevailing party should be able to recover fees for time spent litigating unsuccessful claims, “the key is whether the successful and unsuccessful claims are based upon the same facts and legal theories, i.e., whether the claims are related.” *Coleman*, 1999 WL 1131554, at *5. “When the successful and unsuccessful claims involve a ‘common core of facts’ or are based upon ‘related legal theories,’ then attorney fees incurred in the presentation of unsuccessful claims are recoverable on the theory that they contributed to the plaintiff’s ultimate success.” *Id.* Furthermore, where time spent on different claims is difficult to segregate, the Fifth Circuit has held that “no reduction of fees is required.” *Abell v. Potomac Ins. Co. of Ill.*, 946 F.2d 1160, 1169 (5th Cir. 1991). The Department of Justice has explained that the above logic also applies when deciding whether a prevailing party can recover under one fee statute for time spent litigating claims governed by another, subordinate fee statute like the EAJA. *See OLC Op.*, 2000 WL 34474453, at *3–6.

Here, the Court agrees with the Plaintiffs’ assessment that their RFRA and APA claims involve a common core of facts—HHS’s interpretation of Section 1557 to require Plaintiffs to perform and insure gender transitions and abortions against conscience.³⁷ Further, the Court agrees that the RFRA and APA issues were briefed together at the preliminary-injunction and summary-judgment stages.³⁸ The Court also adjudicated the

issues in tandem.³⁹ Accordingly, the Court finds that (1) the RFRA and APA claims share a common core of facts; and (2) segregating the time spent on the different claims would prove extremely difficult. Altogether, the Court concludes that Plaintiffs can recover under § 1988(b) for the time spent litigating their APA claim.

³⁷ Pls. Reply 5, ECF No. 228.

³⁸ *See id.*; *see also* ECF Nos. 25, 37, 136, 158.

³⁹ *See* Orders, ECF Nos. 62, 175.

e. Block Billing

[15] Defendants next contend that the Court should apply a five percent reduction in Plaintiffs' fee award to account for block billing entries in Plaintiffs' billing records.⁴⁰ Defendants aver that a significant number of Plaintiffs' billing entries are block billed, making it impossible for Defendants and the Court to evaluate the reasonableness of Plaintiffs' overall fee request.⁴¹ Specifically, Defendants state they have identified 324.4 hours of work that Plaintiffs describe in block billing entries, without a separate time entry for the different activities listed.⁴² Plaintiffs counter that the Defendants' arguments are meritless.⁴³ Plaintiffs contend that the "block billed" entries complained of by Defendants are not examples of "block billing," but rather, these entries properly itemize the time expended on specific tasks.⁴⁴ Furthermore, Plaintiffs highlight that they already cut 17.75 block billed hours from their total claimed amount.⁴⁵ Lastly, Plaintiffs state that even if there are some block billed entries remaining, fees for such entries are not precluded so long as "the evidence produced is enough to determine reasonable hours."⁴⁶ Plaintiffs contend that Defendants fail to identify any tasks for which supposed block billing prevented it from determining reasonable hours.⁴⁷

⁴⁰ Defs. Resp. 20, ECF No. 227.

⁴¹ *Id.*

⁴² *Id.* (citing Humphreys Decl., Ex. A-5, ECF No. 227-1).

⁴³ Pls. Reply 8, ECF No. 228.

44 *Id.*

45 *Id.* at 9.

46 *Id.* (quoting *Hollowell v. Orleans Reg'l Hosp. LLC*, 217 F.3d 379, 392 n.18 (5th Cir. 2000) (cleaned up)).

47 *Id.*

[16] [17] “The term ‘block billing’ refers to the disfavored ‘time-keeping method by which each lawyer and legal assistant enters the total daily time spent working on a case, rather than itemizing the time expended on specific tasks.’ ” *Hoffman v. L & M Arts*, No. 3:10-cv-0953-D, 2015 WL 3999171, at *4 n.5 (N.D. Tex. July 1, 2015) (quoting *Fralick v. Plumbers & Pipefitters Nat’l Pension Fund*, No. 3:09-cv-0752-D, 2011 WL 487754, at *4 (N.D. Tex. Feb. 11, 2011)). However, “most courts that have addressed block billing have concluded that denying all block-billed attorney’s fees is not appropriate.” *Wyndham Props. II, Ltd. v. Buca Tex. Rests., LP*, No. 4:22-cv-00166-BP, 2023 WL 2392090, at *3 (N.D. Tex. Mar. 7, 2023) (quoting *Bramlett v. Med. Protective Co. of Fort Wayne, Ind.*, No. 3:09-cv-1596-D, 2010 WL 3294248, at *3 (N.D. Tex. Aug. 20, 2010)). “Instead, many courts reviewing block-billed time entries have performed a percentage reduction either in the number of hours or in the lodestar figure, typically ranging from 10% to 30%.” *Bramlett*, No. 3:09-cv-1596-D, 2010 WL 3294248, at *3 (N.D. Tex. Aug. 20, 2010). Although counsel is “not required to record in great detail how each minute of his time was expended . . . at least counsel should identify the general subject matter of his time expenditures.” *Wyndham Props. II, Ltd.*, 2023 WL 2392090, at *4 (quoting *Thermotek, Inc. v. Orthoflex, Inc.*, Nos. 3:11-cv-870-D, 3:10-cv-2618-D, 2016 WL 6330429, at *9 (N.D. Tex. Oct. 27, 2016)).

***6** Upon review of the entries deemed to be block billed by Defendants, the Court finds that the entries in question do include examples of block billing.⁴⁸ Therefore, the Court shall apply a five percent reduction in the total lodestar figure to account for the block billing.

48 See Humphreys Decl., Ex. A-5, ECF No. 227-1.

f. Fees on Fees

[18] Defendants lastly contend that Plaintiffs' claimed 135.1 hours spent litigating fees, for which Plaintiffs seek \$105,436, should be reduced by an amount proportional to Plaintiffs' success on the underlying litigation.⁴⁹ Based on Defendants' prior arguments that the total number of hours should be significantly reduced (Defendants specifically request the Court reduce the total hours to 37.86 percent of the claimed hours), Defendants contend the hours spent on litigating fees should be reduced to an award of no more than \$39,918.07.⁵⁰ As the Court declines to reduce the number of hours claimed by Plaintiffs, other than the 38.65 hours Plaintiffs' counsel spent opposing intervention, the Court likewise declines to reduce the award for time spent litigating fees.

⁴⁹ Defs. Resp. 23, ECF No. 227.

⁵⁰ *Id.*

Reducing the 3,235.9 hours claimed by Plaintiffs by 38.65 hours, the time Plaintiffs spent opposing intervention, the Court finds the remaining total of 3,197.25 hours reasonable.

ii. Reasonable Hourly Rate to be Charged

[19] [20] The Court next turns to the issue of whether the hourly rate charged by Plaintiffs' counsel is reasonable. "[R]easonable" hourly rates "are to be calculated according to the prevailing market rates in the relevant community." *McClain v. Lufkin Indus., Inc.*, 649 F.3d 374, 381 (5th Cir. 2011) (quoting *Blum v. Stenson*, 465 U.S. 886, 895, 104 S. Ct. 1541, 79 L. Ed. 2d 891 (1984)). Generally, the "relevant market for purposes of determining the prevailing rate to be paid in a fee award is the community in which the district court sits." *Tollett v. City of Kemah*, 285 F.3d 357, 368 (5th Cir. 2002) (quoting *Scham v. Dist. Cts. Trying Crim. Cases*, 148 F.3d 554, 558 (5th Cir. 1998) (abrogated on other grounds)).

The Fifth Circuit has held that "under certain limited circumstances," counsel may be entitled to charge the prevailing market rate of his or her home district, as opposed to the district wherein the court sits. *McClain*, 649 F.3d at 381–82. The Fifth Circuit has stated that where "abundant and uncontradicted evidence" prove the necessity of turning to out-of-district counsel, the counsel's "home rates should be considered as a starting point for calculating the lodestar amount." *Id.* at 382 (quotation marks omitted).

Turning to out-of-district counsel might be necessary, for example, where local counsel is not willing and/or able to assist or counsel have shown they participate in a market requiring more specialized and sophisticated legal services. *Id.* at 383; *Sierra Club v. Energy Future Holdings Corp.*, No. 12-cv-108, 2014 WL 12690022, at *6 (W.D. Tex. Aug. 29, 2014).

Plaintiffs contend that, given the extraordinary stakes of this litigation for the Plaintiffs, the unavailability of comparable counsel within the district, and the need for counsel's specialized services, counsel's "home" rates—Washington, D.C. rates—should be considered as the starting point for calculating the lodestar.⁵¹ Plaintiffs highlight the high-stakes nature of this litigation for Plaintiffs: failing to comply with the HHS rule would result in multimillion dollar penalties while complying would require Plaintiffs to cast aside their deeply held religious beliefs.⁵² Plaintiffs state that the issues of the case were complex and novel—no court had yet considered whether HHS's rule complied with the APA, or whether objecting religious entities were entitled to an exemption under RFRA.⁵³ Further, Plaintiffs are religious nonprofits and a membership organization composed of individual religious healthcare providers who could not afford large law firm rates.⁵⁴ Plaintiffs also point to the subject matter of the litigation—sex and gender identity—and highlight that most major law firms are hesitant to get involved in such cases.⁵⁵

⁵¹ Pls. Brief 10, ECF No. 224.

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.* at 10–11.

⁵⁵ *Id.* at 11.

*7 Plaintiffs' counsel further contends that they participate in a market requiring more specialized and sophisticated legal services.⁵⁶ They contend their specialized religious-liberty expertise is crucial for litigating these cases involving the intersection of RFRA and the Affordable Care Act.⁵⁷ Plaintiffs' counsel's firm is one of the leading firms in the country for litigating these kinds of cases.⁵⁸

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.* at 12.

Defendants counter that Plaintiffs fail to show that engaging out-of-district counsel was a necessity.⁵⁹ Defendants highlight that Plaintiffs do not claim to have ever attempted to locate qualified counsel within the Northern District, or anywhere within the State of Texas.⁶⁰ Defendants dispute the assertion that this case presented novel or complex issues and aver that an “international law firm” was not required for a case such as this.⁶¹ Defendants state that Plaintiffs fail to provide actual evidence that no local firm could have or would have been able to litigate this case.⁶² Defendants state that the case law interpreting RFRA is well developed at this point, and therefore, a firm with special expertise and experience litigating religious liberty matters was not necessary.⁶³ Lastly, Defendants aver that Plaintiffs should not be able to recover fees based on Washington, D.C. rates because Plaintiffs had the option of filing this case in the United States District Court for the District of Columbia.⁶⁴ The Plaintiffs chose to file the case in the Northern District of Texas, and therefore, according to Defendants, the Court should award fees based on the local prevailing rates.⁶⁵

⁵⁹ Defs. Resp. 7, ECF No. 227.

⁶⁰ *Id.*

⁶¹ *Id.* at 8.

⁶² *Id.*

⁶³ *Id.* at 9.

⁶⁴ *Id.* at 10.

⁶⁵ *Id.*

The Court finds that the attorney’s fees in this case should be awarded under the “home” rates of Plaintiffs’ counsel. First, the Court finds that Plaintiffs have provided evidence that local counsel would be unable or unwilling to litigate this case. Plaintiffs have provided the sworn declaration of Mr. Brian Robison, a Dallas lawyer with 25 years of experience in the Dallas legal market.⁶⁶ In his declaration, Mr. Robison states that a large international law firm would be the most likely candidate for having the resources to staff, litigate, and win a case such as this.⁶⁷ However, Mr. Robison goes on to say that it is highly unlikely that a large international firm would agree to take on a case like this due

to the controversial subject matter, coupled with the longevity and complexity of the litigation.⁶⁸

⁶⁶ Robison Decl., ECF No. 224-3.

⁶⁷ *Id.* at 3.

⁶⁸ *Id.*

[21] Secondly, the Court finds that Plaintiffs have provided ample evidence that shows they “participate in a market requiring more specialized and sophisticated legal services.” *See Sierra Club*, 2014 WL 12690022, at *6. Plaintiffs emphasize that this litigation was complicated by a circuit split over the meaning of “sex discrimination.”⁶⁹ Plaintiffs highlight that twenty government attorneys appeared on the many briefs and motions filed throughout the case, evidencing the complexity and sophistication of the issues.⁷⁰ Furthermore, the Court finds that the case didn’t involve merely a question of statutory interpretation, but rather, involved Plaintiffs’ right to a religious exemption, with two appeals to the Fifth Circuit. Overall, the Court finds that this was a highly complex case wherein having counsel with specialized expertise in the subject matter was necessary. Therefore, the Court awards fees based on the Washington, D.C. rates.

⁶⁹ Pls. Reply 2, ECF No. 228.

⁷⁰ *Id.* (citing Goodrich Supp. Decl. 1–2, ECF No. 228-1).

***8** [22] [23] The question is then whether the rates provided by Plaintiffs are reasonable compared to what similar attorneys charge in the Washington, D.C. area. “Generally, the reasonable hourly rate for a particular community is established through affidavits of other attorneys practicing there.” *Tollett*, 285 F.3d at 368.

Plaintiffs detail their counsel’s billing rates in the Brief accompanying their Motion for Attorney Fees.⁷¹ Plaintiffs also provide the declaration of Mr. Gene Schaerr, a partner at a Washington, D.C.-based law firm.⁷² In his declaration, Mr. Schaerr states that Plaintiffs counsel’s proposed rates are reasonable for the D.C. area and are in fact “lower than the rates [Mr. Schaerr’s] firm and other firms at which [he has] worked would charge their clients for attorneys of comparable seniority and expertise on a similar matter.”⁷³ Mr. Schaerr goes on to state that the rates proposed by Plaintiffs’ counsel “are also lower

than rates charged by comparable practitioners.”⁷⁴ The Court therefore agrees with Plaintiffs that the rates proposed by Plaintiffs’ counsel are reasonable.

⁷¹ Pls. Brief 14, ECF No. 224.

⁷² *See* Schaerr Decl., ECF No. 224-2.

⁷³ *Id.* at 4.

⁷⁴ *Id.*

iii. Final Lodestar Calculation

As the Court finds that (1) 3,197.25 of the hours claimed by Plaintiffs in this case are reasonable; and (2) the hourly rates proposed by Plaintiffs are reasonable, the Court ultimately finds that the lodestar amount is \$2,319,003.50.⁷⁵ Reducing the lodestar figure by five percent, to account for the block billed entries discussed above, the award amount before considering the *Johnson* factors is \$2,203,053.32.⁷⁶

⁷⁵ The lodestar amount claimed by Plaintiffs before reductions was \$2,346,041. Pls. Brief 21, ECF No. 224. However, the Court reduces this number by the 38.65 hours Plaintiffs spent opposing intervention, which equates to \$27,037.50, using Washington, D.C. rates. Goodrich Suppl. Decl. Ex. 4-D, ECF No. 228-1.

⁷⁶ Based on the Court’s calculations, five percent of \$2,319,003.50 is \$115,950.18.

2. Whether the Court should enhance or reduce the reward

[24] [25] [26] [27] The Court next turns to the second stage of the attorney’s fees analysis and considers whether to enhance or reduce the fee award based on *Johnson* factors that were not considered in the lodestar calculation. *See Johnson*, 488 F.2d at 718-19. The district court is required to “‘explain with a reasonable degree of specificity the findings and reasons upon which the award is based,’ which includes an indication of how the *Johnson* factors were applied.” *Rodney v. Elliott Sec. Sols., L.L.C.*, 853 F. App’x 922, 924 (5th Cir. 2021) (quoting *Shipes v. Trinity Indus.*, 987 F.2d 311, 320 (5th Cir. 1993)) (emphasis omitted). Excellent results in a case should usually result only in “a fully compensatory

fee.” i.e., the lodestar amount. *Combs v. City of Huntington, Tex.*, 829 F.3d 388, 393 (5th Cir. 2016) (citing *Hensley*, 461 U.S. at 435, 103 S. Ct. 1933). The lodestar amount should only be enhanced “in extraordinary circumstances.” *Id.*

Plaintiffs cite to Northern District of Texas and Fifth Circuit cases wherein the courts granted 20–33% enhancements in situations where a plaintiff achieved exceptional results and the enhancement was needed to account for the market value of the plaintiff’s counsel’s services.⁷⁷ Defendants counter that an enhancement is not warranted.⁷⁸ Defendants highlight that Plaintiffs, in their brief, do not analyze the specific *Johnson* factors or otherwise attempt to justify an enhancement.⁷⁹ Further, Defendants aver that the circumstances of this litigation do not call for an enhancement.⁸⁰

⁷⁷ Pls. Brief 21, ECF No. 224 (citing *Cloud v. Bert Bell/Pete Rozelle NFL Player Ret. Plan*, No. 20-cv-1277, 2022 WL 2805527, at *7 (N.D. Tex. July 18, 2022); *Shipes v. Trinity Indus.*, 46 F.3d 67 (5th Cir. 1995)).

⁷⁸ Defs. Resp. 21, ECF No. 227.

⁷⁹ *Id.*

⁸⁰ *Id.* at 22.

***9** In this case, the Court finds that an enhancement of the fee award is not warranted. While Plaintiffs contend that they analyzed the *Johnson* factors throughout the motion for attorney’s fees,⁸¹ the Court highlights that it can only enhance or reduce the fee award based on factors not already considered in the lodestar calculation. *See Johnson*, 488 F.2d at 718-19. Therefore, any *Johnson* factors discussed by Plaintiffs in its lodestar calculation cannot be doubly accounted for through an enhancement. Accordingly, the Court declines to enhance the fee award.

⁸¹ Pls. Reply 10, ECF No. 228.

3. Plaintiffs’ Expenses

[28] Plaintiffs lastly state that under 42 U.S.C. § 1988, they are entitled to their reasonable expenses—a sum of \$4,209.28.⁸² This amount consists of expenses for airfare, ground transportation, lodging, and meals incurred during attorney travel to in-person hearings

and oral arguments in Dallas and New Orleans.⁸³ Defendants do not oppose the request for \$4,209.28 in expenses.⁸⁴ Therefore, Plaintiffs are awarded \$4,209.28 in expenses.

⁸² Pls. Brief 22, ECF No. 224.

⁸³ *Id.*

⁸⁴ Defs. Resp. 23, ECF No. 227.

IV. Conclusion

Accordingly, the Court awards Plaintiffs **\$2,203,053.32** in attorney's fees plus **\$4,209.28** in expenses.

SO ORDERED this 11th day of July, 2023.

All Citations

--- F. Supp. 3d ----, 2023 WL 4462049

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

FRANCISCAN ALLIANCE, INC.,
et al.,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

No. 7:16-cv-00108-O

**PLAINTIFFS' MEMORANDUM IN
SUPPORT OF THEIR MOTION
FOR AWARD OF ATTORNEY'S
FEES AND EXPENSES**

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INTRODUCTION

As prevailing parties in this litigation, Plaintiffs seek recovery of their reasonable attorney’s fees and expenses. To understand the nature of this request, it is helpful to recall the nature of this litigation.

This case began when the Department of Health and Human Services did something dangerous and unprecedented: It reinterpreted the Affordable Care Act to require doctors and hospitals across the country to perform and insure gender transitions and abortions—even when doing so would violate their deeply held religious beliefs and experienced medical judgment. Even though religious organizations pleaded with HHS during the rulemaking process to provide a religious exemption—as clearly required under both the Religious Freedom Restoration Act (RFRA) and Title IX—HHS expressly refused. This put Plaintiffs to an existential choice: either comply with HHS’s demands and start performing and paying for gender transitions and abortions—searing their consciences and scarring their patients—or follow their convictions and suffer massive penalties under the Affordable Care Act. Plaintiff Franciscan Alliance in particular, as this Court recognized, faced “losing \$900 million,” *Franciscan All., Inc. v. Burwell*, 227 F. Supp. 3d 660, 673 n.6 (N.D. Tex. 2016), which would devastate its 145-year-old ministry of caring for the poor and elderly.

Faced with this intolerable choice, Plaintiffs sued. Given Plaintiffs’ inability to pay customary law-firm rates, the expected longevity and complexity of the litigation, and the controversial subject matter, large corporate law firms wouldn’t come near this case. Yet despite facing the full weight of the federal government, with all the resources of the Department of Justice behind it, Plaintiffs prevailed at every turn. They won a preliminary injunction the day before HHS’s rule was to take effect. They

won summary judgment. They won a Fifth Circuit appeal. They won a permanent injunction on remand. And they won a Fifth Circuit appeal again. After six hard-fought years of litigation, over three administrations, and multiple rule changes that this Court likened to “a legal Penrose staircase,” *Franciscan All., Inc. v. Becerra*, 553 F. Supp. 3d 361, 373 (N.D. Tex. 2021), Plaintiffs now have permanent protection from HHS’s illegal and dangerous attempt to force them to violate their consciences. And the novel victory in this case has already rippled across the country, with HHS citing it multiple times in its own rulemaking processes, and multiple federal courts issuing similar injunctions, citing *Franciscan* as their lead authority.

As prevailing parties, Plaintiffs now request reasonable attorney’s fees. Over six years of litigation, counsel expended 3,805.6 hours. However, in the exercise of billing judgment, counsel has cut 569.7 hours from this total, or 15%. Based on prevailing market rates, Plaintiffs request fees of \$2,346,041 and expenses of \$4,209.28. As shown below, this request is well-supported by evidence and precedent.

ARGUMENT

Plaintiffs are prevailing parties in this litigation and thus entitled to recover attorney’s fees and expenses under 42 U.S.C. § 1988(b) (“Section 1988”). *See* Dkt. 193. In addition, counsel’s request for fees and expenses is reasonable based on the hours expended and the prevailing market rates.

I. Plaintiffs are entitled to attorney’s fees.

Section 1988, which applies against federal agencies under 28 U.S.C. § 2412(b), authorizes attorney’s fees for the prevailing party “[i]n any action or proceeding to enforce ... the Religious Freedom Restoration Act.” 42 U.S.C. § 1988(b); *see Knights of Ku Klux Klan, Realm of La. v. E. Baton Rouge Parish Sch. Bd.*, 735 F.2d 895, 897-

98 (5th Cir. 1984). Because this was an action to enforce RFRA, *see* Dkt. 21, Section 1988 is triggered.

To qualify as a “prevailing party” under Section 1988, “(1) the plaintiff must achieve judicially-sanctioned relief, (2) the relief must materially alter the legal relationship between the parties, and (3) the relief must modify the defendant’s behavior in a way that directly benefits the plaintiff at the time the relief is entered.” *Romain v. Walters*, 856 F.3d 402, 406 (5th Cir. 2017). Here, Plaintiffs satisfied all three requirements by prevailing on their RFRA and Administrative Procedure Act (APA) claims at summary judgment and by obtaining both a vacatur of the offending portions of HHS’s rule and a permanent injunction prohibiting HHS from interpreting or enforcing Section 1557 to compel them to perform or insure gender-transition procedures and abortions. Dkts. 175, 206. Accordingly, Plaintiffs are prevailing parties—as both this Court and the Fifth Circuit have recognized. Dkt. 193; *see Franciscan All., Inc. v. Becerra*, 47 F.4th 368, 378 n.57, 380 (5th Cir. 2022). They are therefore entitled to “a reasonable attorney’s fee.” 42 U.S.C. § 1988(b).

II. Plaintiffs’ attorney’s fees are reasonable.

“[C]ourts apply a two-step method for determining a reasonable attorney’s fee award.” *Combs v. City of Huntington*, 829 F.3d 388, 391 (5th Cir. 2016). Courts first calculate the lodestar, “which is equal to the number of hours reasonably expended multiplied by the prevailing hourly rate in the community for similar work.” *Id.* at 392. At the second step, courts may “enhance or decrease [the lodestar amount] based on the twelve *Johnson* factors.” *Id.*; *see also Watkins v. Fordice*, 7 F.3d 453, 457 (5th Cir. 1993). The *Johnson* factors are (1) the time and labor required; (2) the novelty and difficulty of the questions; (3) the skill requisite to perform the legal service

properly; (4) the preclusion of other employment by the attorney due to acceptance of the case; (5) the customary fee; (6) whether the fee is fixed or contingent; (7) time limitations imposed by the client or the circumstances; (8) the amount involved and the results obtained; (9) the experience, reputation, and ability of the attorneys; (10) the “undesirability” of the case; (11) the nature and length of the professional relationship with the client; and (12) awards in similar cases. *See Johnson v. Ga. Highway Express, Inc.*, 488 F.2d 714, 717-19 (5th Cir. 1974).

As an alternative to the second step of separately considering the *Johnson* factors, courts may also consider certain *Johnson* factors when calculating the lodestar, dispensing with later enhancements or reductions. *Saizan v. Delta Concrete Prods. Co.*, 448 F.3d 795, 800 (5th Cir. 2006). When taking this approach, courts pay special attention to “the time and labor involved,” “the customary fee,” “the amount involved and the result obtained,” and “the experience, reputation[,] and ability of counsel.” *Id.* When calculating the lodestar, courts also typically consider the complexity of the litigation. *See, e.g., Alto-Shaam, Inc. v. Manitowoc Co.*, No. 09-cv-018, 2012 WL 12978015, at *6 (N.D. Tex. Feb. 2, 2012); *Hoffman v. L & M Arts*, No. 10-cv-0953, 2015 WL 3999171, at *3 (N.D. Tex. July 1, 2015).

A. Counsel’s hours are reasonable.

To calculate the reasonable number of hours expended, courts determine whether the total number of hours claimed are reasonable and whether specific hours claimed are reasonably expended. *League of United Latin Am. Citizens No. 4552 v. Roscoe Indep. Sch. Dist.*, 119 F.3d 1228, 1232 (5th Cir. 1997). Contemporaneous billing records are acceptable documentation for determining reasonable hours. *Bode v. United States*, 919 F.2d 1044, 1047 (5th Cir. 1990).

1. Total hours

Here, over the course of six years, counsel achieved everything their clients sought in this litigation. When this litigation began, Plaintiffs were just months away from being forced to either violate their consciences or incur multimillion dollar penalties under HHS’s unlawful mandate, jeopardizing their religious mission to provide healthcare to the poor, disabled, and elderly. *Franciscan*, 227 F. Supp. 3d at 674, 681. Accordingly, counsel immediately sought a preliminary injunction—which they obtained the night before HHS’s unlawful requirement was to take full effect. *See id.* Then, after HHS failed to fix the problem, counsel obtained vacatur of the offending portions of HHS’s rule. *See* Dkts. 175, 182. Then, to ensure their clients remained protected despite an onslaught of new efforts by HHS to reimpose the same unlawful requirement through other means, counsel prevailed in a Fifth Circuit appeal, obtained a remand, and won a permanent injunction protecting Plaintiffs from any action by HHS to force them to perform or insure gender transitions or abortions under the governing statute. *Franciscan All., Inc. v. Burwell*, 2021 WL 6774686 (N.D. Tex. Oct. 1, 2021). Finally, after HHS challenged the permanent injunction on appeal, Plaintiffs prevailed at the Fifth Circuit again.

Achieving these results took six years of hard-fought litigation, spanning three different administrations and two appeals to the Fifth Circuit. *See Franciscan*, 47 F.4th 368; *Franciscan All., Inc. v. Becerra*, 843 F. App’x 662 (5th Cir. 2021). Oral arguments were held on the preliminary-injunction motion and both Fifth Circuit appeals. To obtain vacatur, Plaintiffs were forced to file two different summary-judgment motions—one in 2017, Dkt. 82, and another two years later, after HHS responded to the first by requesting an unproductive-but-time-consuming “voluntary

remand” to the agency, *see* Dkt. 136 at 14. And obtaining the permanent injunction required still another full-length set of briefs on remand from the Fifth Circuit, which Plaintiffs were forced to defend in still more briefing and argument when HHS appealed. *See* Dkts. 200, 203.

In total, counsel expended 3,805.6 hours litigating this matter, as documented in the contemporaneous billing records in Exhibits 1-C and 1-D. That amount is reasonable given the prolonged and complex nature of the litigation. *See* Ex. 1 (Goodrich Decl.) ¶¶ 39, 41. Nevertheless, as explained below, in the exercise of billing judgment, counsel has significantly reduced the total number of hours by 569.7—or 15%—leaving a total of 3,235.9 hours. *See* Goodrich Decl. ¶¶ 28, 35; Exs. 1-C, 1-D.

2. Billing judgment

To show the reasonableness of the hours billed, counsel seeking fees must exercise “billing judgment,” which requires “documentation of the hours charged and of the hours written off as unproductive, excessive, or redundant.” *Saizan*, 448 F.3d at 799. Here, the elimination of 569.7 hours—all documented in Exhibit 1-D—demonstrates that counsel exercised billing judgment. The eliminated hours generally fall within the following categories.

First, counsel exercised billing judgment by cutting time from all block-billed entries. Goodrich Decl. ¶ 29. Block billing is the “time-keeping method by which each lawyer and legal assistant enters the total daily time spent working on a case, rather than itemizing the time expended on specific tasks.” *Glass v. United States*, 335 F. Supp. 2d 736, 739 (N.D. Tex. 2004). Even though “[a] reduction for block billing is not automatic,” *Fralick v. Plumbers & Pipefitters National Pension Fund*, No. 09-cv-0752, 2011 WL 487754, at *5 (N.D. Tex. Feb. 11, 2011), counsel applied a 50% across-the-

board reduction to block-billed times entries. Goodrich Decl. ¶ 29. In total, counsel cut 17.75 hours for block billing. *Id.*

Second, counsel exercised billing judgment by eliminating all hours for attorney travel. *Id.* ¶ 30. Courts often permit recovery for attorney travel time, though courts sometimes discount the time or rate. *See United Healthcare Servs., Inc. v. Next Health, LLC*, No. 17-cv-0243, 2020 WL 13490846, at *3 (N.D. Tex. Sept. 16, 2020) (collecting cases); *Watkins*, 7 F.3d at 459 (affirming decision to discount travel time). Here, attorneys expended 62.3 hours for travel to various hearings and oral arguments. Goodrich Decl. ¶ 30. And although attorneys often worked on this case during travel, counsel still eliminated all 62.3 hours. *Id.*

Third, counsel cut 107.85 hours that counsel deemed excessive. *Id.* ¶ 31. Generally, these hours include billing entries for internal meetings or entries that could be cut or reduced because, in hindsight, they may have taken longer than necessary to accomplish the relevant task. *Id.*; *see, e.g., R.K.C.J., LLC v. Texas Cap. Bank, N.A.*, No. 20-cv-533, 2020 WL 5552153, at *7 (N.D. Tex. Aug. 24, 2020), *report and recommendation adopted*, 2020 WL 5544376 (N.D. Tex. Sept. 16, 2020) (“writ[ing] off time spent on work that ... in hindsight may have been unnecessary” demonstrates billing judgment).

Finally, counsel cut 381.8 hours for work that counsel deemed unproductive or redundant. Goodrich Decl. ¶ 32. That includes work on motions or briefing that was unproductive, as well as cuts to tasks that could be deemed redundant. *Id.*

Included among the cuts is the elimination of the entirety of time billed by several attorneys who worked only minimally on the case and therefore billed relatively few hours. *Id.* ¶ 33. This includes cuts to all the hours of Daniel Blomberg (42.1 hours),

Eric Baxter (16.3 hours), Eric Rassbach (8.9 hours), Chase Harrington (18.2 hours), Daniel Benson (28.9 hours), and Jacob Coate (21.5 hours), totaling 135.9 hours; counsel are not seeking any fees for the work completed by these lawyers. *Id.* ¶ 33; *Mauricio v. Phillip Galyen, P.C.*, 174 F. Supp. 3d 944, 950 (N.D. Tex. 2016) (finding counsel exercised billing judgment by, among other things, “wr[iting] off all of the hours” for attorneys who billed few hours).

Counsel also cut the hours of attorneys who had been involved at the outset of the litigation, but then pared back their work in later years. Goodrich Decl. ¶ 34. Those attorneys include Lori Windham, Diana Thomson, and Stephanie Barclay. *Id.* Counsel eliminated all hours for these attorneys from 2018 onwards, cutting an additional 16.9 hours. *Id.* In total, these cuts reduced the total number of billers, removed unproductive and redundant hours, and resulted in a leaner and more efficient team.

In total, counsel cut 569.7 hours or approximately 15% of its total hours. *Id.* ¶ 28. Courts consistently find that reductions of this nature satisfy billing judgment. *See, e.g., SCA Promotions, Inc. v. Yahoo! Inc.*, 2016 WL 8223206, at *10 (N.D. Tex. Nov. 21, 2016) (“Courts in the Northern District of Texas have applied a 15% reduction in similar cases when a fee applicant has not demonstrated billing judgment.”); *Hill v. Schilling*, No. 07-cv-2020, 2022 WL 1321548, at *7 (N.D. Tex. May 3, 2022) (13% reduction due to the absence of reductions) (collecting cases). Accordingly, the Court should find that counsel exercised billing judgment and reasonably expended 3,235.9 hours in this case.

B. Counsel's hourly rates are reasonable.

The “purposes governing fee-shifting awards in civil rights cases are well established”: to “facilitate plaintiffs’ access to the courts to vindicate their rights by providing compensation sufficient to attract competent counsel.” *McClain v. Lufkin Indus., Inc.*, 649 F.3d 374, 381 (5th Cir. 2011). Based on that purpose, courts calculate a reasonable hourly rate based on “the prevailing market rates in the relevant community.” *Id.*

The “relevant community” may be the “home district” of plaintiffs’ counsel or the district where the case was brought, depending on the circumstances. *Id.* at 381-82. Counsel’s “home’ rates should be considered as a starting point for calculating the lodestar” when “out-of-district counsel are proven to be necessary to secure adequate representation for a civil rights plaintiff.” *Id.* at 382-83. Home rates are also appropriate where counsel have “shown that they participate in a market requiring more specialized and sophisticated legal services.” *Sierra Club v. Energy Future Holdings Corp.*, No. 12-cv-108, 2014 WL 12690022, at *6 (W.D. Tex. Aug. 29, 2014).

When out-of-district counsel are unnecessary, or have not shown that they participate in a market requiring more specialized services, courts typically award local rates “based on the prevailing community standards for attorneys of similar experience in similar cases,” *Miller v. Raytheon Co.*, No. 09-cv-440, 2013 WL 6838302, at *3 (N.D. Tex. Dec. 27, 2013). In such a case, this Court has said that it “will look to the prevailing market rates in Dallas.” *Id.* at *7.

“Generally, the reasonable hourly rate is established through affidavits submitted by other attorneys practicing in the community.” *Id.* at *8. Applicants may also establish reasonable hourly rates “by directing the district court to fee awards in the

same district.” *Id.* Courts also consider an attorney’s actual rates, not just prevailing rates. *Louisiana Power & Light Co. v. Kellstrom*, 50 F.3d 319, 328 (5th Cir. 1995).

1. Home rates

Here, given the extraordinary stakes of this litigation for the Plaintiffs, the unavailability of comparable counsel within the district, and the need for counsel’s specialized services, counsel’s “‘home’ rates should be considered as a starting point for calculating the lodestar.” *McClain*, 649 F.3d at 382-83.

Home rates are warranted because “abundant ... evidence prove[s] the necessity of ... turning to out-of-district counsel.” *McClain*, 649 F.3d at 382. Indeed, it would have been surprising if Plaintiffs *hadn’t* turned to specialized, out-of-district counsel for this bet-the-company—and bet-the-conscience—litigation. At the time counsel was retained, HHS had just promulgated a rule imposing on Plaintiffs a dramatic new choice: start performing and insuring gender transitions or else face multimillion dollar penalties destroying your ministry to the poor and elderly. As this Court has recognized, refusing to comply would have been crippling: Franciscan alone “would risk losing \$900 million.” *Franciscan*, 227 F. Supp. 3d at 673 n.6. But complying would require casting aside their deeply held religious beliefs about human sexuality and performing procedures that they believed, in their considered medical judgment, would be harmful to their patients.

Moreover, the entity imposing the requirement was the federal government, which has all the litigation resources of the Department of Justice at its disposal. The issues were complex and novel; no case had yet considered whether HHS’s rule complied with the APA, or whether objecting religious entities were entitled to an exemption under RFRA. The plaintiffs-to-be were religious nonprofits and a membership

organization composed of individual religious healthcare providers who could not afford large law firm rates. And the subject-matter implicated “hotly-debated issues of sex and gender identity,” *United States v. Varner*, 948 F.3d 250, 256 (5th Cir. 2020), in which most major law firms have little appetite for getting involved—or on which they agree with the gender-ideology “orthodoxy” HHS was attempting to impose, *Franciscan*, 553 F. Supp. 3d at 370.

In other words, as a long-time litigator in Dallas notes, “[a] large international law firm would be the most likely candidate for having the resources to staff, litigate, and win a case like this.” Ex. 3 (Robison Decl.) ¶ 14. But “it would be extraordinarily difficult, if not impossible, to bring in experienced counsel from an international law firm” due to the “controversial subject matter,” “the non-pecuniary nature of the claims,” “the inability of religious nonprofits to pay a firm’s customary rates,” and “the longevity and complexity of the litigation.” *Id.* ¶¶ 3-4. Because Plaintiffs needed to turn to an out-of-district specialist to protect themselves, out-of-district rates are warranted.

Counsel’s home rates are also warranted because counsel “participate in a market requiring more specialized and sophisticated legal services.” *Sierra Club*, 2014 WL 12690022, at *6. Specialized religious-liberty expertise is crucial in litigating difficult cases involving the intersection of RFRA and the Affordable Care Act, and “was crucial in securing [Plaintiffs’] permanent injunction in this complex case.” Robison Decl. ¶ 12; Ex. 2 (Schaerr Decl.) ¶ 14.

Gene Schaerr, a DC-area attorney with significant experience litigating high-stakes cases, including serving as counsel of record in over 100 Supreme Court cases, states that Plaintiffs’ counsel are “well-known as expert religious liberty litigators”

and comprise “the best law firm in the nation specialized in religious liberty litigation.” Schaerr Decl. ¶ 10. In the last decade, counsel has litigated eight religious liberty merits cases in the U.S. Supreme Court and prevailed in all eight. Goodrich Decl. ¶¶ 8-9. In 2020, Counsel’s firm was recognized by the *National Law Journal* as a member of the “Appellate Hot List,” the first non-profit law firm chosen since the list’s creation. Goodrich Decl. ¶ 11. And in 2021 and 2022 alone, counsel’s firm secured precedent-setting victories in religious liberty cases at the Fifth Circuit, Seventh Circuit (twice), Eighth Circuit (thrice), Ninth Circuit (twice), the Indiana Supreme Court, and the Texas Supreme Court. Goodrich Decl. ¶ 10.

Perhaps most importantly, this case bears close resemblance to the widespread RFRA challenges to HHS’s contraception mandate, which applied the Affordable Care Act to require religious employers to provide insurance coverage of all forms of contraception, including those that could cause an abortion. Schaerr Decl. ¶ 13. As the Schaerr Declaration explains, counsel’s firm “was the leading law firm in the country challenging HHS’s contraception mandate under RFRA.” *Id.* ¶ 14. The Becket Fund brought the first case challenging the mandate. Complaint, *Belmont Abbey Coll. v. HHS*, No. 11-cv-1989, 2011 WL 8997549 (D.D.C. Nov. 10, 2011), ECF No. 1. It brought the first class action challenging the mandate. Complaint, *LSP v. HHS*, No. 13-cv-2611, 2013 WL 5331098 (D. Colo. Sept. 24, 2013), ECF No. 1. It won the first Supreme Court order blocking the mandate. *Little Sisters of the Poor Home for the Aged, Denver, Colo. v. Sebelius*, 134 S. Ct. 893 (2013) (Dec. 31, 2013). It won the first Supreme Court case on the merits challenging the mandate. *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014). It won the first Supreme Court order blocking the mandate for non-profit employers after *Hobby Lobby*. *Wheaton College v. Burwell*, 573 U.S. 958

(2014). It won the first Supreme Court merits ruling blocking the mandate for non-profit employers. *Zubik v. Burwell*, 578 U.S. 403 (2016). It won injunctions against HHS in at least eight cases across the country. *HHS Mandate Information Central*, Becket Fund, <https://perma.cc/7YQE-HMBJ>. And it won the first Supreme Court case establishing that HHS could grant a religious exemption from the mandate. *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania*, 140 S. Ct. 2367 (2020); see also Schaerr Decl. ¶ 14. As Schaerr notes, “It is safe to say that no other law firm in the country has as much experience and success litigating against HHS under RFRA as Becket,” and that experience was “extraordinarily valuable in a case like this one.” Schaerr Decl. ¶ 14.

Given this evidence on the need for specialized out-of-district counsel, the only remaining question is whether counsel’s home rates are reasonable compared to what similar attorneys charge in the DC area. *Midkiff v. Prudential Ins. Co. of Am.*, 571 F. Supp. 3d 660, 667 (W.D. Tex. 2021) (when out-of-district counsel is warranted, the prevailing rates in counsel’s home district determines the reasonable rate); *Sierra Club*, 2014 WL 12690022, at *6 (“The billing rates that Defendants’ counsel charged are reasonable because they are within their home-market rates.”). Those rates are as follows:

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$600/hour	\$700/hour	\$700/hour
Diana Thomson ('09)	\$790/hour	\$790/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$700/hour	\$700/hour	\$790/hour	\$790/hour
Lori Windham ('05)	\$860/hour	\$860/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$860/hour	\$860/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour
Mark Rienzi ('00)	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,200/hour	\$1,200/hour	\$1,200/hour	N/A
Stephanie Barclay ('11)	\$700/hour	\$700/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$550/hour	\$550/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

“Generally, the reasonable hourly rate for a particular community [of attorneys] is established through affidavits of other attorneys practicing there.” *Tollett v. City of Kemah*, 285 F.3d 357, 368 (5th Cir. 2002). Here, the Schaerr declaration states that counsel’s rates are reasonable for the DC area and are in fact “lower than the rates my firm and other firms at which I have worked would charge their clients for attorneys of comparable seniority and expertise on a similar matter.” Schaerr Decl. ¶ 17. The declaration also explains that other DC attorneys with comparable experience would charge higher rates than those requested here—including \$1,085-\$1,895/hour for law firm partners and up to \$1,195/hour for associates. *Id.* ¶¶ 18-20. Because counsel’s DC rates are lower than those charged by comparable practitioners in the DC area, the rates are reasonable.

In addition, under governing precedent, Plaintiffs’ counsel can charge current billing rates for their work. *Missouri v. Jenkins*, 491 U.S. 274, 283-84 (1989); *see also In re Enron Corp. Sec., Derivative & ERISA Litig. v. Enron Corp.*, 586 F. Supp. 2d 732, 779 (S.D. Tex. 2008) (“To compensate for delay in receiving fees, counsel have properly used their current billing rates.”). Nevertheless, as demonstrated in the table above (and the table below, for hourly rates in Dallas-Fort Worth), counsel have reduced their hourly rates for work completed earlier in the case instead of charging at their current rates. These reductions are additional evidence that counsel’s rates are reasonable.

2. Dallas-Fort Worth rates

Alternatively, if this Court determines that out-of-district counsel was not needed, Plaintiffs request the following rates based on market rates in Dallas-Fort Worth:

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$515/hour	\$610/hour	\$610/hour
Diana Thomson ('09)	\$705/hour	\$705/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$610/hour	\$610/hour	\$705/hour	\$705/hour
Lori Windham ('05)	\$800/hour	\$800/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$800/hour	\$800/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour
Mark Rienzi ('00)	\$905/hour	\$905/hour	\$905/hour	\$1,050/hour	\$1,050/hour	\$1,050/hour	N/A
Stephanie Barclay ('11)	\$610/hour	\$610/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$420/hour	\$420/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

Reasonable hourly rates can be established either “through affidavits submitted by other attorneys practicing in the community” or “by directing the district court to fee awards in the same district.” *Miller*, 2013 WL 6838302, at *8. Furthermore, counsel’s actual hourly rate is relevant to determining the reasonableness of rates. *Kellstrom*, 50 F.3d at 328. Here, all three demonstrate that counsel’s rates are reasonable.

First, Brian Robison, a partner with over twenty-five years of experience litigating in the Dallas-Fort Worth area, states that “[i]n light of the religious liberty expertise that these lawyers brought to the task, the prevailing market rates in the Northern District of Texas, the nature and complexity of this litigation, and the success obtained for the Becket Fund’s client,” counsel’s rates are reasonable. Robison Decl. ¶¶ 6-7, 17. Robison notes the hourly rates of comparable practitioners at large international law firms, including the hourly rates for work done in Texas federal courts. *Id.* ¶¶ 21-25. He explains that Plaintiffs’ counsel “would be able to charge similar or higher rates as attorneys litigating at large international law firms” and that counsel’s “proposed billing rates are *lower* than the rates my two prior firms and other firms with which I am familiar would charge their clients for attorneys of comparable seniority and expertise on a similar matter.” *Id.* ¶¶ 19-20 (emphasis added).

Second, comparable fee awards in this District confirm the reasonableness of the counsel’s hourly rates. For example, in a trusts-and-estates fee petition decided earlier this year, attorneys at Locke Lord requested rates of \$730/hour, \$790-820/hour, and \$800-830/hour for work done from April 2019 to March 2020. *Hill*, 2022 WL 1321548, at *5. The district court took judicial notice of the hourly rates for attorneys at Winston & Strawn and found that an attorney who graduated in 2013 charged a

standard rate of \$860/hour and had recently raised his rate to \$935/hour. *Id.* at *5. The court found that this evidence—along with the experience and reputation of the attorneys involved—supported the conclusion “that Locke Lord’s rates are comparable to what other similar firms are charging for legal work in the Northern District of Texas.” *Id.* at *6. The court therefore held that the requested rates of \$730/hour, \$790-820/hour, and \$800-830 were reasonable. *Id.*

Similarly, in *Advanced Physicians, S.C. v. Connecticut Gen. Life Ins. Co.*, No. 16-cv-02355, 2021 WL 6428370, at *6 (N.D. Tex. Dec. 17, 2021), the district court awarded rates from \$537/hour to \$862/hour for attorneys at a large international law firm in an ERISA action. The district court justified its decision based on “the Court’s knowledge of rates charged for legal services by attorneys with the level of skill, competence, and ability of Plaintiff’s counsel and paralegal in the Dallas legal community,” as well as “the complex and novel” nature of the litigation. *Id.*

Older cases from this District are also illustrative. “It is not unreasonable to conclude that counsel’s rates would increase over time, due to inflation and, perhaps, counsel’s reputation in the field of civil rights litigation.” *Robinson v. Linder*, No. 08-cv-1, 2009 WL 10708332, at *5 (E.D. Tex. Mar. 17, 2009). Thus, if courts in this District found these similar rates reasonable several years ago, it follows that counsel’s rates here are also reasonable.

For example, in a fee petition involving work done in 2013 involving complex discovery disputes, the district court held that rates ranging from \$601/hour to \$810/hour for attorneys from the law firm of Willkie Farr & Gallagher LLP were reasonable. *Hoffman*, 2015 WL 3999171, at *3. The court, using data from 2013, concluded that \$601/hour for an attorney with 3-6 years’ experience and \$810/hour for

an attorney with 25 years' experience was reasonable, especially in light of "the nature and complexity of this litigation." *Id.* Likewise, in a case involving work completed in 2012, this Court found that rates from \$300 to \$725/hour were reasonable for attorneys from the law firm of Baker Botts. *Alto-Shaam*, 2012 WL 12978015, at *6. In finding these rates reasonable, this Court emphasized "the background of the attorneys" and "the highly complex and contentious nature" of the litigation. *Id.*

These same factors are all present here and weigh in favor of awarding counsel's market rates. As explained in the Robison declaration, this litigation was extraordinarily complex and contentious and would typically demand the involvement of a large international law firm. Robison Decl. ¶ 14. In fact, the litigation took six years and two full appeals to the Fifth Circuit to reach a final resolution. In similar circumstances, the Fifth Circuit has instructed lower courts considering fee petitions to not "overlook the complexity of [a] case," especially one that "involved two appeals to [the Fifth Circuit]." *Northwinds Abatement, Inc. v. Emps. Ins. of Wausau*, 258 F.3d 345, 355 (5th Cir. 2001) (rejecting fee reduction).

Moreover, counsel's experience, reputation, and ability also favor granting counsel's market rates. As the Robison declaration states, "Becket Fund attorneys are well-known expert religious liberty litigators," Robison Decl. ¶ 9, and in Schaerr's estimation, the Becket Fund is "the best law firm in the nation specialized in religious liberty litigation," Schaerr Decl. ¶ 10. Schaerr also notes that counsel's prior experience in religious liberty litigation—and especially its experience as "the leading law firm in the country challenging HHS's contraception mandate under RFRA"—"would be extraordinarily valuable in a case like this one." Schaerr Decl. ¶ 14. The Robison

declaration concurs, noting that “the Becket Fund’s expertise in religious liberty litigation was crucial in securing their client’s permanent injunction in this complex case.” Robison Decl. ¶ 12.

And most importantly, counsel secured exceptional relief for their clients, which is “[t]he most critical factor in determining an attorney’s fee award.” *Saizan*, 448 F.3d at 799 (quotation marks omitted). Here, Plaintiffs obtained every form of relief they requested—including vacatur of the 2016 Rule and a permanent injunction preventing HHS from interpreting or applying Section 1557 to require them to perform or insure gender transitions or abortions in violation of conscience.

This was pathbreaking litigation consequential not just for Plaintiffs but for the law nationwide. The decisions in this case have been cited repeatedly in multiple new final and proposed HHS rules over the course of this litigation. 85 Fed. Reg. 37160 (June 19, 2020) (mentioning “Franciscan” by name 40 times); 87 Fed. Reg. 47824 (proposed Aug. 4, 2022) (20 times). The Fifth Circuit issued a published opinion contributing to the development of the law of justiciability and remedies in cases arising under RFRA. *Franciscan*, 47 F.4th 368. And multiple other federal courts have entered injunctions analogous to the ones obtained by Plaintiffs in this case, with the *Franciscan* decisions as their lead authority. *Religious Sisters of Mercy v. Becerra*, ___ F.4th ___, 2022 WL 17544669 (8th Cir. Dec. 9, 2022); *Christian Emps. All. v. EEOC*, No. 21-cv-195, 2022 WL 1573689 (D.N.D. May 16, 2022).

Third, counsel’s actual hourly rate is relevant to the reasonableness of their rates. *Kellstrom*, 50 F.3d at 328. And in looking at actual rates, courts can also consider previous fee awards for Plaintiffs’ counsel. *Miller*, 2013 WL 6838302, at *8. Here, while counsel do not have prior fee awards in the Northern District of Texas, counsel’s

firm recently prevailed in a pair of religious-liberty cases in the Southern District of Iowa and obtained hourly rates that are comparable to the rates requested here.

In *Intervarsity Christian Fellowship v. University of Iowa* and *Business Leaders in Christ v. University of Iowa*, the United States District Court for the Southern District of Iowa, sitting in Davenport, Iowa, held that a public university violated the constitutional rights of religious student organizations by selectively deregistering them based on their religious beliefs. After prevailing in the Eighth Circuit, counsel's firm moved for attorney's fees before the district court. The court awarded attorney's fees and found that a rate of \$914/hour for a Becket Fund attorney with twenty-one years of experience and a rate of \$759/hour for a Becket Fund attorney with thirteen years of experience was reasonable. *Intervarsity Christian Fellowship v. Univ. of Iowa*, No. 18-cv-80, ECF No. 101 at 2 n.1 (S.D. Iowa Nov. 18, 2021); *BLinC v. Univ. of Iowa*, No. 17-cv-80, ECF No. 147 at 3 (S.D. Iowa, Nov. 10, 2021). The court explained that "[a]lthough the rates requested for Plaintiff's out of state counsel are significantly higher, between \$759 and \$914 for the two attorneys, they are reasonable given the complex nature of the issues in this case and the extensive experience Plaintiff's counsel has in constitutional litigation." *BLinC*, No. 17-cv-80, ECF No. 147 at 3.

Because Becket Fund attorneys were awarded these rates in a case pending in Davenport, Iowa, it follows that a higher rate is warranted in Dallas-Fort Worth. See Robison Decl. ¶ 27. This is particularly true because "[t]he legal market in the Dallas-Fort Worth area is significantly larger and more sophisticated than the legal market in Davenport, Iowa" and "[t]he attorneys in this case have similar experience to the attorneys in the *Intervarsity* and *BLinC* litigation." *Id.*

In short, attorney affidavits, other fee awards from this District, and counsel's actual awarded rates demonstrate that counsel's rates are reasonable.

C. The lodestar amount is reasonable.

Based on the hours reasonably expended in this litigation and counsel's reasonable home rates, the lodestar amount is **\$2,346,041**. *See* Ex. 1-A at 6. Alternatively, if the Court concludes that home rates are not warranted, the same calculation using prevailing market rates in the Northern District of Texas produces a lodestar amount of **\$2,096,939**. *See id.* at 7. As explained above, these amounts are reasonable.

After calculating the lodestar, courts move to the second stage and consider whether to enhance or reduce the award based on unaccounted *Johnson* factors. When considering the *Johnson* factors, this Court "necessarily has discretion" to grant an enhancement. *Villas at Parkside Partners v. City of Farmers Branch*, No. 08-cv-1551, 2010 WL 2730629, at *4 (N.D. Tex. July 9, 2010) (quoting *Hensley v. Eckhardt*, 461 U.S. 424, 437 (1983)). And courts in the Northern District of Texas and the Fifth Circuit have granted enhancements of 20-33% when a plaintiff achieved exceptional results and the enhancement was needed to account for the true market value of plaintiff's counsel's services. *See Cloud v. Bert Bell/Pete Rozelle NFL Player Ret. Plan*, No. 20-cv-1277, 2022 WL 2805527, at *7 (N.D. Tex. July 18, 2022) (20% enhancement); *Shipes v. Trinity Indus.*, 46 F.3d 67 (5th Cir. 1995) (affirming 33% enhancement). Here, if the Court determines that the lodestar does not adequately account for the exceptional results and true market value of counsel's services as described above, a similar enhancement would be warranted.

III. Plaintiffs' expenses are reasonable.

“[U]nder 42 U.S.C. § 1988, a prevailing party may also recover ‘[a]ll reasonable out-of-pocket expenses, including charges for photocopying, paralegal assistance, [and] travel ... because they are part of the costs normally charged to a fee-paying client.’” *DeLeon v. Abbott*, 687 F. App’x 340, 342 (5th Cir. 2017) (quoting *Associated Builders & Contractors of Louisiana, Inc. v. Orleans Par. Sch. Bd.*, 919 F.2d 374, 380 (5th Cir. 1990)).

Here, Plaintiffs seek expenses totaling \$4,209.28. That amount consists of \$3,031.74 for airfare, \$114.60 for ground transportation, \$608.92 for lodging, \$123.92 for meals, and \$330.10 for printing. The out-of-pocket expenses for airfare, ground transportation, lodging, and meals were incurred for attorney travel to in-person hearings and oral arguments in Dallas and New Orleans. Goodrich Decl. ¶ 36. The printing costs were incurred to meet the requirements of filing paper copies of relevant briefing in this Court and the Fifth Circuit. *Id.* These expenses are precisely the types of expenses that are “normally charged to a fee-paying client.” *DeLeon*, 687 F. App’x at 342. Accordingly, the Court should grant Plaintiffs’ reasonable expenses in the amount of \$4,209.28.

CONCLUSION

For the foregoing reasons, the Court should grant Plaintiffs’ motion for attorney’s fees of \$2,346,041 and expenses of \$4,209.28.

Dated: December 23, 2022

Respectfully submitted,

/s/ Luke W. Goodrich

Luke W. Goodrich

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Alliance, Inc., Specialty Physicians of
Illinois, LLC*

CERTIFICATE OF CONFERENCE

On December 15, 2022, counsel for Plaintiffs, Luke W. Goodrich, informed Bradley Humphreys, counsel for HHS, of Plaintiffs' intent to file this motion and accompanying memorandum. On December 21, 2022, Mr. Humphreys indicated that HHS opposes the motion.

/s/ Luke W. Goodrich
Luke W. Goodrich

CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2022, the foregoing was served on all parties via ECF.

/s/ Luke W. Goodrich
Luke W. Goodrich

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

FRANCISCAN ALLIANCE, INC., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

No. 7:16-cv-00108-O

**DECLARATION OF
LUKE W. GOODRICH**

1. My name is Luke Goodrich. I am over the age of 18 and have personal knowledge of the contents of this declaration.

2. I serve as lead litigation counsel for Franciscan Alliance, Inc., the Christian Medical and Dental Associations, and Specialty Physicians of Illinois, L.L.C. (“Plaintiffs”) in the above captioned matter and have done so throughout this litigation. I offer this declaration in support of Plaintiffs’ petition for attorney’s fees and expenses under 42 U.S.C. § 1988(b).

3. Plaintiffs seek payment of \$2,346,041 for fees for 3,235.9 hours of work reasonably expended by attorneys and paralegals at the Becket Fund for Religious Liberty. Exhibit 1-A to this declaration includes a summary of requested fees and expenses for this litigation.

4. Exhibit 1-B details the expenses that Becket seeks at a total of \$4,209.28.

5. Exhibit 1-C includes contemporaneous time records accurately detailing the tasks and amount of time Becket personnel spent representing Plaintiffs for the litigation in this case.

6. Exhibit 1-D includes contemporaneous time records accurately detailing the tasks and amount of time that counsel has eliminated from consideration based on the exercise of billing judgment.

Qualifications and Expertise

7. I am Vice President and Senior Counsel at the Becket Fund for Religious Liberty, a nonprofit public interest law firm that exists to protect the free expression of all faiths. Becket's legal practice is focused exclusively on religious liberty law, and Becket attorneys have represented clients from a wide variety of faith traditions in religious liberty cases across the country.

8. Over the last decade, Becket has won eight merits cases at the Supreme Court without a loss: *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, 565 U.S. 171 (2012); *McCullen v. Coakley*, 573 U.S. 464 (2014); *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014); *Holt v. Hobbs*, 574 U.S. 352 (2015); *Zubik v. Burwell*, 578 U.S. 403 (2016); *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania*, 140 S. Ct. 2367 (2020); *Our Lady of Guadalupe Sch. V. Morrissey-Berru*, 140 S. Ct. 2049 (2020); and *Fulton v. City of Philadelphia*, 141 S. Ct. 1868 (2021).

9. Becket has also won three separate emergency All Writs Act injunctions at the Supreme Court: *Little Sisters of the Poor Home for the Aged v. Sebelius*, 134 S. Ct. 1022 (2014); *Wheaton College v. Burwell*, 571 U.S. 1171 (2014); and *Agudath Israel of Am. v. Cuomo*, 141 S. Ct. 889 (2020).

10. Becket has a similar record of success in federal appellate courts and state supreme courts. In 2021 and 2022 alone, Becket won at least ten significant victories at the Fifth Circuit, Seventh Circuit (twice), Eighth Circuit (thrice), Ninth Circuit (twice), the Texas Supreme Court, and the Indiana Supreme Court. *Franciscan Alliance, Inc. v. Becerra*, 47 F.4th 368 (5th Cir. 2022); *Demkovich v. St. Andrew the Apostle Parish*, 3 F.4th 968 (7th Cir. 2021) (en banc); *Starkey v. Archdiocese of Indianapolis*, 41 F.4th 931 (7th Cir. 2022); *BlinC v. Univ. of Iowa*, 991 F.3d 969 (8th Cir. 2021); *IVCF v. Univ. of Iowa*, 5 F.4th 855 (8th Cir. 2021); *Religious Sisters of Mercy v. Becerra*, ___ F.4th ___, 2022 WL 17544669 (8th Cir. Dec. 9, 2022); *Maxon v. Fuller Theological Seminary*, No. 20-56156, 2021 WL 5882035 (9th Cir. Dec. 13, 2021);

Fellowship of Christian Athletes v. San Jose Unified Sch. Dist., 46 F.4th 1075, (9th Cir. 2022); *Diocese of Lubbock v. Guerrero*, 624 S.W.3d 563 (Tex. 2021); *Payne-Elliott v. Archdiocese of Indianapolis*, 193 N.E.3d 1009 (Ind. 2022).

11. In 2020, the *National Law Journal* named Becket to its “Appellate Hot List” of top appellate firms. <https://perma.cc/L4GB-ND8T>. Becket is the only non-profit firm to ever be included on this list.

12. Becket has been recognized as a legal “powerhouse” by the Washington Post. Rebecca Bratek, *Becket Fund law firm gaining a reputation as powerhouse after Hobby Lobby win*, Washington Post (July 20, 2014), <https://perma.cc/W3WG-DMSU>. TIME Magazine noted that “[e]veryone from unknowns like [Gregory] Holt to corporate giants like Hobby Lobby ... turns to Becket for high profile cases at the high court.” Elizabeth Dias, *Meet the Lawyers Fighting for Religious Freedom Today Before the Supreme Court*, TIME (Oct. 7, 2014), <https://perma.cc/M2JF-37SR>. According to Viet Dinh, a former U.S. Assistant Attorney General and professor at Georgetown University Law Center, Becket has “outsized success in these cases coming to the court and winning them at the court.” *Id.*

13. In 2014, Becket won important religious liberty victories at the Supreme Court in *Hobby Lobby* and *Holt v. Hobbs* just a few months apart, which Politico described as “no small feat for even ... the largest of law firms, let alone for a nonprofit firm with 11 lawyers.” Amelia Thomson-DeVeaux, *God’s Rottweilers: Meet the small nonprofit law firm that’s reshaping American politics*, POLITICO Magazine (Oct. 5, 2014), <https://perma.cc/2UQK-ZMVQ>. During the 2020 term, Becket repeated that feat with two Supreme Court victories in *Little Sisters of the Poor* and *Our Lady of Guadalupe*.

14. I have been litigating exclusively in the field of religious liberty since I joined Becket in 2008. I participated as counsel in seven of Becket’s eight Supreme Court merits victories and all three All Writs Act injunctions. I have also personally argued

and won precedent-setting cases in the Third, Fifth, Seventh, Eighth, Ninth, and Eleventh Circuits. And I was appointed a Special Assistant Attorney General for the State of Colorado to argue a Tenth Circuit appeal on behalf of Becket and several states.

15. In addition to my work at Becket, I have served as an Adjunct Professor of Law at the University of Utah, S.J. Quinney College of Law, where I taught an advanced course on law and religion. I have also published an award-winning book and multiple law review articles on religious liberty and First Amendment issues. Some of my writings include: *Free to Believe: The Battle Over Religious Liberty in America* (2019); *Sex, Drugs, and Eagle Feathers: An Empirical Study of Federal Religious Freedom Cases*, 48 Seton Hall L. Rev. 353 (2018) (with Rachel Busick); *On Resolving Church Property Disputes*, 58 Ariz. L. Rev. 307 (2016) (with Michael McConnell); and *RLUIPA: Necessary, Modest, and Under-Enforced*, 39 Fordham Urb. L. J. 1021 (May 2012) (with Douglas Laycock).

16. I have also appeared frequently in the media to discuss religious freedom issues—including appearances on NPR, CNN, Fox, ABC, PBS, and other news outlets, quotations in outlets like the *New York Times*, *Washington Post*, and *The Wall Street Journal*, and publishing opinion pieces in outlets like *The Wall Street Journal*, *USA Today*, and *The Guardian*. The Associated Press has called me “a top religious freedom attorney.” Elana Schor, *Coronavirus gathering bans raise religious freedom questions*, AP News (Mar. 19, 2020), <https://perma.cc/XY7E-FJF6>.

17. Before I came to Becket, I worked as an associate in the appellate and critical motions practice at Winston & Strawn, LLP, and as a legal and research advisor to the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons. Before that, I served as a law clerk to the Honorable Michael W. McConnell, a judge for the U.S. Court of Appeals for the Tenth Circuit and one of the leading religious liberty scholars in the country. I graduated from The University of Chicago Law

School in 2004 with high honors and was elected to the Order of the Coif. My qualifications are more fully set forth in my resume at Exhibit 1-E.

18. Mark Rienzi, who also worked on this case, is President and CEO of Becket where he litigates exclusively in the field of religious liberty. He has served as counsel in multiple Supreme Court victories, including personally arguing *McCullen v. Coakley*, 573 U.S. 464 (2014), and prevailing 9–0. He is also a professor of law at the Catholic University of America, Columbus School of Law, where he teaches constitutional law, religious liberty, torts, and evidence, and he has been a visiting professor at Harvard Law School where he taught religious liberty and supervised a religious liberty externship clinic. He appears in major media outlets to discuss religious liberty and has published extensively on religious liberty and First Amendment issues, including in the *Harvard Law Review*. Before working at Becket, he served as counsel in the Supreme Court and Appellate Practice Group at Wilmer Hale LLP in Washington, DC, where his billing rate in 2009 was approximately \$700/hour. Before joining Wilmer Hale, he served as law clerk to the Hon. Stephen F. Williams, senior circuit judge for the U.S. Court of Appeals for the DC Circuit. He attended Harvard Law School, where he served as an editor of the *Harvard Law Review* and graduated with honors. His qualifications are set forth in more detail in his resume at Exhibit 1-F.

19. Lori Windham, who also worked on this case, is Vice President and Senior Counsel at Becket, where she has litigated religious liberty cases since 2005. She served as counsel in multiple Supreme Court victories, including personally arguing and unanimously winning *Fulton v. City of Philadelphia*, 141 S. Ct. 1868 (2021). She is a recognized expert on religious liberty in the media and testified as an invited expert before the U.S. House Judiciary Committee and the U.S. Civil Rights Commission. She received her law degree from Harvard Law School, and her qualifications are set forth in more detail in her resume at Exhibit 1-G.

20. Stephanie Barclay, who also worked on this case, served as Legal Counsel at Becket from 2015 to 2018 and Of Counsel from 2018 to 2020, where she litigated religious liberty cases at the trial and appellate levels. Prior to joining Becket, she graduated *summa cum laude* from the J. Reuben Clark Law School at Brigham Young University, where she served as lead articles editor for the law review and was elected to the Order of the Coif, served as law clerk to Judge N. Randy Smith on the U.S. Court of Appeals for the Ninth Circuit, and served as an associate for three years at Covington & Burling LLP. While at Becket, she became Associate Professor of Law at BYU law school where she taught courses on the First Amendment and constitutional law. She later joined the faculty as Associate Professor at Notre Dame Law School and clerked for Justice Gorsuch at the U.S. Supreme Court. Her academic writing on religious freedom has appeared in leading law journals and has been cited by the U.S. Supreme Court. Her qualifications are set forth in more detail in her resume at Exhibit 1-H.

21. Joseph Davis, who also worked on this case, is Counsel at Becket, where he has litigated religious liberty cases since 2017. He has served as counsel in successful appeals in the Supreme Court, federal appellate courts, and Indiana Supreme Court, including arguing and winning two appeals in the Fifth Circuit. Before joining Becket, he was a litigation associate at Jones Walker LLP in New Orleans, clerked for Judge E. Grady Jolly on the U.S. Court of Appeals for the Fifth Circuit, and graduated from the University of Virginia Law School, where he was a member of the law review and was elected to the Order of the Coif. His qualifications are set forth in more detail in his resume at Exhibit 1-J.

22. Daniel Chen, who also worked on this case, is Counsel at Becket, where he has litigated religious liberty cases since 2020. He has served as counsel in successful appeals in the Supreme Court and several federal appellate courts. Before joining Becket, he served as an associate at Gibson, Dunn & Crutcher LLP in San Francisco,

clerked for Judge Lucy H. Koh on the U.S. District Court for the Northern District of California, and clerked for Judge Raymond W. Gruender on the U.S. Court of Appeals for the Eighth Circuit. He received his law degree from the University of California, Berkeley, School of Law, where he served as supervising editor of the law review and was elected to the Order of the Coif. His qualifications are set forth in more detail in his resume at Exhibit 1-K.

23. The qualifications of two additional attorneys who billed minimal amounts of time in this matter—Diana Thomson and Rachel Busick—are set forth in their resumes at Exhibits 1-I and 1-L respectively.

24. All remaining timekeepers are paralegal staff.

Circumstances of this Case

25. Plaintiffs retained Becket for the purposes of protecting them from HHS's application of the Affordable Care Act to require them to perform and insure gender transitions and abortions contrary to their religious beliefs and medical judgment. Becket represents Plaintiffs on a *pro bono* basis as it does all its clients.

26. At Becket, I play a supervisory role in determining what cases we take on. We receive hundreds of requests for assistance in religious liberty cases each year, but because of time and resource constraints, attorneys at Becket can provide assistance in only a fraction of those cases. Because of the time necessary to pursue this case, I and other attorneys at Becket were forced to turn down other religious liberty cases that we would have otherwise taken.

27. I have reviewed the hours submitted by all the attorneys on this case and exercised billing judgment to remove hours I deemed excessive, redundant, or otherwise unnecessary. As explained in further detail below, the work performed and the amount sought was reasonable and justified in light of the nature of the case, the extensive penalties at stake, the expertise required, and the extraordinary relief achieved.

28. In total, I eliminated 569.7 hours in the exercise of billing judgment. That accounts for 15% of all 3,805.6 hours originally billed. *See* Ex. 1-A at 1-3.

29. I reviewed the time entries for this matter and reduced hours for entries that included block billing. A reduction for block billing is not automatically required, but I applied a 50% across-the-board reduction to time entries that were block billed. Reductions for block billing account for 17.75 hours. *See* Ex. 1-D.

30. I also exercised billing judgment by cutting all hours related to attorney travel for various hearings and oral arguments. Courts often permit recovery for attorney travel time. And although attorneys often worked on this case while traveling I still cut all 62.3 hours of travel time.

31. I also reduced or cut hours that I deemed excessive. These reductions include time entries related to internal meetings or tasks that in hindsight may have taken longer than necessary to accomplish the relevant task. In total, I cut 107.85 hours I deemed excessive.

32. Finally, I cut 381.8 hours for work I deemed unproductive or redundant. This includes work on motions or briefs that I ultimately deemed unproductive, as well as cuts to tasks that I deemed redundant or unnecessary.

33. Included among the cuts is the elimination of the entirety of time billed by several attorneys who worked only minimally on the case and therefore billed relatively few hours. This includes wholesale cuts to both junior and senior attorneys. For example, I cut all the hours for several attorneys with 1-3 years of experience: Chase Harrington (18.2 hours), Daniel Benson (28.9 hours), and Jacob Coate (21.5 hours). But I also cut all the hours for senior attorneys with up to twenty years of experience: Daniel Blomberg (42.1 hours), Eric Baxter (16.3 hours), and Eric Rassbach (8.9 hours). These cuts total 135.9 hours.

34. I also cut hours of attorneys who had been involved at the outset of this case (typically during the initial phase including the drafting of the complaint and time-

sensitive preliminary-injunction proceedings), but then pared back their involvement in later years. I cut all hours for Lori Windham, Diana Thomson, and Stephanie Barclay from 2018 onwards, which amounts to an additional 16.9 hours cut. Again, these cuts were from the hours of both junior and senior attorneys.

35. Subtracting these 569.7 hours from the total time, the remaining compensable time totals 3,235.9 hours. *See* Ex. 1-A at 1-3.

36. During the course of this litigation, Becket lawyers incurred out-of-pocket expenses in the amount of \$4,209.28, detailed in Exhibit 1-B of this declaration. The expenses listed in Exhibit 1-B are a true and accurate reflection of the costs Becket incurred in litigating this case. All of these expenses were reasonably incurred for travel, lodging, and meals for attorneys to attend hearings or oral arguments in Dallas and New Orleans or for printing costs incident to this litigation.

37. I utilized attorney and staff records to prepare Exhibits 1-A, 1-C, and 1-D to this declaration. Based on my experience with litigation in other religious liberty cases, the hours spent by Becket attorneys on this case are appropriate for a case of this complexity.

Results Achieved

38. Plaintiffs have received final, permanent, and excellent results in this litigation, and thus merit attorney's fees from the government under 42 U.S.C. § 1988(b).

39. At the outset of this litigation, Plaintiffs were just months away from being forced to either violate their consciences or incur massive penalties under HHS's unlawful mandate. Plaintiff Franciscan alone "would risk losing \$900 million," Dkt. 62 at 8 n.6, crippling their ministry to the poor and elderly.

40. Yet over the course of this litigation, Becket attorneys achieved extraordinary and complete relief. This included a preliminary injunction obtained the night before HHS's unlawful requirement was to take effect. When HHS failed to fix the problem, Plaintiffs obtained vacatur of the offending portions of HHS's rule. Then, to ensure

their clients remained protected despite an onslaught of new efforts by HHS to reimpose the same unlawful requirement through other means, Plaintiffs' appealed the Fifth Circuit, received a remand, and obtained a permanent injunction protecting Plaintiffs from any action by HHS to force them to perform or insure gender transitions or abortions under the governing statute. They also successfully defended this injunction in another Fifth Circuit appeal.

41. Achieving these results took six years of hard-fought litigation, spanning three different administrations, multiple variations of HHS's rules, and two appeals to the Fifth Circuit. These results were achieved over the resistance of the federal government, which has all the litigation resources of the Department of Justice at its disposal. And these results have proved to be pathbreaking, having been cited repeatedly in multiple new final and proposed HHS rules, and having been followed by multiple other federal courts that have entered injunctions analogous to the ones obtained by Plaintiffs in this case. *Religious Sisters of Mercy v. Becerra*, ___ F.4th ___, 2022 WL 17544669 (8th Cir. Dec. 9, 2022); *Christian Emps. All. v. EEOC*, No. 21-cv-195, 2022 WL 1573689 (D.N.D. May 16, 2022).

Rates

42. Becket is based in Washington, DC, and was brought into the case specifically for its expertise in litigation involving the Religious Freedom Restoration Act (RFRA) and the Affordable Care Act.

43. This case involved challenges under RFRA and the Administrative Procedure Act to HHS's application of the Affordable Care Act to require religious doctors and hospitals to perform and insure gender transitions and abortions contrary to their conscience and medical judgment. This matter bears close resemblance to the widespread RFRA challenges to HHS's contraception mandate beginning in 2011, which applied the Affordable Care Act to require religious employers to provide insurance coverage of all forms of contraception, including those that could cause an abortion.

44. My law firm, the Becket Fund for Religious Liberty, was the leading law firm in the country challenging HHS's contraception mandate under RFRA—bringing the first case challenging the mandate, Complaint, *Belmont Abbey College v. HHS*, No. 11-cv-1989, ECF No. 1 (D.D.C. Nov. 10, 2011) 2011 WL 8997549; bringing the first class action challenging the mandate, Complaint, *LSP v. HHS*, No. 13-cv-2611, ECF No. 1 (D. Colo. Sept. 24, 2013) 2013 WL 5331098; winning the first Supreme Court order blocking the mandate, *Little Sisters of the Poor Home for the Aged, Denver, Colorado v. Sebelius*, 134 S. Ct. 893 (2013) (Dec. 31, 2013); winning the first Supreme Court case on the merits challenging the mandate, *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014); winning the first Supreme Court order blocking the mandate for non-profit employers after *Hobby Lobby*, *Wheaton College v. Burwell*, 573 U.S. 958 (2014); winning the first Supreme Court merits ruling blocking the mandate for non-profit employers, *Zubik v. Burwell*, 578 U.S. 403 (2016); winning injunctions against HHS in at least eight cases across the country, *HHS Information Central*, Becket Fund, <https://perma.cc/7YQE-HMBJ>; and winning the first Supreme Court case establishing that HHS could grant a religious exemption from mandate, *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania*, 140 S. Ct. 2367 (2020). No other law firm in the country has as much experience and success litigating against HHS under RFRA as we do, and our experience and expertise was invaluable in litigating a case like this one.

45. In light of the religious liberty expertise that these lawyers brought to the task, the prevailing market rates in Washington, DC, the nature and complexity of this litigation, and the success obtained for the Becket Fund's client, counsel's home rates are reasonable.

46. Given their experience and expertise, Becket Fund attorneys would be able to charge similar or higher rates as attorneys litigating at large international law firms. That is especially true given the nature and complexity of this case, which took six

years and multiple appeals to the Fifth Circuit to secure a permanent injunction. *See* Exs. 2 and 3 (Schaerr and Robison Declarations).

47. The Schaerr Declaration filed herewith confirms that Becket's DC rates are reasonable. *See* Ex. 2 (Schaerr Decl.).

48. As the Schaerr Declaration explains, the Becket's DC rates are lower than the rates charged for attorneys of comparable seniority and expertise in DC. *Id.*

49. In addition, under governing precedent, counsel can charge current billing rates for their work. Nevertheless, as demonstrated in the tables below (for both DC and Dallas-Fort Worth hourly rates), counsel have reduced their hourly rates for work completed earlier in the case instead of charging at their current rates.

50. Counsel's DC-area home rates are as follows:

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$600/hour	\$700/hour	\$700/hour
Diana Thomson ('09)	\$790/hour	\$790/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$700/hour	\$700/hour	\$790/hour	\$790/hour
Lori Windham ('05)	\$860/hour	\$860/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$860/hour	\$860/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour
Mark Rienzi ('00)	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,200/hour	\$1,200/hour	\$1,200/hour	N/A
Stephanie Barclay ('11)	\$700/hour	\$700/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$550/hour	\$550/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

51. Alternatively, if the Court concludes that DC-area home rates are unwarranted in this case, counsel should be compensated based on the prevailing market rates in the Northern District of Texas. *See* Ex. 3 (Robison Decl.). The Robison Declaration filed herewith confirms what those rates would be for Becket attorneys. *See id.*

52. The market rate for Becket attorneys in the Northern District of Texas is as follows:

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$515/hour	\$610/hour	\$610/hour
Diana Thomson ('09)	\$705/hour	\$705/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$610/hour	\$610/hour	\$705/hour	\$705/hour
Lori Windham ('05)	\$800/hour	\$800/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$800/hour	\$800/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour
Mark Rienzi ('00)	\$905/hour	\$905/hour	\$905/hour	\$1,050/hour	\$1,050/hour	\$1,050/hour	N/A
Stephanie Barclay ('11)	\$610/hour	\$610/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$420/hour	\$420/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

53. As the Robison Declaration explains, a large international law firm would be the most likely candidate for having the resources to staff, litigate, and win a case like this. But the controversial subject matter, coupled with the longevity and complexity of the litigation (six years and multiple appeals to reach a final resolution),

would mean most firms with the requisite experience would be either unable or unwilling to litigate a case like this one. *Id.*

54. The Robison Declaration continues by comparing counsel's rates to rates charged by comparable practitioners. The Robison Declaration notes that comparable practitioners charge significantly higher rates, and that large international law firms in the Dallas-Fort Worth area would charge their clients higher rates for attorneys of comparable seniority and expertise on a similar matter. *Id.*

55. For example, Kirkland & Ellis LLP charges significantly higher rates than the rates requested here, including between \$1,085-\$1,895/hour for law firm partners and between \$625-\$1,195/hour for associates. See Decl. of Erin E. Murphy in Supp. of Debtors' App. for the Retention and Employment of Kirkland & Ellis LLP, *In re: Nat'l Rifle Ass'n. of Am. and Sea Girt LLC*, No. 3:21-bk-30085, ECF No. 173-2 at 4 (Bankr. N.D. Tex. Feb. 17, 2021).

56. In a recent bankruptcy case in the District of New Jersey, the Department of Justice noted the prevailing rates at numerous large international law firms, including Hogan Lovells US LLP ("Hogan Lovells"); Jones Day; Skadden Arps Slate Meager & Flom LLP ("Skadden"); Weil, Gotshal & Manges LLP ("Weil"); King & Spaulding, LLP; Shook Hardy & Bacon, LLP; and Orrick, Harrington & Sutcliffe, LLP ("Orrick"). Objection of the U.S. Trustee to Debtor's Application for Retention of Hogan Lovells as Special Counsel, *In re: LTL Management, LLC*, No. 3:21-bk-30589, ECF No. 2324 ¶ 22 (Bankr. D.N.J. May 20, 2022).

57. At Hogan Lovells, the discounted hourly rate for partners was between \$950 and \$2,465/hour, the discounted hourly rate for counsel was between \$910 and \$1,735/hour, and the discounted rate for associates was between \$605 and \$1,055/hour. *Id.* ¶ 21.

58. Though the Department of Justice objected to these rates, it noted that other large international law firms had reasonable rates. Jones Day billed at a rate up to

\$1,350/hour, Skadden’s hourly range for partners was \$900 to \$1,875/hour, Weil’s hourly range for partners was \$1,150 to \$1,795/hour, and Orrick’s hourly range for counsel and partners was \$805 to \$1,750/hour. *Id.* ¶ 23.

59. Another law firm partner in the Houston office of Gibson, Dunn & Crutcher LLP (“Gibson Dunn”) also recently explained that his hourly rate was \$1,385/hour and that associates in Gibson Dunn’s Houston office charge between \$800 and \$1,000/hour. Decl. of Collin Cox, *Ross Dress for Less, Inc. v. ML Development LP*, No. 20-cv-978, ECF No. 80-1 ¶ 5 (S.D. Tex. May 6, 2022).

60. Finally, the Becket Fund’s requested attorney’s fees are reasonable when compared to what other courts in smaller legal markets have actually awarded Becket Fund attorneys in similar litigation. In *InterVarsity Christian Fellowship v. University of Iowa* and *Business Leaders in Christ v. University of Iowa*, the United States District Court for the Southern District of Iowa, Davenport Division, held that a public university violated the constitutional rights of religious student organizations by selectively deregistering them based on their religious beliefs. The court awarded attorney’s fees and found that a rate of \$914/hour for a Becket Fund attorney with twenty years of experience and a rate of \$759/hour for a Becket Fund attorney with thirteen years of experience was reasonable. *InterVarsity Christian Fellowship v. Univ. of Iowa*, No. 18-cv-80, ECF No. 101 at 2 n.1 (S.D. Iowa Nov. 18, 2021); *BLinC v. Univ. of Iowa*, No. 17-cv-80, ECF No. 147 at 3 (S.D. Iowa, Nov. 10, 2021). The court explained that “[a]lthough the rates requested for Plaintiff’s out of state counsel are significantly higher, between \$759 and \$914 for the two attorneys, they are reasonable given the complex nature of the issues in this case and the extensive experience Plaintiff’s counsel has in constitutional litigation.” *BLinC*, No. 17-cv-80, ECF No. 147 at 3.

61. The attorneys in this case have similar experience to the attorneys in the *InterVarsity* and *BLinC* litigation. Yet the legal market in the Dallas-Fort Worth area

is significantly larger and more sophisticated than the legal market in Davenport, Iowa. Thus, if these rates were deemed reasonable by the federal court in Davenport, Iowa, significantly higher rates would be reasonable in Dallas-Fort Worth.

62. Based on the hours reasonably expended in this litigation and counsel's reasonable home rates, the lodestar amount is **\$2,346,041**. The calculations for this amount are set out in Exhibit 1-A.

63. Undertaking the same calculations but using prevailing market rates in the Northern District of Texas produces a lodestar amount of **\$2,096,939**. The calculations for this amount are set also out in Exhibit 1-A.

64. In light of the religious liberty expertise that Becket attorneys brought to the task, the relevant market rates, the nature and complexity of this litigation, and the success obtained for the client, the proposed attorney's fees are reasonable.

I declare under penalty of perjury under the laws of the United States of America and of this Court that the foregoing is true and correct.

Dated: December 23, 2022



Luke W. Goodrich

EXHIBIT 1-A

Summary of Fees

Total Time

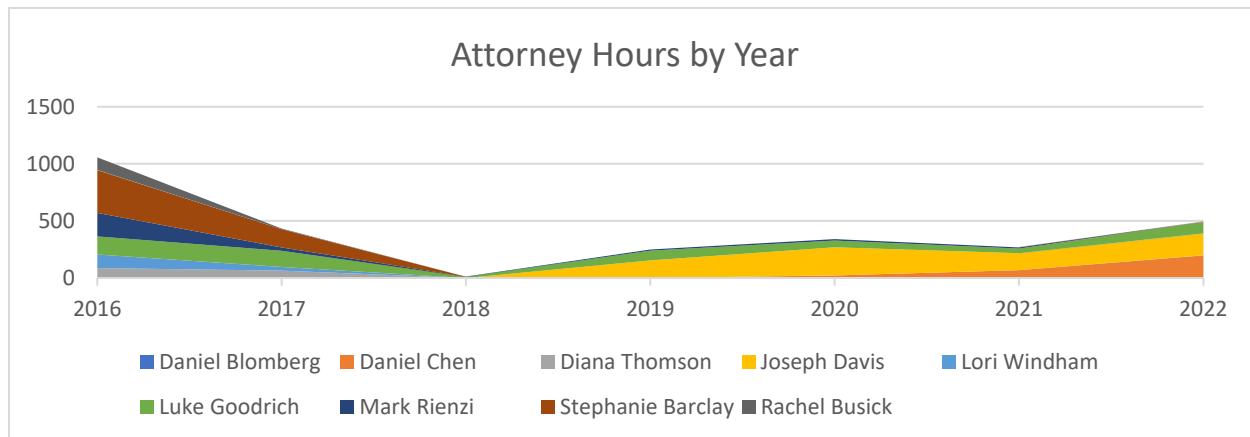
Timekeeper	2016	2017	2018	2019	2020	2021	2022	Sum of Hours
Daniel Blomberg	41.5	0.6	0	0	0	0	0	42.1
Daniel Chen	0	0	0	0	22.3	69.3	203.2	294.8
Diana Thomson	86.2	64	0	5.2	0	0	0	155.4
Eric Baxter	13.8	0	0	0	0	2.5	0	16.3
Eric Rassbach	3.4	2.3	0	2.3	0	0.9	0	8.9
Joseph Davis	0	0	0	190.4	245.5	149.2	194.3	779.4
Lori Windham	123.3	32.7	0.5	2.6	0.3	0.5	1.8	161.7
Luke Goodrich	175.1	150.3	12.1	107.3	60	41.8	115.7	662.3
Mark Rienzi	233.8	45.1	1.6	10	11.6	8.5	0	310.6
Stephanie Barclay	419.7	176.7	5.3	0.7	0	0	0	602.4
Chase Harrington	0	0	0.1	18.1	0	0	0	18.2
Daniel Benson	26.4	0.5	0	0	0	0	2	28.9
Jacob Coate	0	0	0	0	21.5	0	0	21.5
Rachel Busick	119.6	14.2	0	0	0	0	0	133.8
Paralegals	190	78.7	2	93.9	98	44.7	62	569.3
Total Annual Hours	1,432.8	565.1	21.6	430.5	459.2	317.4	579	3,805.6

Billing Judgment Deletions

Timekeeper	2016	2017	2018	2019	2020	2021	2022	Sum of Hours
Daniel Blomberg	41.5	0.6	0	0	0	0	0	42.1
Daniel Chen	0	0	0	0	0	1.6	5.2	6.8
Diana Thomson	0.7	0.2	0	5.2	0	0	0	6.1
Eric Baxter	13.8	0	0	0	0	2.5	0	16.3
Eric Rassbach	3.4	2.3	0	2.3	0	0.9	0	8.9
Joseph Davis	0	0	0	37.2	0	0.9	2.5	40.6
Lori Windham	3.7	0	0.5	2.6	0.3	0.5	1.8	9.4
Luke Goodrich	16.4	9.2	2	21.2	0	0	14.6	63.4
Mark Rienzi	27.8	16.1	0	0.4	0	0	0	44.3
Stephanie Barclay	44.7	16.5	5.3	0.7	0	0	0	67.2
Chase Harrington	0	0	0.1	18.1	0	0	0	18.2
Daniel Benson	26.4	0.5	0	0	0	0	2	28.9
Jacob Coate	0	0	0	0	21.5	0	0	21.5
Rachel Busick	8.3	8.8	0	0	0	0	0	17.1
Paralegals	65.3	40.6	1.4	27.65	23.55	0	20.4	178.9
Total Annual Hours	252	94.8	9.3	115.35	45.35	6.4	46.5	569.7

Total Time After Billing Judgment Deletions

Timekeeper	2016	2017	2018	2019	2020	2021	2022	Sum of Hours
Daniel Blomberg	0	0	0	0	0	0	0	0
Daniel Chen	0	0	0	0	22.3	67.7	198	288
Diana Thomson	85.5	63.8	0	0	0	0	0	149.3
Eric Baxter	0	0	0	0	0	0	0	0
Eric Rassbach	0	0	0	0	0	0	0	0
Joseph Davis	0	0	0	153.2	245.5	148.3	191.8	738.8
Lori Windham	119.6	32.7	0	0	0	0	0	152.3
Luke Goodrich	158.7	141.1	10.1	86.1	60	41.8	101.1	598.9
Mark Rienzi	206	29	1.6	9.6	11.6	8.5	0	266.3
Stephanie Barclay	375	160.2	0	0	0	0	0	535.2
Chase Harrington	0	0	0	0	0	0	0	0
Daniel Benson	0	0	0	0	0	0	0	0
Jacob Coate	0	0	0	0	0	0	0	0
Rachel Busick	111.3	5.4	0	0	0	0	0	116.7
Paralegals	124.7	38.1	0.6	66.25	74.45	44.7	41.6	390.4
Total Annual Hours	1,180.8	470.3	12.3	315.15	413.85	311	532.5	3,235.9



District of Columbia Hourly Rates

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$600/hour	\$700/hour	\$700/hour
Diana Thomson ('09)	\$790/hour	\$790/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$700/hour	\$700/hour	\$790/hour	\$790/hour
Lori Windham ('05)	\$860/hour	\$860/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$860/hour	\$860/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,000/hour
Mark Rienzi ('00)	\$1,000/hour	\$1,000/hour	\$1,000/hour	\$1,200/hour	\$1,200/hour	\$1,200/hour	N/A
Stephanie Barclay ('11)	\$700/hour	\$700/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$550/hour	\$550/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

Northern District of Texas Hourly Rates

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$515/hour	\$610/hour	\$610/hour
Diana Thomson ('09)	\$705/hour	\$705/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$610/hour	\$610/hour	\$705/hour	\$705/hour
Lori Windham ('05)	\$800/hour	\$800/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$800/hour	\$800/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour
Mark Rienzi ('00)	\$905/hour	\$905/hour	\$905/hour	\$1,050/hour	\$1,050/hour	\$1,050/hour	N/A
Stephanie Barclay ('11)	\$610/hour	\$610/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$420/hour	\$420/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

District of Columbia Lodestar Calculation

Fees:

Daniel Chen:	\$199,370
Diana Thomson:	\$117,947
Joseph Davis:	\$547,769
Lori Windham:	\$130,978
Luke Goodrich:	\$556,928
Mark Rienzi:	\$272,240
Stephanie Barclay:	\$374,640
Rachel Busick:	\$64,185
Paralegals:	\$81,984
Total Attorney's Fees Award:	\$2,346,041

Northern District of Texas Lodestar Calculation

Fees:

Daniel Chen:	\$173,561.50
Diana Thomson:	\$105,256.50
Joseph Davis:	\$482,977.50
Lori Windham:	\$121,840
Luke Goodrich:	\$510,525.50
Mark Rienzi:	\$245,308
Stephanie Barclay:	\$326,472
Rachel Busick:	\$49,014
Paralegals:	\$81,984

Total Attorney's Fees Award: \$2,096,939

EXHIBIT 1-B

Summary of Requested Expenses

Category	Amount
Airfare	\$ 3,031.74
Ground Transp.	\$ 114.60
Lodging	\$ 608.92
Meals	\$ 123.92
Printing	\$ 330.10
Total	\$ 4,209.28

Listing of Expenses

Date	Amount	Category	Description
6/20/2017	\$671.40	Airfare	Airline Tickets - Round Trip from DCA to DFW
6/25/2017	\$12.83	Meals	Fort Worth meal
6/25/2017	\$11.04	Ground	SLC airport Uber
6/25/2017	\$31.51	Ground	DFW Uber from airport
6/26/2017	\$16.75	Meals	Fort Worth meal
6/26/2017	\$5.85	Ground	DFW Uber
6/26/2017	\$32.10	Ground	DFW Uber
6/27/2017	\$11.73	Meals	Fort Worth meal
6/28/2017	\$12.10	Ground	SLC Uber from airport
2/6/2019	\$114.72	Printing	Printing Costs for Franciscan Alliance
9/11/2019	\$662.80	Airfare	Airline Tickets - Round trip from JAN to MSY

9/11/2019	\$929.20	Airfare	Airline Tickets - Round Trip from SLC to DFW
9/11/2019	\$192.83	Lodging	Courtyard by Marriott Fort Worth - 1 night
12/24/2020	\$155.88	Printing	Printing Costs for Franciscan Alliance
7/13/2022	\$59.50	Printing	Printing Costs for Franciscan Alliance
8/3/2022	\$284.96	Airfare	Airline Tickets - Round Trip from MCO to MSY
8/3/2022	\$138.59	Lodging	Cambria Hotel New Orleans - 1 night
8/3/2022	\$9.43	Meals	New Orleans meal
8/3/2022	\$4.29	Meals	New Orleans meal
8/3/2022	\$13.60	Meals	New Orleans meal
8/3/2022	\$483.38	Airfare	Airline Tickets - Round Trip from SFO to MSY
8/3/2022	\$277.50	Lodging	Cambria Hotel New Orleans - 2 nights
8/4/2022	\$22.00	Ground	MCO Airport Parking
8/4/2022	\$20.43	Meals	New Orleans meal
8/4/2022	\$20.10	Meals	New Orleans meal
8/4/2022	\$6.25	Meals	New Orleans meal
8/4/2022	\$8.51	Meals	New Orleans meal
TOTAL:	\$4,209.28		

EXHIBIT 1-C

Contemporaneous Billing Records

Date	Timekeeper	Description	Hours
7/8/2016	Mark Rienzi	team call re transgender mandate and followup discussion	2
7/21/2016	Mark Rienzi	calls with client re transgender mandate	0.8
7/21/2016	Mark Rienzi	calls with client re transgender mandate	0.8
7/28/2016	Mark Rienzi	confer with client GC re policy (.3); confer with team re trip to client (.3 NB)	0.6
7/28/2016	Stephanie Barclay	Research case law re transgender mandate.	3.3
7/29/2016	Mark Rienzi	confer with team re plans for client visit	0.5
8/1/2016	Stephanie Barclay	calls to clients	0.9
8/1/2016	Stephanie Barclay	Research and draft complaint	7.2
8/1/2016	Stephanie Barclay	Researched re pregnancy discrimination act	0.9
8/2/2016	Stephanie Barclay	Revisions to complaint and follow-up correspondence with Dr. contacts.	2.1
8/2/2016	Stephanie Barclay	Research and draft complaint	7.9
8/3/2016	Mark Rienzi	research facts re mandate	0.5
8/3/2016	Stephanie Barclay	Revised complaint.	3.4
8/3/2016	Stephanie Barclay	Researched transgender medical issues.	7.7
8/4/2016	Mark Rienzi	emails re client call	0.2
8/4/2016	Stephanie Barclay	Strategy call and work on complaint.	4.5
8/4/2016	Stephanie Barclay	Researched transgender medical issues.	2.1
8/4/2016	Stephanie Barclay	APA research	2.5
8/15/2016	Mark Rienzi	prepare for client visit	1
8/15/2016	Mark Rienzi	develop litigation strategy	1
8/16/2016	Darlene Calandra	Conduct research for S. Barclay re Pediatricians' approach to the health care of lesbian, gay, and bisexual youth.	1.5
8/17/2016	Stephanie Barclay	Revise complaint	4
8/17/2016	Mark Rienzi	prepare for meeting with client (1.5); attend meetings with client	7.5

		management and doctors (5.0); confer with team after meetings (1.0)	
8/18/2016	Luke Goodrich	call w client GC re endocrinologist	0.3
8/18/2016	Mark Rienzi	call with client GC re next steps (.2); emails with team re same (.4)	0.6
8/18/2016	Lori Windham	Research re filing requirements & pro hac admission	1
8/18/2016	Stephanie Barclay	calls with clients for fact-gathering	2
8/18/2016	Stephanie Barclay	Revised complaint	7.7
8/19/2016	Lori Windham	preparation and correspondence for filing of complaint	0.5
8/19/2016	Darlene Calandra	Conduct research for Complaint and Amended Complaint for S. Barclay; search for information re Specialty Physicians	1
8/19/2016	Mark Rienzi	review and comment on complaint (2); confer with client re next steps (.2); emails with team re same (.8)	3
8/19/2016	Luke Goodrich	revise complaint	4.2
8/19/2016	Luke Goodrich	review and edit complaint	4.5
8/19/2016	Stephanie Barclay	Revised complaint & incorporated TX edits	5.3
8/19/2016	Stephanie Barclay	Revised complaint to incorporate additional input from Franciscan via calls to Franciscan to obtain more information.	6.2
8/20/2016	Lori Windham	Correspondence on issues re: filing complaint	0.2
8/21/2016	Mark Rienzi	emails re complaint	0.4
8/22/2016	Stephanie Barclay	Reviewed and revised new PI motion and circulated to team	1.2
8/22/2016	Lori Windham	Edits and correspondence re: filing complaint	1.4
8/22/2016	Darlene Calandra	Cite check, proofread, format and edit Complaint	3
8/22/2016	Elizabeth Dobak	Cite checked complaint	3.5

8/22/2016	Luke Goodrich	review and finalize complaint	4
8/22/2016	Stephanie Barclay	Revised and finalized complaint	8.2
8/23/2016	Luke Goodrich	finalize and file complaint	0.8
8/23/2016	Elizabeth Dobak	Drafted appearance of counsel notice for Luke	0.5
8/23/2016	Lori Windham	Client meeting & discussion	1
8/23/2016	Luke Goodrich	finalize filing	1.6
8/23/2016	Darlene Calandra	Review complaint; update Share Point folder; review Judge O'Connor's filing specifications	1
8/23/2016	Stephanie Barclay	Research for complaint and communication with clients regarding client facts.	8.5
8/25/2016	Lori Windham	Discussion & call re: strategy	0.8
8/26/2016	Lori Windham	Discussions re: strategy	0.3
8/26/2016	Diana Thomson	researching litigation hold letter	0.5
8/31/2016	Luke Goodrich	FedExed Attorney Admission Application to the U.S. District Court for the N.D. of Texas	0.2
9/1/2016	Mark Rienzi	call with sister lethia marie re good works	0.5
9/6/2016	Mark Rienzi	confer with ms. verm and review document hold memo	0.4
9/6/2016	Diana Thomson	working on litigation hold letter	2
9/7/2016	Mark Rienzi	call with client re insurance (.8); work on hold memo (.4)	1.2
9/8/2016	Mark Rienzi	confer with client re document hold (.5); review and revise same (.5)	1
9/9/2016	Lori Windham	Strategy meeting & related research	1.5
9/9/2016	Luke Goodrich	call re litigation strategy w S Barclay, E Rassbach, M Rienzi, and L Windham	1.6
9/9/2016	Stephanie Barclay	Strategy call to discuss next steps	1.6

9/9/2016	Stephanie Barclay	Developed PI outline.	1.9
9/9/2016	Mark Rienzi	work on and send document hold memo (1.0); strategy call with team (1.2)	2.2
9/12/2016	Mark Rienzi	prepare for and meet with potential doctor witness	1.5
9/13/2016	Lori Windham	Litigation hold research	0.4
9/13/2016	Mark Rienzi	telephone conferences with client re document hold	1
9/13/2016	Lori Windham	Research on mandate, terminology, medical procedures	2
9/13/2016	Chelise Fox	Research - looking at bundled care, continuum of care, health initiative for S. Barclay.	4
9/15/2016	Luke Goodrich	email to client re motion to intervene.	0.3
9/15/2016	Luke Goodrich	call w S Barclay re legal strategy and client update.	0.6
9/15/2016	Luke Goodrich	call w client to update on suit	0.6
9/15/2016	Stephanie Barclay	Worked on preliminary injunction outline.	2.6
9/15/2016	Darlene Calandra	Research case law and filing requirements for motion for summary judgment to prepare draft motions	2.5
9/15/2016	Stephanie Barclay	Worked on outlining motion for summary judgment/prelim injunction.	3.5
9/15/2016	Chelise Fox	Research for S. Barclay on bundled care, PCMH's	4
9/16/2016	Chelise Fox	Research CMS position on cross-hormone therapy for S. Barclay.	2
9/18/2016	Mark Rienzi	review document hold materials	0.3
9/18/2016	Lori Windham	Review outline & comment	0.4
9/19/2016	Diana Thomson	reviewing legal ethical rules re: question of attorney client privilege	1
9/19/2016	Diana Thomson	working on litigation hold	2.2
9/19/2016	Stephanie Barclay	Worked on research for sections of the PI motion.	6.1
9/20/2016	Luke Goodrich	call w S Barclay re motion for SJ	0.2

9/20/2016	Stephanie Barclay	Call with Luke re MSJ	0.2
9/20/2016	Stephanie Barclay	Call with co-counsel to discuss next steps	1
9/20/2016	Lori Windham	Strategy call re briefing	1.5
9/20/2016	Stephanie Barclay	Team call on briefing strategy.	1.5
9/20/2016	Stephanie Barclay	Research for MSJ.	1.8
9/20/2016	Chelise Fox	CMS position research follow-up, additional research (for S. Barclay)	2
9/20/2016	Stephanie Barclay	Legal research for MSJ	2.7
9/20/2016	Mark Rienzi	work on SJ briefing (.5); work on document hold materials (.5); call on SJ briefing (1.5); strategy call with co-counsel (1.0)	3.5
9/21/2016	Luke Goodrich	review Franciscan hold memo	0.2
9/21/2016	Lori Windham	Discussion re: litigation hold, review proposals	0.4
9/21/2016	Mark Rienzi	call with client re hold	0.5
9/21/2016	Luke Goodrich	review final decision memo on coverage in Medicare	1.4
9/21/2016	Luke Goodrich	research for MSJ	2.2
9/21/2016	Diana Thomson	research for litigation hold	3.6
9/22/2016	Mark Rienzi	document hold emails	0.5
9/22/2016	Diana Thomson	research for litigation hold	2.7
9/23/2016	Luke Goodrich	call w A Nimocks re contacting DOJ	0.2
9/23/2016	Mark Rienzi	emails and phone calls re document hold (.4); confer with team re discussion with DOJ (.3)	0.7
9/23/2016	Stephanie Barclay	Call with Amy to discuss strategy of letter; revised letter;	1.5
9/23/2016	Stephanie Barclay	Worked on revising letter.	3.9
9/26/2016	Luke Goodrich	call w A Nimocks re next steps in litigation	0.2
9/26/2016	Mark Rienzi	call and emails re doc hold	0.4

9/26/2016	Luke Goodrich	research and revise motion for extension	1
9/26/2016	Lori Windham	Research and work on RFRA claims	1.4
9/26/2016	Stephanie Barclay	Worked on summary judgment motion.	3.7
9/27/2016	Luke Goodrich	call re amending complaint	0.2
9/27/2016	Luke Goodrich	review complaints in two related cases.	0.7
9/27/2016	Luke Goodrich	research for MSJ	0.7
9/27/2016	Lori Windham	Work on MPSJ RFRA section draft	2
9/27/2016	Stephanie Barclay	Research and drafting of APA sections of summary judgment motion.	5.5
9/28/2016	Stephanie Barclay	Worked on APA section of summary judgment motion.	4.5
9/28/2016	Mark Rienzi	call with client re document hold	0.3
9/28/2016	Lori Windham	Work on RFRA draft	2.5
9/29/2016	Mark Rienzi	call with client re document hold	0.3
9/29/2016	Lori Windham	Work on motion and research	5.5
9/30/2016	Lori Windham	Develop litigation strategy	0.4
9/30/2016	Stephanie Barclay	Worked on summary judgment motion.	6.1
10/3/2016	Chelise Fox	Proofread and revise motion for extension of time to file response.	1
10/3/2016	Darlene Calandra	Cite check Motion for Extension.	1.5
10/4/2016	Luke Goodrich	call w attorneys for Catholic hospital involved in litigation related to Franciscan	1.3
10/4/2016	Stephanie Barclay	Summary judgment research.	1.5
10/5/2016	Lori Windham	Discuss draft RFRA section, work on draft	0.5
10/5/2016	Luke Goodrich	draft reply ISO extension motion	1
10/5/2016	Stephanie Barclay	Summary judgment research.	2.5

10/6/2016	Luke Goodrich	revise reply ISO motion for extension	0.2
10/6/2016	Lori Windham	Discussion w/ LG on approach and strategy for RFRA section	0.3
10/6/2016	Luke Goodrich	call w L Windham to discuss RFRA claim	0.3
10/6/2016	Luke Goodrich	finalize and file reply ISO extension motion	0.3
10/6/2016	Mark Rienzi	emails and calls to client (.2); and to discuss strategy with team (.2)	0.4
10/6/2016	Luke Goodrich	research and draft MSJ	0.8
10/6/2016	Luke Goodrich	draft MSJ	1.1
10/6/2016	Luke Goodrich	research and draft MSJ	1.1
10/6/2016	Lori Windham	Work on RFRA section draft, discussion w/ LG on approach and strategy	6.7
10/7/2016	Luke Goodrich	call w A Nimocks re MSJ and amending complaint	0.2
10/7/2016	Luke Goodrich	review draft MSJ section on RFRA and Spending clause	0.3
10/7/2016	Mark Rienzi	confer with client re insurance issues (.4); emails re same (.2)	0.6
10/7/2016	Luke Goodrich	research and draft MSJ	1.5
10/7/2016	Luke Goodrich	research and draft MSJ	2.8
10/7/2016	Lori Windham	Finish RFRA section draft	5.3
10/7/2016	Stephanie Barclay	Worked on drafting summary judgment brief.	9.3
10/8/2016	Stephanie Barclay	Worked on summary judgment motion.	8.6
10/10/2016	Stephanie Barclay	Researched APA case law and worked on the summary judgment motion.	4.5
10/10/2016	Luke Goodrich	draft and revise MSJ	0.6
10/10/2016	Luke Goodrich	research and draft MSJ	1.6
10/10/2016	Luke Goodrich	research, draft, and revise MSJ	4.6
10/11/2016	Lori Windham	Strategy discussion and call for brief	1.3

10/11/2016	Luke Goodrich	call w E Rassbach, M Rienzi, L Windham, and S Barclay to discuss MSJ and complaint	1.3
10/11/2016	Mark Rienzi	confer with team re summary judgment brief	1.3
10/11/2016	Stephanie Barclay	Call with team for summary judgment motion	1.3
10/11/2016	Stephanie Barclay	Reviewed items we'd need for the declarations and discussed research with fellows	1.5
10/11/2016	Luke Goodrich	research and draft MSJ	2.5
10/11/2016	Darlene Calandra	Review N.D. Tex. and Judge O'Connor's rules re filing Motion for Summary Judgment and prepare check list re filing Motion for Summary Judgment	1.5
10/11/2016	Mark Rienzi	work on summary judgment brief	5.7
10/11/2016	Stephanie Barclay	Worked on drafting summary judgment motion.	5.9
10/11/2016	Lori Windham	Research and draft injunction sections and research for declarations	6.2
10/11/2016	Luke Goodrich	research and draft MSJ	6.5
10/12/2016	Chelise Fox	Research and collect templates and draft Word document for supporting declarations.	1
10/12/2016	Chelise Fox	Cite check and add citations to Franciscan Brief.	1
10/12/2016	Stephanie Barclay	Worked on declarations.	1.9
10/12/2016	Luke Goodrich	draft and revise MSJ	4.2
10/12/2016	Luke Goodrich	draft and revise MSJ	4.9
10/12/2016	Lori Windham	Work on declarations	5.8
10/12/2016	Mark Rienzi	work on summary judgment filings	7.6
10/12/2016	Stephanie Barclay	Worked on revising summary judgment motion.	7.9
10/13/2016	Mark Rienzi	work on SJ motion	0.8
10/13/2016	Darlene Calandra	Discuss rules re Appendix contents with L. Goodrich and S. Barclay; review local rules re Appendix; meet with S. Barclay;	0.75

		review citation format for cites in Motion for Summary Judgment	
10/13/2016	Luke Goodrich	draft and revise MSJ	2.9
10/13/2016	Stephanie Barclay	Worked on declarations for Franciscan parties.	3.2
10/13/2016	Stephanie Barclay	Worked on filling in citations and preparing declarations for summary judgment motion.	5.4
10/13/2016	Lori Windham	Continue drafting declarations	6.7
10/14/2016	Mark Rienzi	additional work on amended complaint and emails with team re same	0.2
10/14/2016	Stephanie Barclay	Reviewed E Rassbach's comments in complaint and team email discussion about edits.	1.8
10/14/2016	Lori Windham	Email discussion re: complaint and declarations, review complaint, revise declarations	6.2
10/14/2016	Mark Rienzi	work on summary judgment papers	7
10/14/2016	Stephanie Barclay	Worked on declarations and revising complaint.	8.3
10/15/2016	Lori Windham	Declaration discussion	0.1
10/15/2016	Mark Rienzi	work on sj papers and confer with Mr. Rassbach re same	0.4
10/15/2016	Stephanie Barclay	Revised complaint.	2.5
10/16/2016	Lori Windham	Review complaint and declaration and send edits	1.5
10/17/2016	Chelise Fox	Cite check new sources in complaint.	0.5
10/17/2016	Chelise Fox	Revise and proofread MSJ.	0.5
10/17/2016	Chelise Fox	Call with R. Busick about cites in the MSJ.	0.2
10/17/2016	Darlene Calandra	Conduct research re filing Motion for Summary Judgment and prepare and revise Appendix contents	1.5
10/17/2016	Lori Windham	Strategy discussion, client call, revise complaint and declarations, research	3.2
10/17/2016	Chelise Fox	Researching State Medicaid exclusions for inclusion in MSJ and supporting documents.	5.5

10/17/2016	Diana Thomson	research re: attorney client privilege on documents	6.3
10/17/2016	Stephanie Barclay	Worked on finalizing first amended complaint for filing and revising declarations.	6.6
10/17/2016	Mark Rienzi	work on amended complaint and SJ briefing and confer with client and team re same	7.5
10/18/2016	Chelise Fox	Proofread and revise declaration.	0.5
10/18/2016	Luke Goodrich	call w E Rassbach and M Rienzi re MSJ	0.5
10/18/2016	Diana Thomson	researching privilege of documents	0.6
10/18/2016	Luke Goodrich	call w M Rienzi to discuss MSJ; revise declaration	0.6
10/18/2016	Chelise Fox	Researching sources (cited in WPATH, CMS, etc.) for use in MSJ.	1.5
10/18/2016	Lori Windham	Strategy discussions, review updated declarations	2
10/18/2016	Stephanie Barclay	Worked on revising declarations.	2
10/18/2016	Stephanie Barclay	Reviewed revised declarations and discussed Franciscan medical views.	2.1
10/18/2016	Chelise Fox	Researching state Medicaid exclusions (searching through statutes, state Medicaid plans)	4
10/18/2016	Mark Rienzi	work on SJ papers and confer with client and team re same	5.5
10/18/2016	Darlene Calandra	Cite check, proofread, edit and format Brief in Support of Motion for Summary Judgment.	7.5
10/19/2016	Luke Goodrich	call w S Barclay re declarations	0.2
10/19/2016	Luke Goodrich	review expert report	0.3
10/19/2016	Luke Goodrich	review relevant order in Texas v. US	0.2
10/19/2016	Mark Rienzi	review documents on relevant medical science	0.5
10/19/2016	Luke Goodrich	revise MSJ	1.6
10/19/2016	Elizabeth Dobak	Cite checked Plaintiffs' brief in support of their motion for partial summary judgment and preliminary injunction	2

10/19/2016	Luke Goodrich	draft and revise MSJ	2
10/19/2016	Lori Windham	Research & review reports of potential experts	2.5
10/19/2016	Lori Windham	Review & revise & comment on brief	3
10/19/2016	Diana Thomson	research re: potential discovery	3.2
10/19/2016	Mark Rienzi	work on SJ filings and confer with team re same	5.5
10/19/2016	Chelise Fox	Motion for Summary Judgment (declarations, formatting, research, cite check).	7
10/19/2016	Stephanie Barclay	Worked on CMDA declarations and motion to accompany brief.	9.1
10/20/2016	Luke Goodrich	call w declarant	0.1
10/20/2016	Luke Goodrich	draft email memo re MSJ	0.6
10/20/2016	Luke Goodrich	revise declarations and MSJ	1.1
10/20/2016	Darlene Calandra	Cite check, proofread, edit and format Brief in Support of Motion for Summary Judgment; discuss with C. Fox, E. Dobak and S. Barclay; assist with preparation of Appendix documents	1.75
10/20/2016	Elizabeth Dobak	Cite checked the draft motion	4
10/20/2016	Diana Thomson	research re: discovery	4.2
10/20/2016	Luke Goodrich	Review, edit, and revise MSJ	5.7
10/20/2016	Lori Windham	Work on proposed order, evidentiary work for SJ motion	5.8
10/20/2016	Chelise Fox	Cite check, proof, and revise MSJ and supporting documents.	8
10/20/2016	Mark Rienzi	work on SJ papers	9
10/20/2016	Stephanie Barclay	Spoke with doctors and worked on CMDA declarations.	9.5
10/21/2016	Luke Goodrich	revise declarations	0.6
10/21/2016	Lori Windham	Work on summary judgment motion	4
10/21/2016	Mark Rienzi	finalize SJ papers	7.2

10/21/2016	Luke Goodrich	revise and finalize MSJ	9.8
10/21/2016	Darlene Calandra	Cite check, proofread, edit and format Brief in Support of Motion for Summary Judgment; discuss with C. Fox, E. Dobak, S. Barclay, L. Goodrich; assist with preparation of Appendix to Motion for Summary Judgment.	7.25
10/21/2016	Stephanie Barclay	Revised and finalized the summary judgment brief and appendix.	9.6
10/21/2016	Chelise Fox	Cite check, proof, and revise MSJ and supporting documents.	8.3
10/22/2016	Mark Rienzi	email to client re filing	0.1
10/24/2016	Mark Rienzi	call with client re filing	0.4
10/24/2016	Stephanie Barclay	Emails and calls to clients to provide update	0.4
10/24/2016	Chelise Fox	Draft representation letter for Dr. Hoffman.	0.5
10/24/2016	Luke Goodrich	review ACLU motion to stay; outline response	0.9
10/24/2016	Stephanie Barclay	Worked with paralegals to prepare paper filings	0.9
10/24/2016	Mark Rienzi	research re stay	2
10/24/2016	Stephanie Barclay	Research on ACLU motion to stay	6.2
10/25/2016	Luke Goodrich	email TX re motion to stay	0.1
10/25/2016	Luke Goodrich	emails re DOJ motion to stay	0.3
10/25/2016	Luke Goodrich	call w M Rienzi and S Barclay re motion to stay	0.5
10/25/2016	Mark Rienzi	strategy call re motion to stay	0.5
10/25/2016	Stephanie Barclay	Call to discuss motion to stay	0.5
10/25/2016	Lori Windham	Followup discussion re: counterproposal and strategy	0.7
10/25/2016	Luke Goodrich	research response to motion to stay	1.6
10/25/2016	Mark Rienzi	research re strategy on motion to stay	1.6
10/26/2016	Luke Goodrich	emails re DOJ motion	0.2
10/26/2016	Luke Goodrich	call w M Rienzi re DOJ motion	0.3

10/26/2016	Luke Goodrich	call w M Rienzi and A Nimocks re DOJ motion	0.3
10/26/2016	Luke Goodrich	call w DOJ re DOJ motion	0.3
10/26/2016	Luke Goodrich	call w M Rienzi and A Nimocks re DOJ motion	0.3
10/26/2016	Luke Goodrich	revise response to ACLU motion to stay	0.8
10/26/2016	Luke Goodrich	draft and revise response to ACLU stay motion	1.3
10/26/2016	Stephanie Barclay	Email regarding government's proposed motion and follow-up items.	2.1
10/26/2016	Luke Goodrich	draft response to ACLU motion to stay	3.4
10/26/2016	Mark Rienzi	calls and research regarding DOJ proposal and confer with client re same (2.0); review and finalize ACLU response (2.5)	4.5
10/27/2016	Lori Windham	Discussion re: response to ACLU filing	0.3
10/27/2016	Diana Thomson	research re: litigation hold	1
10/28/2016	Lori Windham	Discussion re: filing	0.3
10/28/2016	Chelise Fox	Proofread, revise, and file Response to ACLU Stay Motion.	1.5
10/28/2016	Darlene Calandra	Update Share Point files; prepare draft Response to ACLU Motion to Stay for S. Barclay	0.75
10/28/2016	Mark Rienzi	confer with team and finalize ACLU response (2.0); research and confer with team re HHS proposal (1.0)	3
10/28/2016	Stephanie Barclay	Worked on editing and finalizing response to ACLU and filed the response.	7
10/29/2016	Mark Rienzi	work on response to HHS scheduling motion	1
10/30/2016	Mark Rienzi	work on response to HHS motion	3
10/31/2016	Stephanie Barclay	Work on Sister declaration.	1.4
10/31/2016	Lori Windham	Research impact of cert grant, discuss	2
10/31/2016	Rachel Busick	Administrative Record Research	3.9

10/31/2016	Mark Rienzi	draft response to HHS motion	4
10/31/2016	Mark Rienzi	consider Gloucester Count cert grant and confer with Ms. Windham re impact on litigation	0.5
10/31/2016	Stephanie Barclay	Call with APA expert and follow-up call and work with Mark on response to HHS.	0.8
11/1/2016	Lori Windham	Review order, discussion re: strategy	0.5
11/1/2016	Darlene Calandra	Update Share Point files; prepare draft Response to ACLU Motion to Stay for S. Barclay	0.5
11/1/2016	Stephanie Barclay	Worked on response to HHS motion.	4.8
11/1/2016	Mark Rienzi	work on HHS response	5
11/2/2016	Lori Windham	Review orders, requests, discuss scheduling	0.3
11/2/2016	Mark Rienzi	confer with team re strategy and next steps	0.5
11/2/2016	Rachel Busick	Administrative Record Research	2
11/3/2016	Lori Windham	Email discussion re: complaint and followup	0.7
11/3/2016	Lori Windham	Review injunction motions and discuss via email	1
11/4/2016	Lori Windham	Research re: supplemental brief	1.2
11/4/2016	Rachel Busick	Research Texas injunction factors for supp injunct brief	5.5
11/5/2016	Lori Windham	Discussion via email re: complaint	0.5
11/7/2016	Luke Goodrich	review supplemental PI brief	0.4
11/7/2016	Rachel Busick	CA5 PI/vagueness cases research	2.6
11/7/2016	Lori Windham	Research and draft motion, strategy discussion via email	5.5
11/8/2016	Luke Goodrich	revise supplemental brief	1.5
11/8/2016	Mark Rienzi	emails and calls re strategy for case	1.5
11/8/2016	Diana Thomson	researching discover-ability of documents and need for litigation hold letters	3

11/9/2016	Lori Windham	Review & approve draft motion	0.3
11/9/2016	Stephanie Barclay	Call with CMDA and review of related documents.	1.4
11/10/2016	Luke Goodrich	call w A Nimocks re DOJ scheduling request; circulate notes on call to team	0.3
11/10/2016	Luke Goodrich	draft plan for briefing and divide tasks	0.4
11/10/2016	Diana Thomson	call re: motion and PI reply planning w L. Goodrich; S. Barclay; L. Windham;	0.6
11/10/2016	Lori Windham	Strategy discussion w team	0.6
11/10/2016	Luke Goodrich	call w Becket team to discuss PI strategy	0.6
11/10/2016	Lori Windham	Strategy discussion, work on outline	0.9
11/14/2016	Luke Goodrich	call w M Rienzi re stay	0.2
11/14/2016	Luke Goodrich	email Austin and Becket team re stay and times for call	0.2
11/14/2016	Luke Goodrich	email memo to Becket team re stay negotiations	0.2
11/14/2016	Luke Goodrich	call w DOJ re consent motion and possible stay	0.3
11/14/2016	Lori Windham	Strategy discussion	0.4
11/14/2016	Luke Goodrich	call w Texas re potential stay	0.6
11/14/2016	Luke Goodrich	call w DOJ re stay	1.4
11/14/2016	Mark Rienzi	Franciscan email .2; Franciscan call with DOJ 1.0; earlier call with DOJ .3; discussions with team re strategy .5;	2
11/15/2016	Mark Rienzi	call with client and confer with team re stratgey	1
11/15/2016	Luke Goodrich	call w attorney [name redacted] in related transgender litigation re strategy	1.1
11/15/2016	Rachel Busick	research on ACA 1557	2
11/16/2016	Mark Rienzi	telephone conference with client re statements and re insurers	0.5
11/16/2016	Lori Windham	Review draft response, email discussion	0.8

11/16/2016	Luke Goodrich	revise ACLU response	1.4
11/16/2016	Rachel Busick	research on ACA 1557	6.4
11/18/2016	Mark Rienzi	confer with team re DOJ offer	0.4
11/21/2016	Luke Goodrich	call w co-plaintiffs' counsel re reply; email team	0.1
11/21/2016	Luke Goodrich	call w client re stay	0.3
11/21/2016	Stephanie Barclay	Reviewed reply filed by ACLU	0.9
11/21/2016	Chelise Fox	Make initial shell documents and drafts for opp to mot for time extension, mot to extend time and page limit in PI reply.	1
11/21/2016	Stephanie Barclay	Team call to discuss strategy and next steps for reply brief prep.	1.2
11/21/2016	Luke Goodrich	call w team to discuss reply brief strategy	1.3
11/21/2016	Mark Rienzi	strategy calls with team	1.5
11/21/2016	Stephanie Barclay	Began working with Rachel on research for reply brief.	3.5
11/22/2016	Stephanie Barclay	Worked on preparing motion for additional time and page limits.	0.8
11/22/2016	Stephanie Barclay	Worked on research for reply brief.	4.9
11/22/2016	Stephanie Barclay	Researched APA case law.	2.9
11/22/2016	Rachel Busick	CA5 ripeness/injury research	5.3
11/23/2016	Rachel Busick	research on interpretation of civil and local rules	2
11/23/2016	Luke Goodrich	review DOJ response brief	2.2
11/23/2016	Stephanie Barclay	Research for reply brief.	3.9
11/23/2016	Stephanie Barclay	Reviewed Defendants' response brief and typed initial notes.	4.6
11/24/2016	Luke Goodrich	outline reply brief	1.4
11/24/2016	Diana Thomson	reading PI response brief	2
11/24/2016	Stephanie Barclay	Reviewed ACLU amicus brief.	2

11/25/2016	Diana Thomson	working on reply	1.4
11/25/2016	Mark Rienzi	confer with team re strategy and next steps	1.5
11/25/2016	Rachel Busick	Review PI briefing and research	1.5
11/25/2016	Rachel Busick	Conference call w team re strategy	1.5
11/25/2016	Diana Thomson	call with Becket lawyers re: strategy for reply	1.7
11/25/2016	Luke Goodrich	call w team re reply brief	1.7
11/25/2016	Stephanie Barclay	Reviewed ACLU's amicus brief and typed notes; (1); team call to discuss next steps and strategy (1.5)	2.5
11/25/2016	Luke Goodrich	research and draft PI reply	4.4
11/26/2016	Mark Rienzi	work on reply brief	2.2
11/28/2016	Luke Goodrich	call w co-plaintiffs' counsel to discuss PI reply	0.2
11/28/2016	Luke Goodrich	finalize PI extension motion	0.2
11/28/2016	Mark Rienzi	call to client re next steps	0.5
11/28/2016	Lori Windham	Review government brief and email discussions	2
11/28/2016	Mark Rienzi	work on reply brief	2.2
11/28/2016	Luke Goodrich	research and draft PI reply	4
11/28/2016	Rachel Busick	CA5 research for reply	4.6
11/28/2016	Diana Thomson	working on reply brief	8
11/28/2016	Stephanie Barclay	Worked on drafting my sections of reply brief.	9.5
11/29/2016	Lori Windham	Draft insert for reply brief, email discussion	3.4
11/29/2016	Luke Goodrich	draft PI reply	5
11/29/2016	Mark Rienzi	work on preliminary injunction reply brief	5
11/29/2016	Diana Thomson	working on reply	6.1
11/29/2016	Rachel Busick	Research for PI Reply	6.8

11/29/2016	Stephanie Barclay	Finished first draft of my sections of reply brief and circulated to group.	9.5
11/30/2016	Stephanie Barclay	Worked on reply brief due process section.	1.5
11/30/2016	Lori Windham	Revise draft brief	2.3
11/30/2016	Mark Rienzi	work on reply brief	4
11/30/2016	Diana Thomson	working on reply	5.5
11/30/2016	Luke Goodrich	draft and revise PI reply	7.3
11/30/2016	Rachel Busick	PI Reply Research	7.5
11/30/2016	Stephanie Barclay	Worked on revising reply brief.	9
12/1/2016	Stephanie Barclay	Worked with paralegals to begin cite check and coordinated other tasks to prepare for brief filing.	2.4
12/1/2016	Mark Rienzi	work on reply brief	6.5
12/1/2016	Diana Thomson	working on reply	7.5
12/1/2016	Elizabeth Dobak	Cite checked reply and helped with other projects related to filing	8
12/1/2016	Rachel Busick	PI Reply Research	9
12/1/2016	Stephanie Barclay	Worked on revising reply brief.	9
12/1/2016	Chelise Fox	Cite check, proofread, and revise reply brief.	9.2
12/1/2016	Luke Goodrich	research, draft, and revise PI reply	9.8
12/2/2016	Mark Rienzi	work on reply brief	3
12/2/2016	Lori Windham	Revise declarations, review draft, revise, research and update standing argument	4
12/2/2016	Luke Goodrich	draft, revise, proof and file PI reply	6.7
12/2/2016	Elizabeth Dobak	Cite checked reply, checked and edited and updated tables, answered comments, completed various tasks for filing	7.5
12/2/2016	Chelise Fox	Finished cite check, tables, final proofread and page checks, preparing for filing for reply brief.	4

12/2/2016	Rachel Busick	PI Reply Edits	8.1
12/2/2016	Stephanie Barclay	Finalized and filed reply brief.	9.5
12/2/2016	Diana Thomson	working on reply	9.6
12/5/2016	Mark Rienzi	call with client re strategy	0.3
12/5/2016	Stephanie Barclay	Call to discuss fact development and FOIA requests for transgender litigation.	1.1
12/5/2016	Rachel Busick	Research for PI hearing	7
12/7/2016	Rachel Busick	Research for PI hearing	8.2
12/8/2016	Rachel Busick	Research for PI hearing	7.3
12/9/2016	Diana Thomson	prep for hearing, moot for M. Rienzi.	0.4
12/9/2016	Stephanie Barclay	Meeting with Mark regarding oral argument prep for hearing and follow-up research.	2.2
12/9/2016	Mark Rienzi	prep for argument	4
12/10/2016	Mark Rienzi	prep for hearing	2.5
12/11/2016	Mark Rienzi	prep for hearing	2.9
12/12/2016	Mark Rienzi	prep for hearing	5.2
12/13/2016	Mark Rienzi	call with client re hearing (.5); prep for argument (1.0)	1.5
12/14/2016	Lori Windham	Work on NDTX admission	0.7
12/14/2016	Mark Rienzi	prepare for argument (3.2); TX bar admission and get notarized signature (.5)	3.7
12/14/2016	Rachel Busick	research for PI hearing	7.1
12/15/2016	Stephanie Barclay	Prepared for and participated in moot for Mark and took notes.	1.5
12/15/2016	Luke Goodrich	moot M rienzi for hearing	2.2
12/15/2016	Lori Windham	Moot for oral argument, followup on admissions & OA	3
12/15/2016	Diana Thomson	prep for hearing	6.8
12/15/2016	Stephanie Barclay	Oral argument prep and research.	7.5

12/15/2016	Rachel Busick	TX PI Moot and Prep	8
12/15/2016	Mark Rienzi	moot court for hearing (2.5); prepare for oral argument (6.5)	9
12/16/2016	Lori Windham	Assist w/ OA prep	0.5
12/16/2016	Diana Thomson	working on hearing prep	4.5
12/16/2016	Mark Rienzi	prep for hearing	4.5
12/16/2016	Rachel Busick	TX PI Oral Arg Prep	5
12/16/2016	Stephanie Barclay	Oral argument prep and research.	9.5
12/17/2016	Diana Thomson	working on hearing prep	0.7
12/17/2016	Lori Windham	Assist with OA prep	0.9
12/17/2016	Stephanie Barclay	Finalized research for one-pager document for oral argument.	3.5
12/17/2016	Mark Rienzi	prepare for hearing	3.8
12/18/2016	Mark Rienzi	prepare for hearing	2.3
12/19/2016	Diana Thomson	prep for hearing	0.4
12/19/2016	Lori Windham	Research for OA prep	1.5
12/19/2016	Stephanie Barclay	Worked with paralegals to finalize printing materials and tables for oral argument and responded to questions from Mark.	3.2
12/19/2016	Mark Rienzi	prepare for hearing	9.5
12/20/2016	Stephanie Barclay	Discussed hearing with Mark and next steps in case.	0.5
12/20/2016	Mark Rienzi	prepare for hearing (1.5); attend hearing (3.0)	4.5
12/28/2016	Stephanie Barclay	Reviewed transcript from PI hearing and typed up notes and potential counter-arguments for future consideration.	4.2
12/30/2016	Luke Goodrich	Review PI hearing transcript	2.1
12/31/2016	Lori Windham	Receive and review ruling, discuss impact	1
12/31/2016	Luke Goodrich	review PI order and notify clients	1.9
12/31/2016	Mark Rienzi	read and analyze decision	2

1/3/2017	Luke Goodrich	call w TX to discuss injunction	0.4
1/3/2017	Diana Thomson	reviewing Preliminary injunction order	1
1/4/2017	Luke Goodrich	call w Texas AG re injunction	0.1
1/4/2017	Mark Rienzi	call with client re next steps	0.5
1/4/2017	Diana Thomson	reviewing new regulation to determine whether it applies to our clients	3.1
1/4/2017	Elizabeth Dobak	Transgender research for Eric Baxter	4
1/5/2017	Lori Windham	Discussion via email re: recent news and relevant cases	1
1/5/2017	Elizabeth Dobak	Transgender research for Eric Baxter	6
1/6/2017	Elizabeth Dobak	Filing compilation research for Stephanie B.	2
1/9/2017	Lori Windham	Strategy call	0.8
1/9/2017	Luke Goodrich	call to discuss post-preliminary injunction strategy	0.8
1/9/2017	Mark Rienzi	call with client (.3); strategy discussion with team (.6)	0.9
1/9/2017	Stephanie Barclay	Researched HHS transgender mandate guidance.	1.1
1/9/2017	Luke Goodrich	review ACLU motion and research response	1.6
1/10/2017	Luke Goodrich	outline response to ACLU motion	0.2
1/10/2017	Luke Goodrich	call w TX re ACLU motion	1.1
1/11/2017	Stephanie Barclay	Worked on response to ACLU.	4.5
1/12/2017	Luke Goodrich	research re partial final judgment	0.7
1/12/2017	Lori Windham	Strategy research	5.8
1/12/2017	Stephanie Barclay	Worked on response to ACLU.	8.3
1/13/2017	Lori Windham	Send strategy findings and conduct further research.	0.5
1/13/2017	Luke Goodrich	call w TX re ACLU motion	0.5

1/13/2017	Lori Windham	Discuss final judgment w team	0.8
1/13/2017	Stephanie Barclay	Phone calls with Lori and Eric to discuss next steps for final judgment in TX case.	0.8
1/13/2017	Stephanie Barclay	Research regarding ACLU standing.	1.4
1/13/2017	Stephanie Barclay	Reviewed, revised draft of response to ACLU Luke circulated.	2.4
1/13/2017	Luke Goodrich	research and draft response to ACLU motion	2.7
1/14/2017	Luke Goodrich	revise ACLU response	0.7
1/17/2017	Luke Goodrich	call w M Rienzi re attorney admission	0.1
1/17/2017	Luke Goodrich	review DOJ response to ACLU	0.1
1/17/2017	Diana Thomson	reviewing government response to ACLU motion	0.2
1/17/2017	Luke Goodrich	call w Texas re DOJ extension request	0.2
1/17/2017	Luke Goodrich	call w M Rienzi re DOJ extension request	0.2
1/17/2017	Luke Goodrich	finalize response to ACLU motion	1.4
1/17/2017	Stephanie Barclay	Helped finalize the response to ACLU filing.	2.1
1/19/2017	Luke Goodrich	review ACLU reply	0.3
1/19/2017	Stephanie Barclay	Reviewed Rachel research regarding holding case in abeyance.	0.5
1/24/2017	Lori Windham	Review ruling	0.2
1/24/2017	Luke Goodrich	review court order	0.5
1/24/2017	Mark Rienzi	telephone conference with counsel (.3); review and analyze order (.5)	0.8
1/24/2017	Stephanie Barclay	Reviewed court's order and provided analysis; email correspondence with team to discuss.	1.5
1/25/2017	Mark Rienzi	email re next steps	0.2
1/31/2017	Luke Goodrich	call w M Rienzi re ACLU response	0.1
1/31/2017	Luke Goodrich	call w cocounsel re ACLU response	0.2

1/31/2017	Luke Goodrich	research for ACLU response	1
2/1/2017	Mark Rienzi	strategy discussions	0.3
2/2/2017	Diana Thomson	research re: ACLU appeal	0.6
2/2/2017	Luke Goodrich	research and draft response to ACLU	3.7
2/3/2017	Luke Goodrich	research and revise response to ACLU	2
2/3/2017	Diana Thomson	research and draft motion to dismiss ACLU appeal	4.7
2/6/2017	Luke Goodrich	revise ACLU response	0.4
2/6/2017	Lori Windham	Research client question, discussion re: appeal	0.7
2/6/2017	Stephanie Barclay	Meeting with CMDA clients to provide update on developments and discuss next steps.	1.2
2/6/2017	Diana Thomson	working on motion to dismiss appeal	3.8
2/7/2017	Stephanie Barclay	revise response	0.2
2/7/2017	Chelise Fox	Proofread Franciscan response.	2.7
2/7/2017	Diana Thomson	research and draft motion to dismiss appeal	5.7
2/8/2017	Luke Goodrich	finalize and file ACLU response	0.4
2/8/2017	Diana Thomson	working on motion to dismiss appeal	0.7
2/8/2017	Luke Goodrich	research appellate jurisdiction	0.8
2/8/2017	Stephanie Barclay	Called Luke to discuss next steps and corresponded with team re ACLU appeals; researched procedural issues.	1
2/8/2017	Stephanie Barclay	Listened to teleforum relevant to pending litigation, prepared notes to circulate.	1.8
2/9/2017	Stephanie Barclay	Reviewed CA5 order granting MTD in related case.	0.6
2/9/2017	Luke Goodrich	call w M Rienzi, S Barclay re appeal	0.7
2/9/2017	Diana Thomson	working on motion to dismiss for lack of jurisdiction	1.3

2/9/2017	Stephanie Barclay	Email and discussion with team regarding motion to dismiss ACLU's appeal.	3.4
2/9/2017	Luke Goodrich	research and draft motion to dismiss appeal	3.6
2/10/2017	Luke Goodrich	call w M Rienzi and S Barclay re regulatory solution	0.3
2/10/2017	Diana Thomson	working on motion to dismiss	0.4
2/10/2017	Luke Goodrich	review ACLU stay motion	0.4
2/10/2017	Mark Rienzi	research re strategy	0.5
2/10/2017	Stephanie Barclay	Worked on motion to dismiss and discussed next steps with team.	9
2/11/2017	Stephanie Barclay	Reviewed court filing in related case.	0.5
2/12/2017	Mark Rienzi	work on CA5 motion	0.5
2/13/2017	Luke Goodrich	revise extension motion	0.2
2/13/2017	Stephanie Barclay	Worked on motion to dismiss.	0.2
2/13/2017	Lori Windham	Discussion re motion response	0.3
2/13/2017	Stephanie Barclay	Responded to Luke's questions and provided additional research.	0.4
2/13/2017	Diana Thomson	working on motion to dismiss	0.5
2/13/2017	Stephanie Barclay	Discussed MTD and response to motion to Stay with Luke and discussed citations with paralegals.	0.6
2/13/2017	Mark Rienzi	work on brief and calls re same	1
2/13/2017	Stephanie Barclay	Reviewed Hannah's comments on documents and made additional revisions.	1.1
2/13/2017	Stephanie Barclay	Revised motion to dismiss and plugged in missing cites.	1.2
2/13/2017	Chelise Fox	Reviewed (proofread, etc.) Mot to Dismiss ACLU Appeal.	1.5
2/13/2017	Darlene Calandra	Revise, edit, and cite check Fifth Circuit Motion to Dismiss ACLU Appeal; discuss with L. Goodrich and S. Barclay.	1.5
2/13/2017	Stephanie Barclay	Responded to Luke's question about standing and performed additional research.	2.1

2/13/2017	Luke Goodrich	research, draft, and revise motion to dismiss ACLU appeal	4.8
2/14/2017	Luke Goodrich	call w Becket team to discuss ACLU stay motion and our response	0.3
2/14/2017	Diana Thomson	response to motion to stay in 5th Circuit	0.5
2/14/2017	Lori Windham	Strategy call	0.5
2/14/2017	Luke Goodrich	draft response to ACLU stay motion	0.5
2/14/2017	Mark Rienzi	discussion and emails re brief	0.5
2/14/2017	Stephanie Barclay	Revised response and researched cases.	0.6
2/14/2017	Diana Thomson	discussing response to ACLU motion to stay 5th Circuit injunction	0.8
2/14/2017	Luke Goodrich	review and revise motion to dismiss and extension motion	0.8
2/14/2017	Darlene Calandra	Revise, edit, and cite check Fifth Circuit Motion to Dismiss ACLU Appeal; discuss with L. Goodrich and S. Barclay.	0.5
2/14/2017	Luke Goodrich	review and outline ACLU stay motion; research and outline response	1.9
2/14/2017	Stephanie Barclay	Reviewed TX motion for extension of time and ACLU motion to stay and began work on drafting response to ACLU.	1.9
2/15/2017	Luke Goodrich	revise extension motion	0.2
2/15/2017	Luke Goodrich	call w attorney [name redacted] re related litigation that could impact this case	0.4
2/15/2017	Luke Goodrich	finalize and file MTD	0.9
2/15/2017	Luke Goodrich	finalize motion to dismiss and motion for extension	1
2/15/2017	Luke Goodrich	revise and finalize motion to dismiss appeal	1.5
2/15/2017	Luke Goodrich	draft stay response	2.6
2/15/2017	Stephanie Barclay	Worked on drafting sections for response to ACLU.	3
2/15/2017	Stephanie Barclay	Revised motion to dismiss and researched ACLU filings.	4.1

2/15/2017	Elizabeth Dobak	Cite checked motion to dismiss, filled out appearance of counsel forms for Stephanie and Luke, retrieved ECF credentials for Stephanie, e-filed appearance forms for both attorneys	3
2/15/2017	Lori Windham	Research and draft response to motion for stay	9
2/15/2017	Diana Thomson	working on 5th circuit response to motion to stay	9.3
2/16/2017	Luke Goodrich	finalize and file extension motion	0.6
2/16/2017	Lori Windham	Research and revise draft brief	2
2/16/2017	Stephanie Barclay	Worked on response to ACLU motion to stay PI.	2.1
2/16/2017	Diana Thomson	oppo to ACLU motion to stay	2.9
2/16/2017	Luke Goodrich	draft response to stay motion	5.2
2/17/2017	Luke Goodrich	strategy calls re trans mandate	0.9
2/17/2017	Luke Goodrich	email memo re litigation strategy	1
2/17/2017	Lori Windham	Strategy discussion	1.3
2/17/2017	Mark Rienzi	work on brief (2.0); strategy call (.5)	2.5
2/17/2017	Stephanie Barclay	Calls and research discussing next steps for seeking final judgment or a stay in case.	2.5
2/17/2017	Luke Goodrich	draft and revise stay response	5.2
2/20/2017	Stephanie Barclay	Reviewed and revised roadmap document and performed additional research.	0.5
2/21/2017	Stephanie Barclay	Discussion with Mark re next steps and follow-up research.	1
2/21/2017	Stephanie Barclay	Scheduled APA call and discussed with team.	0.5
2/22/2017	Mark Rienzi	review Title IX materials	0.5
2/22/2017	Stephanie Barclay	Reviewed Title IX letters related to case and worked with paralegals to update folder and deadline schedule.	0.9
2/22/2017	Stephanie Barclay	Additional legal research.	2

2/23/2017	Lori Windham	Discussion re: options for final judgment	0.2
2/23/2017	Luke Goodrich	review new administration guidance letter	0.2
2/23/2017	Luke Goodrich	strategy call w S Barclay and M Rienzi	0.6
2/23/2017	Luke Goodrich	call w Texas re litigation	0.7
2/23/2017	Mark Rienzi	strategy calls with team	1.5
2/23/2017	Stephanie Barclay	Call with TX and then internally to discuss next steps in litigation.	1.5
2/23/2017	Stephanie Barclay	Call regarding APA research.	0.5
2/23/2017	Luke Goodrich	strategy call re APA issues w outside counsel, S Barclay, and M Rienzi	0.6
2/23/2017	Stephanie Barclay	Researched APA question.	4
2/24/2017	Stephanie Barclay	APA research	4.4
2/24/2017	Lori Windham	Discussion re: options for final judgment	0.3
2/24/2017	Luke Goodrich	email memo re strategy	0.5
2/24/2017	Luke Goodrich	call w Becket team re strategy	1.4
2/24/2017	Stephanie Barclay	Call to discuss case strategy.	1.4
2/24/2017	Diana Thomson	research re: 5th Circuit appeal	6.9
2/27/2017	Luke Goodrich	research re MTD reply	0.2
2/27/2017	Mark Rienzi	call to client re next steps	0.2
2/27/2017	Luke Goodrich	review and outline intervenors' response to MTD; research and outline reply	1.9
2/27/2017	Stephanie Barclay	Reviewed ACLU's motion to dismiss and did preliminary research.	1.9
2/27/2017	Diana Thomson	research re 5th Circuit appeal	5.5
2/27/2017	Stephanie Barclay	Researched questions regarding court jurisdiction and intervention.	6.2
2/28/2017	Mark Rienzi	call re brief	0.5
2/28/2017	Luke Goodrich	call w Becket attorneys re MTD reply	0.7

2/28/2017	Luke Goodrich	research and draft MTD reply	5.1
2/28/2017	Diana Thomson	researching appeal	7.6
3/1/2017	Luke Goodrich	calls w Becket lawyers and TX to discuss litigation strategy	1
3/1/2017	Mark Rienzi	call with texas (1.0); internal strategy discussions (.3); work on brief (1.0)	1
3/1/2017	Luke Goodrich	research and draft MTD reply	4
3/1/2017	Diana Thomson	research re: appeal	4.6
3/1/2017	Stephanie Barclay	Strategy call and follow-up review and revision of reply to ACLU's response.	5.5
3/2/2017	Luke Goodrich	call w client to update	0.2
3/2/2017	Luke Goodrich	call w M Rienzi re strategy	0.5
3/2/2017	Diana Thomson	reviewing reply to motion to dismiss appeal	1.8
3/2/2017	Stephanie Barclay	Revised reply to ACLU.	3.2
3/2/2017	Luke Goodrich	research and revise MTD reply	3.4
3/3/2017	Luke Goodrich	revise MTD reply	0.3
3/3/2017	Mark Rienzi	review brief	0.3
3/3/2017	Luke Goodrich	call w S Barclay to discuss MTD reply	0.7
3/3/2017	Stephanie Barclay	Call with Luke re reply brief.	0.7
3/3/2017	Stephanie Barclay	Research for reply brief.	5.7
3/5/2017	Luke Goodrich	revise MTD reply	0.5
3/6/2017	Luke Goodrich	revise and finalize MTD reply	3.5
3/6/2017	Darlene Calandra	Cite check, format, edit and proofread Reply in Support of Motion to Dismiss Appeal; discuss with E. Dobak, S. Barclay, L. Goodrich	3
3/6/2017	Stephanie Barclay	Worked on finalizing reply brief.	4.9

3/9/2017	Stephanie Barclay	Reviewed proposed filings.	0.3
3/9/2017	Luke Goodrich	calls w M Rienzi re strategy	0.5
3/9/2017	Mark Rienzi	strategy calls	0.5
3/9/2017	Luke Goodrich	revise MSJ documents	1.2
3/10/2017	Stephanie Barclay	Email traffic re proposed order.	0.8
3/10/2017	Stephanie Barclay	Worked on proposed order for judge.	1.8
3/10/2017	Luke Goodrich	research and revise MSJ papers and proposed order	2
3/10/2017	Rachel Busick	research re court orders on agency regs	5.4
3/11/2017	Stephanie Barclay	Worked on updating time entries.	0.8
3/13/2017	Luke Goodrich	finalize appendix	0.3
3/13/2017	Stephanie Barclay	Reviewed proposed order.	0.3
3/13/2017	Stephanie Barclay	Reviewed updated appendix and provided input.	1.1
3/13/2017	Luke Goodrich	research re final judgment and permanent injunction	1.3
3/13/2017	Luke Goodrich	research and draft permanent injunction	1.3
3/13/2017	Darlene Calandra	Prepare and edit revised Appendix for Motion for Summary Judgment; discuss with L. Goodrich, C. Fox and S. Barclay	2.5
3/14/2017	Luke Goodrich	review motion for extension	0.1
3/14/2017	Luke Goodrich	call w S Barclay re remedies and nationwide injunction	0.1
3/14/2017	Darlene Calandra	update Share Point files; prepare revised Appendix for Motion for Summary Judgment; discuss with L. Goodrich, C. Fox and S. Barclay.	0.5
3/14/2017	Luke Goodrich	research and revise motion and proposed orders	3.3
3/14/2017	Stephanie Barclay	Researched admin law remedies and worked on finalizing renewed summary judgment motion.	6

3/15/2017	Stephanie Barclay	Reviewed extension motion.	0.4
3/15/2017	Stephanie Barclay	Reviewed final documents for filing.	0.5
3/15/2017	Luke Goodrich	finalize and file extension motion	1
3/20/2017	Luke Goodrich	call w M Rienzi and S Barclay re HHS strategy	0.2
3/20/2017	Mark Rienzi	team call re strategy	0.2
3/20/2017	Mark Rienzi	call with consultant re strategy	0.2
3/20/2017	Stephanie Barclay	Strategy call with Luke and Mark.	0.2
3/20/2017	Luke Goodrich	email memo to consultant re case strategy	0.3
3/20/2017	Mark Rienzi	call with client re status	0.3
3/20/2017	Luke Goodrich	prep for call and call w consultant re case strategy	0.5
3/22/2017	Luke Goodrich	call w M Rienzi and admin consultants re litigation	0.8
3/22/2017	Mark Rienzi	call w admin expert re litigation	0.8
3/27/2017	Luke Goodrich	call w S Barclay re next steps	0.3
3/27/2017	Stephanie Barclay	Call with Luke to discuss next steps in Franciscan litigation.	0.3
3/28/2017	Stephanie Barclay	Correspondence re ACLU request to separate appeal issues.	0.1
3/28/2017	Luke Goodrich	call w S Barclay to discuss response to stay motion	0.2
3/28/2017	Lori Windham	Discussion via email re: appeal strategy	0.4
3/28/2017	Stephanie Barclay	Discussed response to ACLU motion to stay with Luke and performed follow-up research for response.	1.3
3/29/2017	Luke Goodrich	call w S Barclay re Stay response	0.2
3/29/2017	Luke Goodrich	call w M Rienzi re lit strategy and doj extension request	0.3
3/29/2017	Mark Rienzi	call w Luke re litigation and extension	0.3
3/29/2017	Stephanie Barclay	Worked on drafting response to ACLU motion.	3.7
3/30/2017	Luke Goodrich	call w Becket team re lit strategy	0.4
3/30/2017	Luke Goodrich	call w DOJ re potential settlement	0.4

3/30/2017	Luke Goodrich	call w Becket team re settlement	0.4
3/30/2017	Luke Goodrich	call w Becket team re litigation strategy	0.6
3/30/2017	Luke Goodrich	call w Becket team re settlement	0.6
3/30/2017	Luke Goodrich	call w TX and Becket re DOJ extension request	0.9
3/30/2017	Stephanie Barclay	Call with TX re extension and next steps in litigation.	0.9
3/30/2017	Luke Goodrich	call w DOJ re potential settlement	1
3/30/2017	Diana Thomson	calls re: 60 day extension w/ L. Goodrich, L. Windham, S. Barclay, M. Rienzi, E. Rassbach	1.3
3/30/2017	Lori Windham	Strategy call, followup discussion, research on DOJ positions	2
3/30/2017	Mark Rienzi	calls w team re strategy and DOJ re potential settlement	2.6
3/30/2017	Stephanie Barclay	Calls with Becket team and DOJ re settlement	3.1
3/30/2017	Stephanie Barclay	Worked on drafting response to ACLU's motion.	4.1
3/30/2017	Stephanie Barclay	Admin law research.	2.6
3/31/2017	Luke Goodrich	call w TX re DOJ extension motion	0.4
3/31/2017	Stephanie Barclay	Researched admin law.	0.9
3/31/2017	Stephanie Barclay	Revised response to ACLU.	1.8
3/31/2017	Stephanie Barclay	Worked on drafting response to ACLU.	4.6
4/3/2017	Luke Goodrich	call w TX re DOJ extension request	0.1
4/3/2017	Luke Goodrich	correspondence w TX re draft opposition	0.2
4/3/2017	Lori Windham	Followup research and drafting on motion	0.3
4/3/2017	Luke Goodrich	call w S Barclay re potential settlement	0.3
4/3/2017	Luke Goodrich	call w govt re settlement	0.4

4/3/2017	Luke Goodrich	draft opposition to DOJ extension request	0.5
4/3/2017	Luke Goodrich	call w Becket team re litigation strategy and potential settlement	0.7
4/3/2017	Stephanie Barclay	Researched case law re staying briefing.	1.1
4/3/2017	Stephanie Barclay	Internal team calls and correspondence re case strategy.	1.4
4/3/2017	Luke Goodrich	draft stay response	1.7
4/3/2017	Mark Rienzi	calls to HHS and calls and correspondence w team re next steps	2
4/4/2017	Luke Goodrich	call w TX re filings	0.1
4/4/2017	Luke Goodrich	review response to motion to bifurcate.	0.3
4/4/2017	Luke Goodrich	finalize and file opp to DOJ motion for extension	0.7
4/4/2017	Luke Goodrich	revise stay motion	0.7
4/4/2017	Mark Rienzi	review and edit briefs	1.5
4/4/2017	Stephanie Barclay	Worked on response to ACLU's motion to bifurcate.	5.2
4/5/2017	Lori Windham	Discussions re: motion	0.2
4/5/2017	Mark Rienzi	strategy discussion with client	0.3
4/5/2017	Stephanie Barclay	Reviewed paralegal cite check.	0.4
4/5/2017	Stephanie Barclay	Revised draft response to ACLU motion to bifurcate.	0.5
4/5/2017	Stephanie Barclay	Discussed response to ACLU with Luke and revised.	0.6
4/5/2017	Luke Goodrich	finalize and file stay response	0.9
4/7/2017	Stephanie Barclay	Revised response to ACLU and research on cited cases.	0.4
4/7/2017	Luke Goodrich	finalize and file response to motion to bifurcate	0.6
4/7/2017	Darlene Calandra	Cite check, proofread, format and edit Response to Motion to Bifurcate and discuss with C. Fox, L. Goodrich, S. Barclay	2.5
4/8/2017	Lori Windham	Review ACLU reply, discuss	0.3

4/10/2017	Luke Goodrich	review ACLU dist ct stay reply	0.2
4/10/2017	Stephanie Barclay	Reviewed ACLU motion, researched applicable case law, and responded to Luke's legal question re the motion.	1.8
4/11/2017	Lori Windham	Review reply & comment	0.5
4/11/2017	Stephanie Barclay	Call with Luke re ACLU motion and subsequent review of motion.	0.5
4/11/2017	Luke Goodrich	research standards governing stay	1
4/11/2017	Luke Goodrich	draft 5th cir reply ISO motion to suspend briefing	1
4/12/2017	Luke Goodrich	finalize 5th Cir reply ISO motion to suspend briefing	0.3
4/12/2017	Stephanie Barclay	Team correspondence re upcoming filings.	0.3
4/13/2017	Luke Goodrich	finalize 5th Cir reply ISO motion to suspend briefing	0.3
4/13/2017	Luke Goodrich	call w Becket team re litigation strategy	0.6
4/13/2017	Stephanie Barclay	Call to discuss strategy for next steps, and follow-up discussion on research needed.	0.7
4/13/2017	Darlene Calandra	Cite check, proofread, format and edit 5th Cir Reply re Motion to Stay and discuss with C. Fox, L. Goodrich, S. Barclay	2.5
4/17/2017	Mark Rienzi	email re strategy	0.1
4/17/2017	Luke Goodrich	revise response to ACLU 5th Cir motion to stay PI pending appeal	1.8
4/18/2017	Chelise Fox	Created shell and made initial draft for motion for extension of time.	1.6
4/19/2017	Luke Goodrich	revise and send to co-counsel our draft extension request	0.2
4/19/2017	Lori Windham	Discussion via email re: motion	0.3
4/19/2017	Luke Goodrich	review motions and research appellate procedure	0.3
4/19/2017	Luke Goodrich	call clerk, email co-counsel re reply	0.3
4/19/2017	Stephanie Barclay	Reviewed docket and recent notice from court and discussed as team.	0.6

4/19/2017	Stephanie Barclay	Worked on motion for extension of time.	1.8
4/20/2017	Luke Goodrich	email opposing counsel re extension	0.1
4/20/2017	Luke Goodrich	finalize and file extension motion	0.4
4/20/2017	Stephanie Barclay	Correspondence regarding motion to extend.	0.6
4/20/2017	Stephanie Barclay	Revised response to ACLU motion to stay.	1
4/21/2017	Chelise Fox	Cite check 5th Cir. response to motion for stay of injunction.	4.3
4/24/2017	Luke Goodrich	review 5th cir extension order	0.1
4/24/2017	Luke Goodrich	research fifth circuit rules re stay	0.2
4/24/2017	Luke Goodrich	research 5th Cir rules	0.5
4/24/2017	Luke Goodrich	revise response to 5th Cir Motion to stay PI	1.9
4/27/2017	Luke Goodrich	call w counsel for Cath hospital re related lawsuit	0.7
5/1/2017	Diana Thomson	research and emails re: government delay	0.2
5/1/2017	Lori Windham	strategy discussion via email	0.3
5/1/2017	Luke Goodrich	call w TX re potential settlement	0.3
5/1/2017	Luke Goodrich	call w govt re potential settlement	0.4
5/1/2017	Luke Goodrich	call w DOJ re motion to remand	0.5
5/1/2017	Mark Rienzi	emails and strategy discussions re deadline	0.5
5/1/2017	Luke Goodrich	research voluntary remand and outline potential opposition	3.9
5/2/2017	Luke Goodrich	call w S Barclay re voluntary remand	0.3
5/2/2017	Stephanie Barclay	call with Luke on voluntary remand	0.3
5/2/2017	Diana Thomson	reviewing DOJ motions and developing response	0.4
5/2/2017	Lori Windham	Discussion and research regarding administrative remand	0.8

5/2/2017	Luke Goodrich	review DOJ motions and research response	0.9
5/3/2017	Mark Rienzi	review draft brief	0.4
5/3/2017	Lori Windham	Edit response brief & discuss	0.8
5/18/2017	Luke Goodrich	review DOJ reply re remand	0.1
5/24/2017	Luke Goodrich	email client (CMDA) re case strategy	0.6
5/25/2017	Lori Windham	Strategy correspondence	0.2
6/13/2017	Mark Rienzi	prep and strategize for hearing	0.5
6/14/2017	Mark Rienzi	review briefs	1
6/15/2017	Luke Goodrich	calls w M Rienzi re hearing	0.6
6/15/2017	Mark Rienzi	prepare and strategize for hearing	1
6/15/2017	Luke Goodrich	Prep for hearing	2
6/19/2017	Luke Goodrich	prepare motion for extension re response to stay	0.2
6/19/2017	Luke Goodrich	finalize 5th Cir extension motion	0.2
6/20/2017	Luke Goodrich	finalize and file extension motion	0.4
6/20/2017	Mark Rienzi	confer with team re strategy	0.8
6/20/2017	Luke Goodrich	calls w M Rienzi and team re hearing	0.9
6/21/2017	Mark Rienzi	work on strategy for hearing	0.5
6/22/2017	Luke Goodrich	call w M Rienzi re hearing	0.3
6/22/2017	Luke Goodrich	hearing prep	2.8
6/23/2017	Luke Goodrich	call w co-plaintiffs counsel re hearing	0.2
6/23/2017	Luke Goodrich	call w DOJ re hearing	0.4
6/23/2017	Luke Goodrich	call w M Rienzi re hearing strategy	0.8
6/23/2017	Mark Rienzi	prepare for hearing and confer with team re same	1.6
6/23/2017	Lori Windham	Research for OA prep	2.2

6/23/2017	Luke Goodrich	review motions and cases and research for hearing prep	4.4
6/25/2017	Lori Windham	Assist with OA prep research	0.8
6/26/2017	Stephanie Barclay	Researched additional cases and emailed summary of cases to Luke to prepare for hearing.	2.5
6/26/2017	Luke Goodrich	hearing prep	2.6
6/26/2017	Luke Goodrich	attend hearing	2
6/26/2017	Mark Rienzi	court time for hearing	2
6/27/2017	Mark Rienzi	confer with client re hearing	0.2
6/30/2017	Lori Windham	Receive & review ruling	0.2
7/10/2017	Luke Goodrich	review court's order	0.3
10/16/2017	Luke Goodrich	update clients on DOJ status report	0.5
10/26/2017	Luke Goodrich	call w TX re status report	0.4
11/29/2017	Luke Goodrich	call and email to update client on case	0.2
1/19/2018	Luke Goodrich	review new HHS conscience regs for relation to case	0.2
1/19/2018	Luke Goodrich	participate in HHS call re new regs	0.8
4/17/2018	Luke Goodrich	update client on status report	0.1
4/17/2018	Luke Goodrich	call w M Rienzi and S Barclay re potential new rule and client outreach	0.4
4/17/2018	Mark Rienzi	team call re new rule and informing clients	0.4
5/3/2018	Luke Goodrich	email client re rulemaking	0.6
6/25/2018	Luke Goodrich	email clients re status report	0.2
7/11/2018	Luke Goodrich	review article on trans science and policy	1
10/19/2018	Luke Goodrich	review Reginfo.gov notice	0.3
11/5/2018	Luke Goodrich	call w client re new rule	0.4

11/30/2018	Luke Goodrich	call w C Harrington re next steps in case	0.1
11/30/2018	Luke Goodrich	call w M Rienzi, L Windham, and S Barclay re strategy and next steps in case	0.7
11/30/2018	Mark Rienzi	team call re strategy	0.7
12/3/2018	Luke Goodrich	call w TX to discuss next steps	0.3
12/3/2018	Megan Schilling	Prepare shell for Permanent Injunction	0.6
12/3/2018	Luke Goodrich	research, draft, and revise motion	1.7
12/11/2018	Luke Goodrich	revise, finalize and file motion for status conference	0.5
12/14/2018	Luke Goodrich	call w M Rienzi re briefing schedule	0.1
12/14/2018	Luke Goodrich	call w J Block re ACLU re briefing schedule; email co-counsel	0.2
12/14/2018	Luke Goodrich	call courtroom deputy re telephonic appearance; email to DOJ re telephonic appearance	0.4
12/14/2018	Luke Goodrich	prep for status conference	0.4
12/14/2018	Luke Goodrich	call w M Rienzi and team re status conf	0.4
12/14/2018	Mark Rienzi	calls w Mr. Goodrich re status conf and briefing	0.5
12/17/2018	Luke Goodrich	draft joint motion to lift stay and set briefing schedule	1.3
1/3/2019	Joseph Davis	Participated in telephone conference with Luke Goodrich regarding motion for summary judgment.	0.2
1/3/2019	Luke Goodrich	call w J Davis re MSJ	0.2
1/22/2019	Joseph Davis	Performed research for and drafted motion for summary judgment.	4.3
1/23/2019	Joseph Davis	Performed research for, drafted, and revised motion for summary judgment.	4.4
1/24/2019	Joseph Davis	Corresponded with Eric Rassbach and Mark Rienzi regarding government's request for a stay.	0.2
1/24/2019	Joseph Davis	Performed research for and drafted opposition to Defendants' motion to stay.	2.2

1/24/2019	Joseph Davis	Performed research for and drafted motion for summary judgment.	3.2
1/25/2019	Joseph Davis	Corresponded with Mark Rienzi and Eric Rassbach regarding draft motion for summary judgment.	0.3
1/25/2019	Joseph Davis	Performed research regarding lower courts' interpretation of Price Waterhouse v. Hopkins, for purposes of drafting motion for summary judgment.	1.2
1/28/2019	Joseph Davis	Performed research regarding motion for summary judgment.	3.3
1/29/2019	Joseph Davis	Performed research regarding statutory-interpretation issue, for purposes of drafting motion for summary judgment.	3.8
1/29/2019	Joseph Davis	Performed research regarding nationwide-injunction issue, for purposes of drafting motion for summary judgment.	1.1
1/30/2019	Joseph Davis	For purposes of drafting motion for summary judgment, performed research regarding court cases on the meaning of 'sex' in nondiscrimination laws.	1.3
1/30/2019	Mark Rienzi	Review and comment on brief and confer with team re same	0.4
1/30/2019	Megan Schilling	Research filing rules pertaining to paper copies of Motion for Partial Summary Judgment	0.4
1/30/2019	Joseph Davis	Performed research regarding dismissal of claims under Rule 41.	0.5
1/30/2019	Joseph Davis	Participated in telephone conference with team regarding motion for summary judgment	1.2
1/30/2019	Luke Goodrich	call w J Davis, E Rassbach, and M Rienzi re MSJ strategy	1.2
1/30/2019	Mark Rienzi	call w team re MSJ	1.2
1/30/2019	Joseph Davis	For purposes of drafting motion for summary judgment, performed research regarding Free Exercise claim.	4.2
1/30/2019	Luke Goodrich	revise MSJ	4.9
1/31/2019	Luke Goodrich	revise MSJ	1.1

1/31/2019	Joseph Davis	Performed research regarding scope-of-injunction issue, for purposes of drafting motion for summary judgment.	1.3
1/31/2019	Darlene Calandra	Prepare Rassbach Pro Hac application; sign up Rassbach for ECF; order COGS from DC; update Appendix for new Motion for Summary Judgment; discuss with Davis; review court rules	1.75
1/31/2019	Joseph Davis	Performed research for and drafted portion of brief in support of summary judgment disputing application of Chevron.	2.6
1/31/2019	Joseph Davis	Performed research regarding historical meaning of 'sex' in 'sex' discrimination, for purposes of revising textual argument in motion for summary judgment.	2.7
1/31/2019	Joseph Davis	Performed research for and drafted APA portion of motion for summary judgment.	3.7
2/1/2019	Joseph Davis	Prepared for and participated in telephone conference with Luke Goodrich regarding motion for partial summary judgment.	0.7
2/1/2019	Megan Schilling	Begin cite checking brief	1.5
2/1/2019	Luke Goodrich	draft and revise MSJ	2.8
2/1/2019	Luke Goodrich	draft and revise MSJ and discuss w J Davis	3.9
2/1/2019	Darlene Calandra	cite check, proofread, format and edit Brief in Support of Partial Summary Judgment; discuss with J. Davis, L. Goodrich and paralegals	4
2/1/2019	Joseph Davis	Revised, drafted, and proofread motion for partial summary judgment in light of changes from Luke Goodrich, Mark Rienzi, and Eric Rassbach.	6.8
2/2/2019	Joseph Davis	Drafted, revised, and proofread motion for summary judgment in light of revisions from Mark Rienzi, Luke Goodrich, Eric Rassbach, and Stephanie Barclay.	3.1

2/3/2019	Joseph Davis	Performed research for, drafted, and revised motion for summary judgment and proposed order.	2.5
2/3/2019	Darlene Calandra	cite check, proofread, format and edit Brief in Support of Partial Summary Judgment	3
2/4/2019	Luke Goodrich	revise MSJ	3.7
2/4/2019	Joseph Davis	Performed research for, drafted, and revised, brief in support of motion for summary judgment in light of comments from Stephanie Barclay.	4.3
2/4/2019	Joseph Davis	Proofread, finalized, and prepared for filing brief in support of motion for summary judgment, appendix, motion, and proposed order, and filed same.	5.8
2/4/2019	Darlene Calandra	Cite check, proofread, format and edit Brief in Support of Partial Summary Judgment; discuss with attorneys and paralegals; discuss Rassbach Pro Hac Motion with Rassbach and Davis; update Share Point files.	3.75
2/4/2019	Jennifer Montazzoli	Franciscan cite check and filing	7.5
2/4/2019	Megan Schilling	Cite check Motion for Summary Judgment, create Table of Authorities, perform page check, prepare for filing	10
2/5/2019	Joseph Davis	Coordinated preparation of paper copies of motion for summary judgment.	0.5
2/6/2019	Joseph Davis	Reviewed and corresponded with Franciscan team about Fifth Circuit decision regarding the meaning of 'sex' in Title VII.	0.9
2/11/2019	Mark Rienzi	Confer with Luke Goodrich re next steps	0.1
2/11/2019	Mark Rienzi	Confer with client re next steps	0.4
2/28/2019	Joseph Davis	Corresponded with Mark Rienzi and Luke Goodrich regarding federal grant issue.	2.4
3/8/2019	Mark Rienzi	Advise client re impact of injunction on HHS grant request	0.4
3/29/2019	Mark Rienzi	call w Mr. Goodrich re strategy	0.2
3/29/2019	Luke Goodrich	calls w M Rienzi re strategy, DOJ re extension, and TX re extension	0.5

3/29/2019	Mark Rienzi	Confer with DOJ and consider request for extension	0.5
3/29/2019	Joseph Davis	Received and reviewed Fifth Circuit decision regarding transgender prisoners.	0.7
4/2/2019	Darlene Calandra	Update Share Point files; draft Opposition to Motion for Extension; discuss with J. Davis	0.5
4/3/2019	Joseph Davis	Performed research for and drafted opposition to motion for extension.	2.5
4/4/2019	Luke Goodrich	revise and file oppo to extension motion	0.5
4/4/2019	Joseph Davis	Drafted and revised opposition to extension motion.	0.8
4/5/2019	Luke Goodrich	call w TX and DOJ re calling clerk's office	0.2
4/5/2019	Luke Goodrich	second call w TX and DOJ re calling clerk's office	0.2
4/5/2019	Mark Rienzi	Review filings	0.4
4/5/2019	Darlene Calandra	Update Share Point files	0.5
4/8/2019	Luke Goodrich	correspondence re MSJ strategy	0.2
4/8/2019	Darlene Calandra	Update Share Point files	0.3
4/8/2019	Mark Rienzi	Review ACLU brief	1
4/8/2019	Luke Goodrich	review and craft response to ACLU MSJ opposition	1.5
4/9/2019	Mark Rienzi	Review ACLU brief	0.5
4/9/2019	Luke Goodrich	research re MSJ reply	0.6
4/9/2019	Luke Goodrich	call w M Rienzi, E Rassbach, L Windham, D Verm, S Barclay, and J Davis re MSJ strategy	0.7
4/9/2019	Mark Rienzi	Confer with team re strategy	0.8
4/9/2019	Joseph Davis	Prepared for and participated in telephone conference regarding reply in support of motion for summary judgment.	1.5
4/10/2019	Luke Goodrich	research and draft MSJ reply	3.5
4/11/2019	Mark Rienzi	Email with client re update	0.2
4/11/2019	Darlene Calandra	Update Share Point files	0.3

4/11/2019	Luke Goodrich	draft memo to clients re MSJ	0.4
4/12/2019	Luke Goodrich	revise MSJ reply outline	0.1
4/12/2019	Luke Goodrich	finalize and email memo to client re MSJ	0.4
4/15/2019	Luke Goodrich	call w J Davis to plan reply drafting	0.1
4/15/2019	Luke Goodrich	draft MSJ reply	0.4
4/16/2019	Luke Goodrich	research and draft MSJ reply	5.4
4/17/2019	Luke Goodrich	research and draft MSJ reply	4
4/18/2019	Luke Goodrich	draft MSJ reply	2.7
4/18/2019	Joseph Davis	Performed research for and drafted reply in support of motion for summary judgment.	9.4
4/19/2019	Joseph Davis	Performed research regarding standing section of reply in support of summary judgment and drafted that section.	0.8
4/22/2019	Joseph Davis	Performed research for and drafted reply in support of motion for summary judgment.	4
4/23/2019	Joseph Davis	Performed research for and drafted reply in support of motion for summary judgment.	4.8
4/23/2019	Luke Goodrich	draft and revise MSJ reply	5.8
4/24/2019	Luke Goodrich	call w J Davis re MSJ reply	0.1
4/24/2019	Luke Goodrich	research and revise reply	2.8
4/25/2019	Luke Goodrich	revise MSJ reply	0.5
4/26/2019	Joseph Davis	Performed research for and revised reply in support of summary judgment in light of comments from Luke Goodrich.	3.5
4/29/2019	Luke Goodrich	revise MSJ reply	1.1
4/29/2019	Joseph Davis	Performed research for and drafted Free Exercise portion of reply in support of motion for summary judgment.	1.8

4/30/2019	Mark Rienzi	Review and comment on reply brief	1.5
4/30/2019	Luke Goodrich	prep for NPRM announcement	2.7
4/30/2019	Luke Goodrich	revise MSJ reply	3.4
4/30/2019	Joseph Davis	Performed research for, drafted, and revised reply in support of motion for summary judgment.	5.7
5/1/2019	Luke Goodrich	call w J Davis re MSJ reply	0.1
5/1/2019	Joseph Davis	Performed research for, revised, and drafted reply in support of motion for summary judgment in light of comments from Luke Goodrich.	3
5/1/2019	Joseph Davis	Performed research regarding interpretation of termination-of-pregnancy provision.	3.1
5/1/2019	Joseph Davis	Performed research regarding nationwide injunctions, for purposes of drafting reply in support of motion for summary judgment.	1.4
5/1/2019	Luke Goodrich	revise MSJ reply	5.2
5/2/2019	Luke Goodrich	revise msj reply	1.1
5/2/2019	Megan Schilling	Cite check Reply in support of Motion for Summary Judgment	4
5/2/2019	Joseph Davis	Performed research for, drafted, and revised reply in support of motion for summary judgment.	4.4
5/2/2019	Darlene Calandra	Cite check, proofread, format and edit Reply Brief; discuss with Goodrich and paralegals	5
5/2/2019	Jennifer Montazzoli	Cite checked reply in support of MSJ	5.5
5/3/2019	Luke Goodrich	revise MSJ Reply	1.2
5/3/2019	Darlene Calandra	Cite check, proofread, format and edit Reply Brief; discuss with Goodrich and paralegals	1.5
5/3/2019	Joseph Davis	Reviewed and revised draft reply in support of summary judgment in light of cite-check and additional comments from Luke Goodrich.	2.4

5/3/2019	Jennifer Montazzoli	Cite checked reply in support of MSJ	2.5
5/3/2019	Megan Schilling	Cite check Reply ISO Renewed Motion for SJ, run TOA, complete page check; prepare for filing	3.5
5/3/2019	Joseph Davis	Revised, proofread, and finalized for filing reply in support of motion for summary judgment.	3.8
5/10/2019	Luke Goodrich	send reply brief to clients	0.1
5/15/2019	Mark Rienzi	Call with client re next steps	0.2
5/15/2019	Luke Goodrich	update client on litigation	0.3
5/24/2019	Luke Goodrich	review new proposed rule	1
5/24/2019	Luke Goodrich	draft analysis of new rule for clients	1
5/24/2019	Joseph Davis	Received and reviewed proposed rule and corresponded with Luke Goodrich regarding response.	2.7
5/28/2019	Luke Goodrich	analyze proposed reg	0.8
5/29/2019	Joseph Davis	Participated in telephone conference with Luke Goodrich regarding supplemental brief.	0.2
5/29/2019	Luke Goodrich	call w J Davis re supplemental brief	0.2
5/29/2019	Luke Goodrich	review new rule	0.4
5/30/2019	Luke Goodrich	research and outline supplemental brief	5.3
6/4/2019	Darlene Calandra	Prepare and draft shell document for supplemental brief; update Share Point files	0.5
6/4/2019	Joseph Davis	Performed research for and drafted response to notice of proposed rulemaking.	5.4
6/5/2019	Joseph Davis	Received and reviewed contraceptive-mandate decision from Northern District of Texas and corresponded with Luke Goodrich and Eric Rassbach regarding relevance to case.	0.7

6/5/2019	Joseph Davis	Performed research for and drafted supplemental brief in support of motion for summary judgment.	3.1
6/5/2019	Luke Goodrich	research, draft, and revise supplemental brief	3.2
6/6/2019	Joseph Davis	Performed research for and revised supplemental brief in support of motion for summary judgment in light of comments.	0.6
6/6/2019	Luke Goodrich	research and revise supplemental brief	1.7
6/6/2019	Joseph Davis	Reviewed and revised supplemental brief in support of motion for summary judgment in light of cite-check changes.	1.9
6/6/2019	Megan Schilling	Cite check Supplemental Brief	2
6/6/2019	Darlene Calandra	Cite check, proofread, format and edit supplemental brief	3
6/12/2019	Luke Goodrich	review HHS supplemental brief	0.4
6/24/2019	Luke Goodrich	research re Deotte case	0.1
8/7/2019	Joseph Davis	Prepared for and participated in phone call with Luke Goodrich and Lori Windham regarding supplemental-briefing order.	0.2
8/7/2019	Luke Goodrich	call w M Rienzi and co-counsel re supplemental brief	0.3
8/7/2019	Luke Goodrich	call w M Rienzi re briefing order	0.4
8/7/2019	Joseph Davis	Reviewed and performed research regarding supplemental briefing notice.	0.6
8/7/2019	Luke Goodrich	call w L Windham and J Davis re supplemental brief	0.7
8/7/2019	Mark Rienzi	Review order, confer with team and co-counsel, confer with client re brief	1
8/7/2019	Luke Goodrich	discuss w M Rienzi, research, and draft memo updating clients re supplemental brief	1.5
8/9/2019	Luke Goodrich	call w M Rienzi re supp br	0.2
8/9/2019	Luke Goodrich	further revise supplemental brief	0.8

8/9/2019	Mark Rienzi	Confer with team and client and review draft brief on standing	0.8
8/9/2019	Luke Goodrich	calls and research to revise supplemental brief	2
8/9/2019	Joseph Davis	Performed research for and drafted brief regarding court's supplemental-briefing order and revised in light of comments from Luke Goodrich.	5.2
8/12/2019	Luke Goodrich	review and revise supp br	0.3
8/12/2019	Luke Goodrich	email clients re supp br	0.4
8/12/2019	Jennifer Montazzoli	Cite check Supplemental Brief on Standing	1
8/12/2019	Joseph Davis	Reviewed and incorporated suggestions into supplemental brief regarding Town of Chester case.	1.7
8/12/2019	Darlene Calandra	Cite check, proofread, format and edit Supplemental Brief on Standing; discuss with J. Montazzoli, J. Davis and L. Goodrich	1
8/12/2019	Joseph Davis	Finalized and prepared for filing supplemental brief ordered by court.	3
9/10/2019	Joseph Davis	Received and reviewed order setting hearing and corresponded with litigation team regarding the same.	1.1
9/13/2019	Luke Goodrich	calls w TX and J Davis to discuss hearing	0.8
9/13/2019	Megan Schilling	Work on ECF filing registration for Joe Davis; Fill out Application for admission	1
9/13/2019	Darlene Calandra	Prepare Oral Argument binders; discuss with J. Davis and L. Goodrich; update electronic docket and Share Point files	1.75
10/15/2019	Luke Goodrich	review opinion, inform clients	1
10/15/2019	Joseph Davis	Received and reviewed district court's summary-judgment order.	1.2
11/19/2019	Joseph Davis	Reviewed government's motion to amend judgment and corresponded with case team regarding the same.	1.2
11/20/2019	Joseph Davis	Performed research for and drafted response to government's motion to modify judgment.	1.4

11/20/2019	Megan Schilling	Cite check Response to Defs Mot to Modify Judgment; file	0.5
12/2/2019	Joseph Davis	Performed research regarding due date for notice of appeal and corresponded with Luke Goodrich regarding the same.	0.7
1/2/2020	Mark Rienzi	Confer with client and team re appeal and actions	0.5
1/2/2020	Joseph Davis	Performed research and drafted memorandum regarding potential appeal of district court's remedy ruling.	2.8
1/3/2020	Joseph Davis	Performed research for and drafted memorandum regarding potential cross-appeal.	3.3
1/8/2020	Joseph Davis	Drafted email recommendation regarding appeal for clients.	1.5
1/10/2020	Luke Goodrich	revise memo to client re appeal	1.2
1/12/2020	Luke Goodrich	Research re fee petition timing and finality	1
1/13/2020	Luke Goodrich	review and discuss w J Davis memo re atty's fees	0.3
1/13/2020	Joseph Davis	Performed research regarding due date for seeking attorneys' fees.	4.1
1/14/2020	Luke Goodrich	Correspondence w J Davis re attorney's fees	0.2
1/14/2020	Joseph Davis	Performed research regarding due date for seeking attorney's fees.	5.1
1/15/2020	Joseph Davis	Performed research for and drafted motion to set deadline for motion for attorney's fees.	7.5
1/16/2020	Luke Goodrich	revise fee motion	0.4
1/16/2020	Luke Goodrich	correspondence re timing of fees and possible appeal	0.5
1/16/2020	Mark Rienzi	Review Franciscan brief	0.5
1/16/2020	Joseph Davis	Corresponded with counsel for the defendants regarding motion to set deadline for filing of fee petition.	0.6
1/16/2020	Joseph Davis	Prepared for and participated in client call regarding appeal strategy.	0.7
1/16/2020	Luke Goodrich	review and revise motion re timing of fees	0.8
1/16/2020	Luke Goodrich	call w client re possible appeal	0.8

1/16/2020	Joseph Davis	Performed research for, drafted, and revised motion to set deadline for filing of fee petition in light of comments from Luke Goodrich.	1.8
1/16/2020	Joseph Davis	Performed research for and drafted background section of motion to set deadline for filing of fee petition.	3.4
1/17/2020	Mark Rienzi	Review Franciscan brief and confer with team re same	1
1/17/2020	Joseph Davis	Performed research for and drafted motion to set deadline for filing of fee petition in light of comments from Luke Goodrich.	2.3
1/17/2020	Darlene Calandra	Cite check, proofread, format and edit Motion to Set Deadlines for Fees; discuss with J. Davis and paralegals.	2.5
1/17/2020	Luke Goodrich	research, revise, proof, and finalize motion to set deadline on fees	4.1
1/17/2020	Joseph Davis	Revised, proofread, and finalized motion to set deadline for seeking attorneys' fees in preparation for filing.	4.2
1/20/2020	Joseph Davis	Performed research regarding requirements for filing notice of appeal.	1.2
1/21/2020	Mark Rienzi	Emails re appeal	0.2
1/21/2020	Luke Goodrich	revise, finalize, and file notice of appeal	0.7
1/21/2020	Darlene Calandra	Assist with preparation of Notice of Appeal; update case files	0.75
1/21/2020	Joseph Davis	Performed research for, drafted, and finalized appeal initiation documents.	3.5
1/22/2020	Joseph Davis	Corresponded with Mark Rienzi and Luke Goodrich regarding response to email from counsel for ACLU.	0.3
1/22/2020	Mark Rienzi	Discussions re strategy for responding to ACLU	0.3
1/24/2020	Joseph Davis	Performed research and corresponded with Luke Goodrich regarding question from Fifth Circuit clerk's office.	1.3
1/29/2020	Joseph Davis	Performed research regarding transcripts for appeal.	0.8
1/31/2020	Joseph Davis	Participated in telephone conference with Luke Goodrich regarding strategy for appeal	0.6

1/31/2020	Luke Goodrich	call w J Davis re appeal strategy	0.6
2/3/2020	Joseph Davis	Performed research regarding any exhibits filed in trial-court hearings, for purposes of perfecting appeal.	0.4
2/6/2020	Joseph Davis	Participated in phone call with paralegal staff regarding ordering of transcripts.	0.1
2/6/2020	Joseph Davis	Prepared notices of appearance for appeal.	0.1
2/6/2020	Joseph Davis	Corresponded with Luke Goodrich regarding transcript order procedure.	0.5
2/6/2020	Joseph Davis	Received and reviewed draft transcript order form.	0.8
2/7/2020	Joseph Davis	Received and reviewed government's response to fee motion and corresponded with case team regarding the same.	0.4
2/10/2020	Joseph Davis	Participated in phone call with Darlene Calandra regarding filing of transcript order form.	0.3
2/10/2020	Luke Goodrich	review US response on motion re fees; outline reply	1.5
2/13/2020	Joseph Davis	Reviewed appeal initiation filings.	0.2
2/13/2020	Joseph Davis	Prepared appearance of counsel forms for Mark Rienzi and Lori Windham.	0.2
2/13/2020	Luke Goodrich	research re fee reply and review fee reply outline	0.3
2/13/2020	Megan Schilling	File Appearances for Mark & Lori in 5th Cir.	0.3
2/13/2020	Joseph Davis	Performed research for and drafted outline of reply in support of motion to set deadline for filing of motion seeking attorneys' fees.	0.6
2/13/2020	Joseph Davis	Performed research for and drafted reply in support of motion to set deadline for filing of fee petition.	0.9
2/13/2020	Joseph Davis	Performed research for and drafted reply in support of motion to set deadline for filing of fee petition.	2.5
2/14/2020	Joseph Davis	Performed research for and drafted reply in support of motion to set deadline for filing of fee petition.	5.4
2/18/2020	Luke Goodrich	research and revise reply re fees	5.5

2/19/2020	Joseph Davis	Performed research for and drafted reply in support of motion to set deadline for filing of fee petition in light of comments from Luke Goodrich.	4.7
2/20/2020	Joseph Davis	Corresponded with paralegals regarding cite check.	0.1
2/20/2020	Luke Goodrich	revise reply re fees	1.4
2/20/2020	Joseph Davis	Performed research for, drafted, and revised reply in support of motion to set briefing schedule for fee petition in light of additional comments from Luke Goodrich.	2.8
2/21/2020	Luke Goodrich	revise, finalize, and file reply re fees	1.3
2/21/2020	Darlene Calandra	Cite check, proofread, format and edit Reply in Support of Motion to Set Deadline for Fees and discuss with J. Davis and paralegals.	2
2/21/2020	Hilary Boerger	Review, cite check and proofread Reply brief	3.5
2/21/2020	Joseph Davis	Performed research for, drafted, and revised reply in support of motion to set briefing schedule for fee petition.	5.5
3/10/2020	Joseph Davis	Participated in phone call with Luke Goodrich regarding timing of opening brief.	0.2
3/10/2020	Luke Goodrich	call w J Davis re opening brief	0.2
3/16/2020	Mark Rienzi	Confer with team re extension request and calling court	0.2
3/16/2020	Joseph Davis	Performed research regarding extension request.	0.6
3/17/2020	Hilary Boerger	Prepare shell of letter to file on the docket and revise with attorney changes	1
3/17/2020	Joseph Davis	Prepared extension request on opening brief.	1.6
4/20/2020	Joseph Davis	Performed research regarding appellate brief.	0.5
4/21/2020	Luke Goodrich	review order on motion to set deadline for attorneys' fees	0.4
4/21/2020	Luke Goodrich	call w client re case update; email memo to client re same	0.5

4/23/2020	Joseph Davis	Performed research and prepared extension request.	1.7
4/24/2020	Joseph Davis	Corresponded with case team regarding potential final rule.	0.6
4/24/2020	Darlene Calandra	Prepare shell document, revise, and cite check Motion to Extension and discuss with J. Davis.	1.5
4/24/2020	Joseph Davis	Performed research for, drafted, and filed motion for extension of time to file appellate brief.	3.7
5/5/2020	Luke Goodrich	call w client to discuss case and possible new rule	0.5
5/18/2020	Darlene Calandra	Prepare draft shell for 5th Circuit Opening Brief; discuss with J. Davis	0.5
5/19/2020	Joseph Davis	Performed research for and drafted outline of appellate brief.	5.1
5/21/2020	Joseph Davis	Participate in telephone conference with Luke Goodrich regarding opening brief.	0.5
5/21/2020	Luke Goodrich	call w J Davis re opening brief	0.5
5/21/2020	Joseph Davis	Performed research for and drafted opening brief.	4.9
5/22/2020	Joseph Davis	Corresponded with Jacob Coate regarding motion to stay.	1.9
5/24/2020	Joseph Davis	Performed research for and drafted appellate brief.	7.3
5/25/2020	Joseph Davis	Performed research for and drafted appellate brief.	9
5/26/2020	Joseph Davis	Performed research for and drafted appellate brief.	2.9
5/27/2020	Luke Goodrich	revise stay motion	0.4
5/27/2020	Mark Rienzi	Corresponded on strategy with Mr. Davis	0.4
5/27/2020	Mark Rienzi	Review motion to stay	0.5
5/27/2020	Joseph Davis	Corresponded with case team regarding motion to stay pending Supreme Court's decisions in Title VII cases.	2.5
5/27/2020	Joseph Davis	Performed research for, drafted, and revised stay motion in light of edits from Jacob Coate.	2.7
5/28/2020	Mark Rienzi	Emails and review of extension request	0.5
5/28/2020	Joseph Davis	Drafted and revised stay motion in light of revisions from Luke Goodrich.	1.7

5/28/2020	Zachary Novak	Conducted cite check for motion to stay.	3
5/28/2020	Darlene Calandra	Cite check, proofread, edit, and file Motion for Stay; discuss with J. Davis.	3
5/29/2020	Joseph Davis	Performed research for and drafted appellate brief.	0.7
5/29/2020	Zachary Novak	Conducted cite check for motion to stay.	1
6/1/2020	Mark Rienzi	Develop strategy re potential new rule	0.5
6/1/2020	Joseph Davis	Corresponded with case team regarding potential new final rule.	0.9
6/4/2020	Joseph Davis	Corresponded re research on potential Munsingwear issue.	0.5
6/12/2020	Joseph Davis	Received and reviewed HHS's new final rule.	0.6
6/12/2020	Luke Goodrich	review new rule and draft memo advising clients	1.6
6/13/2020	Mark Rienzi	Review email from client	0.1
6/15/2020	Joseph Davis	Corresponded with case team regarding deadline for filing appellant's brief.	0.1
6/15/2020	Luke Goodrich	review Bostock SCOTUS decision and email memo to client	0.5
6/15/2020	Mark Rienzi	Review Bostock decision	1
6/15/2020	Joseph Davis	Received and reviewed Supreme Court's decision in Bostock.	1.9
6/17/2020	Luke Goodrich	call re strategy post Bostock	0.5
6/17/2020	Mark Rienzi	Participate in call re strategy	0.5
6/17/2020	Joseph Davis	Prepared for and participated in telephone conference with Mark Rienzi and Luke Goodrich regarding strategy for case in light of Bostock.	0.8
6/17/2020	Zachary Novak	Researched and saved relevant cases from Westlaw into Sharepoint.	1
6/18/2020	Mark Rienzi	Correspond re strategy and next steps with team	1
6/23/2020	Luke Goodrich	email co-counsel re client strategy	0.1
6/23/2020	Luke Goodrich	call w M Rienzi re strategy	0.2
6/23/2020	Mark Rienzi	call w Mr. Goodrich re strategy	0.2
6/23/2020	Luke Goodrich	call w client re 5th Cir strategy	0.8

6/25/2020	Luke Goodrich	review and revise opening brief	1
6/29/2020	Megan Schilling	Edit Certificate of Interested Parties on Opening Brief per Joe's request	0.5
6/29/2020	Joseph Davis	Performed research for and drafted appellate brief in light of final rule and Bostock.	3.7
6/30/2020	Luke Goodrich	revise stay request	0.3
6/30/2020	Mark Rienzi	Correspondence re settlement possibilities	1
6/30/2020	Joseph Davis	Performed research for and drafted appellate brief in light of final rule and Bostock.	4.5
7/1/2020	Joseph Davis	Prepared for and participated in phone call with Mark Rienzi regarding stay motion.	0.2
7/1/2020	Joseph Davis	Prepared for and participated in phone call with opposing counsel regarding stay motion.	0.2
7/1/2020	Joseph Davis	Performed research regarding stay motion pending settlement negotiations.	0.6
7/2/2020	Hilary Boerger	File Joint Motion to Stay	0.6
7/2/2020	Joseph Davis	Prepared for filing motion to stay proceedings in light of settlement negotiations.	1.2
7/6/2020	Joseph Davis	Performed research for and drafted initial draft of settlement agreement.	1.3
7/7/2020	Joseph Davis	Performed research for and drafted initial draft of settlement agreement.	5.2
7/8/2020	Joseph Davis	Corresponded with counsel for HHS regarding settlement discussions.	0.2
7/9/2020	Joseph Davis	Corresponded with opposing counsel regarding settlement negotiations.	0.6
7/13/2020	Joseph Davis	Prepared for and participated in settlement negotiation call.	3.1
7/20/2020	Joseph Davis	Performed research regarding lawsuits filed against proposed rule in other jurisdictions.	1.9
7/27/2020	Luke Goodrich	review pleadings in Whitman-Walker (DDC) transgender rule challenge and draft memo on relevance to Franciscan appeal	1.3

7/29/2020	Joseph Davis	Corresponded with Mark Rienzi regarding next steps in Fifth Circuit appeal.	0.2
8/7/2020	Joseph Davis	Corresponded with Hilary Boerger regarding the transcript of the preliminary-injunction hearing in case challenging the new transgender mandate rule.	0.4
8/11/2020	Joseph Davis	Corresponded with clerk's office regarding briefing schedule for appeal.	0.4
8/17/2020	Joseph Davis	Received and reviewed Eastern District of New York's decision enjoining new transgender mandate rule.	0.3
8/18/2020	Mark Rienzi	Calls and emails re strategy	0.7
8/25/2020	Joseph Davis	Prepared for and participated in conference call regarding next steps in appeal.	0.9
8/27/2020	Joseph Davis	Reviewed draft reply brief in New York v. HHS for purposes of appellate brief in Franciscan.	0.6
9/10/2020	Joseph Davis	Performed research for and drafted appellant's brief.	5
9/11/2020	Joseph Davis	Performed research for and drafted opening brief.	7
9/14/2020	Luke Goodrich	review and revise draft of brief	2.5
9/14/2020	Joseph Davis	Performed research for, drafted, and revised appellants' brief.	5.8
9/15/2020	Luke Goodrich	correspondence re opening brief strategy	1.2
9/15/2020	Joseph Davis	Performed research for and drafted appellant's brief in light of comments from Stephanie Barclay and Luke Goodrich.	3.3
9/16/2020	Joseph Davis	Reviewed and incorporated new research into opening brief regarding contraceptive mandate injunctions.	1
9/16/2020	Joseph Davis	Performed research for and drafted opening brief in light of edits from Mark Rienzi.	6.1
9/17/2020	Joseph Davis	Performed research for and prepared record excerpts.	2.8
9/17/2020	Zachary Novak	Prepared documents and record excerpts for brief prior to cite check.	3.5

9/17/2020	Luke Goodrich	revise opening brief	4.5
9/17/2020	Joseph Davis	Performed research for and drafted appellate brief.	5.1
9/18/2020	Hilary Boerger	Assist attorneys with researching journal article to include in briefing and review ACLU materials for reference to same	1
9/18/2020	Joseph Davis	Prepared record excerpts for filing with appellate brief.	1.8
9/18/2020	Zachary Novak	Created, edited, and uploaded documents pertaining to record excerpts to be filed with opening brief; researched articles to be cited in brief.	5
9/18/2020	Luke Goodrich	revise opening brief	5.8
9/18/2020	Joseph Davis	Performed research for and drafted opening brief in light of additional round of comments from Luke Goodrich, Mark Rienzi, Stephanie Barclay, and clients.	5.9
9/19/2020	Joseph Davis	Performed research for and revised portion of opening brief addressing Monsanto decision.	2.1
9/20/2020	Joseph Davis	Performed research for and revised statement of the case section of opening brief.	1.9
9/21/2020	Luke Goodrich	revise and finalize opening brief	3.8
9/21/2020	Zachary Novak	Conducted cite check and page check for opening brief.	7
9/21/2020	Samuel Lucas	Franciscan opening brief in the 5th Cir. cite check, tables, and page check	7.5
9/21/2020	Joseph Davis	Performed research for, drafted, revised, and finalized opening brief in light of cite check and additional round of comments from Luke Goodrich.	8.5
9/21/2020	Megan Schilling	Cite check 5th Cir. opening brief; Run TOA; Prepare for filing	8.5
9/21/2020	Hilary Boerger	Review, cite check, proof read and file Opening Brief and Excerpts of Electronic Record	6
9/28/2020	Luke Goodrich	email client re potential recusal	0.3

10/6/2020	Joseph Davis	Corresponded with case team regarding extension request from HHS.	0.2
11/23/2020	Luke Goodrich	review opening brief and Govt response and draft memo on reply	2.2
11/25/2020	Luke Goodrich	call and follow-up email w client re appeal	0.8
11/30/2020	Joseph Davis	Performed research for and drafted outline of reply brief.	1.4
12/1/2020	Hilary Boerger	Prepare shell document for attorney review	0.3
12/1/2020	Daniel Chen	Research Fifth Circuit case law on vacatur and remand	2.4
12/1/2020	Joseph Davis	Performed research for and drafted outline of reply brief.	3
12/2/2020	Joseph Davis	Performed research for and drafted reply brief.	3.5
12/2/2020	Daniel Chen	Discuss reply brief with Joseph Davis, research case law on vacatur and remand for injunctions, and begin drafting reply brief	4.7
12/3/2020	Daniel Chen	Revise and edit reply brief for Franciscan Fifth Circuit appeal.	1.4
12/4/2020	Daniel Chen	Revise and edit Fifth Circuit Franciscan reply brief	1.3
12/4/2020	Joseph Davis	Performed research for, drafted, and revised reply brief.	6.3
12/5/2020	Joseph Davis	Performed research for purposes of reply brief.	4
12/7/2020	Daniel Chen	Revise and edit Fifth Circuit Franciscan reply brief.	0.9
12/7/2020	Joseph Davis	Performed research for and drafted reply brief.	3.7
12/8/2020	Daniel Chen	Revise and edit reply brief.	0.6
12/8/2020	Luke Goodrich	revise reply br	1.7
12/8/2020	Mark Rienzi	Reviewed and made comments for edits/changes to reply brief.	2.2
12/8/2020	Joseph Davis	Performed research for and revised reply brief.	3.2
12/9/2020	Mark Rienzi	Reviewed and made suggested edits to reply brief.	0.3
12/9/2020	Joseph Davis	Performed research for, drafted, and revised reply brief.	3

12/9/2020	Daniel Chen	Revise and edit reply brief in Franciscan Alliance before the Fifth Circuit.	4.1
12/10/2020	Daniel Chen	Revise and edit Fifth Circuit reply brief in Franciscan Alliance.	4.7
12/10/2020	Joseph Davis	Performed research for, drafted, and revised reply brief.	4.9
12/10/2020	Luke Goodrich	revise reply	5.4
12/11/2020	Daniel Chen	Complete edits and file reply brief in Franciscan Alliance.	2.2
12/11/2020	Luke Goodrich	revise, finalize, and file reply and send to clients	2.4
12/11/2020	Hilary Boerger	Review, proofread, cite check, perform page check, and assist with filing brief	2.5
12/11/2020	Samuel Lucas	Franciscan Reply Brief cite check	2.5
12/11/2020	Zachary Novak	Conducted cite check to legal brief and made suggested edits, conducted second-level review to address consistency issues; updated docket in SP with additional filings.	4
12/11/2020	Megan Schilling	Cite check Reply brief	5.5
12/11/2020	Joseph Davis	Drafted, revised, proofread, and finalized reply brief in advance of filing.	7.1
1/20/2021	Joseph Davis	Corresponded with case team regarding next steps in litigation.	0.1
1/20/2021	Luke Goodrich	research client question re recusal and draft memo re same	1
1/21/2021	Joseph Davis	Reviewed Executive Order regarding Bostock for purposes of appeal.	0.5
1/21/2021	Megan Schilling	Draft 28j Letter shell for Sisters of Mercy opinion	0.5
1/21/2021	Joseph Davis	Performed research for and drafted 28(j) letter regarding Sisters of Mercy.	2
1/22/2021	Joseph Davis	Corresponded with case team regarding oral argument.	0.4
1/22/2021	Joseph Davis	Performed research for and drafted 28(j) letter regarding Bostock Executive Order.	2
1/25/2021	Joseph Davis	Prepared response to court's request for position on appearing in-person at oral argument.	0.8

1/25/2021	Samuel Lucas	Letter to CA5 for in person OA affirmation; cite checked and formatted	1.5
1/27/2021	Daniel Chen	Edit 28(j) letter for Fifth Circuit.	0.2
1/27/2021	Luke Goodrich	revise 28(j) letter	0.3
1/27/2021	Hilary Boerger	Proofread, review and cite check 28(j) motion and prepare exhibit for filing	0.8
1/27/2021	Megan Schilling	Cite check Religious Sisters of Mercy 28j letter; prepare exhibits and file both letters	1.5
1/27/2021	Joseph Davis	Reviewed and revised 28(j) letters in light of revisions from Luke Goodrich.	1.9
2/2/2021	Joseph Davis	Received and reviewed 28(j) response regarding Sisters of Mercy and Bostock EO.	0.1
2/4/2021	Joseph Davis	Corresponded with case team regarding intervenors' request for leave to file supplemental brief.	0.2
2/5/2021	Joseph Davis	Researched panels for moot arguments.	0.5
2/7/2021	Joseph Davis	Performed research for and drafted response to intervenors' supplemental letter brief.	2.7
2/8/2021	Luke Goodrich	review, revise, finalize, and file 28(j) response	0.5
2/8/2021	Joseph Davis	Coordinated moot arguments.	0.7
2/8/2021	Joseph Davis	Prepared for oral argument.	1.3
2/8/2021	Joseph Davis	Performed research for and revised response to intervenors' notice of supplemental authority.	1.5
2/8/2021	Zachary Novak	Conducted cite check of response letter to Appellee's 28j, made suggested edits. PDFed final versions, worked with attorneys to file via PACER.	2.5
2/9/2021	Joseph Davis	Returned oral argument acknowledgment form to court.	0.5
2/9/2021	Zachary Novak	Drafted 5th Cir Notice of Withdrawal versions for Stephanie Barclay, called court clerk to confirm correct form, updated and sent to attorneys for review.	2

2/9/2021	Joseph Davis	Prepared for oral argument.	3.3
2/10/2021	Luke Goodrich	participate in moot for J Davis	1.5
2/10/2021	Joseph Davis	Prepared for oral argument.	1.7
2/10/2021	Daniel Chen	Prepare for and participate in moot for Joe Davis's upcoming CA5 oral argument.	2
2/10/2021	Joseph Davis	Prepared for and participated in internal moot argument.	2.1
2/11/2021	Zachary Novak	Finalized notice of withdrawal for Stephanie Barclay, sent to attorneys for final review; filed via PACER upon attorney confirmation.	1
2/16/2021	Mark Rienzi	Corresponded re the case via email with litigation team.	0.3
2/18/2021	Joseph Davis	Prepared for oral argument.	1.4
2/19/2021	Joseph Davis	Prepared for oral argument.	1.3
2/19/2021	Joseph Davis	Performed research for and drafted Rule 28(j) letter regarding Calvary Chapel.	1.6
2/22/2021	Joseph Davis	Prepared for oral argument.	3.2
2/23/2021	Daniel Chen	Attend moot and take notes.	1.8
2/23/2021	Luke Goodrich	moot J Davis for OA	1.8
2/23/2021	Joseph Davis	Prepared for oral argument.	7.7
2/24/2021	Joseph Davis	Prepared for oral argument.	2.1
2/25/2021	Daniel Chen	Research and prepare for oral argument.	2.4
2/25/2021	Joseph Davis	Prepared for oral argument.	3.5
2/26/2021	Daniel Chen	Participate in moot.	1.2
2/26/2021	Luke Goodrich	moot J Davis for OA	1.3
2/26/2021	Joseph Davis	Prepared for oral argument.	5.8
3/1/2021	Joseph Davis	Corresponded with case team regarding developments in Whitman-Walker case.	0.9

3/1/2021	Daniel Chen	Research other parallel cases challenging 2020 Rule and research case law in CA5 regarding mootness.	2.5
3/1/2021	Joseph Davis	Prepared for oral argument.	6.1
3/2/2021	Joseph Davis	Prepared for oral argument.	3.9
3/3/2021	Luke Goodrich	call w J Davis re OA	0.2
3/3/2021	Joseph Davis	Listened to oral argument recording.	1.1
3/3/2021	Luke Goodrich	attend OA and call with team to debrief	1.1
3/3/2021	Mark Rienzi	Strategized about and prepared for oral argument.	1.5
3/3/2021	Daniel Chen	Prepare for oral argument; listen to oral argument; debrief with team.	3.5
3/3/2021	Joseph Davis	Prepared for and participated in oral argument at Fifth Circuit.	4.8
4/5/2021	Joseph Davis	Corresponded with case team regarding potential 28(j) letter.	0.3
4/6/2021	Luke Goodrich	revise 28(j)	0.4
4/6/2021	Joseph Davis	Performed research for and drafted 28(j) letter regarding DOJ memo.	1.5
4/7/2021	Samuel Lucas	Checked formatting and proofed 28j	0.3
4/7/2021	Joseph Davis	Finalized and filed 28(j) letter regarding DOJ memorandum on Bostock.	1.3
4/7/2021	Zachary Novak	Conducted cite check of 28j draft, made suggested edits; PDF'ed and filed via ECF.	2
4/9/2021	Joseph Davis	Received and reviewed response to 28(j) letter on DOJ memo.	0.6
4/12/2021	Luke Goodrich	review ACLU 28(j) response	0.1
4/12/2021	Joseph Davis	Received and reviewed ACLU's response to 28(j).	0.2
4/15/2021	Joseph Davis	Received and reviewed decision from Fifth Circuit panel.	0.2
4/15/2021	Mark Rienzi	Reviewed ruling and conferred with team re same and next steps.	0.5

4/15/2021	Joseph Davis	Prepared for and participated in post-decision call regarding Fifth Circuit decision.	0.7
4/15/2021	Luke Goodrich	review 5th Cir opinion, discuss with co-counsel, notify clients	1.1
4/19/2021	Joseph Davis	Corresponded with client regarding district court's order on remand.	0.1
4/19/2021	Luke Goodrich	calls w J Davis, co-plaintiffs' counsel, and opposing counsel to discuss status report	0.5
4/19/2021	Hilary Boerger	Prepare shell of joint status report for attorney review	1
4/19/2021	Joseph Davis	Drafted joint status report regarding proceedings on remand.	1.7
4/19/2021	Joseph Davis	Performed research regarding status report in district court.	4.2
4/20/2021	Joseph Davis	Revised joint status report in light of comments from Mark Rienzi, Luke Goodrich, and Daniel Chen, and co-plaintiffs, and corresponded with counsel for Defendants regarding the same.	2.6
4/21/2021	Mark Rienzi	Conferred with team re status report proposals.	0
4/21/2021	Joseph Davis	Corresponded with Luke Goodrich regarding joint status report.	0.2
4/21/2021	Daniel Chen	Revise and edit joint status report in Franciscan.	0.4
4/21/2021	Joseph Davis	Reviewed revisions to joint status report circulated by opposing counsel.	0.4
4/21/2021	Joseph Davis	Corresponded with case team regarding revisions to joint status report suggested by opposing counsel.	0.8
4/21/2021	Luke Goodrich	review and revise joint status report	1.3
4/22/2021	Joseph Davis	Corresponded with case team regarding joint status report.	0.1
4/22/2021	Luke Goodrich	correspondence re status report	0.3
4/22/2021	Mark Rienzi	Corresponded with team via email and finalized status report.	0.5
4/22/2021	Joseph Davis	Revised joint status report in light of issuance of mandate and edits by opposing counsel.	0.8

4/27/2021	Luke Goodrich	call w clients re next steps	0.6
5/4/2021	Joseph Davis	Performed research for and drafted outline of supplemental brief.	0.4
5/5/2021	Zachary Novak	Created shell document for Plaintiff's Supplemental Brief on Remand, saved to SP and sent to attorneys for review.	1.5
5/5/2021	Joseph Davis	Performed research for and drafted supplemental brief on remand.	1.7
5/6/2021	Mark Rienzi	Corresponded via email re new decision on 1557.	0.1
5/6/2021	Joseph Davis	Performed research for and drafted supplemental brief on remand.	5.2
5/7/2021	Joseph Davis	Performed research for and drafted supplemental brief on remand.	7
5/9/2021	Joseph Davis	Performed research for and drafted supplemental brief on remand.	6.2
5/10/2021	Luke Goodrich	review supplemental brief	0.1
5/10/2021	Joseph Davis	Prepared for and participated in call with client regarding new HHS announcement.	0.5
5/10/2021	Luke Goodrich	correspondence and call to discuss HHS announcement on 1557 and notify client	0.5
5/10/2021	Zachary Novak	Created shell draft of supplemental brief, made updates as needed and sent to attorneys for review.	0.8
5/10/2021	Daniel Chen	Revise and edit supplemental brief.	1.2
5/10/2021	Joseph Davis	Performed research for and drafted supplemental brief on remand.	4.6
5/11/2021	Mark Rienzi	Reviewed supplemental brief	1
5/11/2021	Luke Goodrich	revise supplemental brief	2.4
5/11/2021	Daniel Chen	Revise and edit Franciscan supplemental brief.	2.5
5/12/2021	Daniel Chen	Attend meeting with Becket team regarding edits.	0.5
5/12/2021	Joseph Davis	Prepared for and participated in call regarding supplemental brief.	0.5
5/12/2021	Luke Goodrich	call w J Davis and D Chen re supplemental brief	0.5
5/12/2021	Daniel Chen	Draft proposed order and research and edit supplemental brief.	2.4

5/12/2021	Joseph Davis	Drafted and revised supplemental brief in light of revisions from case team.	3.8
5/13/2021	Mark Rienzi	Reviewed draft filings and conferred with team re order.	0.7
5/13/2021	Daniel Chen	Revise and edit supplemental brief.	3
5/13/2021	Luke Goodrich	revise supplemental brief and proposed injunction	3.1
5/13/2021	Joseph Davis	Performed research for and drafted supplemental brief on remand.	5.9
5/14/2021	Luke Goodrich	emails re injunction language	0.2
5/14/2021	Samuel Lucas	TOC and TOA drafted and inserted	0.8
5/14/2021	Luke Goodrich	call w J Davis, D Chen, M Rienzi, and E Rassbach re final judgment and injunction language	0.9
5/14/2021	Joseph Davis	Prepared for and participated in call regarding proposed injunction.	1
5/14/2021	Mark Rienzi	Worked on brief and proposed order.	1.8
5/14/2021	Megan Schilling	Cite check Pls Supplemental Brief on Remand; Perform page check; Draft email to chambers for word version of Proposed Order	3
5/14/2021	Samuel Lucas	Supplemental Brief cite check	3.2
5/14/2021	Hilary Boerger	Review, proofread and cite check brief	3.5
5/14/2021	Luke Goodrich	revise, finalize, and file supplemental brief, proposed order, and proposed judgment	3.7
5/14/2021	Daniel Chen	Revise and finalize supplemental brief; revise and finalize proposed order and final judgment.	4.5
5/14/2021	Zachary Novak	Conducted cite check of supplemental brief and corresponding documents, made suggested edits. Finalized and prepared for filing.	4.5
5/14/2021	Joseph Davis	Performed research for, drafted, revised, and finalized supplemental brief.	6
5/18/2021	Joseph Davis	Corresponded with paralegals regarding paper copies of supplemental brief.	0.6
6/7/2021	Joseph Davis	Reviewed supplemental response briefs filed by opponents in district court.	0.6

6/7/2021	Daniel Chen	Read government and ACLU briefs (1.0); research case law on issues (1.0)	2
6/8/2021	Joseph Davis	Prepared for and participated in call with case team regarding reply brief.	0.8
6/8/2021	Mark Rienzi	Reviewed briefs and conferred with team re next steps.	0.8
6/8/2021	Daniel Chen	Hold strategy meeting for reply brief, discussing ACLU and Government arguments.	1
6/10/2021	Zachary Novak	Created shell drafts for reply brief, sent to attorneys for review.	1
6/12/2021	Joseph Davis	Performed research for and drafted supplemental reply brief.	7.9
6/13/2021	Joseph Davis	Performed research for and drafted supplemental reply brief.	4.9
6/14/2021	Daniel Chen	Research and revise reply brief.	2.1
6/14/2021	Luke Goodrich	revise supplemental reply	2.7
6/15/2021	Luke Goodrich	correspondence re reply	0.6
6/15/2021	Luke Goodrich	revise reply	2.5
6/15/2021	Daniel Chen	Research issues and revise reply brief.	7.5
6/16/2021	Luke Goodrich	revise reply	5.7
6/16/2021	Daniel Chen	Revise and edit reply brief.	7.1
6/17/2021	Hilary Boerger	Begin review, proofread and cite check of Supplemental Reply Brief on Remand	1.2
6/18/2021	Luke Goodrich	revise and finalize reply	1.8
6/18/2021	Megan Schilling	Cite check Supplemental Reply Brief on Remand	2.5
6/18/2021	Samuel Lucas	Cite checked and formatted reply brief	2.8
6/18/2021	Daniel Chen	Revise and finalize supplemental reply brief.	3.1
6/18/2021	Hilary Boerger	Continue review, proofread and cite check of Supplemental Reply Brief on Remand and file same	4
7/2/2021	Zachary Novak	Conducted cite check of motion drafts, suggested edits.	0.8
7/7/2021	Luke Goodrich	call w M Rienzi re injunction	0.3

7/7/2021	Mark Rienzi	Call w Mr. Goodrich re injunction language	0.3
8/2/2021	Daniel Chen	Review new Maryland district court decisions concerning Section 1557 and begin drafting supplemental authority to file with Texas court.	1.4
8/9/2021	Joseph Davis	Received and reviewed court's order on supplemental briefing.	0.6
8/9/2021	Luke Goodrich	review district court opinion and summarize for clients	1
8/9/2021	Daniel Chen	Read opinion and correspond with team members regarding strategy.	1.7
8/10/2021	Joseph Davis	Performed research regarding district court's order on supplemental briefing, appeal issues.	1.3
8/10/2021	Zachary Novak	Reviewed text of order, compiled analysis to send to attorneys for review.	2
8/10/2021	Daniel Chen	Research questions regarding appellate jurisdiction and review district court opinion.	3.8
8/11/2021	Joseph Davis	Performed research regarding court's order, post-order issues.	0.8
9/20/2021	Joseph Davis	Reviewed outline of response to Rule 60(b) motion and corresponded with case team regarding the same.	0.5
9/20/2021	Daniel Chen	Outline response to Rule 60(b) motion.	2.7
9/22/2021	Luke Goodrich	call w team re response to 60b motion	0.4
9/22/2021	Mark Rienzi	Reviewed draft and conferred with team re arguments.	0.5
9/22/2021	Joseph Davis	Prepared for and participated in call regarding response to motion to amend judgment.	0.6
9/22/2021	Joseph Davis	Performed research for, reviewed, and revised draft response to Rule 60(b) motion circulated by Daniel Chen.	2
9/22/2021	Daniel Chen	Draft and research case law for response to rule 60(b) motion.	6.1
9/23/2021	Luke Goodrich	call w client re modification of injunction	0.3
9/23/2021	Mark Rienzi	Conferred with team re brief.	0.5
9/23/2021	Joseph Davis	Reviewed and revised response to Rule 60(b) motion in light of edits from Luke Goodrich.	0.9

9/23/2021	Luke Goodrich	draft and revise response to 60(b) motion	1.6
9/24/2021	Luke Goodrich	call w client re modification of injunction	0.1
9/24/2021	Joseph Davis	Finalized and filed response to 60(b) motion.	0.3
9/24/2021	Daniel Chen	Review Franciscan response to motion to amend judgment.	1.1
9/24/2021	Luke Goodrich	revise and finalize response to Rule 60(b) motion	1.4
10/15/2021	Joseph Davis	Performed research regarding government's deadline to appeal.	0.3
11/23/2021	Joseph Davis	Corresponded with case team regarding HHS appeal.	0.7
11/23/2021	Joseph Davis	Analyzed and corresponded with case team regarding appeal.	1
12/13/2021	Joseph Davis	Performed research regarding government's appeal.	0.3
1/11/2022	Joseph Davis	Corresponded with case team regarding briefing deadlines.	0.1
1/12/2022	Zachary Novak	Prepared and submitted 5th circuit admission application for Daniel Chen.	1
1/24/2022	Joseph Davis	Corresponded with case team regarding district-court record.	0.5
1/26/2022	Joseph Davis	Corresponded with Luke Goodrich regarding case update.	0.1
2/22/2022	Luke Goodrich	review client's updated policy documents	0.8
3/4/2022	Joseph Davis	Reviewed draft policy documents and corresponded with case team regarding the same.	0.3
3/8/2022	Joseph Davis	Corresponded with case team regarding new HHS rulemaking.	0.6
3/16/2022	Luke Goodrich	call w client re scope of injunction	0.2
3/22/2022	Luke Goodrich	prep and call with client re scope of injunction and appeal	1.1
3/25/2022	Joseph Davis	Prepared for and participated in case team call regarding appeal strategy.	0.8
3/25/2022	Luke Goodrich	call re CA5 strategy	0.8
3/25/2022	Daniel Chen	Research, discuss, and brainstorm strategy for appeal with Joe and Luke.	1.1

3/28/2022	Joseph Davis	Received and reviewed opening brief of intervenors.	2.5
3/29/2022	Joseph Davis	Corresponded with case team regarding response brief.	0.2
3/29/2022	Joseph Davis	Performed research for and drafted memo for client regarding injunction.	1.4
3/30/2022	Joseph Davis	Revised draft memo for client regarding injunction in light of edits from Luke Goodrich.	0.2
3/30/2022	Daniel Chen	Read HHS and ACLU briefing, research case law, and review record and prior briefing.	2.9
3/31/2022	Joseph Davis	Performed research for purposes of response brief.	0.4
3/31/2022	Daniel Chen	Read briefing and record material, research caselaw, and outline responses to arguments.	4.6
4/1/2022	Luke Goodrich	correspondence w J Davis and D Chen re opening briefs and strategy for response brief on appeal	1
4/1/2022	Daniel Chen	Review and analyze briefs and record materials and discuss strategy.	1.5
4/1/2022	Luke Goodrich	review and analyze HHS and ACLU opening briefs	1.8
4/1/2022	Joseph Davis	Reviewed appellants' opening briefs and corresponded with case team regarding the same.	3.9
4/6/2022	Joseph Davis	Performed research for and drafted outline of Fifth Circuit response brief.	0.2
4/12/2022	Luke Goodrich	correspondence w case team re anticipated 1557 rulemaking	0.5
4/13/2022	Joseph Davis	Prepared request for Level 1 extension.	0.2
4/13/2022	Joseph Davis	Corresponded with case team regarding opening brief.	1.1
4/14/2022	Joseph Davis	Drafted request for Level 1 extension and corresponded with case team regarding the same.	1
5/6/2022	Joseph Davis	Performed research in preparation for drafting appellate brief.	2.8
5/10/2022	Joseph Davis	Corresponded with case team regarding appellate brief.	0.1
5/10/2022	Joseph Davis	Performed research for and drafted outline of appellate brief.	3.2

5/11/2022	Joseph Davis	Performed research for and drafted outline of appellate brief.	3.3
5/12/2022	Megan Schilling	Create shell for motion for extension of time for CA5	0.3
5/12/2022	Daniel Chen	Draft motion for extension of time, review outline, and read defendants' briefing.	2.5
5/12/2022	Joseph Davis	Prepared for and performed amicus outreach.	3
5/13/2022	Joseph Davis	Reviewed and revised draft extension motion prepared by Daniel Chen.	1.1
5/16/2022	Joseph Davis	Drafted email for opposing counsel regarding extension.	0.5
5/16/2022	Joseph Davis	Reviewed and revised extension motion prepared by Daniel Chen.	0.5
5/16/2022	Zachary Novak	Created shell draft for motion for extension of time, sent to attorneys for review.	0.8
5/16/2022	Daniel Chen	Revise and edit motion for extension of time.	1.3
5/17/2022	Zachary Novak	Updated draft of motion, sent to attorneys for review, and assisted with filing.	1
5/17/2022	Zachary Novak	Collected filed declarations throughout case, compiled and sent to GA team.	1
5/17/2022	Joseph Davis	Finalized and filed extension motion for appellees' brief.	2
5/17/2022	Joseph Davis	Performed research in preparation for drafting appellees' brief.	3.1
5/18/2022	Joseph Davis	Performed research for and drafted appellate brief.	2.3
5/19/2022	Joseph Davis	Performed research for and drafted appellate brief.	3.8
5/20/2022	Joseph Davis	Performed research for and drafted appellate brief.	4.4
5/22/2022	Joseph Davis	Performed research for and drafted appellate brief.	0.8
5/23/2022	Joseph Davis	Performed research for and drafted justiciability portions of appellate brief.	3.6
5/23/2022	Daniel Chen	Research case law to draft brief and prep strategy materials.	4.5
5/24/2022	Daniel Chen	Research remedies issue for brief; revise and edit brief.	3.5

5/24/2022	Joseph Davis	Performed research for and drafted appellees' brief.	6.3
5/25/2022	Joseph Davis	Performed research for and drafted appellees' brief.	4.9
5/26/2022	Joseph Davis	Performed research for and drafted appellees' brief.	3.9
5/27/2022	Joseph Davis	Performed research for and drafted appellees' brief.	2.2
5/31/2022	Daniel Chen	Revise and edit brief.	1.5
5/31/2022	Luke Goodrich	research, revise, draft response brief	4.7
5/31/2022	Joseph Davis	Performed research for and drafted response brief.	5.1
6/1/2022	Luke Goodrich	revise response brief	0.8
6/1/2022	Luke Goodrich	correspondence re response brief	0.8
6/1/2022	Joseph Davis	Performed research for and drafted response brief.	2.3
6/1/2022	Daniel Chen	Revise and edit brief.	3
6/2/2022	Daniel Chen	Revise and edit brief.	2
6/2/2022	Luke Goodrich	draft and revise response brief	4.8
6/3/2022	Joseph Davis	Performed research for and drafted response brief.	3.6
6/3/2022	Luke Goodrich	draft and revise response brief	6.1
6/3/2022	Daniel Chen	Draft and revise response brief.	7.2
6/6/2022	Joseph Davis	Performed research for and drafted response brief.	4.1
6/6/2022	Luke Goodrich	draft and revise response brief	4.2
6/6/2022	Daniel Chen	Revise and edit brief and research case law for drafting and revising.	8.5
6/7/2022	Luke Goodrich	draft and revise response brief	4.3
6/7/2022	Joseph Davis	Performed research for, drafted, and revised response brief.	6.2
6/7/2022	Daniel Chen	Revise and edit response brief.	8
6/8/2022	Luke Goodrich	revise response brief	3.2
6/8/2022	Joseph Davis	Performed research for, drafted, and revised response brief.	6

6/8/2022	Daniel Chen	Revise and edit response brief.	7.5
6/9/2022	Zachary Novak	Conducted cite check of response brief, suggested edits.	3
6/9/2022	Leigh Brown	Cite checking the response brief	4
6/9/2022	Megan Schilling	Cite check Response Brief	4
6/9/2022	Joseph Davis	Performed research for, drafted, and revised response brief.	4.8
6/9/2022	Luke Goodrich	revise response brief	5.1
6/9/2022	Daniel Chen	Revise and edit response brief.	7
6/9/2022	Nate Wertjes	Cite check	7.5
6/10/2022	Joseph Davis	Performed research for, drafted, revised, and finalized response brief.	2.9
6/10/2022	Megan Schilling	Cite check and finalize Response Brief	3
6/10/2022	Zachary Novak	Finalized cite check.	3
6/10/2022	Nate Wertjes	Continue cite check	4.5
6/10/2022	Luke Goodrich	revise and finalize response brief	5.7
6/10/2022	Leigh Brown	Cite checking the response brief	6
6/10/2022	Daniel Chen	Revise, edit, and file response brief.	7.5
6/17/2022	Luke Goodrich	review EPPC amicus brief	0.3
6/17/2022	Daniel Chen	Review EPPC amicus brief.	0.5
6/17/2022	Joseph Davis	Reviewed amicus brief by EPPC.	1.4
6/30/2022	Joseph Davis	Reviewed Supreme Court opinions for relevance to case.	0.4
7/12/2022	Joseph Davis	Received argument date and corresponded with case team regarding oral argument.	0.9
7/13/2022	Daniel Chen	Correspond re strategy with Joe and review filing requirements for paper copies.	0.4
7/13/2022	Joseph Davis	Performed research regarding oral argument.	0.7
7/14/2022	Joseph Davis	Prepared for Fifth Circuit oral argument.	1.4
7/19/2022	Joseph Davis	Prepared for oral argument.	2.7

7/19/2022	Joseph Davis	Performed research for, drafted, and revised supplemental authority letter.	3.4
7/20/2022	Luke Goodrich	review recent decisions and draft and revise 28(j) letter	1.3
7/20/2022	Joseph Davis	Prepared for oral argument.	2.5
7/20/2022	Joseph Davis	Reviewed and revised draft supplemental authority letter regarding West Virginia v. EPA.	3.4
7/20/2022	Daniel Chen	Research and draft question responses to help prepare Joe for OA.	4
7/21/2022	Joseph Davis	Drafted, revised, and finalized Rule 28(j) letter re West Virginia v. EPA.	0.7
7/21/2022	Nate Wertjes	Cite check 28(j) letter	2
7/21/2022	Joseph Davis	Prepared for oral argument.	3.5
7/21/2022	Daniel Chen	Review briefing, conduct research, and draft notes to assist Joe with oral argument.	6.1
7/22/2022	Joseph Davis	Prepared for oral argument.	1.9
7/25/2022	Luke Goodrich	review new proposed rule and draft memo to clients	2.4
7/25/2022	Daniel Chen	Review new Section 1557 rule; review media and comms assets; discuss strategy with team.	3.5
7/26/2022	Luke Goodrich	call w client re OA	0.5
7/26/2022	Joseph Davis	Prepared for oral argument.	1.4
7/26/2022	Daniel Chen	Review and take notes on new Section 1557 NPRM.	2.5
7/27/2022	Daniel Chen	Meet with clients to discuss strategy.	0.8
7/27/2022	Luke Goodrich	call w clients and D Chen re proposed rule and appeal	0.8
7/27/2022	Daniel Chen	Review cases and draft summaries for oral argument	1.8
7/27/2022	Joseph Davis	Prepared for oral argument.	4.9
7/28/2022	Luke Goodrich	review appellate briefs and participate in moot for J Davis	3.2

7/28/2022	Daniel Chen	Prepare for moot; do moot with Joe for Franciscan; conduct research on follow up questions.	3.5
7/28/2022	Joseph Davis	Prepared for and participated in moot argument.	5.7
7/29/2022	Luke Goodrich	finalize and file 28j response	0.2
7/29/2022	Zachary Novak	Conducted cite check of 28j, suggested edits and assisted with filing.	0.5
7/29/2022	Joseph Davis	Reviewed and revised draft 28(j) letter regarding College of the Ozarks.	1.8
7/29/2022	Joseph Davis	Prepared for oral argument.	6.7
7/30/2022	Joseph Davis	Prepared for oral argument.	1.4
7/31/2022	Joseph Davis	Prepared for oral argument.	0.8
8/1/2022	Luke Goodrich	correspondence w J Davis and D Chen to discuss 28j response	0.3
8/1/2022	Joseph Davis	Performed research for, drafted, and revised draft Rule 28(j) letter regarding new NPRM.	1.2
8/1/2022	Daniel Chen	Attend moot for Joe.	1.5
8/1/2022	Luke Goodrich	participate in moot w J Davis and D Chen	1.5
8/1/2022	Joseph Davis	Prepared for and participated in moot argument in preparation for Fifth Circuit oral argument.	2.2
8/1/2022	Luke Goodrich	draft and revise 28j response	2.6
8/1/2022	Daniel Chen	Conduct legal research and revise and edit 28j response.	3.3
8/2/2022	Daniel Chen	Prepare for oral argument.	3
8/2/2022	Joseph Davis	Performed research and prepared for Fifth Circuit oral argument.	6.2
8/3/2022	Daniel Chen	Meet with client to prepare for oral argument.	1
8/3/2022	Luke Goodrich	meet w client to discuss OA	1
8/3/2022	Luke Goodrich	help prep J Davis for OA	3.5
8/3/2022	Daniel Chen	Prepare and moot Joe for oral argument.	5.5
8/3/2022	Joseph Davis	Performed research and prepared for Fifth Circuit oral argument.	7.9

8/4/2022	Luke Goodrich	call w client to discuss OA	0.4
8/4/2022	Luke Goodrich	debrief OA w J Davis	0.6
8/4/2022	Luke Goodrich	Meet with client post-OA to debrief	1
8/4/2022	Joseph Davis	Met with client after oral argument and discussed with Luke Goodrich.	1.6
8/4/2022	Luke Goodrich	attend OA	2.5
8/4/2022	Joseph Davis	Prepared for and participated in oral argument at Fifth Circuit.	2.6
8/4/2022	Daniel Chen	Prepare for and attend oral argument.	3
8/8/2022	Joseph Davis	Corresponded with case team regarding oral argument.	0.2
8/16/2022	Luke Goodrich	call w client re scope of injunction	0.4
8/18/2022	Luke Goodrich	call w client re scope of injunction	0.6
8/26/2022	Joseph Davis	Reviewed Fifth Circuit decision and corresponded with case team regarding same.	0.6
8/26/2022	Luke Goodrich	review opinion and draft summary for clients	0.9
8/26/2022	Daniel Chen	Review opinion and revise summary documents.	1
8/29/2022	Luke Goodrich	review CA5 opinion	0.9
9/12/2022	Joseph Davis	Performed research regarding deadline for seeking attorneys fees and corresponded with Luke Goodrich regarding the same.	1
9/15/2022	Joseph Davis	Corresponded with Luke Goodrich regarding fee issues.	0.6
9/16/2022	Luke Goodrich	review and revise motion to clarify and call DOJ for government's position	0.5
9/16/2022	Joseph Davis	Performed research regarding fee issues.	0.7
9/16/2022	Joseph Davis	Performed research for and drafted motion to clarify deadline for filing fee petition.	1.9
9/19/2022	Luke Goodrich	finalize and file motion to clarify	0.6

10/11/2022	Luke Goodrich	prep hours for fee petition	0.4
10/13/2022	Luke Goodrich	review 700+ time entries for fee petition	2.9
10/13/2022	Luke Goodrich	review time entries for fee petition	0.6
10/14/2022	Luke Goodrich	review time records for fee petition	1.4
10/14/2022	Luke Goodrich	review time entries for fee petition	2.4
10/17/2022	Daniel Chen	Research fee petition case law in N.D. Tex.	2.3
10/17/2022	Luke Goodrich	research for fee petition	0.3
10/17/2022	Luke Goodrich	research re fee petition rates and local practice	0.6
10/18/2022	Daniel Chen	Research case law for fee petition	2.5
10/19/2022	Daniel Chen	Draft and research fee petition.	7.1
10/25/2022	Daniel Chen	Research fee petition case law and draft fee petition.	2.9
10/25/2022	Joseph Davis	Reviewed hours for purposes of fee petition.	0.5
10/25/2022	Luke Goodrich	research for fee petition	0.2
10/26/2022	Daniel Chen	Research case law for fee petition.	0.5
10/31/2022	Daniel Chen	Draft and research case law for fee petition.	0.6
11/1/2022	Daniel Chen	Legal research for fee petition.	0.4
11/2/2022	Daniel Chen	Research case law to draft fee petition.	2.1
11/4/2022	Daniel Chen	Research cases for billing judgment and email with team regarding findings.	1
11/4/2022	Daniel Chen	Review billing records and entries for fee petition.	1.5
11/4/2022	Joseph Davis	Performed research regarding fee petition.	3.4
11/4/2022	Luke Goodrich	review hours and exercise billing judgment for fee petition	1
11/4/2022	Luke Goodrich	review time records to delete for billing judgment.	1.3
11/7/2022	Daniel Chen	Review paralegal hours for fee petition.	1.8
11/7/2022	Joseph Davis	Performed research regarding fee petition.	0.9

11/8/2022	Daniel Chen	Review and cut billing records for fee petition.	3.5
11/8/2022	Daniel Chen	Research case law on what fees are recoverable.	0.4
11/8/2022	Joseph Davis	Performed research regarding fee petition.	5.3
11/9/2022	Daniel Chen	Research case law and draft and revise fee petition.	3.9
11/9/2022	Joseph Davis	Performed research regarding fee petition.	0.3
11/10/2022	Joseph Davis	Reviewed and revised outline of fee petition.	0.8
11/17/2022	Daniel Chen	Research rates and draft requests for fee petition.	2.9
11/17/2022	Luke Goodrich	review memo on hourly rates	0.5
11/18/2022	Daniel Chen	Meeting with Robison to discuss fee petition and declaration.	0.3
11/28/2022	Daniel Chen	Review case law and draft fee petition supporting documents.	5.1
11/28/2022	Joseph Davis	Performed research regarding fee issues.	0.1
11/29/2022	Daniel Chen	Fee petition case law research and drafting.	4.3
11/30/2022	Daniel Chen	Research case law for fee demand letter.	1.1
11/30/2022	Luke Goodrich	draft fee demand to DOJ	5
12/1/2022	Joseph Davis	Reviewed draft fee demand letter.	0.5
12/12/2022	Daniel Chen	Draft and revise fee petition and accompanying documents.	5.3
12/12/2022	Joseph Davis	Reviewed and revised draft declarations in support of fee petition.	0.6
12/13/2022	Daniel Chen	Draft and revise fee petition and accompanying documents.	6.7
12/14/2022	Daniel Chen	Draft and revise fee petition and accompanying documents.	6.5
12/14/2022	Joseph Davis	Performed research regarding fee petition.	0.3
12/15/2022	Daniel Chen	Draft and revise fee petition and accompanying documents.	7.1
12/15/2022	Luke Goodrich	prepare fee petition	0.6

12/16/2022	Daniel Chen	Draft and revise fee petition and accompanying documents.	2.7
12/16/2022	Joseph Davis	Reviewed and revised draft fee petition.	2.3
12/19/2022	Daniel Chen	Draft and revise fee petition and accompanying documents.	7.5
12/19/2022	Joseph Davis	Reviewed and revised fee petition and supporting exhibits.	2.3
12/19/2022	Luke Goodrich	revise and prepare fee petition	2.1
12/20/2022	Daniel Chen	Revise and edit fee petition and accompanying documents.	2.5
12/20/2022	Joseph Davis	revised fee petition and supporting exhibits	1.9
12/20/2022	Luke Goodrich	review hours, revise fee petition	1.1
12/20/2022	Luke Goodrich	draft declaration for fee petition	3.1
12/20/2022	Luke Goodrich	revise fee petition and exhibits	3.7
12/20/2022	Luke Goodrich	revise fee docs	2
		Total:	3,235.9

EXHIBIT 1-D

Billing Judgment Deletions

Date	Timekeeper	Description	Hours
8/4/2016	Stephanie Barclay	Researched transgender medical issues.	8
8/17/2016	Mark Rienzi	return travel (with long delays due to weather) (9.8)	9.8
8/22/2016	Daniel Blomberg	Reviewing complaint, compiling filing punchlist, and finalizing filings	3.8
8/22/2016	Chelise Fox	Cite check and proofread complaint.	4
8/22/2016	Darlene Calandra	Update Share Point Insurance documents files	0.5
8/23/2016	Daniel Blomberg	Assisting with filing considerations and reviewing final complaint	1.8
8/23/2016	Darlene Calandra	Review complaint; update Share Point folder; review Judge O'Connor's filing specifications	1
8/23/2016	Elizabeth Dobak	Drafted appearance of counsel notice for Luke	0.5
8/24/2016	Daniel Blomberg	Working on FOIA request, public data search	0.6
8/26/2016	Darlene Calandra	Update Share Point Insurance documents files	1
9/15/2016	Lori Windham	Discussion re: intervention	0.2
9/15/2016	Luke Goodrich	call w E Rassbach, S Barclay, and M Rienzi re motion to intervene	0.3
9/15/2016	Darlene Calandra	Discuss research findings and draft with S. Barclay	0.5
9/16/2016	Mark Rienzi	emails re motion to intervene (.3); review and comment on SJ outline (.7)	1
9/19/2016	Luke Goodrich	call w M Rienzi re intervention	0.2
9/19/2016	Mark Rienzi	review motion to intervene and confer with team re same	1.5
9/20/2016	Daniel Blomberg	Call with Luke and reviewing intervention motion and calendar	0.4
9/20/2016	Eric Rassbach	Strategy phone call on PI/MPSJ.	1.5
9/20/2016	Lori Windham	Review intervention motion	0.2
9/21/2016	Daniel Blomberg	Drafting re intervention	4.6
9/21/2016	Daniel Blomberg	Call with Luke re intervention	1.1

9/21/2016	Luke Goodrich	call w D Blomberg to discuss motion to intervene	1.1
9/22/2016	Stephanie Barclay	Worked on congressional letter with questions.	4.5
9/22/2016	Daniel Blomberg	Working on intervention opposition	3.1
9/23/2016	Daniel Blomberg	Working on intervention papers	2.9
9/22/2016	Luke Goodrich	draft questions for Congressional letter	1.9
9/23/2016	Luke Goodrich	call w DOJ re service, intervention, PI & make notes to file	0.5
9/23/2016	Luke Goodrich	revise outline of opposition to intervention	0.6
9/23/2016	Luke Goodrich	revise congressional questions	1.4
9/23/2016	Lori Windham	Review Congressional questions, research for MPSJ	3
9/26/2016	Daniel Blomberg	Working on intervention opposition	0.3
9/27/2016	Daniel Benson	Research re: opposition to motion to intervene	5.4
9/27/2016	Daniel Blomberg	Working on intervention opposition	0.9
9/27/2016	Daniel Blomberg	Discussing possible complaint amendment	0.2
9/27/2016	Darlene Calandra	Search for and circulate complaints filed in S.D. California and S.D. Ohio against hospitals/health care providers re transgender children for L. Windham	1
9/28/2016	Daniel Benson	Research re: response to intervention motion	1.5
9/29/2016	Daniel Blomberg	Working on MTI opposition, research, drafting	7.1
9/30/2016	Daniel Blomberg	Drafting, researching opp to MTI	13.2
9/30/2016	Luke Goodrich	revise extension motion and draft email to intervenors re extension motion	0.4
10/3/2016	Daniel Blomberg	Reviewing motion for extension, discussing matter with SB; reviewing updated opp motion	0.8
10/3/2016	Lori Windham	Followup on meeting prep	0.3
10/3/2016	Luke Goodrich	review and revise intervention response	1
10/3/2016	Stephanie Barclay	Worked on preparing filing for motion for extension of time re: intervenors.	3.1
10/3/2016	Darlene Calandra	Update Share Point files; discuss with S. Barclay, C. Fox, E. Dobak	0.5
10/4/2016	Daniel Blomberg	Discussing MTI oppo, next steps	0.4

10/5/2016	Daniel Blomberg	Reviewing drafts on MTI oppo; discussing next steps	0.3
10/5/2016	Luke Goodrich	revise intervention opposition	1.2
10/5/2016	Luke Goodrich	revise response to motion to intervene	3.5
10/5/2016	Mark Rienzi	review and comment on intervention response brief	1
10/6/2016	Daniel Benson	Research on substantive due process for SJ motion	1
10/6/2016	Darlene Calandra	Update Share Point files; sign up for ECF notices; discuss with L. Goodrich, C. Fox, E. Dobak	0.5
10/7/2016	Stephanie Barclay	Worked on drafting summary judgment brief.	1
10/7/2016	Darlene Calandra	Update Share Point files	1
10/7/2016	Elizabeth Dobak	Logged expense onto RTG	0.1
10/11/2016	Darlene Calandra	Discuss failure of email to HHS attorneys re Motion for Extension with L. Goodrich; re-send email to HHS attorneys; update Share Point files; discuss with L. Goodrich, S. Barclay, C. Fox, E. Dobak	3
10/12/2016	Daniel Benson	Substantive due process research for SJ motion	2
10/13/2016	Darlene Calandra	Discuss rules re Appendix contents with L. Goodrich and S. Barclay; review local rules re Appendix; meet with S. Barclay; review citation format for cites in Motion for Summary Judgment	0.75
10/14/2016	Eric Rassbach	Review and comment on complaint	0.9
10/14/2016	Darlene Calandra	Update Share Point files	0.5
10/15/2016	Eric Rassbach	Call w Mark re MSJ	0.2
10/17/2016	Darlene Calandra	Update Share Point files	0.5
10/18/2016	Eric Rassbach	call w Luke and Mark re MSJ	0.5
10/19/2016	Stephanie Barclay	Worked on CMDA declarations and motion to accompany brief.	1
10/20/2016	Mark Rienzi	work on SJ papers	1
10/20/2016	Stephanie Barclay	Researched transgender medical literature.	5
10/20/2016	Darlene Calandra	Cite check, proofread, edit and format Brief in Support of Motion for Summary Judgment; discuss with C. Fox, E. Dobak and S. Barclay; assist	1.75

		with preparation of Appendix documents	
10/21/2016	Luke Goodrich	revise and finalize MSJ	3
10/21/2016	Stephanie Barclay	Finalized the summary judgment brief and appendix and filed with paralegals.	6.4
10/21/2016	Chelise Fox	Cite check, proof, and revise MSJ and supporting documents.	8.3
10/21/2016	Darlene Calandra	Cite check, proofread, edit and format Brief in Support of Motion for Summary Judgment; discuss with C. Fox, E. Dobak, S. Barclay, L. Goodrich; assist with preparation of Appendix to Motion for Summary Judgment.	7.25
10/24/2016	Darlene Calandra	Prepare Judge's copy of Brief in Support of Motion for Summary Judgment and Appendix; discuss with S. Barclay, L. Goodrich	5.5
10/25/2016	Stephanie Barclay	Reviewed and researched motion from ACLU intervenors	2
10/25/2016	Darlene Calandra	Update case files; contact clerk's office re Judge's copy of Brief in Support of Motion for Summary Judgment and Appendix; discuss with S. Barclay, L. Goodrich	2
10/27/2016	Stephanie Barclay	Reviewed response to ACLU and did case law research and coordinated cite check.	5.7
10/27/2016	Chelise Fox	Research for S. Barclay, looking for intervenor examples in N.D. Texas. Cite check Response to Motion to Stay Briefing.	6
10/27/2016	Darlene Calandra	Cite check, proofread, edit and format Response to Intervenor's Motion to Stay Briefing.	1.5
10/27/2016	Darlene Calandra	Team strategy meeting with S. Barclay and C. Fox regarding response to motion to stay briefing.	0.5
10/28/2016	Daniel Benson	Case research re timing of summary judgment vs intervention	0.4

10/28/2016	Daniel Benson	Research re response to ACLU's motion to stay	5
10/28/2016	Eric Baxter	Review complaint and SJ motion.	2
10/28/2016	Darlene Calandra	Update Share Point files; prepare draft Response to ACLU Motion to Stay for S. Barclay	0.75
10/31/2016	Rachel Busick	Administrative Record Research	1
11/1/2016	Darlene Calandra	Update Share Point files; prepare draft Response to ACLU Motion to Stay for S. Barclay	0.5
11/3/2016	Darlene Calandra	Update Share Point files	1
11/10/2016	Diana Thomson	reviewing proposed-intervenors' motion to stay case	0.7
11/10/2016	Darlene Calandra	Update Share Point files	0.5
11/14/2016	Eric Rassbach	call w Luke re stay	0.3
11/14/2016	Luke Goodrich	call w E Rassbach re stay	0.3
11/14/2016	Darlene Calandra	Update Share Point files	1
11/16/2016	Rachel Busick	research on ACA 1557	1.4
11/17/2016	Eric Baxter	Research and analysis of grant agreement nondiscrimination certification.	6.3
11/18/2016	Darlene Calandra	Update Share Point files	1
11/21/2016	Rachel Busick	CA5 ripeness/injury research	1.2
11/22/2016	Darlene Calandra	Update Share Point files	1
11/28/2016	Stephanie Barclay	Worked on drafting my sections of reply brief.	5
11/29/2016	Stephanie Barclay	Finished first draft of my sections of reply brief and circulated to group.	3
11/29/2016	Darlene Calandra	Update Share Point files	0.5
11/30/2016	Chelise Fox	Created shell/draft of Declaration for L. Goodrich; researched rules and called clerk re filing it (separately, in Appendix, or as exhibit).	1.5
12/1/2016	Rachel Busick	Finalize PI Reply	4.7
12/2/2016	Chelise Fox	Finished cite check, tables, final proofread and page checks, preparing for filing for reply brief.	4
12/2/2016	Elizabeth Dobak	Finalized filing and rechecked/edited TOC and TOA	2
12/5/2016	Darlene Calandra	Update Share Point files	0.5
12/5/2016	Luke Goodrich	call w team to discuss congressional subpoena and foia on trans mandate	1
12/8/2016	Darlene Calandra	Update Share Point files	0.3

12/13/2016	Eric Baxter	Analysis regarding potential False Claims Act claim based on grant conditions.	1.3
12/14/2016	Daniel Benson	Research judicial estoppel	3.8
12/15/2016	Daniel Benson	Mark's OA moot and research	4.7
12/15/2016	Eric Baxter	Participate in moot for M. Rienzi.	1.6
12/15/2016	Chelise Fox	Notices of Appearance, drafted and filed.	1
12/16/2016	Daniel Benson	Create one-pagers for Mark's OA	0.6
12/16/2016	Daniel Benson	Draft one pagers for Mark's OA	2
12/19/2016	Mark Rienzi	travel to Texas for hearing	4
12/19/2016	Elizabeth Dobak	Helped format oral argument research and created TOC	1.1
12/20/2016	Mark Rienzi	return travel from hearing	9.5
12/22/2016	Eric Baxter	Work on grant issue.	1
12/23/2016	Eric Baxter	Work on grant issues.	0.3
12/27/2016	Darlene Calandra	Update Share Point electronic docket	0.5
12/28/2016	Eric Baxter	Research and call with Franciscan Alliance Foundation re grant issues.	1.3
1/3/2017	Darlene Calandra	Update Share Point electronic docket	0.5
1/11/2017	Chelise Fox	Drafted shell response to ACLU intervention.	0.5
1/12/2017	Darlene Calandra	Update Share Point electronic docket and case files	0.5
1/13/2017	Eric Rassbach	Call w S Barclay and L Windham to discuss final judgment	0.8
1/13/2017	Mark Rienzi	review response on intervention motion	0.7
1/13/2017	Darlene Calandra	Update Share Point electronic docket and case files	0.5
1/17/2017	Mark Rienzi	work on intervention filing	1
1/17/2017	Darlene Calandra	Cite check, proofread, format and edit Response to Intervenor's Motion on Ruling on Intervention and Stay of Preliminary Injunction Pending Appeal; discuss with L. Goodrich, S. Barclay, C. Fox, E. Dobak	3
1/19/2017	Diana Thomson	reviewing reply to motion to stay intervention	0.2
1/30/2017	Rachel Busick	reviewing intervention	4.2
2/2/2017	Luke Goodrich	research response to motion to intervene	0.7
2/2/2017	Rachel Busick	research re ACLU oppo to intervention	4.6

2/2/2017	Darlene Calandra	Update Share Point electronic docket and case files	0.5
2/3/2017	Darlene Calandra	Update Share Point electronic docket and case files; conduct research re ACLU filings; prepare chart and email re same research results; discuss with L. Goodrich	3
2/6/2017	Darlene Calandra	Update Share Point electronic docket and case files; discuss upcoming filing with L. Goodrich	1
2/7/2017	Chelise Fox	Draft notices of appearance for Mark Rienzi and Stephanie Barclay	1
2/7/2017	Darlene Calandra	Cite check, proofread, format and edit Response to Intervenor's Request for Intervention; discuss with L. Goodrich, S. Barclay, C. Fox.	3
2/7/2017	Darlene Calandra	Update Share Point and case files	1
2/8/2017	Mark Rienzi	work on intervention filing	0.5
2/9/2017	Darlene Calandra	Update Share Point electronic docket and case files	0.5
2/13/2017	Darlene Calandra	Update Share Point files	0.5
2/14/2017	Darlene Calandra	Update Share Point files and review Fifth Circuit rules for admission	0.5
2/15/2017	Elizabeth Dobak	Cite checked motion to dismiss, filled out appearance of counsel forms for Stephanie and Luke, retrieved ECF credentials for Stephanie, e-filed appearance forms for both attorneys	3
2/16/2017	Darlene Calandra	update Share Point files; review rules for admission to Fifth Circuit	1
2/16/2017	Elizabeth Dobak	Verified that Stephanie Barclay will receive ECF notifications today or tomorrow	0.2
2/17/2017	Darlene Calandra	update Share Point files	1
2/21/2017	Darlene Calandra	update Share Point files	0.5
2/23/2017	Darlene Calandra	update Share Point files; review FRAP and local rules re Motion reply and response; calculate dates for Fifth Circuit filings for S. Barclay; contact court re same; discuss with S. Barclay	1.2
2/24/2017	Darlene Calandra	update Share Point files	0.5
2/28/2017	Stephanie Barclay	Researched intervention issues and sent initial findings to team.	3.9

2/28/2017	Stephanie Barclay	Researched intervention case law for reply to motion to dismiss.	4.2
2/28/2017	Darlene Calandra	update Share Point files	0.5
3/6/2017	Darlene Calandra	update Share Point files	1
3/7/2017	Darlene Calandra	update Share Point files	1
3/7/2017	Darlene Calandra	update Share Point files	0.5
3/13/2017	Stephanie Barclay	Traveled to pick up admin law treatise	0.5
3/13/2017	Darlene Calandra	update Share Point files.	1
3/14/2017	Darlene Calandra	update Share Point files; prepare revised Appendix for Motion for Summary Judgment; discuss with L. Goodrich, C. Fox and S. Barclay	0.5
3/15/2017	Daniel Benson	Review relevant 11th circuit Title VII case interpreting 'sex'	0.5
3/15/2017	Darlene Calandra	update Share Point files	1
3/21/2017	Darlene Calandra	update Share Point files	0.3
3/23/2017	Darlene Calandra	update Share Point files; email requested documents to S. Barclay and A. Vitale	0.5
3/27/2017	Luke Goodrich	review intervenors' stay motion	0.2
3/27/2017	Darlene Calandra	update Share Point files	0.3
3/28/2017	Stephanie Barclay	Reviewed ACLU motion to stay and reviewed cited case law.	1.6
3/28/2017	Darlene Calandra	update Share Point files; review ND Texas local rules re time to respond to Motion to Stay; discuss with S. Barclay	0.5
3/29/2017	Stephanie Barclay	Researched case law re stay of proceedings when intervention is denied and discussed findings with Luke.	3.3
3/30/2017	Daniel Blomberg	Doing emergency research for Luke on settlement issue	0.6
3/30/2017	Eric Rassbach	calls re litigation strategy	1.3
3/31/2017	Luke Goodrich	Correspondence w intervenors and TX re intervenors' motion to bifurcate	0.2
4/3/2017	Darlene Calandra	update Share Point files	0.5
4/4/2017	Luke Goodrich	revise and send to TX the opp to intervenors' stay request	0.2
4/4/2017	Luke Goodrich	review intervenors' motion to bifurcate	0.2
4/4/2017	Luke Goodrich	revise response to intervenors' stay motion	0.6
4/4/2017	Darlene Calandra	search for samples of 5th Cir or other court Motion to Stay Briefing Schedule	2

		Pending Motion to Dismiss; discuss with S. Barclay and C. Fox.	
4/5/2017	Eric Rassbach	discussion w Mark re strategy	0.2
4/5/2017	Luke Goodrich	review response to intervenors' motion to bifurcate	0.2
4/5/2017	Luke Goodrich	revise and send to TX the response to intervenors motion to bifurcate	0.9
4/5/2017	Mark Rienzi	strategy discussions with Mr. Rassbach	0.2
4/5/2017	Chelise Fox	Cite checked opp to intervention mot to stay.	2.5
4/6/2017	Darlene Calandra	update Share Point files	0.5
5/2/2017	Darlene Calandra	Update Share Point files.	0.2
5/12/2017	Darlene Calandra	Update Share Point files.	0.3
5/19/2017	Darlene Calandra	Update Share Point files.	0.5
5/23/2017	Darlene Calandra	Update Share Point files.	0.5
6/1/2017	Darlene Calandra	Update Share Point files.	0.2
6/8/2017	Darlene Calandra	Update Share Point files.	0.3
6/13/2017	Darlene Calandra	Update Share Point files.	0.3
6/22/2017	Darlene Calandra	Update Share Point files.	0.3
6/23/2017	Darlene Calandra	Update Share Point files.	0.3
6/26/2017	Luke Goodrich	flight to hearing, return travel from hearing	6
6/26/2017	Mark Rienzi	travel to texas for hearing	6.7
6/26/2017	Mark Rienzi	return travel from hearing	7
6/26/2017	Darlene Calandra	Update Share Point files.	0.3
6/30/2017	Darlene Calandra	Update Share Point files.	0.3
7/3/2017	Darlene Calandra	Update Share Point files.	0.5
8/8/2017	Darlene Calandra	Update Share Point files.	0.3
8/11/2017	Stephanie Barclay	Reviewed order.	0.5
8/15/2017	Stephanie Barclay	team call re strategy	0.5
8/16/2017	Stephanie Barclay	Client lunch to discuss strategy and next steps.	2
8/24/2017	Darlene Calandra	Update Share Point files.	0.3
1/17/2018	Luke Goodrich	Call w S Barclay re possible new rule	1
1/17/2018	Stephanie Barclay	Call to discuss preparations for possible new rule.	1
1/18/2018	Luke Goodrich	Call w S Barclay re new rule	1
1/18/2018	Stephanie Barclay	Team call re potential new rules and next steps to prepare.	1
2/22/2018	Stephanie Barclay	Call from client regarding potential suit with doctor, call with doctor, and correspond with team re same.	2.2

2/23/2018	Darlene Calandra	Update Share Point files	0.3
4/16/2018	Darlene Calandra	Update Share Point files	0.3
4/17/2018	Stephanie Barclay	Call with Mark and Luke re new rule and client outreach	0.4
10/23/2018	Darlene Calandra	Update Share Point files	0.5
11/16/2018	Darlene Calandra	Update Share Point files	0.3
11/30/2018	Chase Harrington	Call with Luke on assisting with case	0.1
11/30/2018	Lori Windham	Strategy call	0.5
11/30/2018	Stephanie Barclay	Call with team re strategy.	0.7
1/30/2019	Chase Harrington	Research on historical understanding of 'sex', corpus linguistics, and spending clause nondelegation	5.6
1/30/2019	Eric Rassbach	strategy call re MSJ	1.2
1/31/2019	Chase Harrington	Research re deference args	4.5
1/31/2019	Darlene Calandra	Prepare Rassbach Pro Hac application; sign up Rassbach for ECF; order COGS from DC; update Appendix for new Motion for Summary Judgment; discuss with Davis; review court rules	1.75
2/1/2019	Joseph Davis	Performed research regarding admission of Eric Rassbach to Northern District of Texas.	0.5
2/4/2019	Chase Harrington	editing MSJ, proofreading, filing	8
2/4/2019	Darlene Calandra	Cite check, proofread, format and edit Brief in Support of Partial Summary Judgment; discuss with attorneys and paralegals; discuss Rassbach Pro Hac Motion with Rassbach and Davis; update Share Point files.	3.75
2/5/2019	Darlene Calandra	Update Share Point files; arrange for judge's copy to be printed; discuss with J. Davis; send to court	1.3
2/6/2019	Jennifer Montazzoli	Printed and mailed Franciscan binders to judge	4
2/7/2019	Eric Rassbach	call re intervention	0.4
2/7/2019	Joseph Davis	Reviewed motion to intervene filed by ACLU and discussed same with Luke Goodrich, Eric Rassbach, and Mark Rienzi.	1
2/7/2019	Luke Goodrich	call w TX re intervention	0.2
2/7/2019	Luke Goodrich	call w client re intervention strategy	0.2
2/7/2019	Luke Goodrich	call w M Rienzi, E Rassbach, and J Davis re intervention	0.4

2/7/2019	Luke Goodrich	research and draft memo to client on intervention	1.6
2/7/2019	Mark Rienzi	call with team re ACLU intervention	0.4
2/7/2019	Darlene Calandra	Update Share Point files	0.3
2/11/2019	Darlene Calandra	Update Share Point files	0.3
2/19/2019	Joseph Davis	Received and reviewed draft response to motion to intervene.	0.7
2/19/2019	Luke Goodrich	review draft response to motion to intervene	0.7
2/20/2019	Joseph Davis	Reviewed and revised objections to declarations of putative intervenors.	0.3
2/20/2019	Joseph Davis	Performed research for and revised opposition to renewed motion to intervene.	1.9
2/20/2019	Luke Goodrich	revise opposition to intervention	0.2
2/22/2019	Luke Goodrich	call and email re client involvement in congressional testimony	0.6
2/28/2019	Darlene Calandra	Update Share Point files	0.5
3/11/2019	Darlene Calandra	Update Share Point files	0.5
3/15/2019	Darlene Calandra	Update Share Point files	0.5
3/21/2019	Darlene Calandra	Update Share Point files	0.5
3/25/2019	Darlene Calandra	Update Share Point files	0.5
4/1/2019	Darlene Calandra	Update Share Point files	0.5
4/2/2019	Darlene Calandra	Update Share Point files; draft Opposition to Motion for Extension; discuss with J. Davis	0.5
4/9/2019	Diana Thomson	reviewing ACLU filing and considering reply	1.2
4/9/2019	Eric Rassbach	team call re strategy	0.7
4/9/2019	Lori Windham	Strategy call for reply	0.7
4/9/2019	Stephanie Barclay	Call with team re strategy.	0.7
4/30/2019	Diana Thomson	prep for upcoming rule	0.9
4/30/2019	Lori Windham	Review and edit reply brief	1
5/1/2019	Diana Thomson	reviewing reply	0.5
5/9/2019	Darlene Calandra	Update Share Point electronic docket	0.5
5/24/2019	Diana Thomson	discussing and reviewing NPRM	2.6
6/4/2019	Darlene Calandra	Prepare and draft shell document for supplemental brief; update Share Point files	0.5
6/7/2019	Darlene Calandra	Prepare judge's copy of Supplemental Brief and send out; update electronic docket	1
6/20/2019	Darlene Calandra	update electronic docket	0.5

8/7/2019	Lori Windham	Discuss court order and response	0.9
8/8/2019	Joseph Davis	Performed research for and drafted supplemental brief regarding standing for permissive intervenors.	6.8
8/8/2019	Darlene Calandra	Update electronic docket; update calendar	0.5
8/12/2019	Darlene Calandra	Update electronic docket	1
8/15/2019	Darlene Calandra	Update electronic docket and Share Point files	1
9/10/2019	Joseph Davis	Prepared for hearing on motion to intervene.	0.7
9/11/2019	Joseph Davis	Prepared for hearing on motion to intervene.	4.7
9/12/2019	Joseph Davis	Prepared for hearing on motion to intervene.	6.6
9/13/2019	Joseph Davis	Prepared for and participated in call with Luke Goodrich and counsel for State Plaintiffs regarding hearing on motion to intervene.	0.9
9/13/2019	Joseph Davis	Prepared for hearing on motion to intervene.	4.2
9/13/2019	Darlene Calandra	Prepare Oral Argument binders; discuss with J. Davis and L. Goodrich; update electronic docket and Share Point files	1.75
9/13/2019	Jessica Allen	Prepare OA binders	2
9/13/2019	Megan Schilling	Work on ECF filing registration for Joe Davis; Fill out Application for admission	1
9/14/2019	Joseph Davis	Prepared for hearing on motion to intervene.	1.7
9/15/2019	Joseph Davis	Prepared for and participated in moot argument for hearing on motion to intervene.	2.2
9/15/2019	Luke Goodrich	travel from SLC to Ft Worth for hearing	4
9/15/2019	Luke Goodrich	review briefing and meet w J Davis to discuss hearing strategy	3.4
9/15/2019	Luke Goodrich	review hearing docs	1.7
9/16/2019	Joseph Davis	Prepared for, attended, and argued at hearing on motion to intervene.	4.5
9/16/2019	Luke Goodrich	attend hearing	1.5

9/16/2019	Luke Goodrich	meet w J Davis re admission and hearing strategy	2.3
9/16/2019	Luke Goodrich	return travel from Ft Worth to SLC	4.4
10/15/2019	Darlene Calandra	Update electronic docket	0.5
11/14/2019	Darlene Calandra	Update electronic docket and case files	1
12/3/2019	Joseph Davis	Reviewed edits to motion to dismiss appeal circulated by intervenors and state plaintiffs.	0.5
12/3/2019	Darlene Calandra	Update electronic docket and case files	0.5
12/9/2019	Darlene Calandra	Update electronic docket and case files	1
1/17/2020	Darlene Calandra	Update electronic docket	1
1/21/2020	Darlene Calandra	Assist with preparation of Notice of Appeal; update case files	0.75
1/30/2020	Darlene Calandra	Update electronic dockets and case files	1
2/3/2020	Darlene Calandra	Prepare order form for transcripts; update case files	1
2/4/2020	Darlene Calandra	update case files	0.5
2/6/2020	Darlene Calandra	Prepare draft transcript request form; discuss with J. Davis and L. Goodrich; update case files; contact court reporter about transcript request	2
2/7/2020	Darlene Calandra	Address issues re transcript request form; discuss with J. Davis and L. Goodrich; update case files; contact court reporter about transcript request	1.5
2/10/2020	Darlene Calandra	Prepare and file transcript form; discuss with J. Davis and L. Goodrich; update case files	1.5
2/21/2020	Darlene Calandra	Update case files	1
2/24/2020	Darlene Calandra	update Electronic Docket	0.5
2/26/2020	Megan Schilling	Calculate and add 5th Circuit briefing deadlines to litigation calendar	0.5
3/9/2020	Darlene Calandra	Update Share Point electronic docket and case files	0.5
3/19/2020	Darlene Calandra	Update Electronic Docket, calendar and case files	0.5
3/23/2020	Darlene Calandra	Update Electronic Docket, calendar and case files	0.5
4/21/2020	Darlene Calandra	Update electronic docket and case files	0.5
4/24/2020	Darlene Calandra	Update electronic docket.	0.5
4/27/2020	Darlene Calandra	Update electronic docket and case files	0.5

4/28/2020	Darlene Calandra	Update electronic docket and case files; update calendar	0.5
5/22/2020	Jacob Coate	Strategy call re motion to extend briefing (.5); research for motion and review case background materials (.2)	0.7
5/24/2020	Jacob Coate	Review Local Rules.	0.9
5/24/2020	Jacob Coate	Review case materials.	0.8
5/25/2020	Jacob Coate	Review case background materials.	2.4
5/25/2020	Jacob Coate	Research jurisprudence re staying proceedings pending Supreme Court decisions.	4
5/25/2020	Jacob Coate	Research for motion to stay.	0.7
5/26/2020	Jacob Coate	Research and develop strategy re motion to stay.	0.6
5/27/2020	Jacob Coate	Research re motion to stay.	2.8
5/27/2020	Jacob Coate	Draft motion to stay.	7.6
5/28/2020	Jacob Coate	Revise motion to stay.	1
5/28/2020	Lori Windham	Review and correspond re motion	0.3
5/28/2020	Darlene Calandra	Update Share Point electronic docket	1
7/6/2020	Zachary Novak	Updated docket and saved documents to SharePoint.	0.3
9/14/2020	Samuel Lucas	Tracked down uncorrupted electronic record document for Joe Davis	0.5
9/21/2020	Hilary Boerger	Review, cite check, proof read and file Opening Brief and Excerpts of Electronic Record	6
12/31/2020	Megan Schilling	Coordinate printing of Franciscan briefs per court order 12/23/20.	1
2/5/2021	Daniel Chen	Discuss strategy with Becket internal team and email with potential mooters.	0.5
2/8/2021	Daniel Chen	Review 28(j) response letters and email with potential mooters	1.1
2/10/2021	Eric Baxter	Prepare for and moot J. Davis for oral argument.	2.5
3/4/2021	Joseph Davis	Corresponded with mooters regarding oral argument.	0.6
5/14/2021	Eric Rassbach	participate in call to advise on final judgment and injunction language	0.9
8/9/2021	Lori Windham	Review order and correspondence re same	0.5
12/17/2021	Joseph Davis	Prepared and filed appearances for Fifth Circuit appeal.	0.3

1/4/2022	Zachary Novak	Reviewed requirements for admission and sent certificate of standing request from Daniel Chen to D.N.D.	0.3
1/11/2022	Megan Schilling	Update Litigation Calendar with upcoming deadlines	0.1
5/13/2022	Daniel Chen	Revise and edit motion for extension of time.	1
7/15/2022	Lori Windham	Advise client on new HHS memos, research on memos	1.8
7/15/2022	Leigh Brown	Preparing OA binders for Joe Davis	2.5
7/26/2022	Matthew Krauter	assist with travel arrangements for Franciscan oral argument	0.4
7/27/2022	Daniel Benson	Prepare for and participate in moot J Davis for CA5 oral argument.	2
8/3/2022	Luke Goodrich	travel to NOLA for OA	4.6
8/4/2022	Luke Goodrich	return travel from NOLA OA	6.3
8/5/2022	Zachary Novak	Researched obtaining transcript of OA, relayed findings to team.	0.8
10/12/2022	Zachary Novak	Identified examples of fee petitions from recent cases, phone call with Luke Goodrich re scope and timeline of fee petition in this case.	1.6
10/13/2022	Joseph Davis	Telephone conference with Luke Goodrich regarding fee issues.	0.4
10/13/2022	Luke Goodrich	call w J Davis re fee petition	0.3
10/17/2022	Daniel Chen	Strategy meeting with Luke and Joe re: fee petition.	0.2
10/17/2022	Luke Goodrich	call w D Chen re fee petition research	0.3
10/18/2022	Joseph Davis	Reviewed draft member resource document regarding injunction.	0.5
10/25/2022	Daniel Chen	Discuss fee petition research and strategy with team.	0.6
10/25/2022	Joseph Davis	Prepared for and participated in call with case team regarding fee petition.	0.6
10/25/2022	Luke Goodrich	call w D Chen and J Davis to discuss fee petition	0.6
10/25/2022	Zachary Novak	Created drafts of fee petition tables.	0.9
10/26/2022	Zachary Novak	Finalized requested fee petition tables and charts, sent to attorneys for review.	2.2
11/1/2022	Zachary Novak	Phone call with Luke Goodrich re fee petition next steps; conducted data entry and graphing re the same.	1

11/2/2022	Zachary Novak	Finalized data entry and created graph re the same for fee petition. Sent to attorneys for review; made adjustments and added to spreadsheet.	1.4
11/4/2022	Daniel Chen	Call with Luke to discuss reviewing attorney and paralegal billing records.	0.1
11/7/2022	Daniel Chen	Strategy call with Joe regarding outstanding issues to research.	0.2
11/7/2022	Daniel Chen	Strategy call with Luke regarding fee records.	0.2
11/8/2022	Zachary Novak	Created drafts of fee petition motion and memo, sent to attorneys for review.	1.2
11/14/2022	Daniel Chen	Strategy discussion with L. Goodrich and J. Davis.	1
11/14/2022	Joseph Davis	Prepared for and participated in case team meeting regarding fee petition.	1
11/14/2022	Luke Goodrich	call w D Chen and J Davis re fee petition and research on same	1
11/18/2022	Daniel Chen	Internal team meeting to discuss collecting costs.	0.3
11/18/2022	Luke Goodrich	call w D Chen re fee petition	0.4
11/18/2022	Zachary Novak	Call with attorneys re next steps in fee petition, tracked down and saved additional expenses.	1.2
11/22/2022	Matthew Krauter	drafting declaration template for DChen	0.4
11/28/2022	Zachary Novak	Continued prep of fee petition expenses, sent summary to attorneys for review.	2
11/30/2022	Daniel Chen	Call with Luke to discuss next steps for demand letter and fee petition.	0.5
11/30/2022	Zachary Novak	Broke out Franciscan expenses into individual line items and arranged in spreadsheet, sent summary to attorneys for review.	1.5
12/15/2022	Daniel Chen	Team strategy meeting regarding fee petition.	0.5
12/15/2022	Luke Goodrich	call w D Chen re fee petition	0.5
12/19/2022	Daniel Chen	Team strategy meeting with L. Goodrich, J. Davis, and paralegals.	0.6
12/19/2022	Luke Goodrich	team call re fee petition	0.6
12/19/2022	Zachary Novak	Team strategy call re fee petition; compiled tables of billed hours	0.6

12/20/2022	Matthew Krauter	Made edits and additions to Goodrich declaration	0.9
12/20/2022	Zachary Novak	Compiled hour tables; contacted chambers re paper copies	1.4
		Total:	569.7

EXHIBIT 1-E

Luke W. Goodrich

EXPERIENCE

The Becket Fund for Religious Liberty

Vice President, 2018-present; *Deputy General Counsel*, 2009-2018; *Legal Counsel*, 2008-09

- Served as Supreme Court co-counsel in seven merits victories and three All Writs Act victories. Merits: *Hosanna-Tabor* (2012), *Hobby Lobby* (2014); *Holt* (2015), *Zubik* (2016), *Little Sisters of the Poor* (2020), *Our Lady of Guadalupe* (2020), *Fulton* (2021). All Writs Act: *Little Sisters* (2013, 2014), *Wheaton College* (2014), *Agudath Israel* (2020).
- Named *National Law Journal* Appellate Hot List (2020) (first public interest firm ever)
- Represented governments, religious organizations, and individuals in religious liberty disputes at trial, appellate, and Supreme Court levels
- Received appointment as a Special Assistant Attorney General for the State of Colorado to argue an Establishment Clause appeal on behalf of several states

University of Utah, S.J. Quinney College of Law

Adjunct Professor of Law, 2013-2021

- Taught advanced courses on law and religion

Winston & Strawn, LLP

Associate, Appellate and Critical Motions, 2007-08

- Drafted briefs in complex patent, environmental, bankruptcy, criminal, and constitutional cases
- Briefed, argued, and won a habeas appeal overturning on constitutional grounds a state murder conviction and life sentence, *Vazquez v. Wilson*, 550 F.3d 270 (3d Cir. 2008)

U.S. Department of State, Office to Monitor and Combat Trafficking in Persons

Legal and Research Advisor, PRO-telligent, LLC, 2005-06

- Provided legal counsel to the Department of State office responsible for coordinating the global fight against forced labor and sexual exploitation

The Hon. Michael W. McConnell, U.S. Court of Appeals for the Tenth Circuit

Judicial Clerk, 2004-05

EDUCATION

University of Chicago Law School, J.D., *High Honors*, June 2004

- Order of the Coif
- Law Review

Wheaton College (IL), B.A., *summa cum laude*, integrated Philosophy/Economics, May 2001

- National Merit Scholar
- Member of a nationally-ranked (NCAA Division III) men's basketball team

REPRESENTATIVE LITIGATION

SUPREME COURT MERITS

***Fulton v. City of Philadelphia*, No. 19-123 (2021).** Helped draft merits briefs in unanimous Supreme Court victory involving a Catholic foster care ministry.

***Our Lady of Guadalupe Sch. v. Morrissey-Berru*, 140 S. Ct. 2049 (2020).** Helped draft merits briefs in Supreme Court victory involving religious schools.

***Little Sisters of the Poor v. Pennsylvania*, 140 S. Ct. 2367 (2020).** Helped draft merits briefs in Supreme Court victory involving the Little Sisters of the Poor.

***Zubik v. Burwell*, 136 S. Ct. 1557 (2016).** Helped draft merits briefs in Supreme Court victory involving the Little Sisters of the Poor.

***Holt v. Hobbs*, 135 S. Ct. 853 (2015).** Drafted merits briefs in a unanimous Supreme Court victory involving the right of a Muslim prisoner to grow a beard.

***Burwell v. Hobby Lobby Stores, Inc.*, 134 S. Ct. 2751 (2014).** Helped draft certiorari and merits briefs in Supreme Court victory involving the Religious Freedom Restoration Act.

***Hosanna-Tabor Evangelical Lutheran Church and Sch. v. EEOC*, 132 S. Ct. 694 (2012).** Drafted petition for certiorari and merits briefs in a unanimous Supreme Court victory involving the First Amendment ministerial exception.

SUPREME COURT ALL WRITS ACT

***Agudath Israel of America v. Cuomo*, opinion at 141 S. Ct. 63 (2020).** Helped draft application obtaining emergency injunctive relief in a case involving Jewish synagogues.

***Wheaton Coll. v. Burwell*, 134 S. Ct. 2806 (2014).** Helped draft application obtaining emergency injunctive relief in a case involving a religious college.

***Little Sisters of the Poor v. Sebelius*, 134 S. Ct. 1022 (2014).** Helped draft application obtaining emergency injunctive relief in a case involving the Little Sisters of the Poor.

SUPREME COURT CERTIORARI

***City of Pensacola v. Kondrat'yev*, 139 S. Ct. 2772, 204 L. Ed. 2d 1153 (2019) (GVR).** Drafted petition for certiorari in a case involving the constitutionality of a cross display.

***Stormans, Inc. v. Wiesman*, 136 S. Ct. 2433 (2016) (dissent from denial of certiorari).** Drafted petition for certiorari in a case involving the constitutionality of pharmacy regulations.

***Elmbrook Sch. Dist. v. Doe*, 134 S. Ct. 2283 (2014) (dissent from denial of certiorari).** Drafted petition for certiorari in a case involving the constitutionality of holding public school graduation in a church.

***Big Sky Colony, Inc., v. Montana Dep't of Labor & Indus.*, 134 S. Ct. 59 (2013).** Drafted petition for certiorari in a First Amendment challenge to state workers' compensation laws.

COURTS OF APPEALS

***Starkey v. Archdiocese of Indianapolis*, 41 F.4th 931 (7th Cir. 2022) (argued).** Briefed and argued a successful appeal protecting the freedom of a religious school to choose its leaders.

***Religious Sisters of Mercy v. Becerra*, 2022 WL 17544669 (8th Cir. 2022) (argued).** Briefed and argued a successful appeal defending religious ministries from HHS regulations.

***Payne-Elliott v. Archdiocese of Indianapolis*, 193 N.E.3d 1009 (Ind. 2022) (argued).** Briefed and argued a successful appeal protecting the constitutional right of church autonomy.

***Kondrat'yev v. City of Pensacola*, 949 F.3d 1319 (11th Cir. 2020) (argued).** Briefed and argued a successful appeal defending the constitutionality of a cross in a public park.

***Gaylor v. Mnuchin*, 919 F.3d 420 (7th Cir. 2019) (argued).** Briefed and argued a successful appeal defending the constitutionality of tax-exempt housing allowances for ministers.

***Rich v. Secretary, Florida Dept. of Corrections*, 716 F.3d 525 (11th Cir. 2013) (argued).** Briefed and argued a successful appeal on behalf of a Jewish prisoner seeking a kosher diet.

***Intermountain Fair Housing Council v. Boise Rescue Mission Ministries*, 657 F.3d 988 (9th Cir. 2011) (argued).** Briefed and argued a successful appeal on behalf of a homeless shelter raising issues under the Fair Housing Act and First Amendment.

***Elijah Group, Inc. v. City of Leon Valley, Tex.*, 643 F.3d 419 (5th Cir. 2011) (argued).** Briefed and argued a successful appeal on behalf of a church denied a zoning permit.

***American Atheists, Inc. v. Davenport*, 637 F.3d 1095 (10th Cir. 2010) (argued).** Appointed as Special Assistant Attorney General for the State of Colorado to brief and argue an Establishment Clause appeal on behalf of four states.

***Vazquez v. Wilson*, 550 F.3d 270 (3d Cir. 2008) (argued).** Briefed and argued a successful habeas appeal overturning a state murder conviction and life sentence as unconstitutional.

***Apache Stronghold v. United States*, No. 21-15295 (9th Cir.) (pending).** Lead counsel in an appeal on behalf of Native Americans seeking to protect their sacred site from destruction.

***Slockish v. FHWA*, No. 21-35220 (9th Cir.) (pending).** Lead counsel in an appeal on behalf of Native Americans challenging destruction of a sacred site.

***Franciscan Alliance, Inc. v. Becerra*, 47 F.4th 368 (5th Cir. 2022).** Briefed a successful appeal on behalf of religious doctors and hospitals that received an injunction against HHS

***Franciscan All., Inc. v. Becerra*, 843 F. App'x 662 (5th Cir. 2021).** Briefed a successful appeal on behalf of religious doctors and hospitals seeking an injunction against HHS

***Stormans, Inc. v. Selecky*, 794 F.3d 1064 (9th Cir. 2015).** Briefed an appeal on behalf of pharmacists challenging a state pharmacy regulation

***Moussazadeh v. Texas Dept. of Criminal Justice*, 709 F.3d 487 (5th Cir. 2013).** Briefed a successful appeal on behalf of a Jewish prisoner seeking to obtain a kosher diet.

***Merced v. Kasson*, 577 F.3d 578 (5th Cir. 2009).** Briefed a successful appeal on behalf of a Santeria priest who prohibited from sacrificing animals as part of his religious practices.

TRIAL COURTS

***Stormans, Inc. v. Selecky*, 854 F. Supp. 2d 925 (W.D. Wash. 2012).** Served as co-counsel in a two-week bench trial resulting in a favorable free exercise ruling for religious pharmacists.

***McAllen Grace Brethren Church v. Salazar*, 7:07-CV-60 (S.D. Tex.).** Served as co-counsel for Native American plaintiffs whose eagle feathers were taken by the government.

***Islamic Center of Murfreesboro v. Rutherford County, Tennessee*, 3:12-0738 (M.D. Tenn.).** Served as lead counsel for a Muslim congregation seeking to open a new mosque.

REPRESENTATIVE PUBLICATIONS

- *Free to Believe: The Battle Over Religious Liberty in America* (2019) – author of a three-time award-winning book on religious freedom
- *Sex, Drugs, and Eagle Feathers: An Empirical Study of Federal Religious Freedom Cases*, 48 Seton Hall L. Rev. 353 (2018) (with Rachel Busick)
- *On Resolving Church Property Disputes*, 58 Ariz. L. Rev. 307 (2016) (with Michael McConnell)
- *RLUIPA: Necessary, Modest, and Under-Enforced*, 39 Fordham Urb. L. J. 1021 (May 2012) (with Douglas Laycock)
- *The Health Care and Conscience Debate*, 12 Engage 121 (June 2011)
- “The Supreme Court Isn’t Anti-Muslim,” *Wall Street Journal*, Opinion, 12 Feb. 2019
- “Religious Freedom Is for Christians, Too,” *Wall Street Journal*, Opinion, 4 Dec. 2017
- “Neil Gorsuch Has a Record of Protecting Religious Minorities,” *Time*, 3 Mar. 2017
- “Opposing View: Government Shouldn’t Pick Ministers,” *USA Today*, 10 Oct. 2011
- “Mexico’s Separation of Church and State,” *Wall Street Journal*, Opinion, 1 Mar. 2010
- “Europe’s Religion Delusion,” *Wall Street Journal*, Opinion, 11 Dec. 2009
- “Sharia Across the Pond,” *The Guardian*, 6 July 2009

REPRESENTATIVE MEDIA APPEARANCES

- CNN, February 2012, http://www.youtube.com/watch?v=GyonhJ_IPVk

- *ABC World News*, February 2012, <http://www.youtube.com/watch?v=22f1fEikFSg>
- *Fox*, July 2011, <https://www.youtube.com/watch?v=yPYzxHLgBbA>
- *PBS*, October 2011, <http://www.pbs.org/wnet/religionandethics/?p=9664>
- *NPR*, October 2011, <http://interfaithradio.org/2011/Show42>
- *NPR*, October 2009, <http://interfaithradio.org/node/1065>
- Al Jazeera, November 2017, https://www.youtube.com/watch?v=_vyb2eN3dW4
- Numerous radio appearances; quoted in *New York Times* and other major outlets

EXHIBIT 1-F

MARK L. RIENZI

PROFESSIONAL
EXPERIENCE

**THE CATHOLIC UNIVERSITY OF AMERICA
COLUMBUS SCHOOL OF LAW, 2009-present**

Professor of Law (tenured in June 2015)

Director, Center for Religious Liberty

Courses: Constitutional Law, Torts, Evidence, Religious Liberty

Awards: Teacher of the Year, 2011, 2012, 2013; Mary, Mirror of Justice Award, 2012; Faculty Co-Marshall, 2014.

HARVARD LAW SCHOOL

Visiting Professor of Law, 2017-19 (co-taught Religious Freedom Research Seminar with Professor Mary Ann Glendon); Lead instructor for winter term religious liberty clinic for Harvard Law School students (January 2016, 2017, 2018)

THE BECKET FUND FOR RELIGIOUS LIBERTY, 2011-present

President (2018-present). Responsible for management and oversight of non-profit, non-partisan religious liberty law firm; 11-0 record at the Supreme Court: Hosanna-Tabor (2012); Little Sisters (emergency application, 2013); McCullen (2014); Hobby Lobby (2014); Wheaton College (emergency application, 2014); Holt (2015); Zubik (2016); Agudath Israel/Diocese of Brooklyn (emergency application, 2020); Little Sisters (2020); Our Lady of Guadalupe (2020); Fulton (2021); firm named to National Law Journal Appellate Hot List (2020, '21) (first pro bono firm ever).

WILMER CUTLER PICKERING HALE AND DORR LLP

Counsel, Litigation Department (2000-2002; 2003-April 2009)

Responsible for all phases of civil litigation in state and federal courts, chiefly focused on intellectual property and First Amendment cases. Intellectual Property Litigation Group (2007 *American Lawyer* as 2007 Intellectual Property Lit. Group of the Year) and Appellate and Supreme Court Litigation Group.

CLERK, HON. STEPHEN F. WILLIAMS, SENIOR CIRCUIT JUDGE

U.S. Court of Appeals for the D.C. Circuit, *August 2002-June 2003*

EDUCATION

HARVARD LAW SCHOOL, Juris Doctor, 2000

Honors: *Cum Laude*; Editor, *Harvard Law Review*; Oralist and Semi-Finalist, Ames Moot Court Competition; Best Brief Award, First Year Ames Moot Court Competition; clinical internship in Appeals Unit at U.S. Attorney's Office, Boston, MA

PRINCETON UNIVERSITY

Bachelor of Arts in English, June 1997

Cumulative GPA: 3.8; *cum laude*

Publications

Religious Liberty and Judicial Deference, 106 NOTRE DAME L. REV. 337 (2022)

Administrative Power and Religious Liberty at the Supreme Court, 69 CASE W. RES. L. REV. 355 (2018).

Constitutional Anomalies or As-Applied Challenges? A Defense of Religious Exemptions, 59 B.C. L. REV. 1595, 1598 (2018) (with Stephany Barclay).

Fool Me Twice: Zubik v. Burwell and the Perils of Judicial Faith in Government Claims 2016 CATO SUP. CT. REV. 123 (2016).

Substantive Due Process As a Two-Way Street: How the Court Can Reconcile Same-Sex Marriage and Religious Liberty, 68 STANFORD L. REV. ONLINE 18 (2015).

The Case For Religious Exemptions – Whether Religion is Special or Not, 127 HARVARD L. REV. 1395 (2014) (book review).

God and the Profits: Is There Religious Liberty for Money-makers? 21 GEO. MASON. LAW REV. 59 (2013).

Neutral No More: Secondary Effects Analysis and the Quiet Demise of the Content-Neutrality Test, 82 FORDHAM L. REV. 1137 (2013) (with Stuart Buck).

Unequal Treatment of Religious Exercises Under RFRA: Explaining the Outliers in the HHS Mandate Cases, 99 VA. L. REV. ONLINE 10 (2013).

The Constitutional Right Not to Kill, 62 EMORY LAW JOURNAL 101 (2012).

The Constitutional Right Not to Participate in Abortions: Roe, Casey, and the Fourteenth Amendment Rights of Healthcare Providers. 87 NOTRE DAME L. REV. 1 (2011).

An Abortion Exception to the First Amendment? Evaluating Recent Efforts to Regulate Speech About Pregnancy Options. ENGAGE, 11, no. 3 (December 2010).

Smith, Stormans, and the Future of Free Exercise: Applying the Free Exercise Clause to Targeted Laws of General Applicability. ENGAGE 10, no. 3 (November 2009); 146.

Federal Courts, Overbreadth, and Vagueness: Guiding Principles for Constitutional Challenges to Uninterpreted State Statutes. UTAH LAW REVIEW 2002: 381 (with Stuart Buck).

Note, Safety Valve Closed: The Removal of Nonviolent Outlets for Dissent and the Onset of Anti-Abortion Violence. HARVARD LAW REVIEW 113 (2000): 1210.

Case Note, Constitutional Law—Abortion—Sixth Circuit Strikes Down Ohio Ban of Post-Viability and Dilation and Extraction Abortions—*Women’s Medical Professional Corp. v. Voinovich*, 130 F.3d 187 (6th Cir. 1997) HARVARD LAW REVIEW 112 (1999): 731

Press/Media: My writings on constitutional issues have appeared in the following publications: *The New York Times*, *Roll Call*, *U.S. News and World Report*, *National Review Online*, *New York Daily News*, *Chicago Tribune*, and the *National Catholic Register*. Media appearances include NBC, ABC, FOX, CBS, and NPR.

EXHIBIT 1-G

Lori H. Windham

1919 Pennsylvania Ave., NW Ste. 400
Washington, DC 20006

Legal Experience

The Becket Fund for Religious Liberty

Vice President and Senior Counsel

I specialize in appeals and critical motions, with a significant portion of my practice before the U.S. Supreme Court and federal appellate courts. As senior counsel, I am responsible for legal strategy, case management, and supervising the work of junior attorneys.

I have been recognized as an expert on First Amendment and religious freedom law, testifying as an invited expert before the U.S. House Judiciary Committee and the U.S. Civil Rights Commission. I have lectured on religious freedom at top schools, including Harvard Law School, Yale Law School, and Central European University. I regularly appear on behalf of clients in major media outlets, including *MSNBC*, *Fox News*, *CNN*, the *Wall Street Journal*, *Washington Post* and *New York Times*.

Notable Cases

Argued

Fulton v. Philadelphia: Successfully argued a major Free Exercise Case to the Supreme Court, securing a unanimous victory. On remand, obtained consent decree allowing Catholic Social Services to permanently continue providing foster services consistent with its religious beliefs.

Eternal Word Television Network v. Burwell: Secured injunction pending appeal from the Eleventh Circuit for the world's largest religious media network. Argued subsequent appeal, then obtained vacatur of panel decision pending further regulatory action and negotiated settlement permitting EWTN to continue following its Catholic faith in its employment policies.

Buck v. Gordon: Obtained first-in-the-nation injunction allowing religious foster agency to continue serving when state government threatened to end the agency's contract over religious practices. After *Fulton*, obtained consent decree allowing religious agency to permanently continue providing foster services consistent with its faith.

Commonwealth of Pennsylvania v. Trump: Successfully argued expedited appeal, obtaining intervention for the Little Sisters of the Poor. Continued work on merits of the case, including as counsel on brief at the Supreme Court, where the Little Sisters prevailed 7-2.

InterVarsity Christian Fellowship v. Wayne State University: Successfully argued summary judgment in case testing whether a public university could exclude a InterVarsity chapter over its statement of faith and conduct policies for leaders. After obtaining summary judgment and a permanent injunction for InterVarsity, negotiated settlement of remaining claims.

Moss v. Spartanburg County School Dist. 7: Successfully argued appeal on behalf of defendant before the Fourth Circuit on an Establishment Clause issue of first impression in that circuit.

On brief

Burwell v. Hobby Lobby: Represented petitioners before the Supreme Court and the *en banc* Tenth Circuit in landmark decision on the application of the Religious Freedom Restoration Act.

Hosanna-Tabor v. EEOC: Represented petitioners in 9-0 Supreme Court victory. For the first time, the Supreme Court recognized and upheld the ministerial exception, protecting the rights of houses of worship to select their ministers without government interference.

Little Sisters of the Poor v. Pennsylvania: Represented petitioners in Supreme Court victory and multiple appeals to Third Circuit.

Education

Harvard Law School

Juris Doctor Cambridge, MA June 2005
Honors & Activities: Member, Harvard Legal Aid Bureau
Recognized for completion of 1,000+ pro bono hours

Abilene Christian University

B.A. in Political Science Abilene, TX May 2001
Honors: *Summa Cum Laude*
Meadors Scholarship in Political Science
Presidential Scholar

Bar Memberships

- Virginia, District of Columbia
- United States Supreme Court, Supreme Court of Virginia, District of Columbia Court of Appeals, United States Courts of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, and Eleventh Circuits

Honors and Activities

- Abilene Christian University Young Alumnus of the Year
- Abilene Christian University Board of Visitors, former member
- Advisory Board Member, Fund for American Studies Law Fellowship

EXHIBIT 1-H

STEPHANIE HALL BARCLAY

■ Notre Dame Law School, 3120 Eck Hall of Law ■ stephanie.barclay@nd.edu ■ 801-361-0401

ACADEMIC EXPERIENCE

Notre Dame Law School; Associate Professor of Law; July 2020–Present

- Courses: Freedom of Religion, Family Law, Religious Liberty Initiative
- Service: Faculty Director, Religious Liberty Initiative (2020–Present); Admissions Committee (2020–Present)

Stanford Law School; Affiliate, Constitutional Law Center; Aug. 2020–Present

- Teach a workshop on a First Amendment topic
- Mentor resident academic fellows at the Stanford Constitutional Law Center

Associate Professor of Law; J. Reuben Clark Law School; July 2018–June 2020

- Courses: First Amendment, Fourteenth Amendment, Family Law, and Structures of the Constitution
- Service: Director of the Rex E. Lee Appellate Academy (2019–2020); Adviser to the Moot Court Program (2019–2020); Admissions Committee (2018–2020); Leadership Fellowship Selection Committee (2018–2020)

AWARDS AND FELLOWSHIPS

- Nootbar Fellow; Nootbar Institute for Law, Religion, & Ethics; Pepperdine University Caruso School of Law; Aug. 2020–Present
- Twice Voted Professor of the Year by the 2L/3L Students at BYU Law
- Three times named a Washington D.C. Super Lawyer Rising Star (2016, 2019, and 2020)
- Recipient of a Constitutional Studies Grant for constitutional scholarship

OTHER MEMBERSHIPS AND SERVICE

- Chair for the AALS Law and Religion Section (2021–Present)
- Executive Committee, Religious Liberties Practice Group, The Federalist Society (2019–present)
- Board Member for the UVU Center for Constitutional Studies (2019–Present)
- Member of the Steering Committee for the Quill Project at Pembroke College (2020–Present)
- Board Member of the JRCLS International Religious Freedom Committee (2018–Present)

PUBLICATIONS AND PAPERS

- *Rethinking Protections for Indigenous Sacred Sites*, 134 Harvard Law Review 1294 (2021), coauthored with Professor Michalyn Steele
- *An Economic Approach to Religious Exemptions*, 72 Florida Law Review 1211 (2021) (selected for presentation at the Harvard/Stanford/Yale Junior Faculty Forum)
- *The Historical Origins of Judicial Religious Exemptions*, 96 NOTRE DAME LAW REVIEW 55 (2020)
- *Untangling Entanglement*, 97 WASHINGTON UNIVERSITY LAW REVIEW 1701 (2020)

- *First Amendment “Harms,”* 95 INDIANA LAW JOURNAL 331 (2020)
- *Original Meaning and the Establishment Clause: A Corpus Linguistics Analysis*, 61 ARIZONA LAW REVIEW 505 (2019), coauthored with Brady Earley and Annika Boone
- *A Dialogue about Religious Beliefs and Third-Party Harms in Family Law*, A Book Review of The Contested Place of Religion in Family Law, 52 FAMILY LAW QUARTERLY 413 (2019)
- *Constitutional Anomalies or As-applied Challenges? A Defense of Religious Exemptions*, 59 BOSTON COLLEGE LAW REVIEW 1595 (2018), coauthored with Professor Mark Rienzi
- *Retained by The People: Federalism, the Ultimate Sovereign, and Natural Limits on Government Power*, 23 WILLIAM & MARY BILL OF RIGHTS LAW JOURNAL 257 (2014)
- *Fair Trade and Child Labor*, 43 COLUMBIA HUMAN RIGHTS LAW REVIEW 1 (2011), coauthored with Professor Shima Baradaran Baughman (cited in the New York Times)
- *Defamation and John Does: Increased Protections and Relaxed Standing Requirements for Anonymous Internet Speech*, 2010 BYU LAW REVIEW 1309 (2010)
- *Passive Acknowledgement or Active Promotion of Religion? Neutrality and the Ten Commandments in Green v. Haskell*, 2010 BYU LAW REVIEW 3 (2010)

EDUCATION

J. Reuben Clark Law School, Brigham Young University; J.D., 2011

- *Summa cum laude*; GPA: 3.92
- Elected to the Order of the Coif
- Lead Articles Editor, BYU Law Review
- Constitutional Scholar Award (awarded to the top constitutional law student)
- J. Reuben Clark Award (selected by BYU Law faculty and peers for exemplifying academic excellence, integrity, high ethical standards, and service)
- Meritorious Service Award (selected by BYU Law faculty for significant service)

Brigham Young University–Idaho; B.S. in Finance, Minor in English, 2008

- *Summa cum laude*; GPA: 3.99
- Newel K. Whitney Business Award (selected by BYU–Idaho faculty for outstanding academic performance)
- Student Body Vice President
- First Place Winner of the BYU–Idaho Speech Competition

PROFESSIONAL EXPERIENCE

The Becket Fund for Religious Liberty

Of Counsel; Jul. 2018–Sept. 2020

Legal Counsel; Feb. 2015–Jul. 2018

- Drafted numerous cert petitions, amicus briefs, and merits briefs before the U.S. Supreme Court regarding a range of First Amendment issues
- Argued multiple hearings in federal court and assisted with briefing and oral argument preparation in numerous appellate victories
- Deposed and cross-examined multiple witnesses in multiple religious liberty trials
- Obtained a significant settlement for a client after receiving a favorable court ruling after trial

Associate; Covington & Burling LLP; Oct. 2012–Jan. 2015

- Principal brief-writer of a pro bono U.S. Supreme Court *amicus* brief in *Holt v. Hobbs*
- Helped draft multiple additional cert petitions, motions briefs, and amicus briefs in state and federal court
- Lead counsel in successful appeals before the Ninth Circuit Court of Appeals and the D.C. Court of Appeals
- First chair of two civil trials that resulted in favorable outcomes for indigent clients, and which involved soliciting direct testimony from seven witnesses, cross-examining three witnesses, and introducing over a hundred exhibits into evidence
- Performed a seven-month pro bono rotation with Bread for the City

Clerkship; U.S. Court of Appeals for the Ninth Circuit; Aug. 2011–Sept. 2012

- Law clerk to the Honorable N. Randy Smith

Litigation Extern; Snow, Christensen & Martineau; Dec. 2010–Feb. 2011

- Assisted Professor Frederick Gedicks with federal district court litigation

Intern; Area Legal Counsel Office in Frankfurt for the LDS Church; May–Jun. 2009

- Researched EU legislative processes and policy impacting religious organizations
- Traveled to Romania to study Romania's religious freedom restrictions

ACADEMIC PRESENTATIONS

- Presenter, Beyond Labels for Religious Liberty, *Constitutional Law Center at Stanford Law School* (Feb. 2021)
- Presenter, *An Economic Approach to Religious Exemptions*, University of Virginia Law School (Jan. 2021)
- Presenter, *Rethinking Protections for Indigenous Sacred Sites*, South Texas College of Law (Jan. 2021)
- Panelist, [*Church-State Separation: What Does the Constitution Really Say?*](#), National Constitution Center (Nov. 2020)
- Presenter, *An Economic Approach to Religious Exemptions*, St. John's Law School Law and Religion Colloquium (Nov. 2020)
- Panelist, [*Religious Liberty and the New Court*](#), The Federalist Society National Lawyers Convention (Nov. 2020)
- Featured Lecturer, [*Religious Liberty at the Supreme Court*](#), McCullen Center for Law, Religion and Public Policy at Villanova University (Nov. 2020)
- Panelist, [*The Revival of the Free Exercise Clause?*](#), ABA Section of Civil Rights and Social Justice (Oct. 2020)

- Panelist, *Supreme Court Preview*, Co-Hosted by the Harvard Law School Chapter of the American Constitution Society and the Harvard Law School Federalist Society (Oct. 2020)
- Presenter, *Rethinking Protections for Indigenous Sacred Sites*, Nootbar Institute for Law, Religion, & Ethics at Pepperdine University (Sept. 2020)
- Presenter, *Rethinking Protections for Indigenous Sacred Sites*, Constitutional Law Center at Stanford Law School (Sept. 2020)
- Panelist, [*The Future of Funding for Religious Schools*](#), The Federalist Society at UVA Law School (Sept. 2020)
- Panelist, *Religious Liberty: The Heart of Pluralism*, The Federalist Society at BYU Law School (Sept. 2020)
- Featured Lecturer, [*The Historical Origins of Judicial Religious Exemptions*](#), Georgetown Center for the Constitution (Sep. 2020)
- Panelist, [*Balancing Religious Freedoms in a Pluralistic Society*](#), Chicago Lawyers Chapter of The Federalist Society (Sep. 2020)
- Presenter, *An Economic Approach to Religious Exemptions*, 2020 Stanford/Harvard/Yale Junior Faculty Forum, Stanford Law School (Aug. 2020)
- Presenter, *The Historical Origins of Judicial Religious Exemptions*, Annual Law and Religion Roundtable, Pepperdine Caruso School of Law (Jun. 2020)
- Presenter, *The Historical Origins of Judicial Religious Exemptions*, 2020 Federalist Society Junior Scholars Colloquium in Annapolis, MD (Jun. 2020)
- Presenter, *The Historical Origins of Judicial Religious Exemptions*, Annual Originalism Works-in-Progress Conference, University of San Diego School of Law (Feb. 2020)
- Panelist, *Originalism and the Religion Clauses*, Originalism and Precedent Conference, University of Virginia School of Law (Feb. 2020)
- Presenter, *Original Meaning and the Establishment Clause: A Corpus Linguistics Analysis*, Arizona Law Review Speaker Series, University of Arizona College of Law (Feb. 2020)
- Presenter, *The Historical Origins of Judicial Religious Exemptions*, Notre Dame Colloquium on Church, State & Society (Jan. 2020)
- Presenter, *Untangling Entanglement*, Law and Religion Symposium, Washington University School of Law (Jan. 2020)
- Presenter, *Rethinking Protections for Indigenous Sacred Sites*, University of Utah S.J. Quinney College of Law (Jan. 2020)
- Moderator, *The Future of the Establishment Clause, and the Court's Shadow Docket*, AALS Law and Religion Section (Jan. 2020)

- Participant, Sixth Annual Salmon P. Chase Lecture & Colloquium, Georgetown Center for the Constitution (Dec. 2019)
- Presenter, *An Economic Approach to Religious Liberty*, Rocky Mountain Junior Scholars Forum (Nov. 2019)
- Speaker, *Religious Liberty and The Founding*, Pembroke College, Oxford University (Oct. 2019)
- Speaker, *James Madison and Religious Liberty*, UVU Center for Constitutional Studies (Sep. 2019)
- Guest Lecturer, Religious Liberty Seminar Class, Harvard Law School (Sep. 2019)
- Presenter, *An Economic Approach to Religious Exemptions*, Pembroke College, Oxford University (Aug. 2019)
- Panelist, *Religious Persecution in the World Today*, Christ Church College, Oxford University (Aug. 2019)
- Presenter, *An Economic Approach to Religious Exemptions*, Annual Law and Religion Roundtable, University of Toronto Law School (Jun. 2019)
- Presenter, *An Economic Approach to Religious Exemptions*, International Society of Family Law, co-hosted by the Notre Dame Law School and the University of Illinois College of Law (Jun. 2019)
- Presenter, *First Amendment "Harms,"* 2019 Federalist Society Junior Scholars Colloquium in Annapolis, MD (Jun. 2019)
- Moderator, *The Future of Employment Division v. Smith*, Yeshiva University (May 2019)
- Panelist, *Externalities, Religious Exemptions, and Faith-based Adoption Agencies*, ABA National Conference on Access to Justice for Children and Families (Apr. 2019)
- Panelist, *The Future of the Supreme Court's First Amendment Jurisprudence*, Annual Midwest Regional Conference, University of Chicago (Feb. 2019)
- Panelist, *Religious Exemptions and Harm to Third Parties*, AALS Hot Topics Program (Jan. 2019)
- Presenter, *Original Meaning and the Establishment Clause: A Corpus Linguistics Analysis*, AALS FedSoc Works in Progress Panel (Jan. 2019)
- Presenter, *Externalities and Religious Exemptions in Adoption*, Silent Victims: Foster Care and Foster Care Adoption in America, Duke Law School Conference (Nov. 2018)
- Guest Lecturer, Religious Liberty Seminar Class, Harvard Law School (Oct. 2018)
- Presenter, *First Amendment "Harms,"* Rocky Mountain Junior Scholars Forum, University of Utah Law School (Oct. 2018)
- Presenter, *First Amendment "Harms,"* BYU Law Faculty WIP (Oct. 2018)

- Presenter, *First Amendment "Harms,"* Women in Law Teaching Works-in-Progress Workshop, University of Minnesota Law School (Jul. 2018).
- Participant, Annual Law and Religion Roundtable (Jun. 2018)
- Panelist, *Significant Opinions of the 2016 Term*, Supreme Court Review at BYU Law School (Sep. 2017)
- Speaker, *Reflections on Supreme Court Religious Liberty Cases*, George Washington University, Loeb Institute for Religious Freedom Seminar (Jul. 2017)

BAR ADMISSIONS

- District of Columbia
- United States Supreme Court
- Second Circuit Court of Appeals
- Third Circuit Court of Appeals
- Fifth Circuit Court of Appeals
- Sixth Circuit Court of Appeals
- Ninth Circuit Court of Appeals

EXHIBIT 1-I

Diana Marie Verm Thomson

202.349.7225

Member of Virginia State Bar, District of Columbia Bar

Experience

The Becket Fund for Religious Liberty

Legal Counsel Washington, D.C.

September 2009 – February 2019

Senior Counsel Washington, D.C.

March 2019 – present

Responsible for all aspects of domestic and international religious liberty litigation: draft and file appellate briefs in courts of appeals and Supreme Court; manage litigation teams; develop record and file motions in federal district and state courts; conduct oral arguments; represent clients in media.

International Human Rights Law Clinic, Washington College of Law

Student Attorney Washington, D.C.

August 2008 – May 2009

Counseled multiple clients; researched and drafted legal memos, asylum petition, habeas petition; argued a case of property rights against Guatemala before the Inter-American Commission on Human Rights. Received interim secret level security clearance.

Wiggins, Childs, Pantazis, Fisher & Goldfarb, LLC

Summer Associate Washington, D.C.

May 2008 – August 2008

Worked on Title VII litigation; drafted Title VII complaint; researched and drafted legal memoranda.

Notable Cases

Little Sisters of the Poor v. Pennsylvania (Supreme Court): On brief representing the Little Sisters of the Poor in case defending religious exemption from HHS Mandate.

Our Lady of Guadalupe v. Morrissey-Berru (Supreme Court): On brief representing school regarding application of ministerial exception to teacher of religion in elementary school.

Espinoza v. Montana Department of Revenue (Supreme Court): Counsel of Record on Supreme Court amicus brief making Free Exercise Clause arguments adopted by the Court and cited in concurring opinion.

FFRF v. Lehigh County (3d Cir.): On brief in Third Circuit win defending County's seal with religious imagery as part of its history and culture.

HHS Contraception Mandate litigation (*Zubik v. Burwell*): Lead associate counsel in multiple cases before federal district and appellate courts and the Supreme Court representing religious employers challenging Affordable Care Act's "preventive care mandate" requiring religious employers to provide insurance coverage for contraceptives, sterilization, and potentially life-terminating drugs and devices. Achieved injunctions for all clients. Cases include: *East Texas Baptist University v. Burwell* (S.D. Texas) (5th Cir.) (Supreme Court); *Wheaton College v. Burwell* (N.D. Illinois) (7th Cir.) (Supreme Court).

Singh v. Carter (D.D.C.): Lead associate counsel representing Sikh soldier requesting religious accommodation to wear unshorn hair and turban as articles of faith in U.S. Army; won preliminary injunction; achieved long-term accommodation for client and change in Army policy.

Sindicatul "Pastorul cel Bun" v. Romania, No. 2330/09 (Eur. Ct. of Hum. Rts., Grand Chamber) (represented interveners supporting Romanian Orthodox Church's freedom to choose clergy without government interference; Grand Chamber adopted argument).

Pledge of Allegiance litigation: *Doe v. Acton-Boxborough Regional School District* (Massachusetts Supreme Judicial Court) & *Doe v. Matawan-Aberdeen Regional School District* (New Jersey Superior Court): Lead associate counsel representing intervenor parents and schoolchildren defending the constitutionality of the Pledge of Allegiance in Massachusetts and New Jersey public schools. Argued case in New Jersey Superior Court. Pledge upheld in both cases.

Education

American University Washington College of Law

Juris Doctor *Washington, D.C.* May 2009

Honors: Graduated *summa cum laude*; Order of the Coif; *American University Law Review*, Articles Editor; Paul P. Purta Scholarship

Study Abroad: Washington College of Law, Turkey Summer Law Program, Yeditepe University June 2007

Wheaton College, Illinois

Bachelor of Arts, International Relations *Wheaton, IL* December 2004

Honors: Graduated *Magna Cum Laude*; President's Award Scholarship; Pi Sigma Alpha National Political Science Honor Society

Study Abroad: Earlham College Peace and Conflict Studies, Londonderry, Northern Ireland, Spring 2004

Bar Memberships

- Virginia, District of Columbia
- United States Supreme Court, Supreme Court of Virginia, District of Columbia Court of Appeals, United States Courts of Appeals for the 1st Circuit, 5th Circuit, 6th Circuit, 7th Circuit, 8th Circuit, 9th Circuit, 11th Circuit, Eastern District of Virginia, Western District of Wisconsin, U.S. District Court for the District of Columbia.

EXHIBIT 1-J

JOSEPH DAVIS

Experience

The Becket Fund for Religious Liberty, *Washington, DC*
Counsel

2017–now

Represented clients in all stages of religious-liberty litigation in federal and state courts. Argued appeals in the Fifth and Ninth Circuits. Drafted Supreme Court and appellate briefs, trial-level dispositive motions and other filings, and formulated legal strategy. Published articles on religious-liberty and related topics cited in multiple appellate judicial opinions.

Jones Walker LLP, *New Orleans, LA*
Litigation Associate

2015–16

Represented clients in all stages of civil and criminal litigation, including by drafting briefs, complaints, motions, memoranda, appellate briefs and other filings, arguing dispositive motions, and engaging in written and deposition-based discovery

United States Court of Appeals for the Fifth Circuit, *Jackson, MS*
Law Clerk

2014–15

Assisted Judge Jolly in hearing and disposing of appeals by conducting legal research, preparing bench memoranda, attending oral arguments, and drafting opinions

Supreme Court Litigation Clinic, *Charlottesville, VA*
Research Assistant

2014

Assisted Litigation Clinic attorneys to identify candidates for Supreme Court review

Publications

Joseph C. Davis & Nicholas R. Reaves, *Fruit of the Poisonous Lemon Tree: How the Supreme Court Created Offended-Observer Standing, and Why It's Time for It to Go*, 96 Notre Dame L. Rev. Reflections 25 (2020)

Joseph C. Davis & Nicholas R. Reaves, *The Point Isn't Moot: How Lower Courts Have Blessed Government Abuse of the Voluntary-Cessation Doctrine*, 129 Yale L.J. Forum 325 (2019)

Education

University of Virginia School of Law, *Charlottesville, VA*
J.D., 2014

2011–14

- G.P.A. 3.95
- Order of the Coif
- *Virginia Law Review*

Mississippi State University, *Starkville, MS*

2007–11

B.A., Economics (Minor: Religion), *summa cum laude*, 2011

- G.P.A. 4.0
- Society of Scholars

Representative Litigation

Agudath Israel of America v. Cuomo, 141 S. Ct. 63 (2020). Drafted application obtaining emergency injunctive relief in case involving Jewish synagogues.

City of Pensacola v. Kondrat'yev, 139 S. Ct. 2772 (2019) (GVR). Drafted petition for certiorari in case involving the constitutionality of a cross display.

***Franciscan Alliance, Inc. v. Becerra*, 47 F.4th 368 (5th Cir. 2022) (argued).** Briefed and argued successful appeal defending religious ministries from HHS actions under Affordable Care Act.

***Starkey v. Archdiocese of Indianapolis*, 41 F.4th 931 (7th Cir. 2022).** Briefed successful appeal protecting the freedom of a religious school to choose its leaders.

***Religious Sisters of Mercy v. Becerra*, 2022 WL 17544669 (8th Cir. 2022).** Briefed successful appeal defending religious ministries from HHS actions under Affordable Care Act.

***Payne-Elliott v. Archdiocese of Indianapolis*, 193 N.E.3d 1009 (Ind. 2022).** Briefed successful appeal protecting the constitutional right of church autonomy.

***Kondrat'yev v. City of Pensacola*, 949 F.3d 1319 (11th Cir. 2020).** Briefed successful appeal defending the constitutionality of a cross in a public park.

***Freedom From Religion Foundation, Inc. v. County of Lehigh*, 933 F.3d 275 (3d Cir. 2019).** Briefed successful appeal defending the constitutionality of a cross on a county seal.

***Gaylor v. Mnuchin*, 919 F.3d 420 (7th Cir. 2019).** Briefed successful appeal defending the constitutionality of tax-exempt housing allowances for ministers.

***Whole Woman's Health v. Smith*, 896 F.3d 362 (5th Cir. 2018).** Briefed successful appeal protecting bishops conference from discovery impinging on church autonomy.

***Greater Baltimore Center for Pregnancy Concerns, Inc. v. Mayor & City Council of Baltimore*, 879 F.3d 101 (4th Cir. 2018).** Assisted in briefing successful appeal protecting free speech rights of pro-life pregnancy center.

***Young Israel of Tampa, Inc. v. Hillsborough Area Regional Transit Authority*, 582 F. Supp. 3d 1159 (M.D. Fla. 2022).** Briefed successful summary-judgment motion protecting synagogue from viewpoint discrimination in government advertising program.

***Fitzgerald v. Roncalli High School, Inc.*, 2022 WL 16707372 (S.D. Ind. 2022).** Briefed successful summary-judgment motion protecting the freedom of a religious school to choose its leaders.

***Religious Sisters of Mercy v. Azar*, 513 F. Supp. 3d 1113 (D.N.D. 2021) (argued).** Briefed and argued successful summary-judgment motion defending religious ministries from HHS actions under Affordable Care Act.

***South Central Conference of Seventh-day Adventists v. Alabama High School Athletic Association*, No. 2:22-cv-00274 (M.D. Ala. concluded Oct. 11, 2022).** Represented Seventh-day Adventist school in litigation concluding in rule change requiring Sabbath accommodations for sports teams.

***East Texas Baptist University v. Sebelius*, No. 4:12-cv-03009 (S.D. Tex. concluded Aug. 11, 2020).** Assisted in obtaining permanent injunction protecting religious university from HHS contraceptive mandate.

Admissions

District of Columbia; Louisiana; Supreme Court of the United States; U.S. Court of Appeals for the Third, Fifth, Seventh, Eighth, Ninth, and Eleventh Circuits; various federal district courts

EXHIBIT 1-K

DANIEL L. CHEN

(510) 523-8389 | dchen@becketlaw.org

EDUCATION

University of California, Berkeley, School of Law

Juris Doctor, May 2016

- Honors: Order of the Coif; American Jurisprudence Award for Highest Grade in Negotiations, Contemporary Issues in Constitutional Law, and Supreme Court Seminar; Prosser Award for Second-Highest Grade in Conflict of Laws; and Boalt Hall Fellowship (merit-based scholarship)
- Activities: Supervising Editor, *California Law Review*; President, Christians at Boalt; Co-President, Berkeley Federalist Society; Student Liaison, Berkeley Law Admissions Committee; and Research Assistant to Professor John Yoo, Professor Jesse Choper, and Professor Charles D. Weisselberg
- Publications: Charles D. Weisselberg, Daniel Chen, and Sameera Mangena, *Motorists, Motels, Mistakes, and More: Criminal-Law Cases in the Supreme Court's 2014-2015 Term*, 51 Court Review 132 (2015)
Daniel Chen, *Kennedy v. Bremerton School District: The Final Demise of Lemon and the Future of the Establishment Clause*, 21 Harvard Journal of Law and Public Policy Per Curiam 1 (2022)

University of California, Berkeley

Bachelor of Arts, *magna cum laude*, in Political Science, Minor in Public Policy, May 2013

- Honors: Honors Thesis - "Authoritarianism and Democratization in East Asia: A Study of Civil Society"; Phi Beta Kappa; Departmental Highest Honors; UC Berkeley's Regents' and Chancellor's Scholarship; Millennial Values Fellowship - Berkley Center for Religion, Peace & World Affairs at Georgetown University
- Activities: President, Pi Sigma Alpha Political Science Honors Society

EXPERIENCE

Visiting Professor, Pepperdine Caruso School of Law, Malibu, CA

Jan. 2023

Counsel, The Becket Fund for Religious Liberty, Palo Alto, CA

Oct. 2020 – Present

- Litigate RFRA, RLUIPA, Free Exercise, and Establishment Clause cases in state and federal courts across the country
- Draft merits and amicus briefs before the United States Supreme Court, obtaining emergency relief in *Agudath Israel of America v. Cuomo*, *South Bay United Pentecostal Church v. Newsom*, and *Gateway City Church v. Newsom*, and *Tandon v. Newsom*
- Obtain favorable summary judgment and qualified immunity ruling at the Eighth Circuit in two challenges to government restrictions on religious leadership requirements for student groups on public university campuses
- Defend and obtain dismissal for a religious educational institution in first-in-the-nation litigation construing the scope of Title IX's statutory religious exemption
- Defend religious rights of Native Americans in cases concerning the destruction of indigenous sacred sites by the Government

Law Clerk, U.S. District Court for the Northern District of California, San Jose, CA

Sept. 2019 – Sept. 2020

- Managed case dockets and handled administrative issues from the filing of complaints to trial and judgment
- Drafted orders addressing subjects including statutes of limitations and tolling doctrines, municipal liability, personal and subject matter jurisdiction, issue and claim preclusion, class action settlements, and awarding attorney's fees

Associate, Gibson, Dunn & Crutcher LLP, San Francisco, CA

Oct. 2017 – Aug. 2019

- Represented Facebook in Anti-Terrorism Act litigation arising from claims that Facebook facilitated terrorist operations, obtaining dismissal in multiple federal district courts and affirmance on appeal
- Successfully defended the United States Conference of Catholic Bishops (USCCB) in an Establishment Clause challenge to federal programs funding USCCB efforts to protect undocumented immigrants from sex trafficking and abuse
- Drafted amicus briefs in state supreme courts, United States Courts of Appeal, and the United States Supreme Court on issues including religious discrimination in state funding, the ministerial exception, cruel and unusual punishment, and excessive fines
- First-chaired a Rule 30(b)(6) deposition, drafted an opposition brief persuading the district court to deny summary judgment, and secured a favorable monetary settlement on behalf of a client in a 42 U.S.C. § 1983 prisoner civil rights action

Law Clerk, U.S. Court of Appeals for the Eighth Circuit, St. Louis, MO

Aug. 2016 – Aug. 2017

- Reviewed *Anders* briefs, *en banc* petitions, 28 U.S.C. § 2255 habeas petitions, and requests for certificates of appealability
- Authored bench memoranda regarding issues such as statutory interpretation, Fourth Amendment searches and seizures, Fourteenth Amendment violations, federal evidentiary rules, federal sentencing guidelines, and Rule 12(b)(6) motions to dismiss
- Drafted opinions on procedural and substantive challenges to federal criminal sentences, motions for a new trial, sufficiency-of-evidence claims, *Johnson* "crimes of violence," qualified immunity, and constitutional challenges to state statutes

EXHIBIT 1-L

RACHEL N. BUSICK

1117 N Street NW, Unit B, Washington, DC 20005 | (425) 443-0270 | rnbusick@gmail.com

EDUCATION

Pepperdine University School of Law, Malibu, CA May 2015

J.D., *magna cum laude*, GPA: 3.94; Class Rank 9/186 (top 5%); Order of the Coif

Journal: *Pepperdine Law Review*, Literary Citation Editor

Harvard Journal of Law & Public Policy, 2014 National Symposium Issue Editor

Moot Court: 2014 Vincent S. Dalsimer Moot Court Competition, Best Petitioner Brief

Leadership: Federalist Society, Treasurer; Christian Legal Society, Treasurer

Volunteer: Global Justice Program (teaching trial advocacy workshops in India)

Whitworth University, Spokane, WA

May 2012

B.A., Mathematics and Speech Communication, *summa cum laude*, GPA: 3.98

PROFESSIONAL EXPERIENCE

Hon. Victor J. Wolski, U.S. Court of Federal Claims, Washington, D.C. Sept. 2015–present

Judicial Clerk

Research and draft orders and opinions, including in cases involving bid protests, rails-to-trails takings, government contracts, tax disputes, and *pro se* plaintiffs. Assist in preparing for hearings and oral arguments. Observe ADR conferences.

Samaritan's Purse, Boone, NC

Summer 2014

Law Clerk

Researched and drafted memoranda on state laws relating to employer liability, charitable solicitation registration and disclosure requirements, exemptions for religious organizations, and employee privacy rights. Attended meetings in Kenya concerning international tax, immigration, and incorporation law.

Hon. Sandra S. Ikuta, U.S. Court of Appeals for the Ninth Circuit, Pasadena, CA Fall 2013

Judicial Intern

Analyzed civil, criminal, immigration, and arbitration cases. Researched case law and drafted bench memoranda. Assisted in oral argument preparation.

Shared Hope International, Arlington, VA

Summer 2013

Blackstone Fellow

Researched and analyzed state law changes concerning sex trafficking of domestic minors.

PUBLICATION

Blurred Lines or Bright Line? Addressing the Demand for Sex Trafficking Under California Law, 42 PEPP. L. REV. 333 (2015).

BAR ADMISSION

Washington State Bar Association (No. 50388)

PERSONAL

Federalist Society member. Blackstone Legal Fellow and James Wilson Institute Fellow. Enjoy swing dancing, CrossFit, reading, hiking, jigsaw puzzles, and Spanish (conversational).

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

FRANCISCAN ALLIANCE, INC., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

No. 7:16-CV-00108-O

**DECLARATION OF
GENE C. SCHAEER**

1. My name is Gene Schaerr. I am over the age of 18 and have personal knowledge of the contents of this declaration.

2. I am a Partner with the law firm of Schaerr Jaffe LLP, which is based in Washington, D.C.

3. Before that, I was a Partner with the law firm of Winston & Strawn, LLP, where I founded the Appellate and Critical Motions Practice Group in the firm's Washington, D.C. office. I was the chair of the firm's nationwide appellate practice from 2005 to 2014, during which time the practice group received numerous professional recognitions.

4. Before my time at Winston & Strawn, I was a Partner with the law firm of Sidley Austin, where I was a coordinator of the firm's appellate practice and the Co-Chair of the firm's Religious Institutions Practice Group for approximately ten years.

5. I began my law practice in 1987 following clerkships on the United States Supreme Court for Chief Justice Warren Burger and Justice Antonin Scalia, and on the U.S. Court of Appeals for the D.C. Circuit for then-judge Kenneth Starr.

6. During of my career, I have become an expert in the areas of constitutional law and religious freedom at both the trial and appellate levels. I have argued seven cases

before the Supreme Court and have been counsel of record in over 100 cases at the Supreme Court.

7. Given my experience, I have become familiar with the billing rates for attorneys at my firm and other firms with federal trial and appellate litigation expertise.

8. I am also familiar with the billing rates charged by expert attorneys that practice constitutional law at the trial and appellate levels.

9. As part of my experience as a litigator in constitutional and civil-rights cases, I have become familiar with the work of the Becket Fund for Religious Liberty. I have worked with them directly as co-counsel on cases at the Supreme Court and federal courts of appeals and have also filed amicus briefs in federal appellate cases where they have been counsel of record.

10. Becket Fund attorneys are well-known as expert religious liberty litigators at the United States Supreme Court. In my estimation, they are the best law firm in the nation specialized in religious liberty litigation. Over the last decade, they have prevailed in eight merits cases at the Supreme Court on behalf of clients from a wide variety of religious traditions.

11. The Becket Fund has also achieved significant success in federal appellate courts and state supreme courts. In 2021 and 2022 alone, the Becket Fund secured precedent-setting victories in religious liberty cases at the Fifth Circuit, Seventh Circuit (twice), Eighth Circuit (thrice), Ninth Circuit (twice), the Indiana Supreme Court, and the Texas Supreme Court.

12. For its successful advocacy at appellate courts across the nation, the Becket Fund was recognized by the National Law Journal as a 2020 member of the “Appellate Hot List.” The Becket Fund is the first non-profit law firm ever chosen for this list.

13. I understand that the Becket Fund was retained to assist with this case, which involved challenges under the Religious Freedom Restoration Act (RFRA) and

Administrative Procedure Act to HHS's application of the Affordable Care Act to require religious doctors and hospitals to perform or insure gender-transition procedures and abortions contrary to their conscience and medical judgment. This matter bears close resemblance to the widespread RFRA challenges to HHS's contraception mandate beginning in 2011, which applied the Affordable Care Act to require religious employers to provide insurance coverage of all forms of contraception, including those that could cause an abortion.

14. Becket was the leading law firm in the country challenging HHS's contraception mandate under RFRA—bringing the first case challenging the mandate, Complaint, *Belmont Abbey College v. HHS*, No. 11-CV-1989, ECF No. 1 (D.D.C. Nov. 10, 2011) 2011 WL 8997549; bringing the first class action challenging the mandate, Complaint, *LSP v. HHS*, No. 13-CV-2611, ECF No. 1 (D. Colo. Sept. 24, 2013) 2013 WL 5331098; winning the first Supreme Court order blocking the mandate, *Little Sisters of the Poor Home for the Aged, Denver, Colorado v. Sebelius*, 134 S. Ct. 893 (2013) (Dec. 31, 2013); winning the first Supreme Court case on the merits challenging the mandate, *Burwell v. Hobby Lobby Stores, Inc.*, 573 U.S. 682 (2014); winning the first Supreme Court order blocking the mandate for non-profit employers after *Hobby Lobby*, *Wheaton College v. Burwell*, 573 U.S. 958 (2014); winning the first Supreme Court merits ruling blocking the mandate for non-profit employers, *Zubik v. Burwell*, 578 U.S. 403 (2016); winning injunctions against HHS in at least eight cases across the country, *HHS Information Central*, Becket, <https://perma.cc/7YQE-HMBJ>; and winning the first Supreme Court case establishing that HHS could grant a religious exemption from mandate, *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania*, 140 S. Ct. 2367 (2020). It is safe to say that no other law firm in the country has as much experience and success litigating against HHS under RFRA as Becket. And that experience would be extraordinarily valuable in a case like this one.

15. Additionally, based on my experience at international law firms, and given the controversial subject matter of this case, it would be incredibly difficult to bring in experienced counsel necessary to litigate a novel and complex case like this one. Most firms with the requisite experience would be either unable or unwilling to file and prosecute this lawsuit.

16. I have reviewed the billing rates sought by the Becket Fund attorneys in the above-captioned matter in support of Plaintiffs' fee petition. Based on my experience in this area of the law, it is my opinion that the rates the Becket Fund proposes for its attorneys are reasonable for the D.C. area.

17. Indeed, the Becket Fund's proposed billing rates are lower than the rates my firm and other firms at which I have worked would charge their clients for attorneys of comparable seniority and expertise on a similar matter.

18. They are also lower than rates charged by comparable practitioners. Thomas Goldstein of Goldstein & Russell, P.C., sought fees in 2018 based on a rate of \$1,350/hour, in a case litigated in another district court in Texas. Decl. of Eric F. Citron, *Torres v. SGE Management LLC*, No. 09-CV-2056, ECF No. 295-1 at 7 (S.D. Tex. Aug. 31, 2018). A declaration submitted in support of that rate explained that other Supreme Court practitioners such as Ted Olson and Christopher Landau charged \$1,800/hour and \$1,495/hour, respectively. *Id.*

19. Other large law firm practitioners charge similar rates, including between \$1,085-\$1,895/hour for law firm partners and between \$625-\$1,195/hour for associates. See Decl. of Erin E. Murphy in Supp. of Debtors' App. for the Retention and Employment of Kirkland & Ellis LLP, *In re: Nat'l Rifle Assoc. of Am. and Sea Girt LLC*, No. 21-30085, ECF No. 173-2 at 4 (Bankr. N.D. Tex. Feb. 17, 2021).

20. I understand that the rates the Becket Fund is proposing for its senior litigators on this case are as follows:

[illegible]

In light of the religious liberty expertise that these lawyers brought to the task, the market rates for experts in this area of the law more broadly, the difficulty of retaining comparable counsel in a case like this one, and the degree of success obtained for the Becket Fund's clients, these rates are reasonable.

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



Dated: December 22, 2022

Gene C. Schaerr
Schaerr Jaffe LLP
1717 K Street NW, Suite 900
Washington, D.C. 20006

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

FRANCISCAN ALLIANCE, INC., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, *et al.*,

Defendants.

No. 7:16-CV-00108-O

**DECLARATION OF
BRIAN E. ROBISON**

1. My name is Brian Robison. I am over the age of 18 and have personal knowledge of the contents of this declaration.

2. I am a Partner with the law firm of Brown Fox PLLC, which has offices in Dallas and Frisco, Texas.

3. Before that, I was a Partner with the law firm of Gibson, Dunn & Crutcher LLP (“Gibson Dunn”) in Dallas, where I practiced for over ten years. Gibson Dunn currently has twenty offices worldwide. While with Gibson Dunn, I was consistently listed in the publication *Best Lawyers in America* and in the Chamber’s and Partners lawyer rankings, and I handled a wide range of complex business-litigation matters, including class actions and antitrust cases. I also worked on pro bono matters for religious-liberty organizations like The First Liberty Institute and The Alliance Defending Freedom, including a case in which the Supreme Court of the United States issued an opinion in our client’s favor.

4. Before my time at Gibson Dunn, I was a Partner with the law firm of Vinson & Elkins LLP, also in Dallas. Vinson & Elkins currently has twelve offices worldwide. While I was with Vinson & Elkins, I was one of the co-leaders of the nationwide antitrust practice group, and I handled a wide range of complex business-litigation matters, including class actions, antitrust cases, RICO cases, and cases involving claims

of fraud, breach of fiduciary duty, and breach of contract. I also was the lead lawyer on several pro bono cases (including one in which we prevailed at trial) on behalf of Advocates for Community Transformation, a local Christian non-profit that empowers citizens in high-crime neighborhoods to work with the police force and court system to reduce crime and transform communities by bringing slum lords and drug dealers to justice.

5. I began practicing in private law firms in 1996, following a clerkship on the Supreme Court of Texas with Justice John Cornyn.

6. Overall, I have broad experience as a trial lawyer in Dallas, having practiced in the area for over twenty-five years, having taken civil and criminal cases to trial, and having argued before state courts of appeals. The vast majority of my experience involves litigation at large international law firms.

7. Given my experience, I have become familiar with the billing rates for attorneys at my firm and other firms with federal trial and appellate litigation expertise.

8. I am also familiar with the billing rates charged by expert attorneys that practice constitutional law at the trial and appellate levels.

9. As part of my experience as a litigator, I have become familiar with the work of the Becket Fund for Religious Liberty (“Becket Fund”). Becket Fund attorneys are well-known as expert religious-liberty litigators, bringing cases at all levels of the federal courts—including the Supreme Court of the United States. In my estimation, they are the best law firm in the nation specialized in religious-liberty litigation. The Becket Fund has achieved a remarkable level of success at the Supreme Court—including prevailing in eight merits cases over the past decade—for clients from a variety of religious traditions, including Protestants, Catholics, Jews, Muslims, and others.

10. The Becket Fund has also achieved significant success in federal appellate courts and state supreme courts. In 2021 and 2022 alone, Becket has won at least ten

significant victories at the Fifth Circuit, Seventh Circuit (twice), Eighth Circuit (thrice), Ninth Circuit (twice), the Indiana Supreme Court, and the Texas Supreme Court.

11. For its successful advocacy at appellate courts across the nation, the Becket Fund was recognized by the *National Law Journal* as a 2020 member of the “Appellate Hot List.” The Becket Fund was the first non-profit law firm chosen since the list’s creation.

12. I understand that the Becket Fund was retained to assist with the above-styled case, which involved challenges under the Religious Freedom Restoration Act and Administrative Procedure Act to a federal statute and HHS regulations requiring healthcare providers to perform and insure gender-transition procedures and abortions. The Becket Fund’s expertise in religious-liberty litigation was crucial in securing their client’s permanent injunction in this complex case.

13. Based on my experience working at international law firms in the Dallas-Fort Worth area, it would be extraordinarily difficult, if not impossible, to bring in experienced counsel from an international law firm to litigate such a novel and complex case, particularly given the case’s hot-button subject matter.

14. A large international law firm would be the most likely candidate for having the resources to staff, litigate, and win a case like this. But a case like this one would likely have to go through the *pro bono* approval process at an international law firm given the non-pecuniary nature of the claims and the inability of religious nonprofits to pay a firm’s customary rates. And given my own experience litigating and trying to get approval to pursue *pro bono* cases at these types of firms, it is highly unlikely that a large international law firm would agree to take on a case like this. The controversial subject matter, coupled with the longevity and complexity of the litigation (six years and multiple appeals to reach a final resolution), would mean most firms

with the requisite experience would be either unable or unwilling to litigate a case like this one.

15. I have reviewed the billing rates sought by the Becket Fund attorneys in the above-captioned matter in support of Plaintiffs' fee petition. I have also reviewed the resumes and experience of each of the attorneys who worked on this matter. Based on my experience litigating in the Dallas-Fort Worth area, it is my opinion that the rates the Becket Fund proposes for its attorneys are reasonable.

16. I understand that the rates the Becket Fund is proposing, which are based on their understanding of prevailing market rates in the Northern District of Texas, are as follows:

	2016 Rate	2017 Rate	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Daniel Chen ('16)	N/A	N/A	N/A	N/A	\$515/hour	\$610/hour	\$610/hour
Diana Thomson ('09)	\$705/hour	\$705/hour	N/A	N/A	N/A	N/A	N/A
Joseph Davis ('14)	N/A	N/A	N/A	\$610/hour	\$610/hour	\$705/hour	\$705/hour
Lori Windham ('05)	\$800/hour	\$800/hour	N/A	N/A	N/A	N/A	N/A
Luke Goodrich ('04)	\$800/hour	\$800/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour	\$905/hour
Mark Rienzi ('00)	\$905/hour	\$905/hour	\$905/hour	\$1,050/hour	\$1,050/hour	\$1,050/hour	N/A
Stephanie Barclay ('11)	\$610/hour	\$610/hour	N/A	N/A	N/A	N/A	N/A
Rachel Busick ('15)	\$420/hour	\$420/hour	N/A	N/A	N/A	N/A	N/A
Paralegals	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour	\$210/hour

17. In light of the religious-liberty expertise that these lawyers brought to the task, the prevailing market rates in the Northern District of Texas, the nature and

complexity of this litigation, and the success obtained for the Becket Fund's client, it is my opinion that these rates are reasonable.

18. "A reasonable hourly rate is the prevailing market rate in the relevant legal community for similar services by lawyers of reasonably comparable skills, experience, and reputation." *SEC v. Narayan*, No. 16-cv-1417, 2019 WL 13074285, at *1 (N.D. Tex. Sept. 30, 2019).

19. Given their experience and expertise, Becket Fund attorneys would be able to charge similar or higher rates as attorneys litigating at large international law firms. That is especially true given the nature and complexity of this case, which took six years and multiple appeals to the Fifth Circuit to secure a permanent injunction.

20. The Becket Fund's proposed billing rates are lower than the rates my two prior firms and other firms with which I am familiar would charge their clients for attorneys of comparable seniority and expertise on a similar matter.

21. I am also aware of comparable practitioners that charge significantly higher rates, including between \$1,085-\$1,895/hour for law firm partners and between \$625-\$1,195/hour for associates. See Decl. of Erin E. Murphy in Supp. of Debtors' App. for the Retention and Employment of Kirkland & Ellis LLP, *In re: Nat'l Rifle Assoc. of Am. and Sea Girt LLC*, No. 21-30085, ECF No. 173-2 at 4 (N.D. Tex. Feb. 17, 2021).

22. In a recent bankruptcy case in the District of New Jersey, the Department of Justice noted the prevailing rates at numerous large international law firms, including Hogan Lovells US LLP ("Hogan Lovells"); Jones Day; Skadden Arps Slate Meager & Flom LLP ("Skadden"); Weil, Gotshal & Manges LLP ("Weil"); King & Spaulding, LLP; Shook Hardy & Bacon, LLP; and Orrick, Harrington & Sutcliffe, LLP ("Orrick"). Objection of the U.S. Trustee to Debtor's Application for Retention of Hogan Lovells as Special Counsel, *In re: LTL Management, LLC*, No. 21-30589, ECF No. 2324 ¶ 22 (D.N.J. May 20, 2022).

23. At Hogan Lovells, the discounted hourly rate for partners was between \$950 and \$2,465/hour, the discounted hourly rate for counsel was between \$910 and \$1,735/hour, and the discounted rate for associates was between \$605 and \$1,055/hour. *Id.* ¶ 21.

24. Though the Department of Justice objected to the Hogan Lovells rates, it did not object to the rates of other large international law firms that charged rates higher than the Becket Fund proposes for the above-styled case. Jones Day billed at a rate up to \$1,350/hour, Skadden’s hourly range for partners was \$900 to \$1,875/hour, Weil’s hourly range for partners was \$1,150 to \$1,795/hour, and Orrick’s hourly range for counsel and partners was \$805 to \$1,750/hour. *Id.* ¶ 23.

25. A partner in the Houston office of Gibson Dunn also recently explained that his hourly rate was \$1,385/hour and that associates in Gibson Dunn’s Houston office charge between \$800 and \$1,000/hour. Decl. of Collin Cox, *Ross Dress for Less, Inc. v. ML Development LP*, No. 20-cv-978, ECF No. 80-1 ¶ 5 (S.D. Tex. May 6, 2022).

26. Finally, the Becket Fund’s requested attorney’s fees are reasonable when compared to what other courts in smaller legal markets have actually awarded Becket Fund attorneys in similar litigation. In *Intervarsity Christian Fellowship v. University of Iowa* and *Business Leaders in Christ v. University of Iowa*, the United States District Court for the Southern District of Iowa, Davenport Division, held that a public university violated the constitutional rights of religious student organizations by selectively deregistering them based on their religious beliefs. The court awarded attorney’s fees and found that a rate of \$914/hour for a Becket Fund attorney with twenty years of experience and a rate of \$759/hour for a Becket Fund attorney with thirteen years of experience was reasonable. *Intervarsity Christian Fellowship v. Univ. of Iowa*, No. 18-cv-80, Dkt. No. 101 at 2 n.1 (S.D. Iowa Nov. 18, 2021); *Bus. Leaders in Christ v. Univ. of Iowa* (“*BLinC*”), No. 17-cv-80, Dkt. No. 147 at 3 (S.D. Iowa, Nov. 10, 2021). The court explained that “[a]lthough the rates requested for

Plaintiff's out of state counsel are significantly higher, between \$759 and \$914 for the two attorneys, they are reasonable given the complex nature of the issues in this case and the extensive experience Plaintiff's counsel has in constitutional litigation." *BLinC*, No. 17-cv-80, Dkt. No. 147 at 3.

27. The attorneys in this case have similar experience to the attorneys in the *Intervarsity* and *BLinC* litigation. Yet the legal market in the Dallas-Fort Worth area is significantly larger and more sophisticated than the legal market in Davenport, Iowa. Thus, if these rates were deemed reasonable by the federal court in Davenport, Iowa, then slightly higher rates would be reasonable in Dallas-Fort Worth.

28. In conclusion, based on my knowledge and experience litigating cases in the Northern District of Texas, my familiarity with the hourly rates charged by firms in this legal market, the qualifications of the Becket Fund attorneys involved in this litigation, the nature and complexity of this litigation, and the success obtained for the client, it is my opinion that the Becket Fund's requested rates are reasonable.

I declare under penalty of perjury under the laws of the United States of America and of this Court that the foregoing is true and correct.

Dated: December 21, 2022



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