

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-CV-80771-ROSENBERG/REINHART

ROBERT W. OTTO and JULIE H.
HAMILTON,

Plaintiff,

v.

CITY OF BOCA RATON,
FLORIDA and COUNTY OF PALM
BEACH,

Defendants.

**DEFENDANT, CITY OF BOCA RATON'S RESPONSE TO
PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND NON-TAXABLE EXPENSES**

Defendant, City of Boca Raton ("City"), responds to the Motion for Attorneys' Fees and Non-Taxable Expenses, filed by Plaintiffs, Robert Otto and Julie Hamilton (collectively, "Plaintiffs"), and states:

OVERVIEW

On April 6, 2023, this Court entered Final Judgment in favor of Plaintiffs, following Plaintiffs' acceptance of the City and County's respective offers of judgment. *See* ECF Nos. 196, 203. The judgments against the County totaled \$100,000.00, whereas the judgments against the City totaled \$75,000.00. Notably, both the City and the County (collectively, "Defendants") offered to pay only their respective, pro rata share of costs (including reasonable attorneys' fees) accrued to the date of the offer, which Plaintiff accepted. ECF Nos. 196, 203.

The City objects to Plaintiffs' requested attorneys' fee and non-taxable expenses on several grounds. First, Plaintiffs' request for a joint and several fee award against both the City and County contradicts the plain language of the Offers of Judgment made by both Defendants. The Offers of Judgment clearly state that each Defendant is responsible for paying only their respective *pro rata* share of costs and fees. Thus, fees and expenses should be entered only in proportion to the final judgment amounts paid by Defendants – 3/7th against the City and 4/7th against the County.

Second, the hourly rates sought by Plaintiffs are not reasonable when compared to the prevailing hourly rates in Palm Beach County and are not appropriate because Plaintiffs failed to meet their burden regarding non-local counsel, and Plaintiffs seek incorrect rates for attorneys that are not admitted in the district, and should therefore be reduced. Third, Plaintiffs are not entitled to a multiplier and offer no sound basis in support of such a claim. Next, Plaintiffs seek fees for numerous, individual time entries that are not recoverable for various reasons, such as excessive time, duplicate billing, or block billing (among other issues). Finally, Plaintiffs seek non-taxable expenses that are either not recoverable or not properly supported.

Accordingly, the City respectfully requests the Court reduce the total fee and expense award sought by Plaintiffs to \$497,275.00 and further reduce the recoverable portion against the City to 3/7ths of this amount (or \$213,132.07). The City's calculations for the proposed reductions are set forth in the spreadsheet attached as Exhibit "A."

ARGUMENT

I. OBJECTIONS TO ATTORNEYS' FEES.

Courts in the Eleventh Circuit use the familiar "lodestar" method to determine a reasonable fee award, which is calculated by multiplying the reasonable hourly rate by the number of hours reasonably expended. *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983); *ACLU v. Barnes*, 168 F.3d 423, 427 (11th Cir. 1999) (citing *Blum v. Stenson*, 465 U.S. 886, 888 (1984)). The fee applicant has the burden of establishing the reasonableness of both the hourly rate and hours expended. *Norman v. Housing Auth. of the City of Montgomery*, 836 F.2d 1292, 1303 (11th Cir. 1988). Notably, in assessing the reasonableness of a fee award, courts are generally not permitted "to be generous with the money of others, and it is as much the duty of courts to see that excessive fees and expenses are not awarded as it is to see that an adequate amount is awarded." *ACLU*, 168 F.3d 423 at 428. "Section 1988's aim is to enforce the covered civil rights statutes, not to provide 'a form of economic relief to improve the financial lot of attorneys.'" *Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542, 552 (2010) (quoting *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 478 U.S. 546, 565 (1986)). Here, Plaintiffs' requested fee award essentially seeks an excessive windfall for Plaintiffs' counsel and should be reduced as set forth below.

A. The City's Share Of Attorneys' Fees Should Be Reduced In Proportion To Its Pro Rata Share Of The Final Judgment.

“Courts apply traditional principles of contract law to interpret offers of judgment made under Rule 68.” *Pope v. Lil Abner's Corp.*, 92 F. Supp. 2d 1327, 1327–28 (S.D. Fla. 2000) (quoting *Johnson v. University College of University of Alabama*, 706 F.2d 1205, 1209 (11th Cir.1983)). “The plain language of the offer dictates the result.” *Le v. Univ. of Pennsylvania*, 321 F.3d 403, 409 (3d Cir. 2003).

Here, both the City's and the County's Offers of Judgment explicitly stated that they would each only pay their respective *pro rata share* of the costs (including attorneys' fees). The Offers of Judgment were accepted by the Plaintiffs. ECF Nos. 196, 203. Therefore, granting a joint and several award would disregard traditional contract law principles and wholly ignore the clear text of the Offers of Judgment, rendering the phrase “*pro rata share*” meaningless and essentially nullifying its inclusion in the Offers.¹ To give the text of the Offers of Judgment meaning, the Court must find a method to prorate the costs and fees between the County and the City. The most straightforward approach would be to allocate based upon the monetary relief obtained from each Defendant.² Out of the \$175,000.00 total final judgment paid to Plaintiffs,

¹ Plaintiffs have argued elsewhere (*See Reply in Support of Plaintiffs' Bill of Costs* [ECF No. 224]) that a joint and several award of costs taxed against multiple defendants is the “general rule,” especially applicable for conspiracy claims. *Id.* at p. 1. However, their argument misses the point. An accepted offer of judgment made under Rule 68 constitutes a settlement agreement, and should be interpreted and enforced as such. *Gonzalez v. Chinatown Hotel Corporation*, 808 Fed. App'x 999, 1001-02 (11th Cir. 2020). The parties have agreed that the cost award against, *inter alia*, the City should only be for the City's *pro rata* share of costs incurred up through the date of the offer. Therefore, the question of whether a joint and several cost award might have been appropriate if Plaintiffs had prevailed at trial is irrelevant. *See, e.g., Thomas v. Everest Receivable Services, Inc.*, 2022 WL 19517984, *8 (M.D. Fla. 2022) (“Plaintiff expressly agreed to limit his potential fee and costs recovery by acceptance of that Offer. Having so contracted, Plaintiff's acceptance of these terms acts as a waiver of any greater right he might have enjoyed, had he prevailed at trial”) (citation omitted). By accepting the terms of the City's Offer of Judgment, Plaintiffs waived any greater right they may (or may not) have recovered.

² The City acknowledges that there are multiple approaches to allocating costs proportionately. In this case, Plaintiffs challenged the ordinances adopted by both the County (a larger jurisdiction that includes the City) and the City (one of many municipalities within the County). The County ordinance had a county-wide application, whereas the City ordinance was confined to the City's limited jurisdiction. Rather than prorating fees based upon the relative amount of the judgments, one alternative method for fee allocation could be to prorate fees based upon the

the City's share was \$75,000.00 (which is equal to 3/7ths). *Id.* Additionally, application of the Ordinances at issue merit this *pro rata* division between the City and the County. The County's ordinance applied throughout all of Palm Beach County (made up of 39 municipalities, including the City, plus unincorporated areas), whereas the City's ordinance applied only within the City of Boca Raton. Plaintiffs, therefore, were more greatly affected by the County's ordinance, as they testified that they sought to practice sexual orientation change therapy ("SOCE") throughout Palm Beach County, not just in the City. Furthermore, even if the City had not adopted its challenged ordinance, the County's ordinance would still have prohibited Plaintiffs' desired conduct within the City. Accordingly, any attorneys' fee award (and non-taxable expenses, discussed, *infra*), must be pro-rated, with the City's share reduced to 3/7th of the total, recoverable fee award in accordance with the plain language of the Offers of Judgment.³

B. Plaintiffs' Counsels' Billing Rates Should Be Reduced.

The determination of a reasonable hourly rate is based upon the "prevailing market rate in the relevant legal community for similar services by lawyers of reasonably comparable skills, experience, and reputation." *ACLU of Ga. v. Barnes*, 168 F.3d 423, 436 (11th Cir. 1999) (quoting *Norman v. Housing Auth. of Montgomery*, 836 F.2d 1292, 1299 (11th Cir. 1999)). "Generally, the 'relevant market' for purposes of determining the reasonable hourly rate for an attorney's services is 'the place where the case is filed ...'" *Procaps S.A. v. Patheon Inc.*, No. 12-24356-CIV, 2013 WL 6238647, at *12 (S.D. Fla. Dec. 3, 2013) (J. Goodman) (quoting *Barnes*, 168 F.3d at 427).

relative population of the City compared to the County. This, of course, would result in the County being allocated nearly all of the fees due to its much larger population. The population of the City in 2023 is 94,885 (<https://worldpopulationreview.com/us-cities/boca-raton-fl-population>), and the population of the County is 1,543,809 (*see* <https://worldpopulationreview.com/us-counties/fl/palm-beach-county-population>). A proration of fees based upon these population figures would allocate 6.146% of the fees to the City and 93.854% to the County. However, rather than allocate based upon the actual jurisdictional scope of the challenged ordinances, the City proposes a *pro rata* allocation of 3/7 to the City and 4/7 to the County, based upon the proportionate shares of the judgments.

³ The ratio of fees discussed herein (specifically 3/7th due from the City) should be calculated for fees through January 27, 2023, which is the date of the City's Offer of Judgment. The City's Offer of Judgment expressly limits the City's obligation to fees incurred by Plaintiffs "to date." ECF No. 196. The City takes no position with regard to Plaintiffs' claim for reimbursement of fees from the County after that date, whether up through the date of the County's Offer of Judgment on February 22, 2023 [ECF No. 203], or otherwise.

The fee applicant bears the burden of establishing the claimed market rate. *DJ Lincoln Enterprises, Inc. v. Google, LLC*, No. 20-CV-14159, 2022 WL 4287640, at *7 (S.D. Fla. July 28, 2022), *report and recommendation adopted*, No. 2:20-CV-14159, 2022 WL 3754182 (S.D. Fla. Aug. 30, 2022) (J. Reinhart) (citing *Barnes*, 168 F.3d at 427). If the fees requested are not representative of reasonable hourly rates in the jurisdiction where the case is filed, the Court has leave to reduce the fees to reflect the local market. *Id.* (citing *City Place Retail, L.L.C. v. Wells Fargo Bank, N.A.*, 18-CV-81689, 2021 WL 3361172, at *5 (S.D. Fla. Jan. 12, 2021) (J. Reinhart)). Notably, “[i]f a fee applicant desires to recover the non-local rates of an attorney who is not from the place in which the case was filed, he must show a lack of attorneys practicing in that place who are willing and able to handle his claims.” *Cullens v. Georgia Dep’t of Transp.*, 29 F.3d 1489, 1494 (11th Cir. 1994).

Plaintiffs seek rates that are unreasonably high in comparison with similarly qualified lawyers in Palm Beach County, and they have failed to provide justification for these rates by demonstrating a lack of available attorneys in Palm Beach County willing and able to handle this matter. *See Cullens*, 29 F.3d at 1494. Indeed, Plaintiffs’ own Motion *admits* that other national public interest groups, namely the ACLU and the Christian Legal Society, were available locally to handle this case.⁴ Declaration of Horatio G. Mihet, ¶ 24 (stating the case required counsel from “national public interest groups like . . . the Christian Legal Society[] or the ACLU”). The ACLU has a Palm Beach chapter. *See* ACLU Florida, Palm Beach Chapter, <https://palmbeach.aclufl.org/> (last accessed May 15, 2023). The Christian Legal Society also has a West Palm Beach chapter, as well as lawyers located in the Southern District of Florida. *See* Christian Legal Society, West Palm Beach Chapter, <https://www.christianlegalsociety.org/project/west-palm-beach/> (last accessed May 15, 2023); Christian Legal Society, Referral Directory <https://www.clsnet.org/page.aspx?pid=579> (last accessed May 15, 2023). Accordingly, Plaintiffs have not met their burden of demonstrating that local counsel was not available to litigate this matter and, in fact, have conceded that Palm Beach counsel *was* indeed available.

Moreover, although this district has previously awarded rates as high as \$760.00 for a New York litigator with twenty years of experience litigating complex technology matters, the

⁴ There are also numerous other attorneys licensed to practice law in Florida who are located in Palm Beach County that could have handled the case.

City maintains that such previously awarded rates are not applicable to the subject matter of this case and, in any event, should not set a “floor” for all future fees motions. Indeed, the Court may award rates lower than those previously awarded (and has done so). *See, e.g., Schwarz v. Seeman Holtz Prop. & Cas., LLC*, No. 21-CV-81005, 2023 WL 2087934, at *6 (S.D. Fla. Feb. 2, 2023), *report and recommendation adopted*, No. 21-CV-81005-RS, 2023 WL 2071844 (S.D. Fla. Feb. 17, 2023) (setting rate at \$400.00 for attorney with over ten years’ experience in Palm Beach County action); *Landfall 2, Inc. v. Datascore-Ai, LLC*, No. 22-CV-80801, 2023 WL 1979533, at *4 (S.D. Fla. Feb. 8, 2023) (reducing an eleven-year attorney’s rate from \$450.00 to \$340.00 in another Palm Beach County action); *DJ Lincoln Enterprises, Inc. v. Google, LLC*, No. 20-CV-14159, 2022 WL 4287640, at *8 (S.D. Fla. July 28, 2022) (J., Reinhart), *report and recommendation adopted*, No. 2:20-CV-14159, 2022 WL 3754182 (S.D. Fla. Aug. 30, 2022) (awarding Tampa partner practicing twenty-two years a rate of \$467.50); *Southern-Owners Ins. Co. v. Marquez*, No. 20-81431, 2022 WL 2651661, at *14 (S.D. Fla. July 8, 2022) (finding a \$335.00 hourly rate appropriate for an attorney with roughly ten years of experience and a \$415.00 hourly rate appropriate for an attorney licensed to practice in Florida for approximately 20 years in a Palm Beach County action).

Here, Mr. Staver—a litigator with over 30-years’ experience—is requesting a significantly higher rate (\$760.00 per hour) than he did in a similar matter in the Middle District of Florida, *Vazzo v. City of Tampa*, No. 8:17-cv-02896-WFJ-AAS (where he sought \$500 per hour). Indeed, all of the Liberty Counsel timekeepers seek higher rates, despite having sought lower rates for litigating a case with nearly identical claims, pleadings, and motion practice contemporaneously with this matter. *See Vazzo*, No. 8:17-cv-02896-WFJ-AAS, ECF Nos. 221 (motion for attorney’s fees), 223-1 (Declaration of Horatio G. Mihet) (M.D. Fla. Nov. 2, 2019) (Composite Exhibit “A” hereto). And while Mr. Staver (and his colleagues at the Liberty Counsel) are able and qualified attorneys, the \$760.00 rate awarded in *DJ Lincoln Enterprises* specifically took note of the particular litigator (who had particular technology expertise) in that case, who hailed from an elite New York firm and had worked for “some of the largest technology companies in the world.” 2022 WL 4287640, at *8. Notably, in that same action, the Court awarded Google’s local counsel, a partner from Tampa with experience in a “wide array of practices areas” a rate commensurate with the fees the Liberty Counsel sought in *Vazzo*, rather than the top-tier, New York litigator.

Notably, the *Vazzo* matter raised a substantially identical challenge to an ordinance passed by the City of Tampa banning SOCE on minors. The rates the Liberty Counsel sought recovery for in that matter, which was litigated nearly concurrently with this action, were as follows:

Attorney	Rate
Daniel J. Schmid	\$300.00
Mary E. McAlister	\$375.00
Roger K. Gannam	\$425.00
Horatio G. Mihet	\$425.00
Mathew D. Staver	\$500.00
Paralegal	\$100.00

Additionally, an attorney who is not admitted in the jurisdiction, either regularly or *pro hac vice*, can only bill at a paralegal rate. *Zech v. Comm’r of Soc. Sec.*, 680 F. App’x 858, 860 (11th Cir. 2017). “The *Zech* case and other decisions from this Court awarding fees at a paralegal rate to attorneys who are not members of the Bar of this Court and do not seek *pro hac vice* admission are persuasive.” *Martin v. Comm’r of Soc. Sec.*, No. 6:17-CV-1974-ORL-KRS, 2018 WL 8578026, at *3 (M.D. Fla. Dec. 6, 2018). Neither Richard L. Mast nor Daniel J. Schmid are admitted to practice in Florida, and neither attorney sought *pro hac vice* admission in this case. Accordingly, the rates for Messrs. Mast and Schmid should be reduced to a paralegal rate of \$100.00

The Liberty Counsel’s requested rates should be reduced based on the rates they themselves requested in the *Vazzo* matter for substantially similar (and occasionally overlapping) work. Although the City acknowledges that this district has previously awarded rates higher than those urged by the City here, it also worth considering that the bulk of the billing in this matter took place in 2018 and 2019, primarily during the discovery and preliminary injunction phase before the district court. Therefore, rates more closely aligned with those from 2018 and 2019 would be more appropriate here. In addition, the rates charged by counsel for the City are far lower than those rates requested by the Plaintiff, and lower than the rates proposed by the City. *See Affidavit of Daniel L. Abbott, Esq.*, Exhibit “B” hereto (outlining Weiss Serota Helfman

Cole & Bierman, P.L.’s hourly rates and any other arrangements that may impact the effective hourly rate, as required by Local Rule 7.3(a), S.D. Fla. L.R.). Accordingly, the City maintains that the Liberty Counsel’s rates should be reduced as follows:

Attorney	Plaintiffs’ Requested Rate	The City’s Proposed Rate⁵
Richard L. Mast	\$625.00	\$100.00
Mary E. McAlister	\$700.00	\$375.00
Daniel J. Schmid	\$625.00	\$100.00
Horatio G. Mihet	\$700.00	\$425.00
Roger K. Gannam	\$700.00	\$425.00
Mathew D. Staver	\$760.00	\$500.00
Paralegal	\$150.00	\$100.00
Law Clerk	\$150.00	\$100.00

C. Plaintiffs Are Not Entitled To A Fee Multiplier.

An increase in the fee lodestar is only “permitted in extraordinary circumstances”. *Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542, 546 (2010). In *Perdue*, the Supreme Court stressed that the lodestar calculation is generally deemed sufficient, preventing factors considered in the lodestar from being used to justify an increase in the award, and placing the burden on the party seeking fees to identify and substantiate a specific factor that warrants an enhanced fee. As the Supreme Court stated:

There is a strong presumption that the lodestar is sufficient; factors subsumed in the lodestar calculation cannot be used as a ground for increasing an award above the lodestar; and a party seeking fees has the burden of identifying a factor that the lodestar does not adequately take into account and proving with specificity that an enhanced fee is justified.

Perdue, 559 U.S. at 546. Moreover, “the burden of proving that an enhancement is necessary must be borne by the fee applicant[,]” and the “applicant seeking an enhancement must produce ‘specific evidence’ that supports the award.” *Id.*, at 553 (citing *Blum v. Stenson*, 465 U.S. 886, 899, 901 (2010) (stating an enhancement must be based on “evidence that enhancement was necessary to provide fair and reasonable compensation”)). The *Perdue* Court specifically identified three circumstances that may justify a deviation from the lodestar amount: 1) “where the method used in determining the hourly rate employed in the lodestar calculation does not

⁵ The City notes that it is proposing the rates Plaintiffs’ counsel sought in *Vazzo*. Given that a settlement was reached in that case, the actual rates recovered by Plaintiffs’ counsel were likely lower.

adequately measure the attorney’s true market value, as demonstrated in part during the litigation”; 2) “if the attorney’s performance includes an extraordinary outlay of expenses and the litigation is exceptionally protracted”; and 3) when there are “extraordinary circumstances in which an attorney’s performance involves exceptional delay in the payment of fees.” *Id.* at 554–56; *see also Anzardo v. Aqua Holdings Ltd., LLC*, No. 19-60629-CIV, 2021 WL 2118181, at *3 (S.D. Fla. May 6, 2021), *report and recommendation adopted*, No. 0:19-CV-60629-WPD, 2021 WL 2110369 (S.D. Fla. May 25, 2021) (applying the *Perdue* analysis and declining to adjust the lodestar in a Fair Labor Standards Act case); *Dental Fix Rx, LLC v. Moore*, No. 17-62218-CIV, 2022 WL 358349, at *3 (S.D. Fla. Jan. 21, 2022), *report and recommendation adopted*, No. 17-62218-CIV, 2022 WL 356463 (S.D. Fla. Feb. 7, 2022) (declining to adjust lodestar calculation upward in breach of contract action). However, none of these circumstances are present here.

The sole basis for Plaintiffs’ request for a 1.5 fee multiplier is Plaintiffs’ claim that this case was “undesirable.” However, Plaintiffs’ argument is simply not supported by either the Motion or the applicable law. Not only does the Liberty Counsel specialize in religious rights-based civil rights actions (*see e.g.*, Mihet Declaration), the case is the second litigation it has handled regarding SOCE bans. *See Vazzo*, No. 19-14387, 2023 WL 1466603 (11th Cir. Feb. 2, 2023). Any claim of “undesirableness” is undercut and contradicted by the Liberty Counsel’s repeated engagement in (and, in fact, focus on) religious rights-based civil rights cases. *Hazleton v. City of Orlando*, No. 6:10-cv-342-Orl-36DAB, 2013 WL 595247, at *4 (M.D. Fla. Nov. 4, 2013) (lowering attorney’s requested rate and noting that “civil rights cases, while maybe not the most desirable, are certainly not *undesirable*, as evidenced by [counsel’s] repeated engagement in such cases”) (emphasis in original).

Plaintiffs’ claim that the desirability of the case should be considered in determining whether to apply a fee multiplier contradicts clear rulings from the Eleventh Circuit and Supreme Court; both courts have expressly held otherwise. *Perdue*, 559 U.S. 553 (stating “an enhancement may not be awarded based on a factor that is subsumed in the lodestar calculation”); *Bivins v. Wrap It Up, Inc.*, 548 F.3d 1348, 1352 (11th Cir. 2008) (same). The desirability of a case is one of the twelve *Johnson* factors (which Plaintiffs do correctly concede). *See Johnson v. Georgia Hwy. Express, Inc.*, 488 F.2d 714 (5th Cir. 1974) (referencing “the ‘undesirability’ of the case” as the 10th “Johnson factor”). As held by the Eleventh Circuit, “[t]he *Johnson* factors are to be considered in determining the lodestar figure; they should not be

reconsidered in making either an upward or downward adjustment to the lodestar—doing so amounts to double-counting.” *Bivins*, 548 F.3d at 1352 (emphasis added) (holding the district court’s downward adjustment based on the *Johnson* factors was in error) (citing *City of Burlington v. Dague*, 505 U.S. 557, 562-563 (1992)); see also *In re: Home Depot, Inc.*, 931 F.3d 1065, 1090 (11th Cir. 2019) (“[A]n enhancement will be warranted only in the rare and exceptional case where the fee applicant provides specific evidence showing that the lodestar does not adequately reflect the true market value of the attorney’s performance”).⁶

As noted, *supra*, Plaintiffs’ perceived undesirability of this action is the only basis for which they justify the requested multiplier. They do not contend that the lodestar calculation fails to “adequately measure the attorney’s true market value.” *Perdue*, 559 U.S. at 546. Moreover, Plaintiffs’ description of ‘undesirable’ appears to be based solely on the fact that the City and County disagreed with their view of the law (a disagreement central to every litigated case). The second and third circumstances discussed in *Perdue* that may warrant a multiplier (an “extraordinary outlay of expenses and the litigation is exceptionally protracted;” or “an exceptional delay in the payment of fees”) are likewise not present here. The Liberty Counsel did not incur an extraordinary outlay of expenses; indeed, it only incurred taxable costs in the approximate amount of \$6,000. ECF No. 213. In addition, the substance of the case – the preliminary injunction demand – was resolved in 6 months, and no activity took place after the matter was fully briefed while it remained pending before the Eleventh Circuit for 11 months following the initial appeal and again for 18 months following the petition for rehearing. ECF No. 221, at 4. Moreover, the cases upon which Plaintiffs rely to support an upward adjustment are not applicable to the present case. See *Ingram v. The Coca-Cola Co.*, 200 F.R.D. 685, 696 (N.D. Ga. 2001) (giving deference to the parties negotiated fee award as part of ‘a class action settlement reflecting 20% of the total settlement’); *Hidle v. Geneva Cnty. Bd. of Educ.*, 681 F. Supp. 752 (M.D. Ala. 1988) (decided prior to *Perdue* and awarding an upward adjustment to counsel, who took the action on contingency and whose market rate was significantly less than the traditional rate for non-contingency work); *Stokes v. City of Montgomery, Ala.*, 706 F. Supp. 811, 817 (M.D. Ala. 1988) (same); *Ryder v. Diversified Ambulance Billing, LLC*, No. 09-cv-2058-T-27TGW, 2011 WL 13323560 (M.D. Fla. Sept. 12, 2011) (applying a multiplier in a

⁶ Notably, Plaintiffs do not analyze the other *Johnson* factors or their impact upon the lodestar determination.

consumer rights action); *Holman v. Student Loan Xpress, Inc.*, 778 F. Supp. 2d 1306, (M.D. Fla. 2011) (applying a multiplier for the fee award in a class action); *McDonald v. Geico Gen. Ins. Co.*, No. 05-cv-73-T-17MAP, 2008 WL 11439373 (M.D. Fla. 2008) (applying inapplicable Florida law for a multiplier in a bad faith insurance action); *Levesque v. Gov't Emps. Ins. Co.*, No. 15-14005-CV, 2022 WL 1679224, at *9 (S.D. Fla. March 11, 2022) (same). Accordingly, no fee multiplier is merited in this action.

D. The City's Objections to Specific Time Entries.

In addition to the issues of the *pro rata* division of fees, the unreasonably high (or incorrect) hourly rates, and the unjustified fee multiplier, the City also objects to certain categories of billing entries, as well as specific time entries. “Fee applicants must exercise what the Supreme Court has termed ‘billing judgment.’” *Barnes*, 168 F.3d at 429 (quoting *Hensley*, 461 U.S. at 434). “That means they must exclude from their fee applications ‘excessive, redundant, or otherwise unnecessary [hours],’ (quoting *Hensley*), which are hours ‘that would be unreasonable to bill to a client and therefore to one’s adversary *irrespective of the skill, reputation or experience of counsel.*” *Barnes*, 168 F.3d at 429 (quoting *Norman*, 836 F.2d at 1301 (emphasis in original). Specifically, here, the Liberty Counsel seeks fees for non-recoverable time billed after the City’s January 27, 2023 Offer of Judgment, which expressly stated that the offers included only the City’s *pro rata* share of costs (including fees) “accrued to date.” DE 196. Their entries also include excessive travel time, block billing, double billing by multiple attorneys (or in multiple cases, i.e., *Vazzo v. City of Tampa*), clerical tasks, or excessive time generally, as set forth more specifically herein. The City’s specific, line-item objections are noted in the attached Exhibit “C,” and are annotated by the following objection codes:

Objection	Code
Excessive Time	ET
Block Billing	BB
Double Billing by Multiple Attorneys	DB
Billed in the <i>Vazzo</i> case	BV
Post-Offer of Judgment	PO
Excessive Travel Time	TT
Clerical Tasks	CT

1. Plaintiffs Are Not Entitled To Recover Attorneys' Fees Post-Offer of Judgment.

“[F]ees are cut off post-offer when the offer unambiguously states that it includes only fees accrued up to the offer date.” *Hansraj v. Cooling & Winter LLC*, No. 1:19-CV-00259-CAP, 2019 WL 13212710, at *3 (N.D. Ga. Oct. 17, 2019). Rule 68, while silent on fees, “explicitly limits the recovery of costs to ‘the costs then accrued.’” *Id.* (citing Fed. R. Civ. P. 68). “Underlying Rule 68 is the understanding that a plaintiff ‘knows, or can ascertain, the costs then accrued’ and can make a ‘reasonable determination’ whether to accept the offer.” *Ekeberg v. Shook-Brown*, No. 2:08-CV-0195-RWS, 2010 WL 1540129, at *4 (N.D. Ga. Apr. 15, 2010) (quoting *Marek v. Estate of Chesny*, 473 U.S. 1, 7 (1985)). “The defendants’ knowledge of the costs likely to have accrued at the time of the offer is no less important.” *Ekeberg*, 2010 WL 1540129, at *4 (noting recovery of “fees on fees” would be inconsistent with the purpose of Rule 68). Notably, the Eleventh Circuit has acknowledged that when an offer of judgment specifies reasonable costs up to the date of the offer, it sets “the maximum recovery to which the [fee applicant is] entitled.” *Sampiaio v. Client Servs. Inc.*, 306 F. App’x 496 (11th Cir. 2009); *accord Lilly v. City of New York*, 934 F.3d 222, 236 (2d Cir. 2019) (“[W]e conclude that when a settlement cuts off a plaintiff’s entitlement to attorney’s fees on a specific date, a district court may not award a party attorney’s fees for work incurred after that cut-off date.”); *Guerrero v. Cummings*, 70 F.3d 1111, 1113 (9th Cir. 1995) (stating offer “explicitly limit[ed] fees and costs to those ‘incurred by this plaintiff prior to the date of this offer in an amount to be set by the court’”) (emphasis added); *Jordan v. Equifax Info. Servs., LLC*, 549 F. Supp. 2d 1372, 1375 (N.D. Ga. 2008) (stating the offer entitled the plaintiff to “reasonable attorney’s fees, *through the date of this offer*”) (emphasis added); *Said v. Virginia Commonwealth Univ./Med. Coll. of Virginia*, 130 F.R.D. 60, 62 (E.D. Va. 1990) (limiting fees to those accrued as of the date of the offer) (emphasis added). These cases emphasize that, when appropriately limited as in the Offers, an offer of judgment restricts fees to those accrued up until the date of the offer.

Here, the City made its Offers of Judgment to each Plaintiff on January 27, 2023. ECF No. 196. Nonetheless, Plaintiffs seek attorneys’ fees for 169.50 hours of work conducted after the City served the Offers of Judgment. *See* Exh. A-1, pp. 80-85. Recovery of these post-Offer fees is not permitted under Rule 68 and contradicts the plain language of the Offers of Judgment. *See* Fed. R. Civ. P. 68; *Hansraj*, 2019 WL 13212710, at *3. Specifically, the Offers stated that Plaintiffs could only recover the City’s *pro rata* share of Plaintiffs’ “costs (including reasonable

statutory attorney's fees when deemed to be a component of costs such as under 42 U.S.C. § 1988, as determined by the Court) *accrued to date* for all of [Plaintiffs'] claims for relief." ECF No. 196 (emphasis supplied). Therefore, based upon a reading of the plain language of the City's Offers (consistent with traditional contract law principles), as well as application of Rule 68, Plaintiffs' entitlement to attorneys' fees is cut off as of the date of the Offers – January 27, 2023. As a result, Plaintiffs' request for attorneys' fees from the City should be reduced by the 169.50 hours claimed after the Offer of Judgment was served, as indicated in Exhibit "C."

2. *Counsels' Travel Time Should Not Be Assessed Against The City.*

"[A] fee applicant seeking to recover expenses incurred for retaining non-local counsel generally must show a lack of attorneys practicing in that place who are willing and able to handle his claims." *Martinez v. Hernando Cty. Sheriff's Office*, 579 F. App'x 710, 714 (11th Cir. 2014) (excluding out-of-town counsel's travel time to court proceedings). "[A]lthough certainly appropriate for the clients' benefit, [it] is not appropriate to include in the fee application against the non-prevailing party because local counsel would have made extended travel time unnecessary." *Comercio Y Servicios De Transporte Privado PBA S.A. De C.V. v. RDI, LLC*, No. 8:17-CV-1038-TGW, 2020 WL 364784, at *6 (M.D. Fla. Jan. 22, 2020) (declining to award fees for Miami counsel's travel time to Tampa due to failure to show a lack of qualified counsel capable of handling the case); *see also Ranize v. Town of Lady Lake, Fla.*, No. 511-CV-646-OC-PRL, 2015 WL 1037047, at *6 (M.D. Fla. Mar. 10, 2015) ("Absent a showing of a lack of qualified counsel, travel time is not properly visited on one's adversary."); *Brother Int'l Beach Club Condo. Ass'n, Inc.*, No. 6:03-CV-444-ORL28DAB, 2005 WL 1027240, at *5 (M.D. Fla. Apr. 28, 2005) *report and recommendation adopted sub nom. Brother v. Int'l Beach Club Condo. Ass'n, Inc.*, No. 603CV444ORL28DAB, 2005 WL 1139927 (M.D. Fla. May 13, 2005) (declining to award travel time after party failed to show a lack of qualified local counsel); *St. Fleur v. City of Fort Lauderdale*, 149 F. App'x 849, 853 (11th Cir. 2005) (finding no abuse of discretion in reduction of hours spent on "billing at full rates for non-legal tasks like travel ..."); *Ass'n for Disabled Americans, Inc. v. Integra Resort Mgmt., Inc.*, 385 F.Supp.2d 1272, 1301 (M.D. Fla. 2005) (deducting travel time from attorney's fees); *Demers v. Adams Homes of Nw. Florida, Inc.*, No. 6:06-CV-1235ORL31KR, 2008 WL 2413934, at *2 (M.D. Fla. June 11, 2008) *aff'd*, 321 F. App'x 847 (11th Cir. 2009) (reducing time entries for travel time where lawyers traveled 72 miles from Melbourne to Orlando).

Plaintiffs seek attorneys' fees for the Liberty Counsel's billed travel time (in addition to the actual expenses for travel, discussed *infra*). However, because Plaintiffs have failed to show a lack of attorneys practicing in Palm Beach County who could have handled this case. In fact, Plaintiffs themselves concede the presence of such public interest groups in Palm Beach County (Mihet Declaration, ¶ 24). Therefore, Plaintiffs are not entitled to recover the travel time billed by the Liberty Counsel, and Plaintiffs' recovery should be reduced by an additional 86.3 hours.

3. *Plaintiffs Cannot Recover Fees For Block Billing, Redundant Billing, Clerical Tasks, or Excessive Billing Time.*

Any block billing sought by Plaintiffs should be eliminated, and Plaintiffs fee award should be reduced by 200.4 hours for the block billing entries. "Block billing' is the practice of including multiple distinct tasks within the same time entry." *Floridians for Solar Choice, Inc. v. PCI Consultants, Inc.*, No. 15-CV-62688, 2021 WL 1092214, at *5 (S.D. Fla. Mar. 4, 2021), *report and recommendation adopted*, No. 15-62688-CIV, 2021 WL 1089895 (S.D. Fla. Mar. 22, 2021). "Block billing makes ascertaining how much time was spent on each task impossible." *Id.* (citing *Dial HD, Inc. v. ClearOne Commc'ns, Inc.*, 536 F. App'x 927, 931 (11th Cir. 2013); *Maiden Specialty Ins. Co. v. Three Chefs & a Chicken, Inc.*, No. 12-22724-CIV, 2014 WL 11429052, at *10 (S.D. Fla. Jan. 28, 2014), *report and recommendation adopted*, 2014 WL 11429053 (S.D. Fla. Mar. 13, 2014) (reducing fees for block billing where court was unable to determine if the amount of time spent on each task was reasonable); *Estrada v. Alexim Trading Corp.*, No. 10-23696-CIV, 2012 WL 4449470, at *11 (S.D. Fla. Sept. 26, 2012) (reducing hours for block billing, where counsel failed to separate the entries to allow the court to properly determine whether a reasonable amount of time was spent reviewing a particular filing as opposed to conferring about the filing).

Plaintiffs have also included hours in their fee request for time that has been double-billed by their attorneys or, alternatively, are excessive when considered in the aggregate for the specific task billed. A reduction for redundant hours is warranted "if the attorneys are unreasonably doing the same work. An award for time spent by two or more attorneys is proper as long as it reflects the distinct contribution of each lawyer to the case and the customary practice of multiple-lawyer litigation." *Johnson v. University College of Univ. of Ala. in Birmingham*, 706 F.2d 1205, 1208 (11th Cir. 1983). "But the fee applicant has the burden of showing that, and where there is an objection raising the point, it is not a make-believe burden."

Am. C.L. Union of Georgia v. Barnes, 168 F.3d 423, 432 (11th Cir. 1999). Accordingly, the Liberty Counsel’s double or redundant billing practices merit a reduction of 30.6 hours.

Furthermore, Plaintiffs’ fee request includes billable time for identical tasks that were already billed for (and already recovered) in the *Vazzo* matter. Allowing a recovery here for these identical tasks already recovered by the Liberty Counsel in *Vazzo* would amount to an unjustified windfall. *Perdue*, 559 U.S. at 552 (fee recovery is not to be used as “a form of economic relief to improve the financial lot of attorneys.”). The City has included relevant *Vazzo* bills, which reflect billing entries for the same tasks in both cases, for reference herein. See Exhibit “D,” Portions of *Vazzo* Bills. Accordingly, a 5.2-hour reduction is merited to account for the identical fees already billed (and recovered) in *Vazzo*.

Finally, Plaintiffs seek to recover time entries for tasks that are purely clerical in nature. The Supreme Court has emphasized that such “purely clerical or secretarial tasks should not be billed at a paralegal [or lawyer] rate” because “[s]uch non-legal work may command a lesser rate” and “[i]ts dollar value is not enhanced just because a lawyer [or paralegal] does it.” *Missouri v. Jenkins*, 491 U.S. 274, 288 n.10 (1989) (quoting *Johnson*, 488 F.2d at 717). Similarly, the Eleventh Circuit has recognized that “a fee applicant is not entitled to compensation at an attorney’s rate simply because an attorney undertook tasks which were mundane, clerical or which did not require the full exercise of an attorney’s education and judgment.” *Norman*, 836 F.2d at 1306. The City has identified 7.3 hours of attorney time devoted to clerical tasks, meriting a reduction of those hours from the fee award.

II. OBJECTIONS TO NON-TAXABLE EXPENSES.

Plaintiffs seek reimbursement for various non-taxable expenses for attorney travel (including costs for flights, meals, hotels, and car rentals), electronic research, and shipping costs. The City objects to these expenses because they are not properly supported or recoverable, and the City’s specific and categorical objections are annotated in the attached Exhibit “E.” Alternatively, to the extent the Court finds these expenses to be properly recoverable, the City requests that said amounts be taxed against the City based on its *pro rata* share of Plaintiffs’ total recovery against Defendants – 3/7ths of \$12,864.30, which is \$5,512.35.

A. Plaintiffs’ Travel Expenses Are Not Recoverable.

Plaintiffs seek \$7,441.58 for travel expenses. “Although parties to litigation are free to retain non-local counsel, in order to recover travel time, the fee applicant generally must show a

lack of attorneys practicing in that place who are willing and able to handle his claims.” *Creative Choice Homes XXX, LLC v. Amtax Holdings 690, LLC*, No. 819CV01903TPBAAS, 2023 WL 2817366, at *9 (M.D. Fla. Apr. 5, 2023) (internal citations and quotations omitted), *report and recommendation adopted*, 2023 WL 3976001 (M.D. Fla. June 13, 2023); *see also* *Martinez v. Hernando Cnty. Sheriff's Office*, 579 Fed. Appx. 710, 714 (11th Cir. 2014) (“We respect [the plaintiff’s] right to retain counsel of his choice, but, like the district court, we do not think it reasonable to pass the costs of [his attorney’s] travel on to the [defendant] without a showing of a lack of local counsel.”); *Mock v. Bell Helicopter Textron, Inc.*, 456 F. App’x 799, 802 (11th Cir. 2012) (“With respect to the travel expenses, it follows from the district court’s finding that outside-market counsel was unnecessary, that the outside-market counsel’s travel and meal expenses—which Mock would not have incurred had he hired local counsel—should not be awarded as part of Mock’s attorneys’ fees.”); *PDVSA US Litig. Tr. v. LUKOIL Pan Americas LLC*, No. 1:18-CV-20818, 2020 WL 3052403, at *11 (S.D. Fla. Feb. 1, 2020), *report and recommendation adopted sub nom. PDVSA U.S. Litig. Tr. v. Lukoil Pan Americas LLC*, No. 18-20818-CIV, 2020 WL 996854 (S.D. Fla. Mar. 2, 2020) (declining to award attorney travel costs).

As noted, *supra*, Plaintiffs’ own motion readily admits that local counsel, through “national public interest groups like . . . the Christian Legal Society[] or the ACLU” (both of which have Palm Beach County attorneys), was available to handle Plaintiffs’ case. Declaration of Horatio G. Mihet, ¶ 24; *see also* Section I.B, *supra* (discussing the availability of local counsel to handle this case). Accordingly, Plaintiffs have not met their burden of demonstrating that local counsel was unavailable to litigate this action. Consequently, their attorneys’ travel expenses (which include costs for flights, meals, hotels, and car rentals) are not recoverable, and therefore any recovered expenses should be reduced by \$7,441.58.

B. Plaintiffs’ Electronic Research and Shipping Expenses Are Not Properly Supported.

Plaintiffs seek \$4,879.93 for electronic research expenses and \$542.79 in shipping expenses. However, Plaintiffs offer no explanation for these expenses whatsoever. A review of Plaintiff’s electronic research expenses provides no insight into the nature of the research performed, its relevance to this litigation, or whether the expenses are duplicative of research conducted by other billing attorneys or for other, similar cases (such as *Vazzo*). Indeed, Plaintiffs’ supporting invoices reflect multiple attorneys conducted searches on the same dates. Plaintiffs also offer no explanation for the \$9.00 Sun Sentinel newspaper charge (which, while

not significant, raises questions about their claimed expenses, generally). Further, Plaintiffs seek costs for legal research incurred *after* the date of the City's Offer of Judgment – specifically, \$235.06 for Westlaw charges from February 1 through February 28, 2023 (*see* Exh. A-2, pp. 2, 93-94) – which are not recoverable under the plain language of the Offers or Rule 68, Fed. R. Civ. P. *See Hansraj v. Cooling & Winter LLC*, 2019 WL 13212710, at *3. As noted, *supra*, although Plaintiffs cannot recover for expenses incurred post-Offers of Judgment, they improperly seek such amounts here.

Finally, Plaintiffs have not provided any basis for why the shipping expenses are recoverable in this matter or why these expenses were even incurred. To the extent these fees are a result of the retention of non-local counsel, they should not be recoverable for the same reasons as set forth in Section I.D.. Notably, all filings and service of discovery in the district court proceedings was done electronically. Accordingly, the City respectfully requests that the Court reject Plaintiffs' request for reimbursement of electronic research and shipping expenses in the amount of \$5,422.72.

CONCLUSION

In conclusion, the City raises significant objections to various aspects of the Plaintiffs' claims for attorneys' fees and non-taxable expenses. The City submits that the Liberty Counsel's requested hourly rate and multiplier are unreasonable and not supported by the Eleventh Circuit precedent. Plaintiffs also seek numerous time entries that are not recoverable. Accordingly, and given the plain language of the City's Offers of Judgment to pay *pro rata* costs, the City submits the total fee award should be reduced to \$497,275.00, allocating 3/7th of that award towards the City, or \$213,132.07 (or such lesser amount that the Court concludes represents an appropriate attorneys' fees award and the City's *pro rata* share thereof).

As to the non-taxable expenses, the City submits these expenses are wholly unsupported or otherwise not recoverable. Local counsel was available, so travel expenses should not be charged against the City. Plaintiffs offer no explanation for the necessity of the non-taxable expenses. Accordingly, the City submits none of these costs should be entered against the City. To the extent the Court disagrees, the City argues they should be entered based on the City's *pro rata* portion of the total amount paid by the defendants (3/7th of any non-taxable expenses the Court determines are due to Plaintiffs).

Dated: June 26, 2023

Respectfully submitted,

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Timekeepers	Plaintiffs' Requested Rate	The City's Proposed Rate	Total Hours Claimed	Post-Offer (PO)	Billed in Vazzo (BV)	Double Billing (DB)	Block Billing (BB)	Excessive Time (ET)	Clerical Task (CT)	Travel Time (TT)	Total Hours minus Objectionable Hours	x City's Proposed Rates
Richard L. Mast	\$625.00	\$100.00	17.2	0	0		1.3				15.9	\$1,590.00
Mary E. McAlister	\$700.00	\$375.00	30.7	0	0			3.3			27.4	\$10,275.00
Daniel J. Schmid	\$625.00	\$100.00	464.2	1	0		65.5	81.5			316.2	\$31,620.00
Horatio G. Mihet	\$700.00	\$425.00	710.8	57.5	2.9	3	123	46.1	2.4	38.8	437.1	\$185,767.50
Roger K. Gannam	\$700.00	\$425.00	653.8	53.4	0	23.1	1.3	57.5	4.9	39.1	474.5	\$201,662.50
Mathew D. Staver	\$760.00	\$500.00	119.2	1.7	2.3	4	9.3			8.4	93.5	\$46,750.00
Paralegal (LGA)	\$150.00	\$100.00	48.8	0	0	3.5		2.7			42.6	\$4,260.00
Law Clerk	\$150.00	\$100.00	230.1	55.9	0			20.7			153.5	\$15,350.00
TOTALS			2274.8	169.5	5.2	30.6	200.4	211.8	7.3	86.3	1560.7	\$497,275.00
										with 3/7 applied		\$213,132.07
												Total Pro Rata Attorneys' Fee Judgment against the City

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-CV-80771-ROSENBERG/REINHART

ROBERT W. OTTO and JULIE H.
HAMILTON,

Plaintiff,

v.

CITY OF BOCA RATON,
FLORIDA and COUNTY OF PALM
BEACH,

Defendants.

_____ /

AFFIDAVIT OF DANIEL L. ABBOTT

ON THIS DAY personally appeared Daniel L. Abbott before me, a notary public authorized to administer oaths and take acknowledgments in the state and county last aforesaid to me well known, who being first duly sworn, deposes and says:

1. I am over the age of 18 and make this affidavit of my own personal knowledge and information.
2. From our firm's retention in this matter in June 2018 through December 31, 2018, our firm's hourly rate for the City of Boca Raton was a blended rate of \$215 (for both partners and associates).
3. From January 1, 2019, through September 30, 2021, the firm's hourly rate for the City of Boca Raton was \$240 for partners and \$215 for associates.
4. From October 1, 2021, through September 30, 2022, the firm's hourly rate for the City of Boca Raton was \$260 for partners and \$230 for associates.
5. From October 1, 2022, through the present, the firm's hourly rate for the City of Boca Raton is \$275 for partners and \$245 for associates.

6. There are no other arrangements that may affect the hourly rate, past or present.

FURTHER AFFIANT SAYETH NAUGHT.

DANIEL L. ABBOTT

By: 

Title: Partner, Weiss Serota Helfman Cole & Bierman, P.L.

STATE OF FLORIDA

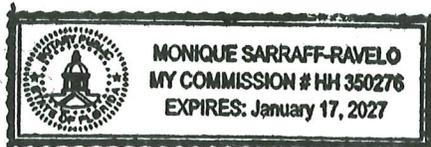
COUNTY OF BROWARD

The foregoing instrument was acknowledge before by means of physical presence or online notarization, this 23rd day of June, 2023, by Daniel L. Abbott, who is personally known to me or who has produced _____ as identification


Notary Public
Monique Sarraff-Ravelo
Print Name of Notary Public

My commission expires:

(SEAL)



Liberty Counsel Time ReportRE: *Otto et al. v. City of Boca Raton, Florida, et al.*

DATE	DESCRIPTION	HOURS	TIMEKEEPER	OBJECTION
10/18/17	Receive and review FL Dept of Health response to records request for copies of any and all public records including complaints against licensed professionals filed with the Department of Health and any and all reports in the possession of the Department relating to: "Sexual Orientation Change Efforts" or "SOCE;" "conversion therapy;" etc.	0.60	RLM	
10/27/17	Receive and review draft ordinance 20 - XXX, an ordinance of PBC BOCC prohibiting conversion therapy; discuss potential challenge with LC team; research potential clients; email to file.	1.30	RLM	
10/31/17	Receive and review email correspondence from Julie Hamilton regarding potential challenge to SOCE bans.	0.30	RLM	
10/27/17	Receive and review draft ordinance 20 - XXX, an ordinance of PBC BOCC prohibiting conversion therapy; discuss potential challenge with LC team; research potential clients; email to file.	1.30	RLM	
11/13/17	Draft demand letter to Palm Beach County regarding SOCE ban.	1.70	RLM	
11/17/17	Receive and review email from Julie Hamilton regarding challenge to SOCE ban.	0.40	RLM	
	Communication with Palm Beach County regarding demand letter re SOCE ban.	0.40	RLM	

11/29/17	Further communication with Palm Beach County regarding demand letter re SOCE ban.	0.20	RLM	
11/30/17	Receive and review email from Julie Hamilton regarding challenge to SOCE ban.	0.30	RLM	
12/04/17	Review status of SOCE ordinance; discuss potential challenge with LC team.	0.40	RLM	
12/05/17	Receive and review email from Julie Hamilton regarding challenge to SOCE ban.	0.20	RLM	
12/07/17	Email communications with potential plaintiffs for potential challenge to SOCE bans.	0.40	RLM	
12/08/17	Receive and review email from Robert Otto regarding challenge to SOCE ban; review ordinances; respond to Mr. Otto.	0.80	RLM	
12/13/17	Receive and review amended County ordinance banning SOCE counseling; consider impact of amendments; discuss same with Julie Hamilton.	1.10	RLM	BB
	Telephone conference with potential plaintiffs for SOCE ban challenge; discuss effect of ordinance; causes of action.	1.20	RLM	
12/18/17	Receive and review email from Robert Otto regarding challenge to SOCE ban; review APA report and issues; respond to Mr. Otto.	0.50	RLM	
12/19/17	Receive and review email from Robert Otto regarding LC representation in challenge to SOCE ban; discuss moving forward to litigation with LC team.	0.50	RLM	
12/22/17	Email correspondence with potential plaintiff in challenge to SOCE ban.	0.30	RLM	
	Prepare contracts of representation for SOCE ban clients; discuss same with clients and obtain signatures; obtain	1.30	RLM	BB

information from clients regarding their clients and practices, for inclusion in complaint.

12/27/17	Discuss terms and scope of representation with Julie Hamilton.	0.30	RLM
12/27/17	Open and organize new litigation file.	1.10	LGA
01/02/18	Discuss litigation status and strategy with Julie Hamilton.	0.30	RLM
01/03/18	Receive and review emails from clients regarding facts about their clients and practices to include in complaint.	0.70	RLM
01/09/18	Telephone discussion with additional prospective plaintiffs in challenge to SOCE ban.	0.50	RLM
01/18/18	Receive and review email from Julie Hamilton regarding SOCE lawsuit; respond to same.	0.40	RLM
01/22/18	Receive and review email from Julie Hamilton regarding SOCE lawsuit; respond to same.	0.70	RLM
01/26/18	Discuss lawsuit issues with Hamilton and Otto.	0.30	RLM
02/09/18	Receive and review email correspondence from HGM and legal team re complaint and file opening; review SOCE ordinances and consider potential constitutional challenge.	1.60	DJS
	Review local court rules regarding motions and page limits.	0.50	MEM
	Review Florida laws regarding pre-emption and consider application of same to county ordinances and city ordinances.	0.50	MEM
	Review ordinances adopted by City of Boca Raton and Palm Beach County related to SOCE counseling bans and	2.50	MEM

	background related to adoption.			
	Review correspondence and factual background related to clients and interactions with city and county officials regarding imposition of SOCE ban.	2.70	MEM	
	Consider arguments for SOCE ban challenges.	0.50	MEM	
	Consultation with HGM and RLM re strategy for preparation of pleadings for lawsuit.	0.80	MEM	
	Consider strategy for constitutional challenge to SOCE bans in Boca Raton and Palm Beach County; discuss same with LC team.	0.80	HGM	
	Telephone call with MEM and HGM re litigating SOCE ban challenge.	0.80	RLM	
02/12/18	Initial drafting of Verified Complaint.	3.50	MEM	
	Further review of ordinance provisions for drafting of Complaint.	1.20	MEM	
02/13/18	Continued drafting of Verified Complaint, with focus on Florida Constitution and statutory references.	3.50	MEM	
02/14/18	Initial drafting of Motion and Memorandum in Support of Preliminary Injunction.	2.70	MEM	
	Continued drafting of Verified Complaint.	2.80	MEM	ET
02/15/18	Continued drafting of Motion and Memorandum in support of Preliminary Injunction; review local court rules related to same to ensure compliance.	5.50	MEM	ET
02/19/18	Review memorandum from Dr. Hamilton regarding background facts and revise Complaint and Motion for Preliminary injunction.	3.50	MEM	

02/20/18	Further drafting and revision of Complaint.	0.50	MEM	
03/14/18	Review litigation status and strategy; update litigation file.	0.50	HGM	
03/15/18	Reviewing file status re drafting of Complaint and Memorandum of Law in Support of Declaratory and PI.	0.50	MDS	
04/12/18	Review SOCE ordinances from Boca Raton and Palm Beach (1.20); attention to background research (1.60); review and shepardize caselaw in 11th Circuit for constitutional challenge (5.30).	8.10	DJS	
04/18/18	Continue review and revision of complaint.	5.10	DJS	ET
04/19/18	Review and revise motion for preliminary injunction.	4.40	DJS	ET
04/20/18	Continue review and revision of motion for preliminary injunction.	2.90	DJS	ET
05/01/18	Review and update complaint.	5.50	DJS	ET
05/08/18	Further review of caselaw cited in motion for preliminary injunction; shepardize same; review and update memo in support of preliminary injunction.	7.20	DJS	BB
05/31/18	Attention to revising complaint re new allegations and issues.	2.10	DJS	ET
06/06/18	Further drafting of complaint; attention to adding new allegations re vagueness, SOCE practice, and misc other issues.	5.90	DJS	ET
	Continued drafting of motion for preliminary injunction.	3.10	DJS	ET

06/07/18	Final drafting of motion for preliminary injunction.	3.30	DJS	
	Receive and review email correspondence from Otto re discussing complaint and verifications; telephone call with Otto re same; receive and review signed verifications re same.	0.50	DJS	BB
	Discuss initial pleadings status and strategy with LC team.	0.40	HGM	
06/08/18	Review, edit, proofread and finalize complaint, exhibits, and motion for preliminary injunction; email same to HGM for review.	4.10	DJS	
	Telephone call from Julie Hamilton re discussing complaint and allegations; receive and review signed verification from Hamilton re same.	0.60	DJS	
06/11/18	Revise factual section of complaint per Hamilton and Otto requests (0.90); revise motion for preliminary injunction re same (0.70).	1.60	DJS	
06/12/18	Attention to finalizing pleadings re complaint and PI motion, including attention to HGM questions regarding factual claims and cited cases in complaint and PI motion, and discussion same with HGM; review HGM edits and revisions to pleadings; prepare initial pleadings for filing.	7.10	DJS	ET
	Review and revise Complaint (3.30); review and revise Motion for Preliminary Injunction and Memorandum in Support (3.50); consider filing and litigation strategy and discuss same with LC team (0.90).	7.70	HGM	ET
06/13/18	Review final version of PI memo (2.80); email correspondence to HGM re providing finalized pleadings for review (0.30).	3.10	DJS	

	Final preparation of PI memo for filing, including preparation of table of contents and table of authorities (1.10); prepare final versions of all pleadings and exhibits (2.20); prepare civil cover sheet (0.30); prepare summons (0.30); email final pleadings of all to HGM for filing (0.20).	4.10	DJS	
	Review email correspondence from HGM re case filed, and email correspondence to clients re same.	0.40	DJS	
	Final review and revision of initial pleadings; discuss and revise same with LC team; finalize and file same.	8.10	HGM	BB
	Receive, review, organize and internally file Complaint, Civil Cover Sheet, Summons - City of Boca Raton, FL, Summons - County of Palm Beach, FL, Exhibit A - City Ordinance, Exhibit B- County Ordinance, Exhibit C- APA Report, Exhibit D - Cummings Article, Exhibit E - ACPeds Statement, Exhibit F - BMQA Confirmation, Exhibit G - CA Ltr.	1.10	LGA	
06/14/18	Receive and review email correspondence from HGM re discussing assignment of judge; review judicial history and free speech cases from Judge Rosenberg re same and consider strategy for litigation in light of same; email discussion with legal team re same.	3.10	DJS	BB
	Attention to preparing pleadings for service of process; email discussion with legal assistant re same.	0.50	DJS	
	Review judicial assignment; review background of assigned judge; assign research on judge background to LC team.	0.40	HGM	
	Finalize and file Motion for Preliminary Injunction; attention to service of process issues.	0.60	HGM	
	Review summonses as issued by Clerk; discuss service of	0.30	HGM	

	process issues with LC team.		
06/15/18	Prepare motion for phv admission; email same to HGM for filing.	0.50	DJS
	Review media articles re complaint filed; review discussion from Rand Hoch re same; email discussion with legal team with misc issues re same and consider implications for litigation.	0.50	DJS
	Review local media coverage of lawsuit and consider discovery targets and objectives based on advocacy groups identified in the news articles; discuss same with LC team.	0.40	HGM
06/18/18	Receive and review email correspondence from HGM re motion for preliminary injunction denied without prejudice because of service issues; email discussion among legal team re same.	0.50	DJS
	Review Order denying without prejudice first PI motion for lack of service; attention to service of process issues and strategy for refiling motion.	0.50	HGM
	Receive and review from Southern District of FL -	0.20	LGA
	Text Entry - Order Denying wo Prejudice Plaintiffs' Motion for PI (service not yet effectuated).		
	Email correspondence to Veritext re Service of Summons issue.	0.40	LGA
06/22/18	Review Affidavits of Service; file same; revise and finalize Preliminary Injunction Motion for re-filing, to indicate successful service of process; file same.	0.80	HGM
	Receive and review from Southern District of FL -	0.30	LGA

Summons - Executed for Palm Beach County.
 Summons - Executed for City of Boca Raton.
 Motion - Defendants' Renewed Motion for PI.

Receive and review from Southern District of FL - 0.20 LGA

Text Entry - Order Briefing Schedule to be Issued once Defendants' Enter Appearance.

NOA - Fahey for County of PB.

06/25/18 Review NOA filed by County; review backgrounds and qualifications of County attorneys. 0.30 HGM

06/26/18 Review Supreme Court's decision in NIFLA; consider implications for SOCE litigation. 1.70 HGM BV

Receive and review from Southern District of FL - 0.20 LGA

Order - Setting Status Conference and Trial Date.

06/27/18 Review Court's initial scheduling order; communicate with counsel for County regarding need for meet and confer prior to drafting Joint Scheduling report; follow up emails regarding same; attention to drafting Joint Report. 1.80 HGM

Review the Court's standing discovery Order; formulate discovery strategy in light of the Order. 1.40 HGM

Review local rules and standing orders; formulate litigation and discovery strategy in light of same. 0.70 HGM

Reviewing NIFLA opinion from Supreme Court that overruled Pickup and King SOCE cases; consider strategy for litigation of Otto matter in light of same. 1.20 MDS BV

Receive and review from Southern District of FL - 0.20 LGA

	Order - Standing Discovery Order for Magistrate Reinhart.			
06/28/18	Communications with counsel for City regarding service of process issues and deadline for responding to Complaint.	0.30	HGM	
06/29/18	Review communication regarding alleged service defects and request for extension of time from City's counsel; review status of service and service affidavit to rectify alleged defects; discuss same with LC team and process server; respond to counsel inquiry; review as-filed extension motion of City.	0.80	HGM	BB
	Receive and review Southern District of FL -	0.20	LGA	
	Motion - Unopposed Motion for EOT for Defendant City of Boca Raton to Respond to Complaint.			
07/02/18	Review proposed discovery schedule.	0.40	DJS	
	Attention to issues re service of process; discuss same with legal assistant and HGM; email correspondence to process server re same.	0.80	DJS	
	Receive call from County counsel regarding extension of time to respond to Complaint; review proposed unopposed motion regarding same; communicate with County counsel regarding same; review as-filed motion; review Order granting both Defendants' motions for extension of time.	0.90	HGM	BB
	Prepare for meet and confer call regarding Scheduling Report; communicate with counsel for defendants regarding same.	0.50	HGM	
	Review local rules and administrative orders regarding Joint Scheduling Report and Proposed Scheduling Order; consider strategy for same; draft same; discuss same with counsel for defendants.	3.60	HGM	BB

	Receive and review from Southern District of FL -	0.20	LGA	
	Motion - PBC's Unopposed Motion for EOT to Respond to Complaint (deadline to respond to PI remains unchanged).			
	Order - Granting PBC Motion to Respond to Complaint 08-01-18.			
07/03/18	Prepare for and attend telephonic meet and confer with all counsel regarding Scheduling Order.	1.10	HGM	
	Receive and review from Southern District of FL -	0.20	LGA	
	NOA - Kim Phan for PBC.			
	Text Entry Order - Setting Status Conference and Guidelines 07-13-18.			
07/05/18	Receive and review email correspondence from HGM re discussing misc issues re PI motion and initial discovery, and engage in email discussion among legal team re same (0.30); review initial list of 30(b)(6) topics and attention to adding additional topics (0.60).	0.90	DJS	
	Receive and review email correspondence from HGM re discussing potential deposition dates for clients; review discussion re same.	0.30	DJS	
	Receive inquiry from County counsel regarding proposed Rule 30(b)(6) deposition topics; draft initial round of proposed topics; provide same to counsel for defendants.	0.70	HGM	
	Review Order permitting discovery prior to PI hearing; formulate discovery strategy; discuss upcoming deposition schedule and strategy with LC team and clients, in multiple phone and email communications; formulate written	2.20	HGM	BB

proposal on PI briefing schedule and PI discovery; communicate same to defense counsel.

	Review Notice of Appearance of additional counsel for County.	0.20	HGM	
	Revise draft Joint Scheduling Report and Proposed Scheduling Order to reflect changes agreed upon at parties' meet and confer; provide revised version to Defendants' counsel and solicit any further changes for finalizing document.	0.90	HGM	BB
07/06/18	Review discussion between HGM and opposing counsel re discovery issue for PI and briefing schedule; consider strategy for issues raised.	0.40	DJS	
	Receive and review email correspondence from and discussion among legal team re discovery pre-PI hearing; review caselaw re exigent nature of PI, limited factual record for PI, etc; prepare email memo to HGM re same.	0.60	DJS	BB
	Review County's counter-proposal on PI discovery and briefing; consider response strategy; assign research issues re PI urgency to LC team; review research results; formulate response to Defendants and counter-proposal; provide same to all parties.	2.60	HGM	BB
	Finalize and file Joint Scheduling Report and Proposed Scheduling Order; provide Proposed Order to chambers.	0.60	HGM	
	Review file re: PI and discovery issues.	0.90	MDS	
	Receive and review from Southern District of FL - Joint Scheduling Report and Proposed Order.	0.20	LGA	
07/09/18	Review Scheduling Order for pretrial deadlines; compare	0.70	HGM	BB

	with proposed order containing parties' agreement; consider discovery strategy, staffing and timing in light of deadlines.			
	Prepare for meet and confer regarding PI discovery and briefing schedule; participate in meet and confer; follow up communication with all counsel regarding same.	1.10	HGM	BB
	Receive and review from Southern District of FL -	0.20	LGA	
	Order - Scheduling Order Setting Pretrial Deadlines.			
07/10/18	Draft revised PI discovery plan, following input from the parties at meet and confer; multiple email and telephone communications with Defendants' counsel to negotiate and revise terms.	2.80	HGM	BB
	Review Order setting final discovery conference and requiring report.	0.20	HGM	
	Receive and review Southern District of FL -	0.30	LGA	
	Order - Setting Final Discovery Status Conference 01-10-19.			
	NOA - Anne Flanigan for City of BR.			
	NOA - Daniel Lawrence for City of BR.			
07/11/18	Review joint discovery plan submitted to court for PI discovery; review final email discussions re same.	0.80	DJS	
	Receive and review email correspondence from and discussion among HGM and counsel for defendants re discovery schedule for PI and attention to misc issues re same (0.60); discussion with HGM re initial disclosures and misc discovery issues (0.50).	1.10	DJS	

	Numerous additional emails and telephone calls with defense counsel to negotiate PI schedule; consider discovery needs and respond to PI discovery scheduling proposal and counter-proposals; draft Joint Proposed PI Scheduling Order; discuss and revise same with defense counsel; finalize and email same to chambers.	3.60	HGM	BB
	Receive and review from Southern District of FL -	0.20	LGA	
	Notice - of Telephonic Appearance at 07-13-18 Status Conference (Atty Flanigan for City of BR).			
07/12/18	Review City and County websites for potential document custodians and witnesses in preparation for Initial Disclosures; review file for documents in plaintiffs' possession and control for initial disclosures; prepare initial disclosures; email correspondence to HGM re same.	6.90	DJS	BB
	Review Order requiring notice of telephonic appearance at status conference; review and revise draft notice; finalize and file same.	0.60	HGM	
	Receive and review from Southern District of FL -	0.20	LGA	
	Notice - Plaintiffs' Attorneys HGM and RKG to Appear Telephonically at 07-13-18 Status Conference.			
07/13/18	Email correspondence to and discussion with HGM and clients re upcoming discovery issues and potential needs.	1.10	DJS	
	Prepare for PI status conference; discuss strategy with LC team.	0.60	HGM	
	Attend PI status conference; debrief with LC team.	0.70	HGM	
	Consider strategy for propounding discovery upon Defendants, and for responding to Defendants' forthcoming	1.40	HGM	

discovery requests (0.30); consider strategy for asserting patient privilege to requests for disclosure of client identities and discuss same with clients and LC team (1.10).

Review and revise Plaintiffs' initial disclosures; finalize and serve same upon all parties. 2.20 HGM

Review City's and County's initial disclosures, and documents provided therewith and consider strategy for seeking redress of deficiencies; communicate with Defendants regarding deficiencies in initial disclosures. 1.60 HGM

Formulate discovery strategy in light of Defendants' initial disclosures and discuss same with clients and LC team. 1.10 HGM

Preparation for and attendance at telephonic status conference hearing (0.9); receipt and review of order on joint discovery plan for preliminary injunction motion (0.30). 1.20 RKG

Receive and review from Southern District of FL - 0.20 LGA

Order - Granting Joint Discovery Plan for PI.

Text Entry - Minute Entry of 07-13-18 Status Conference.

Reviewing Scheduling Order and Inputting all Dates on Atty's Calendars. 1.20 LGA

07/16/18 Receive and review email correspondence from Hamilton discussing potential discovery requests and email discussion re same (0.60); review email correspondence from HGM re Miami desire to intervene (0.20). 0.80 DJS

Discuss PI status and strategy with LC team. 0.40 HGM

Review request for consent to intervene from City of Miami Beach; consider response strategy and discuss same with 0.40 HGM

	LC team; draft response.			
	Initial drafting of discovery requests to Defendants.	2.60	HGM	
	Receive and review from Southern District of FL -	0.20	LGA	
	Text Entry - Confirming PI Hearing Scheduled Date 10-05-18.			
	Reviewing PI and Discovery Deadlines and Inputting Dates on Atty's Calendars.	0.80	LGA	
07/17/18	Receive and review email correspondence from HGM providing discovery requests for review and comment; review discovery requests and edit same; provide same to HGM for finalizing.	1.40	DJS	BB
	Further drafting and revising discovery requests to defendants; discuss and revise same with LC team; finalize and serve same.	8.20	HGM	
	Draft 30(b)(6) deposition notice for Defendants; discuss and revise same with LC team; finalize and serve same.	1.30	HGM	CT
	Review and revision of draft discovery requests to Defendants (1.50); preparation of notice of deposition of Defendants' Rule 30(b)(6) witnesses (1.30).	2.80	RKG	CT
07/18/18	Email correspondence to and discussion with HGM and clients re discovery requests; review discovery requests from defendants for PI issues; attention to potential objections; review court's standing order re discovery.	3.90	DJS	BB
	Initial review of Defendants' discovery requests to Plaintiffs; formulate response strategy; discuss same with clients and task them with various assignments to assist in responding to requests.	1.40	HGM	

07/19/18	Telephone conference with counsel for County to discuss document search procedures, search terms, etc.	0.40	HGM	
07/20/18	Telephone conference with clients re discussing requirements for discovery responses; discuss answers and documents needed.	1.20	DJS	
	Receive and review email correspondence from Otto re providing initial answers to interrogatories, RFAs and document requests; review same.	1.60	DJS	
	Attention to preparing search terms and identifying document custodians for discussion with defense counsel in response to discovery requests; telephone and email discussion with HGM re same.	1.20	DJS	
	Meeting with clients to review County's discovery requests and mount strategy for responses.	1.10	HGM	
	Draft Otto's Second Set of Discovery Requests to Defendants (1.20); draft amended notice of deposition of defendants (0.60).	1.80	HGM	
07/21/18	Further drafting of Otto Second Set of Discovery Requests to each defendant (1.10); further drafting of Plaintiffs' Amended Notice of taking defendants' depositions (0.60); finalize and serve all documents (0.20); discuss same with clients (0.30).	2.20	HGM	
07/23/18	Review second set of discovery requests to defendants and revised notice of 30(b)(6) topics; review email discussion between HGM and defense counsel regarding same, and consider potential additional discovery topics.	1.10	DJS	
	Receive communication from County's counsel claiming untimeliness of Second Set of Discovery Requests; respond in writing to same; telephonic meet and confer to attempt to resolve dispute; draft confirming email to counsel.	1.30	HGM	BB

07/24/18	Receive and review email correspondence from Hamilton re providing initial responses to discovery request; review same and consider incorporation into responses.	1.20	DJS	
	Review email from County counsel regarding County's position on "late" discovery requests; telephone discussion with County's counsel to attempt to resolve discovery dispute; confirming email to County counsel; detailed email to court requesting discovery hearing to resolve dispute; discuss hearing strategy and timing with LC team.	1.80	HGM	BB
	Begin drafting of detailed communication to Defendants regarding search terms, document custodians, scope of discovery and privilege logs.	0.80	HGM	
	Receipt and review of e-mail from H. Mihet regarding discovery dispute; consider strategy for handling same.	0.80	RKG	
07/25/18	Continue review of clients' initial responses to discovery request, and inclusion of information into formal responses (3.40); review studies cited by clients and gather other studies in counsel and clients' possession for inclusion in discovery responses (4.10); attention to misc issues re responding to discovery (1.40); email discussion with HGM re same (0.60).	9.50	DJS	
	Further research and drafting of detailed communication to County and City counsel regarding ESI search terms, document custodians, scope of discovery efforts, etc.; finalize and send communication.	1.70	HGM	
	Review inquiry from client regarding draft responses to Defendants' discovery requests; consider response strategy; discuss same with LC team and clients.	0.30	HGM	
	Review email from chambers regarding scheduling of discovery hearing; respond to same; review Order setting discovery hearing; discuss same with counsel for County.	0.30	HGM	

	Review County's video production and discuss format and access issues with LC team (0.30); discuss upcoming depositions with LC team (0.20).	0.50	HGM
	Review video of county commission meetings; consider litigation strategy in light of commissioner statements.	1.70	HGM
	Receive and review from Southern District of FL -	0.20	LGA
	Text Entry - Setting Discovery Hearing Date 08-02-18.		
07/26/18	Receive and review email correspondence from HGM re discovery memo; review same; email discussion with HGM re same; review defense response re same.	0.90	DJS
	Draft Discovery Memorandum for August 2 Hearing; compile exhibits; revise, finalize and file same.	4.60	HGM
	Review County's opposition to Discovery Memorandum; consider strategy for hearing.	0.60	HGM
	Receive and review from Southern District of FL -	0.40	LGA
	Memo - Plaintiffs' Discovery Memo for 08-02-18 Hearing w/ Exhibits A-D.		
07/27/18	Review Otto final responses to interrogatories, RFA, and RTP and documents produced; email discussion with Hamilton and Otto re discovery responses; attention to preparing responses re same.	3.10	DJS
	Discuss discovery issues and document search with clients; review communications from City and County counsel regarding document search and document production; consider strategy for responding to same.	0.80	HGM
07/28/18	Initial drafting of Hamilton responses and objections to discovery requests.	3.90	DJS

	Initial drafting of Otto discovery responses and objections to discovery requests.	5.10	DJS	
	Respond to defense counsel emails regarding extending discovery deadlines, document search terms, and document custodians.	0.70	HGM	
	Respond to client inquiries regarding discovery documents and need for protective order to shield client information.	0.50	HGM	
	Review results of research on SOCE issues for motion to dismiss and PI motion; discuss same with LC team.	0.40	HGM	
07/30/18	Receive and review email correspondence from HGM re forwarding letter re discovery search issues; discuss same with HGM.	0.30	DJS	
	Continue preparing responses to discovery requests to Otto and Hamilton; prepare final version of responses to Otto and Hamilton RFAs; email correspondence to HGM re providing same.	7.90	DJS	
	Review Order canceling referral of discovery dispute to magistrate judge and resetting discovery hearing; consider implications of same; consider strategy for discovery hearing and discuss same with LC team.	0.40	HGM	
	Review Defendants' motion for protective order; consider response strategy.	0.40	HGM	
	Receipt and review of City's motion for protective order.	0.50	RKG	DB
	Receive and review from Southern District of FL -	0.40	LGA	
	Text Entry Order - Changing Call In Details for 08-02-18 Discovery Hearing, and Motion - City's Motion for EOT to			

Respond to Second Set of Discovery Request w/ Exhibits A-B.

07/31/18	Attention to gathering all documents for production from clients; email discussion with clients re same; telephone call with Otto re questions on interrogatory responses; attention to reviewing studies being produced to defendants; email discussions with HGM re same.	8.90	DJS	BB
	Prepare final versions of responses and objections to interrogatories; email same to HGM.	4.30	DJS	
	Review Defendants' initial disclosures; discuss same with LC team.	0.30	HGM	
	Consider whether to produce various studies in response to Defendants' discovery requests.	0.30	HGM	
	Analysis of issues for discovery hearing.	0.90	RKG	
	Receive and review from Southern District of FL -	0.20	LGA	
	Text Entry Order - Setting BR's Motion for EOT and PO on 08-02-18 in Conjunction with Discovery Hearing			
08/01/18	Review city's motion to dismiss complaint, including cited authorities, and consider response strategy.	4.10	DJS	
	Prepare final versions of responses to request to produce; compile documents for production re same.	6.10	DJS	
	Review communication from County's counsel regarding filing of DVDs; respond to same; review County's further response.	0.20	HGM	

	Initial review of Defendants' MTDs; consider timing, staffing and strategy for oppositions; discuss same with LC team.	0.70	HGM
	Research and draft response to Defendants' motion for protective order and for extension of time to respond to discovery requests; discuss and revise same with LC team; finalize and file same.	7.80	HGM
	Review and revise draft notice of telephonic appearance at discovery conference; finalize and file same.	0.80	HGM
	Receive and review Southern District of FL -	1.20	LGA
	Notice - to Appear Telephonically at 08-02-18 Discovery Hearing (Flanigan for Defendants).		
	Notice to Appear Telephonically at 08-02-18 Discovery Hearing (Mihet for Plaintiffs).		
	Motion - Boca Raton's Motion to Dismiss.		
	Notice - Filing of Certified Copy of PBC's Ordinance 84-8 w/Exhibit.		
	Notice - Filing of Transcript of PBC 12-05-17 BCC Meeting w/ Exhibit of Meeting Transcript.		
	Notice - Filing of Transcript of PBC 12-19-17 BCC Meeting w/ Exhibit of Meeting Transcript.		
	Motion - PBC's Motion for Permission to File DVD of BCC Meetings.		
	Motion - Palm Beach County's Motion to Dismiss.		
08/02/18	Review county's MTD and cases cited therein; begin initial research for response in opposition.	8.30	DJS

	Review response in opposition to motion for extension of time to respond to second discovery requests; email discussion with legal team re same.	0.40	DJS	
	Prepare for discovery hearing; attend same telephonically; debrief with LC team; consider strategy for further discovery and PI hearing in light of discovery hearing.	1.80	HGM	
	Preparation for and attendance at telephonic discovery hearing.	1.70	RKG	
08/03/18	Review final versions of discovery response drafts; email correspondence to clients re seeking final input and approval for signature.	1.90	DJS	
	Telephone call from HGM discussing search terms cooperation and research for same; review caselaw re same issue; email memorandum to HGM re same.	2.10	DJS	BB
	Continue review of caselaw for consolidated responses to MTDs.	4.40	DJS	
	Meet and confer with counsel for defendants regarding revisions to PI hearing plan and ESI search issues (0.50); follow up written communications regarding same (0.40); assign research to LC team re ESI search obligations (0.20); review results of research and adjust ESI strategy (0.70).	1.80	HGM	
	Review and revise draft objections and responses to Defendants' discovery requests; review communications with clients regarding same.	2.20	HGM	
	Receive and Review from Southern District fo FL -	0.80	LGA	
	Response - Plaintiffs' Response in Opp to Defendant's Motion for EOT w/ Exhibit.			
	Text Entry Order - Granting PBC's Motion to File DVDs.			

Text Entry Order - re 08-02-18 Status Conference and Resetting PI Hearing.
 Text Entry Order - Resetting PI Hearing to 10-18 and 10-19-18.

Notice - PBC's Notice of Filing of DVDs w/ Exhibits.

Notice - PBC's Filing of 12-05-17 DVD.

Notice - PBC's Filing of 12-19-17 DVD.

08/05/18	Further meet and confer communications (written) with defense counsel regarding ESI issues.	0.40	HGM	
	Draft Request for Discovery Hearing to Magistrate Judge Reinhart; revise, finalize and serve same.	1.30	HGM	
08/06/18	Review caselaw & statutes for oppositions to MTDs	3.90	DJS	
	Receive and review email correspondence from and discussion with clients re modifications or changes needed in discovery responses; attention to same.	4.90	DJS	
	Further communications with defense counsel regarding ESI search terms.	0.60	HGM	
	Review Order setting discovery hearing.	0.20	HGM	
	Receive and review from Southern District of FL -	0.20	LGA	
	Text Entry Order - Setting Discovery Hearing for 08-10-18.			
08/07/18	Prepare response in opposition to motions to dismiss; review preemption arguments, review caselaw re factual disputes in complaints; review caselaw re evidentiary submissions outside complaint.	8.30	DJS	ET

	Discuss status, timing and strategy for MTD oppositions with LC team.	0.30	HGM	
	Review revisions to PI discovery plan submitted by defendants; further revisions to same; multiple additional communications with defense counsel regarding same.	1.90	HGM	
	Research and draft memorandum of law for upcoming discovery hearing; revise, finalize and file same.	4.70	HGM	
	Receive and review from Southern District of FL - Memo - re Discovery Dispute w/ Exhibits.	0.30	LGA	
08/08/18	Drafting of responses in opposition to MTDs.	6.70	DJS	ET
	Review email correspondence and discussion re discovery plan and misc issues; discuss same with HGM.	0.50	DJS	
	Email correspondence to and discussion with HGM re responses to MTDs and potential extension of pages; prepare outline for consolidated response; email correspondence to HGM Re providing same.	1.50	DJS	
	Multiple additional communications with defense counsel regarding revisions to PI hearing and discovery plan; finalize joint plan; provide same to Court; review amended plan entered by the Court.	2.10	HGM	BB
	Consider timing and strategy for MTD opposition; discuss same with LC team.	0.40	HGM	
	Communications with all counsel regarding mediation and MTD oppositions.	0.50	HGM	
08/09/18	Review transcripts submitted by county in support of MTD; consider evidentiary objections to same.	5.10	DJS	

	Continued drafting of response in opposition to MTD	2.10	DJS	
	Further communication with counsel for both defendants regarding mediation notice and page limits for combined MTD opposition.	0.20	HGM	
08/10/18	Continued drafting of response in opposition to MTDs.	6.30	DJS	ET
	Draft joint motion to postpone mediator selection and mediation scheduling; multiple discussions regarding same with all counsel.	1.10	HGM	
	Prepare for discovery hearing re ESI protocol; attend telephonic hearing; debrief with LC team.	0.90	HGM	
	Receive and review from Southern District of FL -	0.30	LGA	
	Text Entry - Minute Entry of Telephonic Discovery Conference.			
	Motion - Joint Motion to Postpone Mediation Tasks Until PI Hearing.			
08/13/18	Further drafting of response in opposition to motions to dismiss.	5.90	DJS	ET
	Review newly released study re effectiveness of SOCE counseling; email discussion with legal team and clients re same.	1.50	DJS	
	Discuss timing and strategy for MTD opposition brief with LC team.	0.30	HGM	
08/14/18	Conclude drafting of response opposing MTDs; review, edit, proofread and finalize same; email correspondence to HGM re providing same.	6.10	DJS	ET

	Draft motion for leave to file consolidated MTD response, and for extension of time; revise, finalize and file same.	0.90	HGM
	Preparation for depositions of defendants.	3.70	RKG
	Receive and review from Southern District of FL -	0.30	LGA
	Motion - (Unopposed) for EOT to File Consolidated Response to Separate Motions to Dismiss.		
	Text Entry Order - Granting Motion to Consolidate and EOT 08-22-18.		
	Order - Granting EOT to Complete Mediation Tasks until after PI Hearing 10-26-18.		
08/15/18	Discuss status of discovery responses and client verifications with LC team.	0.20	HGM
	Review and revise Otto and Hamilton responses to County's written discovery requests; discuss and revise same with clients and LC team.	4.70	HGM
08/16/18	Review consent form questions and misc issues related to same (0.80); telephone and email discussion with HGM re discovery issues (0.70); telephone conference with clients re discovery responses (1.10); review DVD produced in discovery (1.50); email discussion with clients with studies needed for discovery production (0.30); review studies (2.30); attention to misc issues re discovery (0.40).	7.10	DJS
	Review and revise Otto and Hamilton responses to Defendants' written discovery requests; discuss same with clients; finalize and serve responses to RFAs and RFPs.	4.70	HGM

08/17/18	Attention to misc discovery issues; obtain and produce supplemental discovery responses on studies supporting SOCE and misc issues; telephone discussion with HGM re interrogatories and misc issues; attention to producing DVDs to County re Hamilton production.	3.40	DJS
	Review discovery deficiency letter from Palm Beach County; solicit, receive and consider client input on issues raised; respond to County counsel.	1.10	HGM
	Communication with clients regarding finalizing of interrogatory responses; communicate with County counsel to provide status and request short extension.	0.60	HGM
	Attend telephonic meet and confer with counsel for Defendants to attempt to resolve various discovery disputes and issues; consider strategy for discovery following meet and confer and discuss same with LC team; review and revise follow up letter to Defendants' counsel.	1.60	HGM
	Reviewing case in preparation for discovery hearing.	1.10	MDS
	Receipt and review of discovery objections from County (1.10); preparation for and attendance at telephone discovery conference (3.70); e-mail to Defendants' counsel regarding discovery conference (0.60)	5.40	RKG
08/18/18	Prepare for upcoming depositions of Plaintiffs.	2.70	HGM
08/19/18	Receive and review email correspondence from HGM re interrogatory responses for Hamilton and Otto; discuss same with HGM; email discussion re specific objection to same.	0.40	DJS
	Review and revise Otto and Hamilton responses to County's PI Interrogatories; discuss and revise same with clients and	8.10	HGM

LC team.

08/20/18	Review Hamilton and Otto discovery responses to interrogatories; discussion with HGM re same; discussion with clients re misc issues on responses re same; finalize with HGM re same	2.90	DJS
	Receive and review email correspondence from MDS re discussing Trevor Project proposed amicus brief; email discussion re same.	0.20	DJS
	Review and revise Plaintiffs' interrogatory responses, discuss and revise same with LC team, and finalize and serve same (1.90); review supplemental document production of plaintiffs and include same in service emails to Defendants (0.70).	2.60	HGM
	Review amicus request for consent to file PI amicus brief; discuss with LC team; respond to same.	0.30	HGM
	Review and revision of draft responses to County interrogatories; e-mail correspondence with H.Mihet regarding same; e-mail correspondence with defendants' counsel regarding discovery responses.	2.70	RKG
08/21/18	Respond to City's request for discovery extension; communicate with City and County's counsel regarding need for discovery completion prior to Plaintiffs' depositions.	0.20	HGM
	Review as-served discovery responses for Otto and Hamilton; deposition preparation communication to clients in light of discovery responses.	0.50	HGM
	Consider strategy for upcoming depositions and deposition prep; discuss same with LC team.	0.50	HGM

	Receipt and review of e-mail from H.Mihet regarding pending discovery.	0.30	RKG	
08/22/18	Follow up research of issues covered in MTD opposition, and revision of opposition to address recent case developments.	12.10	DJS	ET
	Receive and review email correspondence from MDS and HGM re discussing Trevor Project amicus brief motion; discuss response re same.	0.40	DJS	
	Review County's discovery deficiency email; consider response strategy; discuss same with LC team; participate in telephonic meet and confer with County's counsel; communication with client to request additional information sought by County.	1.30	HGM	BB
	Initial review of County's discovery responses; consider strategy for obtaining information and documents wrongfully withheld; discuss same with LC team.	0.40	HGM	
	Review Trevor Project request for leave to file amicus brief; consider response strategy; discuss same with LC team.	0.70	HGM	
	E-mail correspondence with Defendants' counsel regarding joint motion for extensions of briefing deadlines (0.3); drafting and filing of joint motion (0.70); review and revision of response in opposition to Defendants' motions to dismiss (3.90).	4.90	RKG	
	Receive and review joint motion for extension of time to file MTD response and defendants' reply to MTD;	0.50	LGA	
	Receive and review Trevor Project motion for leave to file amicus brief;			

Receive and review Trevor Project corporate disclosure statement;

Receive and review order granting joint motion for extension of time to file MTD response and MTD reply;

Receive and review order expediting briefing schedule on Trevor Project motion for leave to file amicus brief;

08/23/18	Receive and review email correspondence from legal team re discussing response to motions to dismiss and potential rebuttals.	1.10	DJS	
	Review and revise draft Opposition to Motion to Dismiss; research additional issues for opposition; discuss and revise same with LC team; revise, finalize and file same.	12.70	HGM	ET
	Attend to County's complaints about discovery responses; communication with clients to determine if additional information can be provided to resolve dispute; discuss discovery strategy with LC team; review back-and-forth discovery dispute communications with County, including County's request for discovery hearing; review Order setting discovery hearing.	1.40	HGM	
	Reviewing file re upcoming hearing and discovery.	1.20	MDS	
	Telephone conferences with H.Mihet regarding resolution of Plaintiffs' discovery responses disputed by Defendants (0.20); review and analysis of Defendants' responses to Plaintiffs' discovery requests (2.60); e-mail correspondence to Defendants' counsel outlining deficiencies in Defendants' discovery responses (3.20).	5.00	RKG	
08/24/18	Consider strategy for pending discovery disputes; discuss same with LC team.	0.30	HGM	
	Telephone conference with H.Mihet regarding outstanding	4.60	RKG	

discovery issues (0.20); analysis of issues regarding same (0.70); preparation for and attendance at discovery telephone conference with County attorneys (0.6); drafting of correspondence to County attorneys regarding deficiencies in written discovery responses (3.10).

08/25/18	Continued drafting of e-mail to Defendants' counsel regarding discovery deficiencies.	1.50	RKG	
08/26/18	Discuss discovery and deposition prep with clients.	0.30	HGM	
08/27/18	Receive and review email correspondence from HGM re documents produced from County and City; telephone call re reviewing same; attention to initial review of documents produced.	5.50	DJS	
	Attention to preparing supplemental responses and document production for Hamilton and Otto; obtain studies for production re same; email discussion with HGM re same.	1.30	DJS	
	Review client input for supplemental interrogatory responses; draft First Supplemental Interrogatory Responses for Otto; draft First Supplemental Interrogatory Responses for Hamilton; revise, finalize and serve supplemental responses; discuss same with clients.	1.40	HGM	
	Discuss strategy and timing for document review of County's production with LC team.	0.30	HGM	
	Review authorities cited in County's discovery memorandum on Fifth Amendment privilege; consider rebuttal strategy; discuss same with LC team.	0.50	HGM	
	Review and revise discovery memorandum on privilege and damages calculations; discuss and revise same with LC team; review as-filed memorandum and discuss need for errata with LC team; review as-filed errata; discuss timing	1.30	HGM	BB

of discovery hearing and deposition preparation with clients.

Drafting and filing of joint discovery memorandum for discovery hearing (3.10); preparation for discovery hearing (0.80); drafting of memorandum of law in opposition to Trevor Project amicus filing (2.50). 6.40 RKG

08/28/18 Review caselaw & statutes re: asserting Fifth Amendment privilege after a court order; prepare email memo to HGM and RKG re same. 1.40 DJS

Review document productions from City and County re discussion on misdemeanor and Fifth Amendment assertions. 1.90 DJS

Telephone call from HGM re discussing magistrate's order on discovery issue and appealability; review statutes and caselaw re same; prepare and provide email memo to HGM and RKG re same. 3.40 DJS BB

Travel to West Palm Beach for deposition prep, depositions, and discovery conference. 3.20 HGM TT

Attend discovery conference with magistrate; debrief with clients and LC team. 1.80 HGM

Meeting with clients to prepare for their upcoming depositions; further deposition preparation. 4.50 HGM

Discuss deposition strategy with LC team. 0.50 MDS

Drafting of memorandum of law opposing Trevor Project amicus filing (4.80); preparation for and attendance at discovery hearing (4.10); travel to West Palm Beach for discovery hearing (3.40); conference with Otto, Hamilton, 16.80 RKG TT (3.40)

	H.Mihet in preparation for clients' depositions (4.50).			
08/29/18	Continue review of document production from County.	6.90	DJS	
	Prepare for and attend deposition of Otto (7.0); debrief with clients and LC team (0.50); prepare for deposition of Hamilton (1.20).	8.70	HGM	
	Preparation for and attendance at deposition of R.Otto (7.20); drafting of correspondence to Defendants' counsel regarding discovery deficiencies (2.10).	9.30	RKG	DB
08/30/18	Review caselaw re: person guilty of statute may still challenge its constitutionality; prepare email memorandum to HGM re same.	1.70	DJS	
	Travel home following depositions of Plaintiffs.	3.10	HGM	TT
	Communication with Hamilton regarding Boca Raton occupational license; debrief with both clients following depositions.	0.50	HGM	
	Attend deposition of Hamilton; debrief with client and LC team.	6.50	HGM	
	Preparation for and attendance at deposition of J. Hamilton (6.70); continued drafting of e-mail correspondence to Defendants' counsel detailing discovery deficiencies (2.10); return travel to Orlando (3.10); e-mail correspondence to Defendants' counsel regarding conference on discovery disputes (0.30).	12.20	RKG	DB (6.70) TT (3.10)
	Receive and review from Southern District of FL -	0.20	LGA	
	Reply - Trevor Project's Reply in Support of their Motion			

for Amicus.

08/31/18	Continue review of County's document production.	6.10	DJS
	Review email correspondence from HGM re discussing City's document production deficiency responses, and telephone call with HGM discussing same (0.60); review caselaw re questioning government witness on interpretation and enforcement of statute and prepare email correspondence to HGM re same (1.30).	1.90	DJS
	Review Defendants' initial response to meet and confer letter; review Defendants' objections to Plaintiffs' 30(b)(6) deposition notice; consider response and scheduling strategy and discuss same with LC team.	0.60	HGM
	Telephonic discovery conference with all counsel.	1.20	HGM
	Review and analysis of disputed discovery issues raised in e-mail correspondence with Defendants' counsel (1.20); telephone conferences with H.Mihet regarding same (0.70); e-mail correspondence with litigation team regarding same (0.60); analysis of issues regarding same (3.30); preparation for and attendance at telephone conference with Defendants' counsel regarding same (1.10).	6.90	RKG
09/01/18	Review email request for discovery hearing to Magistrate Judge Reinhart.	0.30	HGM
	Review and revise draft confirmation letter to Defendants' counsel following discovery meet and confer.	0.50	HGM
09/04/18	Review draft discovery letter to Defendants' counsel; discuss and revise same with LC team; consider strategy for upcoming discovery hearing and briefing of issues; review follow up communications to Court and counsel regarding discovery disputes.	1.30	HGM

	Discuss document review status and strategy for upcoming depositions of Defendants with LC team.	0.30	HGM	
	Prepare for discovery meet and confer; attend telephonic discovery conference; debrief with LC team.	1.10	HGM	
	Telephone conference with H.Mihet regarding outstanding discovery disputes with Defendants concerning written responses to Plaintiffs' discovery requests and Rule 30(b)(6) deposition topics (0.30); e-mail correspondence to Defendants' counsel regarding same (1.10); preparation for and attendance at telephonic pre-hearing conference with H.Mihet, Defendants' counsel regarding same (2.20); research regarding work product and common interest privileges claimed by County (3.10).	6.70	RKG	
	Receive and review from South District of FL -	0.20	LGA	
	Text Entry Order - Granting EF's and The Trevor Project's Motion to File Amicus Briefs w/ 20 pg limit. Briefs Due 09-18-18.			
09/05/18	Continue review of County document production.	8.10	DJS	
	Communications with defense counsel and LC team regarding deposition scheduling and discovery issues.	0.50	HGM	
	E-mail correspondence with Defendants' counsel regarding rescheduling of 30(b)(6) depositions and discovery hearing (0.30); analysis of issues regarding discovery memorandum (1.10); e-mail to Judge Reinhart regarding discovery hearing (0.20); e-mail correspondence with Defendants' counsel regarding discovery memorandum (0.20).	1.80	RKG	
09/06/18	Telephone call from HGM re need for research on discovery proportionality issues; review caselaw and statutes re same; prepare and provide email memorandum	5.10	DJS	BB

to HGM re same.

Continue review of County document production. 3.10 DJS

Consider strategy for discovery memorandum; discuss same with LC team. 0.60 HGM

Review results of research on proportionality objections and other discovery disputes; consider strategy for upcoming discovery conference. 0.60 HGM

Drafting of discovery memorandum for September 12, 2018 hearing. 7.70 RKG

09/07/18

Telephone call from HGM re research needed on 30(b)(6) witness testifying as to process for searching for discovery; prepare and provide email memorandum to HGM re same. 2.30 DJS

Continue review of document productions. 7.10 DJS

Review and revise joint discovery memo for upcoming discovery hearing; discuss same with LC team; review communication with Defense counsel regarding same. 2.20 HGM

Further drafting of discovery memorandum for September 12, 2018 hearing. 4.10 RKG

Receive and review from Southern District of FL - 0.40 LGA

Corporate Disclosure - EFI.

Memo - Joint Discovery Memo for 09-12-18 Discovery Hearing with Exhibits A-E.

09/10/18	Continued review of document productions.	6.50	DJS	ET
	Attention to deposition scheduling and deposition issues; discuss same with LC team, clients and counsel for defendants.	0.80	HGM	
	Review PI oppositions and MTD replies filed by defendants, along with supporting materials; consider litigation strategy in light of filings and discuss same with LC team.	2.40	HGM	
	Analysis of issues regarding supplemental interrogatory answers (0.70); e-mail correspondence with County counsel regarding same (0.30).	1.00	RKG	
	Receive and review from Southern District of FL -	0.80	LGA	
	Notice - Filing of Hamilton Depo Transcript with Exhibit A -B.			
	Notice - Filing of Hamilton's Responses to PBC Rogs and RFA with Exhibit A-B.			
	Notice - Filing of Otto's Response to PBC Rogs and RFA with Exhibit A-B.			
	Notice - Filing of Hamilton Depo Exhibits with Exhibit 1-20.			
	Notice - Filing of Otto Depo Transcript with Exhibits 1-7.			
	Reply - PBC's Reply to Plaintiffs' MTD.			
	Response - Br's Response in Opp to MTD.			

Memo - Br's Memo in Support of MTD.

Response - PBC's Response to Renewed MPI with Exhibit A-B, and Exhibits 1-15.

09/11/18	Continue review of document productions.	5.90	DJS	ET
	Travel to WPB for discovery hearing.	2.60	HGM	TT
	Prepare for discovery hearing; plan strategy with LC team.	1.60	HGM	
	Preparation for discovery hearing (4.50); travel to West Palm Beach for hearing (3.10)	7.60	RKG	TT (3.1)
	Receive and review from Southern District of FL -	0.20	LGA	
	Notice - PBC's Notice of Filing of Corrected Exhibit 13 Declaration of Hvizd.			
09/12/18	Review City's production of documents.	3.50	DJS	
	Receive and review email correspondence from HGM re preemption argument in County's PI opposition; review County's argument re same; review statutes and caselaw re responding to same argument; draft and send email memorandum to HGM re addressing issues re same.	7.20	DJS	BB
	Attend discovery hearing; debrief with clients and LC team; consider strategy for discovery following hearing.	2.10	HGM	
	Travel home following discovery hearing.	3.20	HGM	
	Preparation for and attendance at discovery hearing (2.20); submission of transcript request (0.30); return travel to Orlando (3.20); analysis of issues regarding amended	6.10	RKG	

	30(b)(6) deposition notice (0.40)			
	Receive and review from Southern District of FL -	0.20	LGA	
	Text Entry - Minute Entry for 09-12-18 Discovery Hearing			
09/13/18	Organize documents productions of defendants; identify key documents for upcoming depositions and organize same in folders; final review of productions by County and City.	8.10	DJS	ET
	Review additional discovery items received from County; consider implications of same and discuss with LC team.	0.40	HGM	
	Review and revise amended notice of depositions; discuss same with LC team.	0.50	HGM	
	Drafting of objection to magistrate discovery ruling.	4.40	RKG	
09/14/18	Consider strategy for Objection to Magistrate's recommendation on discovery dispute; discuss same with LC team.	0.30	HGM	
	Consider feasibility of amicus support on PI motion; discuss same with LC team.	0.30	HGM	
	Further drafting of objection to magistrate judge's discovery ruling (8.20); telephone conferences with H.Mihet regarding same (0.20).	8.40	RKG	ET (8.2)
09/15/18	Prepare for upcoming depositions of County and City, including review of studies relied upon by Defendants to enact the Ordinances in suit.	4.30	HGM	
	Review and revise Objection to magistrate judge's discovery ruling regarding other regulations; discuss and revise same with LC team; review as-filed Objection.	0.80	HGM	

09/16/18	Further preparation for depositions of County and City.	2.30	HGM
09/17/18	Email correspondence to Dr. Rosik re requesting articles for discovery purposes; receive same and review same.	0.40	DJS
	Receive and review email correspondence from HGM re requesting research on gender identity issues and task force report on same; research APA website for official statements are the issue.	1.90	DJS
	Review County's production of documents to determine if specific study was produced.	3.10	DJS
	Further preparation for County and City depositions – incorporate defendants’ document productions into question outlines.	11.20	HGM
	Preparation for depositions of Defendants (1.10); compilation of Plaintiffs' deposition transcript designations to supplement interrogatory answers (2.20).	3.30	RKG
	Receive and review from Southern District of FL -	0.20	LGA
	Objection - to Judge's Discovery Ruling and Request to Expedite Consideration with Exhibit A - Transcript of 09-12-18 Discovery Hearing.		
09/18/18	Continue research of APA statements and publications on gender identity counseling; prepare email memorandum to HGM re same;	4.10	DJS
	Review email correspondence from Otto and Hamilton on thoughts for questions in depositions of Defendants.	1.10	DJS
	Further preparation for upcoming depositions of defendants, including review of key documents from discovery.	12.10	HGM

	Review Order overruling objection to magistrate discovery ruling (0.30); review amici Equality Florida's and Trevor Project's PI opposition briefs (0.90).	1.20	HGM	
	E-mail to County's counsel transmitting Plaintiffs' deposition transcript designations to supplement interrogatory answers (2.40); preparation for deposition of Palm Beach County (4.70).	7.10	RKG DB (4.7)	
	Receive and review from Southern District of FL - Order - Overruling Plaintiffs' Objections to Magistrate's Discovery Order. Brief - The Trevor Project's Brief in Support of Defendants' Opp to MPI.	0.40	LGA	
09/19/18	Travel to WPB for depositions of County and City.	3.10	HGM	TT
	Final preparation for depositions of County and City.	11.70	HGM	
	Preparation for deposition of Palm Beach County (9.10); travel to West Palm Beach for same (3.60).	12.70	RKG DB (9.10) TT (3.60)	
	Receive and review from Southern District of FL - Brief - Amicus Brief of Equality Florida.	0.20	LGA	
09/20/18	Attend deposition of County; debrief with clients and LC team; consider strategy for follow-up discovery and PI hearing in light of deposition testimony.	7.80	HGM	

	Prepare for deposition of City, especially in light of County's deposition responses and positions.	5.40	HGM	
	Preparation for and attendance at deposition of Palm Beach County (8.60); preparation for deposition of City of Boca Raton (3.20).	11.80	RKG	DB
09/21/18	Attend deposition of City; debrief with clients and LC team; consider strategy for PI hearing and further litigation in light of deposition testimony.	6.30	HGM	
	Travel home following depositions of County and City.	2.90	HGM	TT
	Preparation for and attendance at deposition of City of Boca Raton (8.10); return travel to Orlando (3.20).	11.30	RKG	DB (8.20) TT (3.2)
09/24/18	Telephone conference with H.Mihet regarding preliminary injunction hearing evidence.	0.30	RKG	
09/25/18	Analysis of issues regarding Defendants' deposition testimony (0.20); preparation of Plaintiffs' errata for deposition transcripts (1.20).	1.40	RKG	
09/26/18	Consider strategy and timing for PI reply brief; discuss same with LC team.	0.50	HGM	
	Research regarding potential expert witnesses.	3.90	RKG	
09/27/18	Drafting of reply in support of motion for preliminary injunction (2.30); telephone conference with potential expert witness (0.40).	2.70	RKG	
09/28/18	Telephone conference with H.Mihet regarding expert witnesses and preliminary injunction hearing (0.20); e-mail correspondence with potential expert (0.30).	2.90	RKG	

10/01/18	E-mail correspondence with Defendants' counsel regarding depositions of Defendants (0.60); analysis of issues regarding reply memorandum to district court in support of preliminary injunction (3.50).	4.10	RKG	
10/02/18	Drafting of reply memorandum in support of preliminary injunction.	3.30	RKG	
10/03/18	Further drafting of reply memorandum in support of preliminary injunction.	6.80	RKG	
10/04/18	Review email correspondence from RKG re research needed for proposed findings of fact and conclusions of law; review produced studies and documents re reliance on APA report.	3.10	DJS	BB
	Further drafting of reply memorandum to district court in support of preliminary injunction.	4.80	RKG	
10/05/18	Continue review of studies re reliance on APA Report; prepare email memorandum to RKG re providing analysis of reliance on APA report.	6.10	DJS	BB
	Continued drafting of reply in support of preliminary injunction.	7.70	RKG	
10/06/18	Consider timing and strategy for PI Reply Brief (0.30); review detailed email to opposing counsel regarding nature of PI hearing and upcoming deadlines (0.30); review working draft of PI reply brief and provide feedback to drafters (1.10).	1.70	HGM	
	E-mail correspondence to Defendants' counsel regarding pre-trial deadlines (0.30); continued drafting of reply memorandum in support of preliminary injunction (3.80).	4.10	RKG	
10/07/18	Consider timing and strategy for Reply brief; discuss same with LC team.	0.80	HGM	

	Continued drafting of reply memorandum in support of preliminary injunction.	6.70	RKG	
10/08/18	Consider need and strategy for obtaining extension of time on PI Reply; discuss same with LC team; review communications with opposing counsel regarding same; review and revise extension motion; review as-filed extension motion.	1.10	HGM	
	Review and revise Hamilton Declaration for PI Reply; discuss same with LC team and clients.	0.50	HGM	
	E-mail correspondence with Defendants' counsel regarding pre-hearing deadlines (0.30); draft extension motion for Reply brief (1.50); continued drafting of reply in support of preliminary injunction (9.40).	11.20	RKG	
	Receive and review from Southern District of FL- Motion - Plaintiffs' Motion for EOT to Reply Memo in Support of Motion for PI.	0.20	LGA	
10/09/18	Review and revise Reply in support of PI, and revise and finalize same with LC team (6.40); draft Motion for Leave to File Consolidated Reply and exceed page limit (1.40); attention to finalizing and filing of PI Reply and motion for leave 1.60).	9.40	HGM	
	Continued drafting and filing of reply in support of preliminary injunction (17.20); drafting and filing of notices of filing discovery in support of preliminary injunction (0.90).	18.10	RKG	ET
10/10/18	Review as-filed PI reply and supporting materials; consider strategy for PI hearing; discuss same with LC team and clients.	1.40	HGM	
	Consider strategy for PI hearing; discuss same with LC	0.60	HGM	

team and counsel for Defendants.

Receive and review from Southern District of FL - 0.60 LGA

Text Entry Order - Granting EOT to File Reply.

Motion - Plaintiffs' Motion to Exceed Reply Page Limit.

Reply - Plaintiffs' Reply in Support of PI.

Notice - Plaintiffs' Notice of Filing Declarations and Depo Transcripts with Attachments 1-4.

Notice - Plaintiffs' Notice of Filing Depo Exhibits with

Exhibits 1- 28.

Text Entry Order - Granting Motion to Exceed Reply Page Limit.

10/11/18	Review PI Discovery Plan for upcoming deadlines; draft email to Defense counsel regarding Trial Plan and PI Hearing; discuss hearing timing and strategy with LC team; Draft Notice regarding PI hearing and motion to extend pre-hearing filing deadlines; revise, finalize and file same; review Order granting same.	1.90	HGM
	Review exhibit lists provided by City and County; review and revise Plaintiffs' exhibits lists; discuss same with LC team.	1.50	HGM
	Consider timing and strategy for drafting of Findings of Fact and Conclusions of Law; discuss same with LC team.	0.70	HGM
	Review amicus brief of Alliance for Therapeutic Choice; discuss same with amicus counsel.	2.40	HGM

	Initial drafting of proposed findings of fact and conclusions of law for preliminary injunction hearing (1.80); drafting of witness and exhibit list for preliminary injunction hearing, e-mail to Defendants' counsel transmitting same (2.30); e-mail correspondence with litigation team regarding preliminary injunction hearing (0.80); analysis of issues regarding presentation of evidence at preliminary injunction hearing (0.30).	5.20	RKG
	Receive and review from Southern District of FL -	0.40	LGA
	Notice - Plaintiffs' Notice of Motions re PI Hearing Deadlines.		
	Text Entry Order - Granting Extension to File Exhibit/Witness List, and Findings of Fact, Denying Request to Delay Hearing.		
	Email Exchange of all Parties Exhibit/Witness List. Text Entry Order - Clarifying Filing and Emailing of Findings of Fact and Law.		
10/12/18	Review caselaw and statutes, pleadings, and briefing re preparing for drafting sections of findings of fact and conclusions of law; draft same; email correspondence to HGM and RKG re same.	6.10	DJS
	Review Electronic Equipment motion filed by counsel for County; consider need for Plaintiffs to file same; discuss same with LC team.	0.30	HGM
	Consider strategy and timing for Proposed Findings of Fact and Conclusions of Law; discuss same with LC team.	0.60	HGM
10/14/18	Drafting of proposed findings of fact and conclusions of law on preliminary injunction motion	11.70	HGM

10/15/18	Review current version of Findings of Fact and Conclusions of Law; provide input to drafting team.	0.60	DJS
	Review Defendants' proposed Findings of Facts and Conclusions of Law; consider strategy for rebutting same.	1.10	HGM
	Review and revise Plaintiffs' proposed Findings of Fact and Conclusions of Law (6.10); draft motion for leave to exceed page limit on same (1.10); revise and finalize same with LC team and attention to filing and service of same (1.10).	8.30	HGM
	Prepare for PI Hearing; consider strategy on exhibits and transcripts; draft motion for leave to bring electronic equipment to the courtroom; finalize and file motion.	2.50	HGM
	Reviewing case in preparation for upcoming PI hearing.	1.20	MDS
	Continued drafting of proposed findings of fact and conclusions of law on preliminary injunction motion (9.50); analysis of issues regarding hearing on motion (0.80).	10.30	RKG
	Receive and review from Southern District of FL -	1.40	LGA
	Order - Granting PBC's Motion to Bring Electronics to PI Hearing.		
	Exhibit and Witness List - City of Boca Raton.		
	Exhibit and Witness List - County of Palm Beach.		
	Exhibit and Witness List - Plaintiffs.		
	Motion - Plaintiffs' Motion to Bring Electronics to PI Hearing with Proposed Order.		
	Motion - Boca Raton's Motion to Bring Electroncis with		

Proposed Order.

Proposed FOF and COL - Palm Beach County

Motion - Plaintiffs' Motion to Exceed Page Limit for FOF and COL.

Proposed FOF and COL - Plaintiffs'.

Text Entry Order - Granting Plaintiffs' Motion to Exceed Page Limit re FOF and COL.

FOF and COL - City of Boca Raton.

NOA - Max Price for Amicus Alliance of Therapeutic Choice

Motion - for Leave to File Amicus Brief in Support of Plaintiffs' MPI - Alliance for Therapeutic Choice.

Brief - Amicus by ATC.

10/16/18

Prepare for PI Hearing. 14.20 HGM

Review and revise Notice regarding potential conflict with Rand Hoch. 0.40 HGM

Drafting and filing of notice of potentially disqualifying relationship with witness (2.60); preparation of evidentiary presentation for preliminary injunction hearing (8.70). 11.30 RKG

Receive and review from Southern District of FL - 0.80 LGA

Text Entry Order - Granting Alliance for Therapeutic Choice's Motion for Leave to File Amicus Brief.

Notice - Plaintiffs' Notice of Court's Potentially

Disqualifying Relationship with Exhibits A-D.

Order - Granting Plaintiffs' Motion to Bring Noted Electronics to PI Hearing.

Order - Granting Boca Raton's Motion to Bring Noted Electronics to PI Hearing.

10/17/18	Travel to West Palm Beach for PI Hearing.	2.50	HGM	TT
	Further and final preparation for PI Hearing.	16.30	HGM	
	Preparation for preliminary injunction hearing presentation (9.40); telephone conferences with H.Mihet regarding same (0.70); travel to West Palm Beach for hearing (3.10).	13.20	RKG	TT (3.1)
10/18/18	Telephone call from HGM re discussing hearing on PI and need for research; review caselaw re commercial speech and it being limited to proposals for economic transactions; review caselaw re narrow tailoring and need for consideration prior to adopting ordinance; prepare email memorandum to HGM and RKG re same.	4.40	DJS	
	Travel home following PI hearing.	2.70	HGM	TT
	Attend PI Hearing; debrief with clients and LC team.	9.40	HGM	
	Travel home following PI hearing.	2.70	HGM	DB
	Attend preliminary injunction hearing and debrief re same with Otto and Hamilton (9.50); return travel to Orlando (3.60).	13.10	RKG	TT (3.6)
10/19/18	Analysis of issues regarding submission of post-hearing proposed findings of fact and conclusions of law.	0.60	RKG	

10/24/18	Discuss need for filing PI exhibits and errata sheets with LC team; review as-filed exhibits and errata sheets.	0.50	HGM
	Review communications with court reporter regarding PI hearing transcript.	0.20	HGM
	Analysis of issues regarding hearing exhibits; attention to compiling, organizing and filing same with court.	4.70	RKG
11/01/18	Review caselaw re: expressive speech vs conduct and need to analyze expressive nature of pure speech.	2.90	DJS
	Receipt and review of e-mail from Dr. Hamilton (0.20); telephone conference with H.Mihet regarding post-hearing proposed findings and conclusions (0.20); drafting of post-hearing proposed findings and conclusions (1.70).	2.10	RKG
11/02/18	Receive and review from Southern District of FL -	0.80	LGA
	Notice - Transcript of 9-12-18 Availability and Redaction Deadlines.		
	Notice - Palm Beach County's Hearing Witness and Exhibit List with Exhibits 1 - 45 and Certificate of Compliance for Admitted Evidence.		
	Text Entry Order - Setting Deadlines for Final Proposed Findings of Facts and Conclusions.		
	Notice - Filing of Depo Errata with Otta Errata Sheet and Hamilton Errata Sheet.		
	Text Entry Order - Additional Requirements for Findings of Facts and Conclusions.		

Notice - Plaintiffs' Witness and Exhibit List with Exhibits 1-41 and Certificate of Compliance for Admitted Evidence.

Notice - City of Boca Raton's Witness and Exhibit list with Exhibits 1-32 and Certificate of Compliance for Admitted Evidence.

11/05/18	Continue review of caselaw re expressive speech vs conduct and need to analyze pure speech for expressive content; prepare email memorandum to HGM re same.	5.90	DJS
11/06/18	Drafting of post-hearing proposed findings of fact and conclusions of law.	2.10	RKG
11/07/18	Telephone call from HGM re discussing burden of proof in preliminary injunction cases; review caselaw re same; prepare email correspondence re same.	4.10	DJS
	Review transcript of PI hearing and notes; consider strategy for post-hearing submission of Proposed Findings and Conclusions; create detailed list of items to be added to previous draft; discuss same with LC team.	2.40	HGM
	Continued drafting of proposed post-hearing findings and conclusions.	3.50	RKG
11/08/18	Continue review caselaw re burden of proof in preliminary injunction case; prepare additional email memo to RKG and HGM re same.	4.10	DJS
	Review and revise motion for extension of time to file Final Proposed Findings of Fact and Conclusions of Law and review Order granting same (0.50); research issues for Proposed Findings, consider drafting strategy, and discuss same with LC team (2.40).	2.90	HGM
	Continued drafting of Final Proposed Findings of Fact and Conclusions of Law (9.40); telephone messages, e-mail	10.40	RKG

correspondence to Defendants' counsel regarding motion for extension of time to file Final Proposed Findings of Fact and Conclusions of Law (0.40); drafting and filing of motion for extension of time to file Final Proposed Findings of Fact and Conclusions of Law (0.60).

11/09/18	Receive and review email correspondence from HGM re discussing RAV v City of St Paul and County's position on same; review same; review caselaw re RAV and progeny re refuting County's position; prepare email memorandum insert for proposed order re same.	4.90	DJS	
	Review Defendants' argument on viewpoint discrimination; discuss strategy and research issues for responding to same with LC team.	0.40	HGM	
	Continued drafting of Final Proposed Findings of Fact and Conclusions of Law.	7.10	RKG	ET
11/10/18	Research issues for final proposed PI order; discuss same with LC team.	0.50	HGM	
11/12/18	Review issues for Final proposed findings and conclusions; discuss same with LC team.	1.20	HGM	
	Continued drafting of final proposed findings of fact and conclusions of law.	8.20	RKG	ET
11/13/18	Review final version of proposed finding and conclusions; review county and city version of same.	3.10	DJS	ET
	Review and revise Final proposed findings of fact and conclusions of law; discuss and revise same with LC team; review as-filed document and discuss same with LC team and clients.	6.40	HGM	ET
	Review competing post-hearing submissions of County and	1.40	HGM	

	City and consider need for any response.			
	Concluded drafting of final proposed findings of fact and conclusions of law; finalize and file same.	12.40	RKG	ET
11/14/18	Receive and review from Southern District of FL - Proposed Findings of Fact and Proposed Conclusions of Law - Plaintiffs.	0.40	LGA	
	Proposed Findings of Fact and Proposed Conclusions of Law - Palm Beach County with Word Document.			
	Proposed Findings of Fact and Proposed Conclusions of Law - City of Boca Raton with Word Document.			
11/15/18	Review media reports of new movie regarding conversion therapy; consider impact on pending challenge to conversion therapy ban; discuss same with clients.	0.40	HGM	BV
11/16/18	Debrief with clients on case status and strategy.	0.40	HGM	
11/19/18	Review CBS story on conversion therapy featuring Dr. Hamilton; consider implications for case; discuss same with clients.	0.40	HGM	
11/26/18	Discuss pending deadline and need for stay order with LC team; discuss review of Defendants' final post-hearing submissions with LC team.	0.30	HGM	
	Review and analysis of Defendants' final proposed findings of fact and conclusions of law on preliminary injunction motion.	0.30	RKG	
11/27/18	Consider need for seeking formal stay order pending PI motion; discuss same with LC team.	0.30	HGM	

	Analysis of issues regarding discovery stay pending preliminary injunction order (1.10); e-mail correspondence with Defendants' counsel regarding same (0.30); review and analysis of Defendants' post-hearing proposed findings and conclusions (1.50).	2.90	RKG	
11/28/18	Review communications with court regarding formal stay of proceedings pending PI ruling.	0.20	HGM	
	Review and analysis of Defendants' post-hearing proposed findings and conclusions.	2.30	RKG	
11/29/18	Review publications by potential experts on transgender therapies; consider possible involvement of experts in the case.	0.80	HGM	BV
12/03/18	Review Order clarifying that all litigation deadlines are stayed; discuss same with LC team.	0.20	HGM	
01/03/19	Analysis of issues regarding pretrial deadlines (0.40); telephone conference with Magistrate Judge chambers regarding same (0.10); e-mail to counsel regarding same (0.20).	0.70	RKG	
01/04/19	Receive and review from Southern District of FL - Text Entry Order - Cancelling Discovery Conference on 01-10-19 per Order Staying Pretrial Deadlines dkt 135. Text Entry Order - Clarifying Previous Order re New Order will be Issued Rescheduling DC once Stay is Lifted.	0.20	LGA	DB
01/24/19	Review NY complaint against SOCE law; consider arguments and implications for this case.	0.40	HGM	
01/30/19	Review and revise Notice of Supplemental Authority re Vazzo PI Order; discuss same with LC team and clients.	0.60	HGM	

01/31/19	Receive and review email correspondence from HGM re providing final version of notice of supplemental authority; review same.	1.10	DJS	
	Reviewing Report and Recommendation of Tampa Magistrate on change counsel case and preparing response for filing in the District Court in Otto matter.	1.50	MDS	DB
	Receive and review from Southern District of FL - Plaintiffs' Supplemental Authority ISO MPI.	0.30	LGA	
	Exhibit A - Report and Recommendation on MTD (Vazzo v Tampa).			
	Exhibit B - Report and Recommendation on MPI Vazzo v Tampa.			
02/12/19	Receive and review email correspondence from HGM re discussing response to supplemental authority; discussion re same.	0.40	DJS	
	Review Boca Raton's motion for leave to file response to supplemental notice re: Tampa decision; review proposed response; consider strategy for responding to same; discuss outline of response with LC team.	0.80	HGM	BB
	Review Boca Raton's request for consent to file response to notice of supplemental authority re: Tampa decision; respond to same.	0.30	HGM	
	Review and revise draft Response to Boca Raton's motion for leave to file response to supplemental authority re Tampa decision; discuss same with LC team; review as-filed response.	0.80	HGM	BB
	Receive and review from the Southern District of FL -	0.20	LGA	DB

Motion - City of Boca Raton's Motion to Respond to Plaintiffs' Notice of Supp Authority.

Response - City's Response to Plaintiffs' Notice of Supp. Authority.

02/13/19	Receive and review order denying preliminary injunction; email discussion among legal team re discussing order and appeal; prepare notice of appeal re same.	3.30	DJS	
	Review Order denying Preliminary Injunction and discuss same with LC team and clients (1.30); review and revise Notice of Appeal (0.30); consider strategy and timing for appeal (0.30).	1.90	HGM	
	Receipt and review of order denying preliminary injunction.	1.10	RKG	DB
	Receive and review from Southern District of FL -	0.40	LGA	DB
	Response - Plaintiffs' Response to City's Motion to File Response to Plaintiffs' Notice of Supp Authority with Exhibits.			
	Exhibit 1 - Tampa Ordinance. Exhibit 2 - Tampa Complaint.			
	Order - Denying Renewed Motion for PI.			
	Notice - of Appeal on Order Denying Renewed Motion for PI (59 minutes after issuance of order!),			
02/14/19	Analysis of issues regarding appeal deadlines and briefing	2.10	RKG	
	Receive and review from Southern District of FL -	0.40	LGA	

Text Entry Notice - Transmission of Notice of Appeal to Court of Appeals.

Text Entry Order - Setting Status Conference 02-19-19.

02/15/19	Communication with counsel for Palm Beach County re positions for upcoming status conference; debrief with LC team.	0.40	HGM	
	Consider whether to seek expedited appeal or an injunction pending appeal; discuss same with LC team.	0.60	HGM	
	Reviewing District Court order denying PI.	1.40	MDS	DB
02/18/19	Consider strategy for seeking expedited appeal; review sample motions and applications rules; discuss same with LC team.	0.70	HGM	BB
	Review and revise draft motion to expedite appeal; discuss same with LC team.	1.10	HGM	BB
	Drafting of motion to expedite appeal.	7.10	RKG	
02/19/19	Multiple team discussions regarding seeking IPA at Eleventh Circuit versus filing a motion to expedite appeal (0.70); communication with counsel for Defendants to obtain position on staying lower court litigation during pendency of appeal (0.30); further revisions to motion to expedite appeal (2.20).	3.20	HGM	
	Reviewing and editing legal arguments for Memorandum of Law for Expedited Appeal.	1.70	MDS	
	Preparation for and attendance at case status conference (1.4); revision of motion for expedited appeal (1.30)	2.70	RKG	
	Receive and review from Southern District of FL -	0.20	LGA	

	Text Entry Order - Preparatory Notes for 02-19-19 Status Conference Call.			
02/20/19	Review Order staying district court case pending outcome of PI appeal.	0.20	HGM	
	Conclude drafting of motion to expedite appeal.	6.10	RKG	ET
	Receive and review from Southern District of FL -	0.20	LGA	
	Order - Staying Case Pending Appeal.			
02/21/19	Further review and revision of draft motion to expedite appeal; discuss same with LC team.	1.10	HGM	ET
	Receive and review from Eleventh Circuit Court of Appeals	1.00	LGA	
	Notice - Case Docketing and Case Opening Packet.			
02/22/19	Review and revise draft motion to expedite appeal; discuss same with LC team.	2.40	HGM	
	Draft Notice of Appearance; Draft Transcript Information Form; File same.	0.80	HGM	
	Review 11th Circuit Briefing Notice; consider timing, staffing and strategy for opening brief; discuss same with LC team.	0.40	HGM	
	Receive and review from Southern District of FL -	0.20	LGA	
	Notice - Receipt of Notice of Appeal from USCA.			
	Notice - Receipt of Transcript Order.			
	Receive and review from Eleventh Circuit Court of Appeals	0.50	LGA	
	-			

NOA - Sutton for Equality Florida.

NOA - Walbolt for Equality Florida.

NOA - Mihet for Appellants'.

Form - Transcript Order.

Motion - Appellants' Motion to Expedite Appeal with Exhibits A-B.

Notice - Briefing Schedule.

02/25/19	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA
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NOA - Flanigan for City of Boca Raton.

02/27/19	NOA - Abbott for City of Boca Raton. Review and revise Civil Appeal Statement; discuss same with LC team.	0.30	HGM
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	Drafting and filing of Civil Appeal Statement, completion of online Certificate of Interested Persons	2.80	RKG
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	Receive and review from Eleventh Circuit of Court of Appeals -	0.40	LGA
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NOA - Gannam for Appellants.

Statement - Civil Appeal for Appellants.

Certificate of Interested Persons - Appellants.

Text Entry Notice - Online CIP Complete - Appellants.

02/28/19	Drafting and mailing of application for re-admission to Eleventh Circuit Bar.	2.10	RKG	CT
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03/01/19	Review 11th Circuit notice of case assessment conference; discuss same with LC team; respond to same.	0.30	HGM
	Review file re: Status and strategy for appeal.	0.90	MDS
	Receive and review from Eleventh Circuit Court of Appeals -	0.30	LGA
	Notice - Telephonic Assessment Conference 03-14-19.		
	NOA - Yasko for Equality FL.		
	NOA - Dunlap for Equality FL.		
	NOA - Hvizd for County Palm Beach.		
03/04/19	Review responses to motion to expedite appeal filed by City and County; consider strategy for Reply; discuss same with LC team.	0.60	HGM
	Receive and review from Eleventh Circuit Court of Appeals	0.50	LGA
	Corporate Disclosure and CIP (County of Palm Beach).		
	NOA - Guedes for City of Boca Raton.		
	NOA - Kay for City of Boca Raton.		
	NOA - Cole for City of Boca Raton. Response - Appellee County of Palm Beach's Opp to Appellants' Motion to Expedite Appeal.		
	Response - Appellee City of Boca Raton's Opp to Appellants' Motion to Expedite Appeal.		
03/06/19	Review and revise Reply in support of motion to expedite appeal.	0.40	HGM

	Consider timing, strategy and staffing for opening brief on appeal; discuss same with LC team.	0.40	HGM	
	Telephone conference with David Pickup re: license status and Status hearing	0.80	MDS	
	Reviewing file re: appeal status, timing and strategy; consider case law support for appeal.	1.50	MDS	
	Drafting of reply in support of motion to expedite appeal.	5.20	RKG	
03/07/19	Review Order denying motion to expedite appeal; consider strategy and timing for briefing and oral argument; discuss same with LC team.	0.60	HGM	BB
	Receive and review from Eleventh Circuit Court of Appeals	0.40	LGA	
	Order - Denying Appellants' Motion to Expedite Appeal.			
03/08/19	Receive, review and respond to questions from client regarding litigation and appeal status and strategy.	0.40	HGM	
	Initial drafting of opening brief, including outline.	3.30	RKG	
03/09/19	Review outline for opening brief; discuss same with LC team.	0.40	HGM	
03/12/19	Consider need for enlargement of word limit for brief; discuss same with LC team; review communications with counsel for defendants regarding same.	0.40	HGM	
	Review 11th Cir letter regarding admission and phv status of R. Gannam; discuss same with LC team; review order granting phv admission.	0.30	HGM	
	Drafting of motion to expand word limit for opening brief	5.20	RKG	

	Receive and review from Eleventh Circuit Court of Appeals	0.40	LGA
	Order - Granting PHV (Gannam for Otto).		
03/13/19	Review and revise draft motion to enlarge word limit for principal brief; review as-filed motion.	0.40	HGM
	Review request from potential amicus to provide support for plaintiffs at Eleventh Circuit; respond to same.	0.30	HGM
	Finalization and filing of motion for word limit expansion	2.30	RKG
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA
	Motion - Appellants' Motion for Expanded Word Limit.		
03/14/19	Consider strategy, staffing and timing for drafting of appeal brief; discuss same with LC team.	0.50	HGM
	Prepare for and attend appellate mediation assessment conf.	0.50	RKG
03/15/19	Discuss potential amicus topics with potential amici.	0.40	HGM
03/19/19	Review Order granting motion for leave to exceed word limit; discuss next steps and briefing timing and strategy with LC team.	0.30	HGM
	Review proposed media quote of Hamilton and discuss same with Hamilton.	0.30	HGM
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA
	Order - Granting Appellants' Motion to Enlarge Word Limit in Opening Brief.		

03/20/19	Receive and review from Eleventh Circuit Court of Appeals Text Entry Order - Phone Extension Granting Appellants' Motion for EOT to File Opening Brief 04-09-19 Appendix 04-16-19.	0.20	LGA	
03/22/19	Receive and review from Eleventh Circuit Court of Appeals Statement - CIP (City of Boca Raton).	0.20	LGA	
04/01/19	Drafting of opening brief.	1.10	RKG	
04/02/19	Continued drafting of opening brief.	6.50	RKG	
04/03/19	Continued drafting of opening brief.	4.30	RKG	
04/04/19	Continued drafting of opening brief. Receive and review from Eleventh Circuit Court of Appeals Motion - Appellant's Motion for EOT to File Opening Brief.	4.10 0.20	RKG LGA	
04/05/19	Continued drafting of opening brief	8.80	RKG	
04/08/19	Discuss appeal brief filing issues and logistics with LC team. Review and revise opening brief.	0.30 2.20	HGM HGM	
	Continued drafting of opening brief.	13.40	RKG	ET
04/09/19	Review opening brief at Eleventh Circuit, review caselaw re	3.70	DJS	BB

	incalculable loss being irreparable harm for injunctive purposes.			
	Further review and revision of opening brief.	2.30	HGM	
	Continued drafting of opening brief, filing of same.	14.10	RKG	ET
04/10/19	Discussion among legal team re appendix pagination and record cites, contact clerk re discussing same; email correspondence to RKG re discussing same.	0.70	DJS	BB
	Analysis of issues regarding opening brief and appendix.	1.90	RKG	
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA	
	Brief - Appellant's Opening Brief.			
04/12/19	Analysis of issues regarding appendix to appellate briefs.	0.40	RKG	
04/15/19	Review proposed amicus brief on behalf of Foundation for Moral Law; internal email with LC team re same.	0.60	DJS	
	Review proposed amicus brief from Foundation for Moral Law; discuss same with LC team.	0.30	HGM	
	Discuss appendix issues, deadline and strategy with LC team.	0.50	HGM	
	Preparation of appendix to brief.	1.10	RKG	
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA	
	Order - Granting Motion for EOT, but Accepting Appellants' Brief as Timely, thus Motion is Moot.			

04/16/19	Communication with proposed amicus regarding background facts and timing of potential amicus brief.	0.30	HGM	
	Revision and filing of appendix to brief.	2.10	RKG	
	Receive and review from Eleventh Circuit Court of Appeals Appendix - Appellants' Appendix (Volumes I - XI).	0.70	LGA	
04/22/19	Review appeal deadlines and discuss same with LC team.	0.30	HGM	
	Analysis of issues regarding pretrial deadlines.	0.40	RKG	
04/24/19	Review City and County request for consent to EOT on response brief; discuss same with LC team; review communications with counsel regarding same.	0.30	HGM	
04/26/19	Discuss appeal status with clients.	0.30	HGM	
04/30/19	Review Defendants' motion for EOT to file response brief on appeal.	0.20	HGM	
	Receive and review from Eleventh Circuit Court of Appeals Motion - Appellees' Joint Motion for EOT.	0.20	LGA	.2
05/08/19	Review Order granting Defendants' motion for EOT on answer briefs; discuss briefing timing and strategy with LC team.	0.30	HGM	
	Receive and review from Eleventh Circuit Court of Appeals Order - Granting Motion for EOT.	0.20	LGA	
05/09/19	Discuss appeal and litigation status and strategy with clients.	0.30	HGM	

	Reviewing file re: appeal status and arguments	0.70	MDS
05/31/19	Communications with clients regarding litigation status and strategy.	0.30	HGM
06/03/19	Analysis of issues regarding reply brief to 11th Circuit.	0.90	RKG
06/04/19	Consider timing, staffing and strategy for appellate reply brief; discuss same with LC team.	0.40	HGM
06/11/19	Review amicus request for consent to filing amicus brief; discuss same with LC team.	0.30	HGM
	Analysis of issues regarding reply brief.	2.30	RKG
	Receive and review from Eleventh Circuit Court of Appeals	0.40	LGA
	Brief - Appellees' Response Brief.		
	Appendix - Appellees' Supp. Appendix (Volume 1 of 1).		
06/13/19	Review communications with potential amicus counsel; discuss amicus status with LC team.	0.30	HGM
	Review appellees' response brief; consider rebuttal points and reply brief strategy.	3.60	HGM
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA
	NOA - Stoll for SPLC, EF, and NCLR.		
06/17/19	Discuss Reply brief timing, staffing and strategy with LC team.	0.30	HGM
06/18/19	Analysis of issues regarding responses to amicus motions	0.90	RKG

	Receive and review from Eleventh Circuit Court of Appeals	0.60	LGA
	CIP - The Trevor Project.		
	Motion - to File Amicus (The Trevor Project).		
	Motion - to File Amicus (APA).		
	Motion - to File Amicus (Equality Florida).		
	NOA - Ring for APA.		
06/24/19	Analysis of issues regarding reply brief (2.30); e-mail to opposing counsel regarding same (0.20); telephone message to appellate clerk regarding same (0.10).	2.60	RKG
06/25/19	Analysis of issues regarding reply brief.	1.10	RKG
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA
	Order - Granting Appellants' Request for Extension of Time to File Reply.		
06/26/19	Review amicus briefs from Trevor Project, APA, and SPLC; review caselaw re opposing partisan amicus briefs and adding facts and issues to same; prepare memo opposing motion for leave to file amicus; email same to HGM and RKG.	5.40	DJS
	Analysis of issues regarding reply brief (0.80); review and revision of draft response in opposition to amicus motions (1.0).	1.80	RKG
06/27/19	Review and revise draft Opposition to amici motions for leave to file amicus briefs; discuss same with LC team.	0.80	HGM
	Revision and filing of response in opposition to amicus	7.20	RKG

	filings.		
06/28/19	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA
	Response - Appellants' Opp to Prospective Amici's Motions to File Briefs.		
07/01/19	Consider strategy for seeking word limit extension on reply brief; discuss same with LC team; review communications with defendants' counsel regarding same.	0.40	HGM
	Analysis of issues regarding reply brief (0.80); e-mail to opposing counsel regarding extension of word limit for reply brief (0.20); analysis of issues regarding same (0.20).	1.20	RKG
07/03/19	Drafting of reply brief.	2.40	RKG
	Receive and review from Eleventh Circuit Court of Appeals	0.60	LGA
	Order - Granting Motions to File Amicus Briefs.		
	Brief - Amicus (EF, SPLC, NCLR).		
	Motion - Plaintiffs' Motion to Expand Reply Brief Word Limit.		
	Brief - Amicus (The Trevor Project).		
07/09/19	Analysis of issues regarding reply brief (1.50); drafting of reply brief (0.90).	2.40	RKG
07/10/19	Continued drafting of reply brief.	2.70	RKG
07/11/19	Continued drafting of reply brief.	1.70	RKG
07/12/19	Discuss timing and staffing for oral argument with LC team.	0.20	HGM

	Review Order granting Appellants' Motion to Enlarge Word Limit on reply brief.	0.20	HGM	
	Continued drafting of reply brief.	3.20	RKG	
07/13/19	Continued drafting of reply brief.	1.30	RKG	
07/14/19	Continued drafting of reply brief.	4.20	RKG	
07/15/19	Discuss Reply brief status and strategy with LC team.	0.40	HGM	
	Review and revise Reply brief; discuss same with LC team.	3.60	HGM	
	Conclude drafting of reply brief; revise, finalize and file same.	12.60	RKG	ET
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA	
	Order - Granting Appellants' Motion to Enlarge Word Limit in Reply Brief.			
07/16/19	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA	
	Brief - Appellants' Reply Brief.			
07/18/19	Review as-filed Reply brief; consider strategy for oral argument.	0.70	HGM	
09/26/19	Receive and review from Eleventh Circuit Court of Appeals	0.40	LGA	ET
	Ltr - re Doyle Decision.			

10/04/19	Reviewing file re: District Court Order in Tampa and filing Supplemental Authority	1.10	MDS	BV
10/05/19	Review Defendants' notice of supplemental authority; consider response strategy and timing and discuss same with LC team.	0.40	HGM	
10/07/19	Analysis of issues regarding supplemental authority.	0.60	RKG	
10/10/19	Reviewing file re: appeal status and supplemental authority.	0.80	MDS	
10/14/19	Drafting response to City of Boca Raton notice of supplemental authority (3.10); drafting notice of supplemental authority (2.30).	5.40	RKG	
10/17/19	Finalization and filing of response to Boca Raton's notice of supplemental authority and Plaintiffs' notice of supplemental authority.	1.30	RKG	
10/22/19	Receive and review from Eleventh Circuit Court of Appeals Response - Appellee Response to Appellants' Supp Authority of Vazzo Decision.	0.20	LGA	
10/24/19	Receipt and review of Boca Raton response to Plaintiffs-Appellants' notice of supplemental authority.	0.40	RKG	
11/26/19	Analysis of issues regarding oral argument.	0.50	RKG	
12/09/19	Review email discussion re oral argument being set and misc issues re same.	0.30	DJS	
	Receive and review from Eleventh Circuit Court of Appeals Notice (Restricted) - Tentative Calendar for OA 3-30-19.	0.20	LGA	

12/10/19	Receive and review from the Eleventh Circuit Court of Appeals - Notice - Case Removal from March Calendar Reassignment Forthcoming.	0.20	LGA
12/11/19	Review email correspondence and discussion concerning scheduling oral argument sooner in Feb before 11th Circuit panel in Miami.	0.30	DJS
12/13/19	Receive and review from Eleventh Circuit Court of Appeals CIP - Equality Florida.	0.20	LGA
12/16/19	Review inquiry of availability for oral argument from 11th Circuit clerk; discuss same with LC team.	0.30	HGM
12/18/19	Review 11th Cir clerk request for oral argument availability; discuss same with LC team.	0.30	HGM
12/23/19	Review oral argument notice; discuss oral argument staffing and strategy with LC team and clients.	0.60	HGM
12/24/19	Analysis of issues regarding oral argument.	0.50	RKG
12/31/19	Attention to scheduling moot court and compiling brief binders in preparation for oral argument; discuss oral argument details and logistics with clients and LC team.	0.90	HGM
01/06/20	Review case law and Ordinances in preparation for Oral Argument.	4.50	MDS
01/07/20	Preparation for oral argument at 11 th Cir.	0.70	RKG
01/08/20	Review file in preparation for Oral Argument (Opening Brief and District Court Order).	4.10	MDS

01/09/20	Preparation for moot court and upcoming oral argument.	0.40	HGM	
	Review file in preparation for Oral Argument (Briefs of City and County).	3.50	MDS	
01/10/20	Review file in preparation for Oral Argument (reviewing Reply Brief, Supplemental Authorities, and Plaintiffs' Proposed Findings of Fact)	6.50	MDS	
01/13/20	Preparation for oral argument moot court.	1.60	RKG	
01/14/20	Prepare for oral argument; discuss oral argument strategy with LC team.	0.50	HGM	
	Review caselaw & Ordinances and prepare draft Oral Argument outline.	5.80	MDS	
01/20/20	Review caselaw in preparation for Oral Argument.	2.90	MDS	
01/29/20	Receive and review email correspondence from JMS re providing panel information for oral argument; review panel bios and review First Amendment opinions from panel members; provide analysis to LC team.	5.10	DJS	
	Review case law in preparation for Oral argument.	0.90	MDS	
02/04/20	Review briefing, caselaw, and appendix materials for moot court with MDS for upcoming oral argument.	3.10	DJS	
02/05/20	Prepare for moot court.	2.90	DJS	
	Travel to Orlando for moot court.	3.80	HGM	TT
	Review party and amicus briefs in preparation for moot	2.60	HGM	

	court.			
	Review Briefs, Ordinances, and caselaw in preparation for Oral Argument.	5.40	MDS	
	Analysis of issues regarding Eleventh Circuit oral argument and preparation for moot court session.	1.30	RKG	
02/06/20	Attend moot court oral argument with MDS, RKG, and HGM via telephone.	1.50	DJS	
	Further preparation for moot court (2.50); participate in moot court (1.50); debrief with LC team (0.50).	4.50	HGM	
	Travel home following moot court.	3.90	HGM	TT
	Prepare for and participate in Moot Court oral argument preparation.	3.50	MDS	
	Preparation for and attendance at moot court session regarding Eleventh Circuit oral argument.	8.70	RKG	ET
02/07/20	Attention to misc issues re preparations for oral argument; review internal discussion re avoiding constitutional questions re same; provide thoughts and feedback from moot session with MDS	3.30	DJS	
	Research regarding canon of constitutional avoidance; memorandum to M.Staver regarding same.	5.40	RKG	
	Review Appellate Briefs (Opening, Answer, and Reply) and arguments in preparation for Oral Argument.	3.30	MDS	
	Review Supplemental Authority filed by Boca Raton (Doyle v. Hogan).	0.50	MDS	
02/10/20	Travel to Miami for oral argument at 11th Circuit.	2.50	HGM	TT

	Further preparation with LC team for oral argument; research potential preemption issues that may arise at argument.	4.30	HGM	
	Travel to Miami for Oral Argument.	3.90	MDS	TT
	Prepare and practice final moot court in preparation for Oral Argument.	1.90	MDS	
	Review Order on appeal from District Court in preparation for Oral Argument, including case citations and holdings.	1.50	MDS	
	Review Vazzo Opinion re preemption and research Eleventh Circuit and Supreme Court precedent regarding preemption and First Amendment claims at the Preliminary Injunction stage.	3.40	MDS	
	Review Supreme Court and Court of Appeals precedents re: Content-based restrictions, Professional Speech, Counseling speech cases (Pickup, King, Moore-King, NIFLA, Wollschlaeger, Vazzo, Doyle, Conant, Holder, Reed, McCullen, Bruni, and more) in preparation for Oral Argument.	4.40	MDS	
	Reviewing Proposed Post-Hearing Findings of Fact and Conclusions of Law in preparation for Oral Argument and Depositions.	2.10	MDS	
	Travel to Miami for oral argument (4.10); research regarding application of constitutional avoidance canon to preliminary injunction proceedings (2.20); research regarding avoidance of First Amendment questions in favor of state preemption questions (2.30).	8.60	RKG	TT (4.1)
02/11/20	Travel home following oral argument at 11th Circuit in Miami.	2.60	HGM	TT
	Final preparations for oral argument; attend 11th Circuit	5.20	HGM	

	oral argument; debrief with clients and LC team following argument.			
	Prepare for Oral Argument reviewing briefs, relevant case law, Ordinances, and argument points.	3.10	MDS	
	Travel to Orlando following oral argument in Miami.	4.50	MDS	TT
	Attend and deliver Oral Argument at Court of Appeals in Miami.	4.50	MDS	
	Meeting with clients following Oral Argument re: status of the case and the impact of the Ordinances on their ability to counsel.	2.10	MDS	
	Review Oral Argument with co-counsel, including questions from the bench, and next litigation steps.	1.50	MDS	
	Attendance at Eleventh Circuit oral argument (2.90); pre- and post-argument meetings with LC team and clients (2.20); return travel to Orland (4.20).	9.30	RKG	TT (4.2) DB (5.1)
02/12/20	Listen to oral argument at Eleventh Circuit.	0.60	DJS	
	Further debriefing with LC team following oral argument; consideration of strategy for next steps in appeal and litigation.	0.70	HGM	
	Overview Oral Argument with co-counsel; organizing of arguments and file documents for further litigation strategy.	1.70	MDS	BB
02/18/20	Discuss litigation status and strategy with LC team; consider impact of express preemption law on pending litigation and discuss same with legislative contact and LC team.	1.20	HGM	
02/26/20	Discuss appeal status and strategy with LC team; consider possible next steps.	0.40	HGM	

03/13/20	Analysis of issues regarding trial court proceedings.	0.60	RKG	
04/06/20	Review inquiry from client regarding upcoming speaking opportunities and amicus participation request; consider implications for, and impact on, pending litigation; advise client on course of action.	0.60	HGM	BB
04/16/20	Review media account of R. Hoch involvement in S. Florida, Tampa and other SOCE bans throughout the state; consider implications for further litigation and merits discovery needs.	0.40	HGM	BB
04/21/20	Review draft Hamilton video presentation; consider implications for pending claims against County and City; discuss same with clients and LC team.	0.80	HGM	DB
11/20/20	Receive and review opinion from 11th Circuit enjoining SOCE ordinance based on violation of the First Amendment; email discussion with legal team re same; email discussion with clients re same; telephone call with MDS re discussing same.	3.10	DJS	BB (DB)
	Review 11th Circuit decision on appeal; discuss with LC team; teleconference with clients to discuss victory and strategy for next steps.	1.90	HGM	BB (DB)
	Review Court of Appeals decision, communicate with clients, and review next steps in litigation.	2.40	MDS	BB (DB)
	Receive and review from Eleventh Circuit Court of Appeals	0.20	LGA	DB
	Opinion - Reversing DC's denial of PI.			
11/21/20	Review media coverage of 11th Circuit decision for statements made by City and County; draft public records request to County for post-decision public statements and	1.30	HGM	BB

	communications, for potential use in merits litigation.			
11/23/20	Review Palm Beach County response to public records request regarding post-judgment communications; discuss same with LC team; respond to same.	0.40	HGM	
	Review client inquiry regarding requests for public comments on court victory; provide guidance to client regarding same.	0.40	HGM	
11/30/20	Review settlement inquiry from Boca Raton counsel; respond to same.	0.40	HGM	
12/03/20	Receive and review email correspondence from HGM re discussing potential en banc petition being filed; review rules re same and discuss same with legal team.	0.50	DJS	
12/04/20	Review file in light of Counsel for City of Boca Raton stating the City will be filing petition for Rehearing.	0.40	MDS	
12/07/20	Review case for Defendants Motion for Rehearing or Rehearing En Banc and for Facebook threats on the Trevor Project page against the judges, to apprise the Court of Appeals of same.	1.30	MDS	BB
12/08/20	Review and revise draft letter to 11th Cir re potential Facebook threat on page of amicus Trevor Project; discuss same with LC team.	0.50	HGM	
12/09/20	Drafting of letter to 11th Circuit Clerk regarding potential online threat against judges; analysis of issues regarding same.	2.60	RKG	ET
12/10/20	Review media articles regarding potential amici lining up to support Defendants' en banc rehearing efforts; consider strategy for addressing same; discuss same with LC team.	0.70	HGM	
	Review amicus Trevor Project's response to letter to	0.30	HGM	

Eleventh Circuit clerk advising of potential threat against judges; consider need for further response.

12/11/20	Receive and review petition for rehearing and rehearing en banc; review same; discuss same with legal team and discuss strategy re potential response/opposition.	2.10	DJS	BB (DB)
	Review rehearing petition filed by Defendants; consider possible response points and strategy; discuss same with LC team.	3.20	HGM	BB (DB)
	Review Defendants' Motion for Rehearing and Rehearing En Banc and associated caselaw.	1.20	MDS	DB (BB)
	Receive and review from Eleventh Circuit Court of Appeals	0.60	LGA	DB
	Petition - Appellees' Petition for Rehearing and Rehearing En Banc.			
	Appendix - Appellees' Appendix for Joint Petition.			
	Notice - Appellees' Notice of Inability to Contemporaneously File Hard Copies.			
B 12/12/20	Review communications from putative experts regarding 2020 APA efforts to prohibit SOCE counseling; consider implications of same for ongoing litigation; discuss same with LC team.	0.80	HGM	BB
12/14/20	Review arguments and case law in Defendants' Motion for Rehearing and Rehearing En Banc	1.50	MDS	
	Review status of case with legal team.	0.50	MDS	
12/18/20	Review amicus briefs filed by 4 separate groups of amici, in	2.60	HGM	BB

support of panel rehearing or en banc consideration; consider strategy for further litigation on appeal and on the merits in district court, after remand.

Receive and review from Eleventh Circuit Court of Appeals 1.20 LGA DB

NOA - McNulty for Amici City of Miami.

NOA - Rosenwald for Amici City of Miami Beach.

Motion - to File Amicus Brief (FL Psychological Assoc).

Brief - Amicus (FL Psychological Assoc).

Motion - to File Amicus Brief (Fl Cities and Counties).

Brief - Amicus (25 FL Cities and Counties).

Notice - Temporary Inability to File Paper Copies (25 FL Cities and Counties).

Motion - to File Amicus Brief (The Trevor Project).

Brief - Amicus (The Trevor Project).

12/21/20 Receive and review from Eleventh Circuit Court of Appeals 0.20 LGA

Notice - of Amici's Inability to File Paper Copies of Amicus Brief (The Trevor Project).

12/22/20 Review communication from 11th Circuit seeking response timing to pending amicus motions; consider strategy for responding to amicus motions; discuss same with LC team. 0.70 HGM

Analysis of issues regarding response in opposition to amicus briefs in support of Defendants-Appellees. 0.40 RKG

12/23/20	Discuss strategy, timing and issues regarding opposition to amicus motions with LC team.	0.40	HGM	
	Drafting of response in opposition to amicus briefs supporting rehearing in 11th Circuit.	3.00	RKG	
12/24/20	Review and revise draft opposition to various amici motions; discuss same with LC team; review as-filed opposition; discuss same with clients.	2.20	HGM	
	Review and edit Memorandum of Law in Opposition to Amicus Briefs.	1.50	MDS	
01/12/21	Review 11th Cir Order granting amici leave to file amicus briefs.	0.30	HGM	
01/13/21	Review as-filed amicus briefs; consider implications for appeal and future merits litigation in district court.	3.20	HGM	BB (DB)
	Review file and Amicus Briefs accepted by the Court of Appeals.	1.60	MDS	DB
01/27/21	Discuss litigation status with clients.	0.30	HGM	
02/02/21	Review communication from clients regarding advice for speaking at upcoming events, in light of pending litigation; discuss same with LC team and clients.	0.40	HGM	
02/07/21	Discuss litigation status and strategy with clients.	0.50	HGM	
02/15/21	Discuss litigation status and strategy with clients.	0.30	HGM	
05/06/21	Research law regarding availability of multipliers in fee recoveries in undesirable cases; discuss same with LC team.	0.80	HGM	

05/08/21	Review results of research on fee multiplier in undesirable cases; assign follow up research; consider implications and strategy for fee recovery.	0.40	HGM
05/12/21	Review letter to court from non-party; consider need to respond to same; discuss appeal update with LC team.	0.30	HGM
	Receive and review from Eleventh Circuit Court of Appeals Ltr - Non-Party Pro Se Letter.	0.20	LGA
07/25/21	Discuss litigation status and strategy with clients.	0.40	HGM
09/20/21	Discuss appeal status and strategy with LC team.	0.30	HGM
01/24/22	Review status of SOCE ordinances and discuss same with clients and LC team.	0.30	HGM
02/08/22	Review Defendants' notice of supplemental authority; consider need of responding to same.	0.40	HGM
02/18/22	Review status of appeal and litigation.	0.20	MDS
02/21/22	Consider whether and how to respond to supplemental authority notice; discuss same with LC team.	0.30	HGM
02/23/22	Analysis of issues regarding Defendants' notice to Eleventh Circuit of supplemental authority.	3.70	RKG
04/18/22	Discuss litigation status with clients.	0.40	HGM
04/20/22	Analysis of issues regarding application of new Florida Department of Health guidelines for treatment of children and adolescents with gender dysphoria; consider implications for merits litigation.	0.60	RKG
05/02/22	Review recent free speech opinion from Eleventh Circuit; discuss with LC team the possibility of supplemental	1.10	DJS

authority for en banc petition.

	Review client inquiry regarding defamatory statements online; consider strategy for responding to same in light of pending litigation; review response to client.	0.40	HGM	
	Consider recent First Amendment decision from 11th Circuit and feasibility of filing it as notice of supplemental authority in pending appeal; discuss same with LC team.	0.40	HGM	
	Analysis of issues regarding filing supplemental authority in Eleventh Circuit appeal.	0.30	RKG	
05/12/22	Telephone call to clerk re discussion of appeal status.	0.40	LGA	
07/13/22	Review file status of case pending en banc petition.	0.40	MDS	
07/15/22	Telephone call to Clerk and Case Mgr re: Status of petition/case.	0.30	LGA	
07/17/22	Telephone call to case mgr re case status.	0.30	LGA	
07/19/22	Detailed file review of timeline to talk with case mgr and research eleventh circuit IOPs for options to move case forward.	1.40	LGA	
	Receive and review order and opinion denying en banc review; discuss same with legal team; prepare email memorandum to legal team re salient points from en banc opinion.	3.10	DJS	BB (DB)
	Receipt and review of 11th Circuit order denying rehearing; analysis of issues regarding same	1.60	RKG	BB (DB)
	Receive and review order denying petition for review, file and update legal team.	0.20	LGA	DB

	Telephone call to case mgr re update on case.	0.40	LGA	
	Beginning review of Court of Appeals denial of en banc review; review concurring and dissenting opinions.	1.40	MDS	DB
	Review 11 th Circuit denial of en banc petition; consider next steps for appeal and for merits litigation in lower court; discuss same with LC team.	2.20	HGM	DB
07/21/22	Review dissenting opinion and over 300-pages of Appendix to dissenting opinion of the Court of Appeals denying en banc review.	3.50	MDS	
	Review file status for next steps following denial of en banc review and return to the District Court for Preliminary Injunction and attorney's fees and costs.	1.50	MDS	
07/22/22	Analysis of issues regarding effect of rehearing denial on pending cases.	0.90	RKG	
	Receive and review notice that order withholding the mandate is vacated.	0.30	LGA	
07/26/22	Emails with legal team re court update on mandate.	0.30	LGA	
	Review Eleventh circuit's IOP on mandate issuance; telephone calls with case mgr to review.	1.40	LGA	
07/27/22	Receive and review mandate and circulate to team; discuss fee recovery process with LC team.	0.50	LGA	
	Telephone conference with case mgr re issuance of mandate; update legal team.	0.40	LGA	
07/29/22	Receive and review mandate from 11th Circuit; discuss implications with legal team.	0.50	DJS	
	Receipt and review of 11th Circuit mandate.	0.20	RKG	

	Review 11th Circuit mandate; consider next steps for obtaining PI in lower court.	0.50	HGM	
07/30/22	Draft email to counsel for Defendants regarding next steps for litigation following receipt of 11th Circuit mandate.	0.70	HGM	
08/01/22	Review news article regarding recommendation from architect of unconstitutional ordinances that Defendants repeal them to moot case; consider mootness arguments; discuss same with LC team; draft follow up email to defense counsel regarding mootness and next steps.	1.90	HGM	BB
08/04/22	Receive and review email correspondence from HGM discussing repeal of ordinance and misc issues; discuss same with HGM re nominal damages and other misc issue; review motion to enter preliminary injunction; discuss same with legal team.	0.80	DJS	BB
	Review efforts by Defendants to repeal ordinances and moot injunctive relief; draft Motion to Lift Stay and enter Preliminary Injunction; revise, finalize and file same.	3.30	HGM	BB
	Analysis of issues regarding potential legislative repeal of counseling ban by City of Boca Raton (1.10); receipt and review of draft motion to district court to lift stay and enter preliminary injunction (0.70)	1.80	RKG	
	Email (multiple) discussion re repeal of city ordinance, filing of docs and researching city meetings and minutes.	1.40	LGA	
08/05/22	Review email correspondence from HGM re discussing response to mootness suggestion by city; review prepared response re same; review caselaw re mootness and nominal damages and mootness and declaratory relief; email memorandum to HGM re providing same for response;	1.50	DJS	BB

review final version of response re same.

	Attend (remotely) council meeting of Boca Raton re: “emergency” repeal of SOCE ordinance (0.50); consider implications and debrief with LC team (0.30); review City’s “suggestion of mootness” (0.30); assign research issues regarding same and then review research results (0.80); draft response to same, and finalize and file response (2.70).	4.60	HGM	DB (5)
	Review County’s settlement inquiry; consider response strategy; communication with clients regarding damages claim for settlement purposes; respond to settlement inquiry.	1.30	HGM	BB
	Review Defendants’ reply re suggestion of mootness; consider next steps.	0.60	HGM	
	Review City of Boca Raton’s Suggestion of Mootness; discuss response strategy with LC team.	1.20	MDS	
	Observation of Boca Raton City Council special meeting regarding repeal of counseling ban ordinance (0.40); receipt and review of City’s suggestion of mootness to district court (0.30); analysis of issues regarding resumption of district court proceedings (0.40).	1.10	RKG	
08/06/22	Further communication with clients regarding settlement of damages claims.	0.40	HGM	
08/08/22	Review damages calculations from clients; research damages categories; communication with clients to discuss recoverable damages and calculation of same; discuss settlement strategy in view of client damages with LC team.	1.40	HGM	BB
	Receipt and review of e-mail correspondence between H.Mihet and clients regarding potential resolution of damages claims; analysis of issues regarding same.	0.80	RKG	

08/09/22	Receive and review response from County on motion to enter injunction; discuss same with HGM; review caselaw re permissible scope of injunction and district court discretion; prepare email memorandum to HGM re same; discuss same with HGM.	3.10	DJS	BB
	Review Boca Raton's response in opposition to motion to lift stay and enter preliminary injunction; consider strategy for reply; assign research items to LC team; review results of research; draft reply; revise, finalize and file Reply.	4.20	HGM	BB
	Receive and review additional settlement communications from City and County counsel.	0.30	HGM	
	Review status of file and next steps for litigation re: Preliminary Injunction and damages.	1.30	MDS	
	Receipt and review of draft reply in support of motion to district court to lift stay; analysis of issues regarding same.	0.70	RKG	
08/10/22	Review email settlement memo HGM provided to City and County; discuss same with legal team.	0.50	DJS	
	Review time and expense report; calculate fees and expenses to date for settlement purposes; draft detailed settlement demand for City and County.	5.40	HGM	BB
08/11/22	Review second reply in support of entering PI; discuss same with legal team; review email correspondence from HGM re updating settlement demand.	1.10	DJS	BB
	Receive and review order from district court on motion to lift stay and enter injunction; discuss same with legal team; review caselaw and FRAP re motion to enforce mandate; prepare email memorandum to legal team re same; discuss motion to enforce mandate at 11th Circuit re same.	3.20	DJS	BB (DB)
	Review County's response in opposition to Motion to Lift	4.10	HGM	BB (DB)

	Stay and Enter Preliminary Injunction; consider strategy for Reply to same; research and draft Reply; finalize and file Reply.			
	Draft updated settlement demand for City and County; and provide same to them.	0.60	HGM	
	Review district court's order indicating no injunction is promptly forthcoming (0.20); consider options for next steps, including mandamus petition to Eleventh Circuit (2.10); discuss options and research items with LC team (0.60); send communication to City and Counsel to request change in course of action on their part, to avoid unnecessary fees for mandamus petition (0.30).	3.20	HGM	
	Receipt and review of draft second reply in support of motion to district court to lift stay (0.40); receipt and review of district court order on motion to lift stay, and analysis of issues regarding same (1.30).	1.70	RKG	
	Docket and calendar update re briefing deadlines.	0.50	LGA	
08/12/22	Review email correspondence and discussion between HGM and opposing counsel re potential settlement (0.20); continue discussion of motion to enforce mandate with legal team (0.90).	1.10	DJS	
	Review settlement updates from City and County; respond to same.	0.40	HGM	
	Consider strategy for seeking mandamus relief from Eleventh Circuit re district court's delay in issuing injunction; assign research items to LC team; review research results and formulate plan for mandamus petition.	4.30	HGM	BB
	Review District Court Minutes Entry and responses by Defendants re: Lack of enforcement of the Mandate and discuss with LC team preparation of Motion and Memo of	1.20	MDS	

Law to Enforce the Mandate at the Court of Appeals.

	Analysis of issues regarding appellate review of district court order on motion to lift stay.	0.90	RKG	
	Phone conference with HGM to discuss research project re mootness by legislative action (0.20); research whether the promise of future legislative action moot injunctive relief (4.20); draft memo to HGM detailing research findings (1.0).	5.40	LAW	
08/13/22	Research and draft Motion to Enforce Mandate (mandamus petition) for Eleventh Circuit; discuss follow up research items and results with LC team; revise draft motion to enforce mandate.	10.70	HGM	BB
	Research motions to enforce mandates in appellate courts (2.0); Email correspondence with HGM regarding research on motion to enforce mandate (0.30).	2.30	LAW	
08/14/22	Further research and drafting of motion to enforce mandate; discuss and revise same with LC team.	3.30	HGM	BB
	Review and revision of draft motion to 11th Circuit to enforce mandate.	1.30	RKG	BB
08/15/22	Review final version of motion to enforce mandate; review order from 11th Circuit re discussing same; discussion among legal team re same.	1.60	DJS	
	Revise, finalize and file Motion to Enforce Mandate (mandamus petition) at Eleventh Circuit (4.40); coordinate communications with clerk to ensure time-sensitive treatment of motion (0.30); draft, finalize and file Notice of filing mandamus petition for district court (0.40); review Eleventh Circuit order requiring responses to mandamus petition by noon tomorrow (0.20); draft, revise and file Notice of same to district court (0.40); update clients on proceedings (0.50).	6.20	HGM	

	Review Motion and Memo to Enforce the Mandate at the Court of Appeals.	0.90	MDS	
	Telephone call with clerk re Motion to Enforce, merits panel and general procedural questions; review applicable rules and IOPs; update legal team.	2.30	LGA	ET
	Email correspondence with HGM about motion to enforce mandate.	0.20	LAW	
08/16/22	Telephone call from HGM re discussing First Amendment not requiring enforcement; review caselaw re same; prepare email memorandum to HGM providing authority re same.	0.60	DJS	
	Review prior pleadings in district court regarding potential disqualifying relationship with witness and potential conflict of interest; consider whether and how to present same to Eleventh Circuit in context of pending mandamus petition; draft Supplement to mandamus petition presenting potential conflict to Eleventh Circuit; revise, finalize and file same.	2.40	HGM	BB
	Review City's and County's separate responses to mandamus petition; research and draft combined Reply to same; finalize and file reply.	5.20	HGM	
	Review responses filed by Palm Beach County and the City of Boca Raton to Motion to Enforce the Mandate.	0.80	MDS	
	Review email communication from Rand Hoch for filing with Court of Appeals in Support of Motion to Enforce the Mandate, and preparing of Reply to Palm Beach County and the City of Boca Raton.	1.10	MDS	
	Receipt and review of Defendants' responses to motion to 11th Circuit to enforce mandate (1.30); receipt and review of reply in support of motion (0.60).	1.90	RKG	

	Receive and review multiple filings and docket updates from both USDC and USCA (0.60); Call with clerk re upcoming filing at USCA (0.30).	0.90	LGA	
08/17/22	Receive and review order from 11th Circuit re granting mandamus and ordering district court to enter injunction; discuss same with legal team; review email correspondence and discussion with opposing counsel from HGM regarding same.	0.70	DJS	DB (BB)
	Email correspondence with HGM about motion to enforce mandate.	0.20	LGA	
	Review as filed mandamus pleadings and supporting documents at Eleventh Circuit; discuss same with LC team; consider next steps.	1.40	HGM	BB (DB)
	Review Writ of Mandamus entered by Eleventh Circuit (0.30); discuss same with LC team and clients, and consider next steps (0.80); draft, finalize and file Notice of same for district court (0.40); draft and send revised settlement demand to County and City (0.60).	2.10	HGM	DB (.3)
	Review client inquiry regarding seeing additional patients, in light of pending litigation; respond to same.	0.50	HGM	
	Review Mandamus Order from the Court of Appeals to the District Court re: entry of a preliminary injunction and prepare for further proceedings.	0.30	MDS	DB
	Receipt and review of 11th Circuit writ of mandamus to district court enforcing mandate.	0.40	RKG	DB
	Receive and review USCA Order Granting Mandamus, discuss with attorneys.	0.20	LGA	DB
08/18/22	Receive and review email from HGM re district court issuing preliminary injunction; discuss same with legal	0.60	DJS	

team.

	Receive and review email discussion from HGM re scheduling and meet and confer.	0.50	DJS	
	Further review of writ of mandamus; consider next steps in lower court; discuss same with clients.	1.10	HGM	
	Discuss mandamus developments with co-counsel.	0.50	HGM	
	Review preliminary injunction entered by district court following writ of mandamus; consider implications and next steps for litigation; discuss same with LC team.	0.80	HGM	
	Draft discovery and litigation plan; provide and discuss same to counsel for Defendants.	1.10	HGM	
	Receipt and review of district court order lifting stay and granting preliminary injunction.	0.70	RKG	DB
	Receive and review Order from DC Granting PI and update file and calendars.	0.40	LGA	
	Telephone conference with clerk re Petition for Mandamus update.	0.40	LGA	
	Email correspondence with HGM about case status.	0.20	LAW	
08/19/22	Receive and review email correspondence and discussion among HGM and opposing counsel re meet and confer.	0.50	DJS	
	Review Defendants' preliminary response to scheduling proposal; respond to same, and provide clarification for supplementation of discovery documents sought by Plaintiffs.	0.70	HGM	
	Update clients on preliminary injunction and settlement discussions.	0.50	HGM	

	Review Defendants' substantive response to litigation scheduling proposal; consider response strategy; draft email with questions for Defendants to probe their positions.	1.10	HGM	
	Consider research issues for punitive damages, section 1985 claims and other strategic issues for moving litigation forward; assign research issues to LC team.	0.70	HGM	DB
	Telephone call with HGM to receive research project on Section 1985 causes of action.	0.30	LAW	
	Review file status for updated attorney fee demand based on additional hours expended on Mandamus, and preparation for status conference.	0.20	MDS	
	Receipt and review of e-mail correspondence between H.Mihet and Defendants' counsel regarding joint case management plan.	0.40	RKG	
	Telephone call with clerk re follow - up on USDC's order.	0.30	LGA	
08/22/22	Review results of research on conspiracy claim; consider strategy for pleading same; discuss same with LC team.	1.10	HGM	BB
	Legal research Section 1985 cause of action and associated case law (3.50); Legal research punitive damages against municipalities (2.10); Legal memo to HGM re Section 1985 cause of action and punitive damages (1.90).	7.50	LAW	
	Discuss scheduling issues with counsel for defendants.	0.60	HGM	
	Receipt and review of continuing e-mail correspondence between H.Mihet and Defendants' counsel regarding joint case management plan	0.30	RKG	
08/23/22	Receive and review email from HGM re discussing liberal amendment standard; prepare email memorandum outlining 11th Circuit caselaw re same.	0.70	DJS	

	Monitor council meetings of City and County re repeal of unconstitutional ordinances; consider implications for mootness and further litigation.	1.60	HGM	BB
	Assign research of joint litigation plan and proposal to LC team.	0.60	HGM	
	Receipt and review of continuing e-mail correspondence between H.Mihet and Defendants' counsel regarding joint case management plan.	0.30	RKG	
08/24/22	Receive and review email correspondence from HGM re mootness as a factual inquiry; review caselaw re same; prepare email memorandum re discussing same.	1.40	DJS	BB
	Review initial draft of plaintiffs' scheduling proposal from HGM.	0.40	DJS	
	Review results of research on mootness factual inquiries and liberal pleading amendment rules (0.60); draft Joint Notice of proposed plan for litigation, including Plaintiffs' contested portions (2.80); discuss same with counsel for Defendants (0.30).	3.70	HGM	
	Receipt and review of City of Boca Raton's suggestion to district court of mootness, and analysis of issues regarding same (0.80); receipt and review of continuing e-mail correspondence between H.Mihet and Defendants' counsel regarding joint case management plan (0.40).	1.20	RKG	
08/25/22	Multiple communications with counsel for defendants regarding Joint Notice on scheduling; review proposed revisions to draft Joint Notice; further revisions and negotiations of same; finalize and file Joint Notice.	4.30	HGM	BB
	Review file re: status of ordinances, resolution condemning SOCE, and future litigation.	0.60	MDS	
	Review of draft joint notice to district court of parties'	0.20	RKG	

procedural proposals.

	Receipt and review of continuing e-mail correspondence between H.Mihet and Defendants' counsel regarding joint case management plan.	0.80	RKG
08/26/22	Phone conference with HGM to discuss strategy and objectives for amended complaint (0.30); Review and analyze complaint in preparation for drafting amended complaint (0.80); format amended complaint and begin drafting (3.90); review multiple docket filings necessary for drafting of amended complaint (0.70); further research of Section 1985 cause of action (1.20).	6.90	LAW
	Discuss strategy and objectives for amending complaint with LC team; assign research and drafting tasks.	0.30	HGM
08/29/22	Further research case law on Section 1985 claims (2.30); research pleading requirements for Section 1985 cause of action (1.80); drafting of amended complaint (3.30).	7.40	LAW
08/30/22	Research Palm Beach Human Rights Council and Rand Hoch for allegations in amended complaint (2.10); Review news coverage of Ordinances and litigation for allegations in amended complaint (1.70); continued drafting of amended complaint (2.90).	6.70	LAW
08/31/22	Review Defendants' municipal ordinances for updates (0.60); Review and analyze CA11 decision on preliminary injunction (0.70); Continued drafting of amended complaint (3.50); review local rules for amended complaints (0.30).	5.10	LAW
09/01/22	Receive and review order from SDFL re discovery conference; discuss same with legal team.	0.30	DJS
	Review magistrate referral order.	0.20	HGM

	Receipt and review of order referring case to Magistrate Judge Reinhart.	0.20	RKG
	Continued drafting of amended complaint (1.80); research and review latest studies on SOCE counseling for possible inclusion in amended complaint (3.90).	5.70	LAW
09/02/2022	Continued drafting of amended complaint (1.80); research CA11 and Supreme Court precedent on mootness following repeal of laws / ordinances (2.30); research actions for nominal damages, and the ability of nominal damages to save a case from mootness (2.70).	6.80	LAW
09/06/22	Discuss complaint amendment issues and strategy with LC team; redirect and refocus drafting effort.	0.90	HGM
	Review order setting status conference; consider strategy for status conference.	0.30	HGM
	Receive and review order setting status conference; update atty calendars.	0.20	LGA
	Email correspondence with HGM regarding strategy and timing for amended complaint; telephone discussion with HGM re same.	0.90	LAW
09/07/22	Review Ninth Circuit decision in Tingley creating split with Eleventh Circuit in Otto, and consider implications and strategy for further litigation in light of circuit split (0.80); discuss same with LC team (0.30); discuss status of and strategy for amended complaint with LC team (0.40).	1.50	HGM
	Receipt and review of 9th Circuit Tingley v. Ferguson decision; consider implications for merits litigation in Otto.	0.80	RKG
	Phone conference with HGM to discuss case status (0.40); communication with City of Boca Raton to request	4.80	LAW

documentation on ordinance repeal and new resolution condemning SOCE counseling (0.40); research conspiracy cause of action (1.20); further research on Rand Hoch and Palm Beach Human Rights Council for allegations of conspiracy in amended complaint (2.80).

09/08/22	Review Boca Raton resolution condemning SOCE; consider implications for lawsuit and mootness arguments; discuss same with LC team.	1.30	HGM	
	Review new research article on SOCE provided by client; consider implications for litigation and discuss same with client.	1.30	HGM	
	Receipt and review of Palm Beach County's notice of execution of repeal ordinance; analysis of issues regarding same.	0.40	RKG	
	Phone conference with HGM to discuss amended complaint status and strategy (0.30); email correspondence with HGM about Boca Raton resolution (0.20); research case law for motions for leave to amend complaint (3.20); review docket filings for amended complaint (1.10); continued drafting of amended complaint (2.80).	7.60	LAW	ET (2.8)
09/09/22	Review client communication with out of state litigants in similar legal challenges to SOCE bans; consider implications for Otto suit; discuss same with clients.	1.10	HGM	
	Draft motion for leave to amend complaint (6.50); research news articles about ordinances (1.0).	7.50	LAW	
09/10/22	Edit and review motion for leave to amend complaint (3.90); review and revise amended complaint (2.20).	6.10	LAW	ET
09/12/22	Receive and review email correspondence from MDS re Ninth Circuit decision from SOCE case; discuss same with legal team and consider implications of same for Otto litigation.	1.50	DJS	

	Prepare for status conference on case progress.	0.80	HGM	
	Conclude drafting of amended complaint (3.30); conclude drafting of motion for leave to amend complaint (2.20); provide drafts to HGM and discuss same (0.20).	5.70	LAW	ET
09/13/22	Further preparation for status conference; attend telephonic status conference; debrief with clients and LC team.	1.90	HGM	
	Preparation for and attendance at district court Zoom status conference with Magistrate (1.10); receipt and review of district court order setting deadline for amendment of complaint (0.30).	1.40	RKG	
	Receive and review order post conference with amended complaint deadlines - update atty calendars.	0.40	LGA	
09/29/22	Consider need for EOT on motion for leave to amend complaint; discuss same with defense counsel to obtain consent; draft, revise, finalize and file EOT motion.	1.70	HGM	BB
09/30/22	Review motion for extension of time to file amended complaint.	0.30	RKG	
	Receive and review order resetting amended complaint deadlines and updating calendars.	0.20	LGA	
10/03/22	Communication with clients regarding continued efforts to ban SOCE.	0.50	HGM	
10/11/22	Review and revise draft Amended Complaint.	5.40	HGM	ET
10/12/22	Review and revise draft Amended Complaint and motion for leave to file same; discuss and revise same with LC team.	4.90	HGM	ET
10/13/22	Conclude review and revision of motion for leave to file	6.60	HGM	ET

amended complaint, and proposed amended complaint; finalize and file motion.

	Receive and review motion to amend complaint.	0.20	LGA	
10/14/22	Receipt and review of motion for leave to file first amended complaint; analysis of issues regarding same.	0.80	RKG	
	Email correspondence with LC team re motion to amend.	0.40	LGA	
10/24/22	Review Boca Raton's notice of non-opposition to motion for leave to amend complaint; consider implications and discuss same with LC team.	0.30	HGM	
10/25/22	Review Order granting motion for leave to amend complaint; consider next steps; discuss same with LC team.	0.50	HGM	
	Receive and review order resetting deadlines for amended complaint; update calendars and set notifications.	0.40	LGA	
10/28/22	Update and file amended complaint following court order granting leave to file; process and re-file exhibits.	1.10	HGM	CT
11/10/22	Review motions to dismiss amended complaint; discuss same with legal team.	1.60	DJS	DB (BB)
	Initial review of motions to dismiss filed by City and County; consider response strategy, staffing and timing.	1.10	HGM	DB (BB)
	Receipt and initial review of Defendants' motions to dismiss; analysis of issues regarding same.	0.70	RKG	DB (BB)
11/16/22	Review inquiry from client regarding litigation status and estimated timeline; respond to same; provide advice regarding interacting with council members on unrelated subject at same time as litigation remains pending.	0.50	HGM	

	Receipt and review of e-mail correspondence between H.Mihet and clients regarding status of case and settlement negotiations.	0.40	RKG	
11/18/22	Review deadline for responding to motions to dismiss; consider timing and strategy for response; discuss same with LC team; communication with counsel for Defendants to request consent to extension of time.	0.70	HGM	BB
11/21/22	Review response from County re refusal to consent to EOT for MTD response; consider strategy for EOT motion in light of opposition.	0.40	HGM	
11/23/22	Email correspondence to and discussion with HGM re extending time to respond to MTD.	0.30	DJS	
	Draft contested EOT motion for MTD responses; discuss and revise same with LC team; finalize and file same; review Order granting same.	3.20	HGM	BB
12/01/22	Review and analyze Defendants' motions to dismiss in preparation for drafting opposition (3.30); review docket filings relevant to amended complaint and motions to dismiss (1.90).	5.20	LAW	
12/02/22	Research cases cited in Defendants' motions to dismiss (2.90); Review initial opposition to motion to dismiss original complaint and consider material that can be adapted to new MTD motions (1.20); research CA11 case law on mootness (2.10); research Section 1985 conspiracy claims and defenses in light of dismissal arguments (1.40).	7.60	LAW	
12/06/22	Further research case law on mootness (2.80); research case law on 12(b)(1) and 12(b)(6) motions to dismiss (3.20); research case law on factual and facial attacks in 12(b)(1) motions to dismiss (1.90).	7.90	LAW	
12/07/22	Receive and review email from HGM re motions to dismiss; review prior motions to dismiss from 2018; email	0.30	DJS	

correspondence to HGM re same.

	Consider strategy for MTD opposition; discuss drafting and research points and issues with LC team.	1.30	HGM
	Phone conference with HGM to discuss MTD response strategy and timing (0.20); draft outline for opposition to motion to dismiss based on research of issues to date (2.10); further review of docket filings related to motions to dismiss (1.10); begin drafting of opposition to motions to dismiss (3.90).	7.30	LAW
12/08/22	Email correspondence with HGM re outline to opposition to motion to dismiss (0.20); drafting of opposition to motion to dismiss (6.20); research on voluntary cessation by government agencies re mootness (1.0).	7.40	LAW
12/09/22	Continued drafting of opposition to motion to dismiss.	6.10	LAW
12/10/22	Review outline for MTD response; consider strategy and discuss revisions to outline with LC team.	0.80	HGM
	Discuss motion to dismiss opposition status and strategy with HGM (0.30); continued drafting of opposition to motion to dismiss (4.80).	5.10	LAW
12/12/22	Analysis of issues regarding amendment of complaint and motions to dismiss.	2.50	RKG
	Continued drafting of opposition to motion to dismiss.	4.20	LAW
12/13/22	Research CA11 implied preemption decisions (0.80); research latest free exercise case law (0.60); research implied private right of actions (0.40); continued drafting of opposition to motion to dismiss (8.60).	10.4	LAW
12/14/22	Further review and analysis of cases cited in motions to	7.70	LAW

dismiss (1.30); continued drafting of opposition to motion to dismiss (6.20); email to HGM re status of MTD opposition (0.20).

12/15/22	Conclude drafting of MTD opposition.	1.30	LAW	
12/16/22	Telephone call from HGM re discussing response opposing MTD; email correspondence to HGM re same	0.50	DJS	
12/18/22	Review and revise MTD opposition.	2.80	LAW	
12/19/22	Review final draft of response opposing MTD	1.10	DJS	
	Review and revise draft opposition to motions to dismiss; discuss and revise same with LC team; finalize and file same.	7.70	HGM	BB (CT)
	Finalize MTD opposition to incorporate attorney revisions (6.10); telephone and email discussions with HGM re same (0.90); research jurisdictional discovery issues regarding government defendants (3.40).	10.40	LAW	ET (6.1)
12/20/2022	Review request from County for extension of time to file Reply ISO motion to dismiss; respond to same; follow-up communications regarding same.	0.40	HGM	
12/21/22	Review defendants' joint motion for EOT on MTD replies; review order granting same; consider litigation schedule and timing.	0.30	HGM	
01/07/23	Review County and City's replies in support of motions to dismiss; consider need and feasibility for further briefing.	2.20	HGM	
	Review County's email request for consent to motion for leave to file MTD reply out of time; respond to same;	0.50	HGM	

review County's motion for leave; review order granting same.

01/20/23	Review defendants' reply briefs ISO motions to dismiss.	1.30	LAW	
01/25/23	Analysis of issues regarding potential settlement	3.00	RKG	
01/27/23	Review Order directing Plaintiffs to file motion for leave to take jurisdictional discovery; consider strategy for same; assign research and drafting tasks to LC team.	0.80	HGM	
	Telephone call with HGM to discuss jurisdictional discovery motion and offer of judgment from City (0.30); obtain City's resolution authorizing offer of judgment from City Clerk, and review same (0.90); review conditional discovery order and consider issues for conditional discovery motion (0.40); research jurisdictional discovery issues (0.80).	2.40	LAW	
01/30/23	Review City's written offers of judgment to Otto and Hamilton (0.30); review video of City Council meeting authorizing offers of judgment (0.40); consider response strategy and timing (0.40); assign research issues on implications for accepting or rejecting offers of judgment to LC team (0.30); review results of research and formulate and refine response strategy accordingly (1.30); discuss offers of judgment with clients (0.60).	3.30	HGM	PO
	Outline motion for leave to take jurisdictional discovery and proposed discovery requests (1.50); research motions to take jurisdictional discovery (0.50); research the risks and implications of declining or accepting a Rule 68 offer of judgment (4.20); detailed email to HGM with results of research on offers of judgment (1.0); further research on jurisdictional discovery issues (1.10).	8.30	LAW	PO

02/01/23	Begin drafting motion for leave to take jurisdictional discovery (3.20); review docket filings for factual research on jurisdictional discovery motion (1.10); research case law and issues involving jurisdictional facts in dispute (2.10); revise and finalize outline to draft motion for leave to take discovery (0.40); review local rules for filing motions and taking discovery (0.30).	7.10	LAW	PO
02/02/23	Review and analyze Defendants' reply in support of motions to dismiss (0.80); research scope of district court's authority to permit jurisdictional discovery (1.20); research CA11 case law on district court abuse of discretion in denying motion for jurisdictional discovery (1.0); research case law on factual attacks on jurisdiction (0.70); continue drafting motion for leave to take jurisdictional discovery (3.90); research case law on negative inferences from refusing discovery requests (1.10).	8.70	LAW	PO
02/03/23	Review and revise draft motion for leave to take jurisdictional discovery.	3.20	LAW	PO
02/06/23	Analysis of issues regarding Defendant Boca Raton's offer of judgment to Plaintiffs.	0.40	RKG	PO
02/08/23	Telephone call from HGM re considering and discussing offer of judgment and strategy for litigation going forward.	0.50	DJS	PO
	Further review City's Offer of Judgment; review research results on implications of rejecting offers of judgment; consider strategy for response; further discuss offers of judgments with LC team and clients.	2.30	HGM	PO (BB)
	Review Offer of Judgment from Boca Raton and prepare for next steps.	0.60	MDS	PO (DB)
	Analysis of issues regarding request for discovery and	1.30	RKG	PO

acceptance of offers of judgment.

	Phone conference with HGM to discuss strategy for discovery and remaining litigation (0.60); Research whether the Eleventh Circuit's decision in Jordan v. Time has been applied in civil rights cases (1.10); research potential exceptions to the general rule prohibiting civil-rights defendants from recovering post-offer attorneys' fees (1.90); research implications of Rule 68 offers of judgment in multi-defendant suits (1.90); research case law on Rule 68's implications on recovering attorney's fees (2.10); Prepare discovery requests and subpoenas (1.20).	8.80	LAW	PO
02/09/23	Draft notice of acceptance of City's offers of judgment; revise, finalize and file same.	1.10	HGM	PO
	Review and revise draft motion for leave to take jurisdictional discovery, and draft subpoenas and discovery requests; discuss and revise same with LC team; revise, finalize and file same.	9.20	HGM	PO (BB, ET, CT)
	Phone conferences with HGM to discuss discovery issues (0.40); research proper acceptance of Rule 68 offers of judgment and discuss research results with HGM (1.20); continue drafting of proposed discovery requests and subpoenas (2.90); research timing of petitioning for attorneys' fees under Rule 54(d) after a plaintiff accepts a Rule 68 offer of judgment (2.20); research case law re implications of a Rule 68-triggered judgment on the remaining parties in multi-defendant case (2.0); draft email memo to HGM with research findings re attorneys' fees after accepting Rule 68 offer of judgment (0.90).	9.60	LAW	PO
02/10/23	Review email correspondence from HGM re discussing acceptance of offer of judgment; review email correspondence with clients re discussing same; review client responses re same.	0.60	DJS	PO

02/13/23	Communications with counsel for County regarding potential settlement and upcoming deadline for County to respond to jurisdictional discovery motion.	0.40	HGM	PO
02/22/23	Initial review of offers of judgment from County; discuss same with LC team.	0.70	HGM	PO
	Review Offer of Judgment from Palm Beach County and prepare for next steps.	0.60	MDS	PO
02/23/23	Analysis of issues regarding county offers of judgment	0.60	RKG	PO
	Communications with counsel for City regarding accepted offers of judgment and timing of payments to Plaintiffs.	0.30	HGM	PO
	Research whether Rule 68-triggered judgment must first be entered before plaintiff may seek attorneys' fees (1.30); review docket filings related to offers of judgment (0.60).	1.90	LAW	PO
03/01/23	Receive and review email correspondence from HGM re discussing offers of judgment from county; discuss same with HGM; receive and review responses from clients re same	0.50	DJS	PO
	Review County's offers of judgment; discuss same with clients and LC team; consider response to same.	0.70	HGM	PO
	Review City's and County's separate responses in opposition to motion for leave to take jurisdictional discovery; consider reply timing and strategy.	1.10	HGM	PO
03/03/23	Draft Notice of Acceptance of County's Offer of Judgment; revise, finalize and file same.	0.80	HGM	PO
03/06/23	Review Order requiring submission of proposed final judgment, and consider strategy and timing for complying	0.40	HGM	PO

with same (0.40); assign research issues to LC team (0.20).

03/07/23	Research requirements for final judgments (0.30); draft proposed final judgment (1.0); email discussion with HGM re final judgments (0.20).	1.50	LAW	PO
03/09/23	Review report and recommendation on motion for jurisdictional discovery; discuss same with HGM; draft notice of non-objection.	0.60	LAW	PO
	Review report and recommendation on motion for jurisdictional discovery.	0.30	HGM	PO
03/14/23	Review City's and County's notices of non-objection to report and recommendation on jurisdictional discovery motion (0.20); revise, finalize and file Plaintiffs' notice of non-objection to same (0.30).	0.50	HGM	PO
03/30/23	Review follow up order re submission of final judgment; discuss status of final judgment proposal with LC team.	0.40	HGM	PO
04/04/23	Review and revise draft proposed final judgment, and discuss same with counsel for defendants.	1.90	HGM	PO
04/05/23	Review redline revisions from City and County to final judgment proposal; multiple email discussions with City and County's counsel to negotiate terms of proposed final judgment; reach agreement; provide agreed proposal for final judgment to chambers as ordered by the Court.	2.60	HGM	PO (BB)
04/05/23	Receipt and review of e-mail correspondence between H.Mihet and Defendants' counsel regarding proposed final judgment, analysis of issues regarding same	1.10	RKG	PO
04/06/23	Review final judgment as entered by the Court; calculate deadlines for post-judgment cost and fee proceedings and discuss same with LC team.	0.90	HGM	PO

04/11/23	Communication with clients regarding procedures and requirements for obtaining payments from defendants; provide payment information to City and County.	0.80	HGM	PO
	Discuss strategy and timing for fee petition with LC team.	0.50	MDS	PO
04/20/23	Discuss time entries with LC team, in view of forthcoming fee petition.	0.30	HGM	PO
04/21/23	Research attorney fee awards in S.D. Fla. (3.10); email research findings in memo to HGM (0.30); follow up research on fees and hourly rates as requested by HGM (2.80).	6.20	LAW	PO
	Discuss status of payment of final judgments with clients, and with counsel for City and County.	0.60	HGM	PO
	Review results of research on fee motions, including hourly rates; discuss same, and strategy for drafting of fee petition, with LC team.	0.90	HGM	PO
	Analysis of issues for fee motion in district court; begin drafting fee motion.	4.70	RKG	PO
04/24/23	Continued drafting of fee motion.	4.50	RKG	PO
04/27/23	Review and organize taxable costs invoices for inclusion in Bill of Costs; draft Bill of Costs.	2.80	HGM	PO (CT)
	Continued drafting of fee motion.	4.60	RKG	PO
04/28/23	Conclude drafting of Bill of Costs; provide same, including invoices, to counsel for defendants in meet-and-confer attempt required by local rules.	1.30	HGM	PO
	Research and analysis of issues for fee motion.	1.20	RKG	PO
05/01/23	Consider strategy and timing for fee petition and discuss	0.70	HGM	PO

same with LC team.

05/02/23	Review objections to proposed bill of costs from City and County; assign research items to LC team; review results of research; preliminary response to City and County.	1.10	HGM	PO
	Detailed review of 80+ page billing report for fee petition; exercise billing judgment.	4.90	HGM	PO
	Continued drafting of fee motion.	5.80	RKG	PO
05/03/23	Further detailed review of every time entry in 80+ page billing report; exercise billing judgment.	4.60	HGM	PO
05/04/23	Conclude review of billing records (1.30); review results of research on hourly rates in Palm Beach County (0.80); calculate lodestar (0.50); discuss fee petition timing and strategy with LC team (0.40); communications with Defense counsel regarding extension of time to serve fee petition (0.40); review defendants' objections to bill of costs, assign research issues to LC team, review results of research, and formulate response position (1.30).	4.70	HGM	PO
	Research recoverable taxable costs for prevailing party.	0.80	RKG	PO
05/05/23	Revise Bill of Costs in compromise effort with Defendants, to address objections; re-formulate cost invoices as exhibits; provide revised Bill of Costs to Defendants in email detailing Plaintiffs' position on costs and apportionment.	0.90	HGM	PO
	Continued drafting of motion to district court for attorney's fees and nontaxable expenses (4.9); drafting of declaration of H.Mihet in support (3.6).	8.50	RKG	PO
	Review invoices for non-taxable costs; exercise billing judgment; categorize same and prepare totals for inclusion in fee petition.	2.10	HGM	PO
05/08/23	Discuss fee petition timing and strategy with LC team;	3.10	HGM	PO

	attention to supporting materials and declaration.			(ET, BB)
	Continued drafting of declaration of H.Mihet in support of motion to district court for attorney's fees and nontaxable expenses (2.9); continued drafting of motion (7.2).	10.10	RKG	PO (ET)
05/09/23	Review and revise fee petition; discuss same with LC team; review and revise supporting Declaration and materials.	2.80	HGM	PO
	Continued drafting of fee and cost motion.	9.80	RKG	PO

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT L. VAZZO, LMFT, etc., et al.,)	
)	
Plaintiffs,)	
)	Case No. 8:17-cv-2896-T-02AAS
v.)	
)	
CITY OF TAMPA, FLORIDA,)	
)	
Defendant.)	
)	

TIME REPORT

DATE	DESCRIPTION	HOURS	LAWYER
5/5/2017	Telephone call from HGM re discussing division of labor re complaint and case initiating documents	0.30	DJS
5/5/2017	Attention to staffing needs and litigation strategy for new case; discuss same with LC team.	0.40	HGM
5/8/2017	Receive and review email correspondence from HGM re discussing case and supporting materials; respond to same	0.30	DJS
5/8/2017	Review litigation background and consider litigation strategy.	0.50	HGM
5/9/2017	Review local rules and text of ordinance.	1.50	MEM
5/9/2017	Review 11th Circuit decision regarding professional speech.	0.50	MEM
5/9/2017	Consultation with Atty Mihet re: Preparation of pleadings.	0.40	MEM
5/9/2017	Discuss litigation background and pleading strategy with LC team.	0.50	HGM
5/10/2017	Receive and review email correspondence from MEM re discussing standing and other issues; respond to same	0.30	DJS
5/10/2017	Initial drafting of Verified Complaint.	4.90	MEM
5/10/2017	Review caselaw & statutes re:Florida Constitution and home rule provisions.	1.50	MEM
5/10/2017	Review terms of Ordinance.	0.50	MEM
5/10/2017	Email correspondence with clients re: Status and extent of practice in Tampa.	0.30	MEM

DATE	DESCRIPTION	HOURS	LAWYER
6/18/2018	Further communication with counsel for City regarding acceptance of service.	0.20	HGM
6/19/2018	Prepare final versions of amended motion for preliminary injunction; email correspondence to HGM re providing same for review	4.10	DJS
6/20/2018	Attention to misc discovery issues; review pleadings and City responses re thoughts on discovery requests	1.90	DJS
6/20/2018	Review Ruggiero's acknowledgment of service.	0.20	HGM
6/21/2018	Prepare first set of requests for productions of documents	3.20	DJS
6/21/2018	Prepare first set of interrogatories	1.10	DJS
6/21/2018	Review legislative record and misc reports re voluntary SOCE counseling and objections to same	2.90	DJS
6/26/2018	Review and revise amended motion for preliminary injunction re NIFLA additions; review, edit, and finalize same; email correspondence to HGM re providing same	2.90	DJS
6/26/2018	Review City's motion to dismiss amended complaint; email discussion with legal team re same	1.40	DJS
6/26/2018	Receipt and review of SCOTUS NIFLA decision (1.1); analysis of issues regarding Tampa defenses in light of NIFLA (1.5)	2.60	RKG
6/26/2018	Review and revise draft of Second PI Motion; finalize and file same; discuss same with LC team.	3.40	HGM
6/26/2018	Review Defendants' Motion to Dismiss; consider response strategy.	0.70	HGM
6/26/2018	Review Supreme Court's decision in NIFLA; consider implications for SOCE litigation.	0.70	HGM
6/26/2018	Review City's request for Plaintiffs' consent to dismissal with prejudice of amended complaint; laugh; respond to same.	0.20	HGM
6/26/2018	Reviewing NIFLA opinion from US Supreme Court and file status in light of ruling on professional speech; Reviewing NIFLA Supreme Court opinion overruling Pickup and Kiing SOCE cases	2.40	MDS
6/27/2018	Consider strategy for obtaining leave to file consolidated MTD/PI response; discuss same with LC team; request Defendants' consent.	0.40	HGM

DATE	DESCRIPTION	HOURS	LAWYER
11/13/2018	Receive and review email correspondence from D.Pickup re discussing license status and misc issues; attention to finalizing same	0.60	DJS
11/13/2018	Filing of transcripts, exhibits in support of preliminary injunction motion	2.10	RKG
11/13/2018	Prepare for preliminary injunction and dismissal hearing; draft presentation notes and Power Point presentation; consider need to file supplemental discovery materials and deposition transcripts and discuss same with LC team; review as-filed hearing materials.	12.30	HGM
11/14/2018	Preparation for preliminary injunction hearing (12.6); travel to Tampa for preliminary injunction hearing (2.3)	14.90	RKG
11/14/2018	Travel to Tampa, FL for preliminary injunction and dismissal hearing.	2.60	HGM
11/14/2018	Further preparation for preliminary injunction and dismissal hearing.	12.60	HGM
11/15/2018	Telephone call from HGM re discussing need for research on Patient's Bill of Rights Issue; review caselaw re right without a remedy and patient's bill of rights issue; prepare email memo to HGM and RKG re same	3.40	DJS
11/15/2018	Email correspondence to and discussion with HGM re post-hearing analysis	0.50	DJS
11/15/2018	Preparation for and attendance at preliminary injunction hearing (10.8); return travel to Orlando (2.3)	13.10	RKG
11/15/2018	Travel home following hearing on preliminary injunction and dismissal motions.	3.10	HGM
11/15/2018	Final preparation for preliminary injunction and dismissal hearing.	1.30	HGM
11/15/2018	Attend preliminary injunction and dismissal hearing; debrief with LC team and clients.	7.90	HGM
11/15/2018	Review media reports of Boy Erased movie regarding "conversion therapy"; consider impact on pending challenge to "conversion therapy" ban; discuss same with clients.	0.40	HGM
11/16/2018	Receive and review email correspondence from HGM re Monell and official capacity suits and research needed; review caselaw re same; prepare email memorandum to HGM and RKG re same	3.30	DJS

DATE	DESCRIPTION	HOURS	LAWYER
11/16/2018	Receive and review email correspondence from HGM re discussing need for research on burden of proof in PI case; review caselaw re same; prepare email memo to HGM and RKG re same	1.50	DJS
11/16/2018	Analysis of issues regarding dismissal of Defendant Ruggiero	1.20	RKG
11/16/2018	Debrief with LC team and clients regarding PI hearing; consider research issues for post-hearing brief and discuss same with LC team; consider litigation strategy following PI hearing; consider whether to voluntarily dismiss Ruggiero; review research on Monell redundancy for official capacity suits.	2.40	HGM
11/16/2018	Review Maniscalco deposition errata sheet.	0.20	HGM
11/20/2018	Review additional research results on propriety of official capacity suit against city official; consider voluntary dismissal of Defendant Ruggiero; discuss same with LC team; review and revise Notice of Voluntary Dismissal of Ruggiero; review as-filed dismissal notice.	0.60	HGM
11/25/2018	Consider matters for inclusion in post-hearing brief; discuss same with LC team.	0.60	HGM
11/26/2018	Drafting and filing of notice of filing PowerPoint presentations	3.20	RKG
11/28/2018	Receive and review order re voluntary dismissal on Sal Ruggiero	0.20	DJS
11/28/2018	Drafting of post-hearing memorandum of law in support of preliminary injunction	2.90	RKG
11/29/2018	Continued drafting of post-hearing memorandum of law in support of preliminary injunction	4.10	RKG
11/29/2018	Review publications by potential experts on transgender therapies; consider possible involvement as experts of amici in the case.	0.40	HGM
11/30/2018	Continued drafting of post-hearing memorandum of law in support of preliminary injunction	7.80	RKG
12/2/2018	Continued drafting of post-hearing memorandum of law in support of preliminary injunction	2.60	RKG
12/3/2018	Receive and review post-hearing briefs filed by all parties; review briefs re same	2.90	DJS
12/3/2018	Final drafting and filing of post-hearing memorandum of law in support of preliminary injunction	4.80	RKG

DATE	DESCRIPTION	HOURS	LAWYER
9/20/2019	Consider MSJ oral argument strategy; consider responses to hypotheticals posed by the Court; consider advantages of having clients present at MSJ hearing; discuss foregoing with LC team.	1.80	HGM
9/21/2019	Continued drafting of reply memorandum in support of motion for summary judgment	3.20	RKG
9/22/2019	Continued drafting of reply memorandum in support of motion for summary judgment	4.90	RKG
9/23/2019	Continued drafting and filing of reply memorandum in support of motion for summary judgment (4.3); travel to Tampa for hearing (2.1); drafting and filing of response in opposition to motion to strike (2.3); preparation for summary judgment hearing (2.1)	10.80	RKG
9/24/2019	Preparation for and attendance at summary judgment hearing (10.1); return travel (2.1)	12.20	RKG
9/24/2019	Travel to Tampa for MSJ hearing; travel home.	5.40	HGM
9/24/2019	Attend MSJ hearing; debrief with LC team and clients.	4.80	HGM
10/3/2019	Reviewing arguments from hearing and pleadings in preparation for impending ruling	0.80	MDS
10/4/2019	Receive and review order granting motion for summary judgment; discuss same with litigation team; review caselaw re attorney's fees; prepare email memo to HGM and MDS re attorney's fees	2.90	DJS
10/4/2019	Receipt and review of order granting summary judgment; analysis of issues regarding same	1.10	RKG
10/4/2019	Review summary judgment order; debrief with LC team; consider next steps; consider fee petition.	2.40	HGM
10/4/2019	Reviewing District Court Order Granting Summary Judgment for Plaintiffs	1.30	MDS
10/4/2019	Reviewing case law and rules re: attorney's fees and costs	1.20	MDS
10/5/2019	Further consideration of availability of, and strategy for, fee recovery; discuss same with LC team.	0.40	HGM
10/7/2019	Review caselaw & statutes re: Section 1988 attorney's fees for prevailing parties on pendent claims broadly and in Eleventh Circuit specifically	7.20	DJS
10/7/2019	Email correspondence to and discussion with MDS re attorneys fees for pendent claims	0.30	DJS

Liberty Counsel Non-Taxable Expense Report

RE: *Otto et al. v. City of Boca Raton, Florida, et al.*

1) TRAVEL EXPENSES: \$7,441.58 Not Recoverable - local counsel available. 2023 WL2817366

DATE	EXPENSE	RECEIPT PAGE ##	AMOUNT
08/28/2018-08/30/2018	H. Mihet and R. Gannam travel expenses for depositions of Plaintiffs in West Palm Beach, Florida.	1-10	1,299.82
09/11/2018-09/12/2018	H. Mihet and R. Gannam travel expenses for discovery hearing in West Palm Beach, Florida.	11-20	1,299.28
09/19/2018-09/21/2018	H. Mihet and R. Gannam travel expenses for depositions of Defendants in West Palm Beach, Florida.	21-26	1,017.97
10/17/2018-10/18/2018	H. Mihet and R. Gannam travel expenses for preliminary injunction hearing in West Palm Beach, Florida.	27-32	748.67
02/05/2020-02/06/2020	H. Mihet travel expense for moot court session with LC team in Orlando, Florida	33-37	659.92
02/10/2020-02/11/2020	M. Staver, H. Mihet and R. Gannam travel expenses for 11 th Circuit oral argument in Miami, Florida	38-56	2,415.92

2) ELECTRONIC RESEARCH EXPENSES: \$4,879.93 No explanation for basis of research

DATE	EXPENSE	RECEIPT PAGE ##	AMOUNT
06/30/18	West Law Charges 6/1/18 - 6/30/18	57	38.50
07/31/18	West Law Charges 7/1/18 - 7/31/18	58	100.58
08/31/18	West Law Charges 8/1/18 - 8/30/18	59-61	530.23

10/01/18	West Law Charges 9/1/18 - 9/30/18	62-64	516.75
10/31/18	West Law Charges 10/1/18 - 10/31/18	65-67	512.00
12/01/18	West Law Charges 11/1/18 - 11/30/18	68-69	328.60
02/28/19	West Law Charges 2/1/19 - 2/28/19	70-71	326.16
03/31/19	West Law Charges 3/1/19 - 3/31/19	72	186.15
04/30/19	West Law Charges 4/1/19 - 4/30/19	73-74	296.40
06/30/19	West Law Charges 6/1/19 - 6/30/19	75-76	442.89
07/31/19	West Law Charges 7/1/19 - 7/31/19	77-78	383.04
10/31/19	West Law Charges 10/1/19 - 10/31/19	79	162.35
01/31/20	West Law Charges 1/1/20 - 1/31/20	80	67.02
02/29/20	West Law Charges 2/1/20 - 2/29/20	81	145.85
12/31/20	West Law Charges 12/1/20 - 12/31/20	82	57.34
03/01/22	West Law Charges 2/1/22 - 2/28/22	83	19.47
08/01/22	West Law Charges 7/1/22 - 7/31/22	84	39.64
09/01/22	West Law Charges 8/1/22 - 8/30/22	85-88	252.32
10/01/22	West Law Charges 9/1/22 - 9/31/22	89-90	145.08
11/01/22	West Law Charges 10/1/22 - 10/31/22	91	15.52
01/01/23	West Law Charges 12/1/22 - 12/31/22	92	31.98
03/01/23	West Law Charges 2/1/23 - 2/28/23	93-94	235.06 Post-offer
12/28/20	Online Journal (APHA)	95-96	38.00
08/01/22	Online Newspaper (SunSentinel)	97	9.00 Relevance

3) SHIPPING EXPENSES: \$542.79 No explanation for why these costs were incurred

DATE	EXPENSE	RECEIPT PAGE ##	AMOUNT
08/07/18	Federal Express	98	26.40
08/28/18	Federal Express	99	62.78
10/09/18	Federal Express	100	29.38
10/16/18	Federal Express	101	96.10
04/23/19	Federal Express	102	59.20
07/23/19	Federal Express	103	26.23
07/30/19	Federal Express	104	18.73
12/10/19	Federal Express	105	223.97

TOTAL NON-TAXABLE EXPENSES: \$12,864.30