## UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES



In the Matter of

GEMTRONICS, INC., a corporation, and

WILLIAM H. ISELY, individually and as the owner of Gemtronics, Inc. PUBLIC
DOCKET NO. 9330

# COMPLAINT COUNSEL'S MOTION FOR LEAVE TO FILE A RESPONSE IN SUPPORT OF ITS ANSWER IN OPPOSITION TO RESPONDENTS' APPLICATION FOR AN AWARD UNDER THE EQUAL ACCESS TO JUSTICE ACT

Pursuant to Rule 3.22 of the Commissions' Rules of Practice, Complaint Counsel respectfully moves for leave to file a response ("Response") in support of its Answer in Opposition to Respondents' Application For an Award of Attorney's Fees and Expenses Under the Equal Access to Justice Act ("EAJA").

Respondents initially filed their Application For An Award of Attorney Fees and Other Expenses ("Application") on December 2, 2009. On December 23, 2009, Respondents filed a Supplemental request under EAJA for additional fees and expenses. Complaint Counsel filed its Answer in Opposition to the initial Application on January 6, 2010, which, *inter alia*, sought 1) supplemental information from Respondents qualifying the fees and expenses requested in both its fee applications, and 2) to reserve the right to further respond to the supplemental application and any supporting information filed since their initial application. Respondents served

However, as a result of Respondents' Application being mislabeled as "PUBLIC," the Application was withdrawn, corrected, and treated as having been refiled on December 10, 2009.

Complaint Counsel with their Reply on January 22, 2010. This Reply contained no supplemental qualifying information supporting the fee application. Instead, Respondents included new requests for additional fees and expenses. The Court has scheduled a status conference on this case to be conducted on February 11, 2010.<sup>2</sup>

In support of this motion, Complaint Counsel states as follows:

- 1. Given Respondents' lack of any further specification in their Reply qualifying their request for attorneys fees and expenses, Complaint Counsel's Response will assist the Court in understanding the specific issues outlined in its Answer. In addition, Complaint Counsel has not had an opportunity heretofore to address the additional requested fees sought in Respondents filings of December 23, 2009, and January 22, 2010. Complaint Counsel's Response is necessary to demonstrate why specific fees and expenses requested are not eligible for an award under EAJA; and
- 2. Both the Commission's Rules of Practice and fundamental fairness support the filing of the instant Response. Section 3.22(d) of the Rules provides a mechanism for seeking leave to file a reply "in circumstances where the parties wish to draw the Administrative Law Judge's... attention to recent important developments... that could not have been raised earlier...." The circumstances set forth above are precisely those anticipated by Rule 3.22(d) to permit a party to seek leave to file a reply.

Wherefore, Complaint Counsel respectfully requests that this Court grant leave to file a Response In Support of its Opposition to Respondents' Application For an Award of Attorney's

Given the short time before the scheduled status conference and to educate the Court as to the outstanding issues, Complaint Counsel's proposed Response is being conditionally filed herewith.

Fees and Expenses Under the Equal Access to Justice Act.

Respectfully submitted,

Barbara E. Bolton

Attorney for Complaint Counsel

Federal Trade Commission

225 Peachtree Street, Suite 1500

Atlanta, GA 30303

404-656-1362 (direct line)

404-656-1379 (facsimile)

bbolton@ftc.gov (email)

Dated: February 1, 2010

### UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of

GEMTRONICS, INC., a corporation, and

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## COMPLAINT COUNSEL'S RESPONSE IN SUPPORT OF ITS ANSWER IN OPPOSITION TO RESPONDENTS' APPLICATION FOR AN AWARD UNDER THE EQUAL ACCESS TO JUSTICE ACT

Respondents Gemtronics, Inc. and William H. Isely (collectively "Respondents") filed their Application for an Award of Attorney Fees and Other Expenses on December 2, 2009, and supplemental fees requests on December 23, 2009, and January 22, 2010. According to their Reply to Complaint Counsel's Answer in Opposition to their Application, Respondents request a total award of \$140,305.47. Complaint Counsel files this Response in Support of its Answer in Opposition to Respondents' Application For an Award under the Equal Access to Justice Act ("EAJA") (hereinafter "Response") to provide this Court with specific objections to Respondents' billed fees and expenses.

#### I. RESPONDENTS' FEES AND EXPENSES ARE NOT REASONABLE

EAJA contemplates that an award to a prevailing party will be based, in significant part, on the time and effort reasonably expended by counsel (and associated personnel) to achieve the

favorable result.<sup>1</sup> To that end, Complaint Counsel, in its Answer to Respondents' EAJA Application, requested supplemental information to provide a clarified accounting of the attorney and paralegal hours and expenses previously submitted with their Application.

No documentation was provided by Respondents to support their request. No revised fee request was submitted by Respondents that would assist the Court in identifying and calculating the costs properly allocable to this matter. Respondents provided no supplemental affidavits or other documentation explaining and clarifying the entries in the billing statements.<sup>2</sup> The same is true with regard to the expenses billed – there are no dates or descriptions of the expenses that would allow the Court to determine if these expenses were related to this matter or if these expenses are duplicates.<sup>3</sup> There is, in fact, nothing but Respondents' unsubstantiated assertion that these hours were spent in pursuit of the FTC's action. Respondents have, therefore, not satisfied their burden of showing the reasonableness of their EAJA claim.

Respondents' fee and expense request is excessive and inadequately supported, and is, therefore, unreasonable. In calculating the number of hours reasonably expended on the

See 45 C.F.R. § 13.6(c) (indicating that a determination about the reasonableness of fees should be based on "time actually spent in the representation of the applicant" and "time reasonably spent in light of the difficulty or complexity of the issues").

For instance, no attempt was made to provide a break down of numerous entries of block billing. No delineation was provided to distinguish between the secretarial duties and paralegal duties. Nor were any explanations provided for excessive amounts of billed time attributed to "emails with client." Further, the timesheet descriptions of attorney work and expenses are so unspecific and generic as to make it impossible to determine if they pertain to Respondents' case with the FTC or the Food and Drug Administration.

While it is reasonable to assume that there are photocopying, postage, legal research, and other expenses attributable to Respondents' FTC litigation work, Respondents have made no effort to link these expenses through dates or explanations with their legal fees. Instead, Respondents provide broad categories of expenses without any explanation as to how they relate to the legal services performed.

litigation, Respondents must submit evidence that justifies the hours claimed by their counsel.<sup>4</sup>
However, where, as here, no good faith effort has been made to qualify the billing, and the time entries "are so vaguely generic that the Court can not determine with certainty whether the activities they purport to describe were . . . reasonable," Respondents have not met this burden.<sup>5</sup>

The time records submitted by Respondents render it impossible to know whether the billed time was "reasonably expended." To the extent such timesheet entries fail to designate with any specificity that tasks performed were reasonable and attributed to the FTC's action, reimbursement for these attorney hours should be denied. Even if the Court were to consider some of these fees compensable, it would be difficult if not impossible for the Court to make such an award because Respondents have not indicated the allocable amount these hours devoted to the FTC's case.

Accordingly, Complaint Counsel contests the reasonableness of Respondents' requests and herewith files specific objections to individual items listed in the fee and expense schedules

See Hensley v. Eckerhart, 461 U.S. 424, 433-34 (1983) (Petitioner should make "a good-faith effort to exclude from [his] fee request hours that are excessive, redundant, or otherwise unnecessary, just as a lawyer in private practice ethically is obligated to exclude such hours from his fee submission.")

Cobell v. Norton, 407 F. Supp. 2d 140, 158 (D.D.C. 2005), see also Hensley v. Eckerhart, 461 U.S. at 433 ("Where the documentation of hours is inadequate, the district court may reduce the award accordingly."); Nat'l Ass'n of Concerned Veterans v. Secretary of Defense, 675 F.2d 1319, 1327 (D.C. Cir. 1982) ("[T]he application must be sufficiently detailed to permit the District Court to make an independent determination whether or not the hours claimed are justified.")

See, e.g., Daly v. Hill, 790 F.2d 1071, 1079 (4th Cir. 1986).

For instance, some portion of the claimed hours refer to dealings with the press without any support for any claim that these press dealings have to do with the FTC's action.

submitted.8

#### II. CONCLUSION

Respondents have not, *inter alia*, met their burden in establishing the reasonableness of their requested EAJA award. Therefore, Complaint Counsel respectfully requests that Respondent's Application for attorney's fees and other expenses under EAJA be denied.

Respectfully submitted,

Barbara E Bolton

Attorney for Complaint Counsel

Federal Trade Commission

225 Peachtree Street, Suite 1500

Atlanta, GA 30303

404-656-1362 (direct line)

404-656-1379 (facsimile)

bbolton@ftc.gov (email)

Dated: February 1, 2010

<sup>8</sup> Complaint Counsel's specific objections as appended as Attachment A.

## UNITED STATES OF AMERICA BEFORE THE FEDERAL TRADE COMMISSION OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of  GEMTRONICS, INC., a corporation, and	PUBLIC DOCKET NO. 9330
WILLIAM H. ISELY, individually and as the owner of Gemtronics, Inc.	
SUPPORT OF ITS ANSWER IN OPPOSI	UNSEL LEAVE TO FILE A RESPONSE IN FION TO RESPONDENTS' APPLICATION EQUAL ACCESS TO JUSTICE ACT
Complaint Counsel's Motion for Leave	to File a Response in Support of its Answer in
Opposition to Respondents' Application for an	Award under the Equal Access to Justice Act i
hereby GRANTED.	
SO ORDERED this day of	, 2010.
	Michael Chappell nief Administrative Law Judge

#### CERTIFICATE OF SERVICE

I hereby certify that on this date, I filed and served the attached:

- 1) COMPLAINT COUNSEL'S MOTION FOR LEAVE TO FILE A RESPONSE IN SUPPORT OF ITS ANSWER IN OPPOSITION TO RESPONDENTS' APPLICATION FOR AN AWARD UNDER THE EQUAL ACCESS TO JUSTICE ACT;
- 2) PROPOSED ORDER; and
- 3) COMPLAINT COUNSEL'S RESPONSE IN SUPPORT OF ITS ANSWER IN OPPOSITION TO RESPONDENTS' APPLICATION FOR AN AWARD UNDER THE EQUAL ACCESS TO JUSTICE ACT.

The original and one (1) paper copy via overnight delivery and one (1) electronic copy via email to:

> Donald S. Clark, Secretary **Federal Trade Commission** 600 Pennsylvania Ave., N.W., Room H-159 Washington, D.C. 20580 email: secretary@ftc.gov

One (1) electronic copy via email and four (4) paper copies via overnight mail delivery to:

The Honorable D. Michael Chappell Chief Administrative Law Judge 600 Pennsylvania Ave., N.W. Room H-112 Washington, D.C. 20580 email: oali@ftc.gov

One (1) electronic copy via email and one (1) paper copy via overnight delivery to:

William H. Isely 964 Walnut Creek Rd. Franklin, NC 28734

email: b.isely@ftpmailbox.com

Dated: February 1, 2010

Barbara E. Bolton

Attorney for Complaint Counsel

ATTACHMENT A

			17								
	4/23/2008	4/21/2008	4/18/2008	4/16/2008	4/16/2008	4/14/2008	4/9/2008	4/4/2008	4/3/2008		Date 4/2/2008
documents pulled from the internet. Prepared question list for Bill Isely. Telephone conference with Barbara Bolton. (MVH)		eted e- e- ite	<u> </u>		4/16/2008 Telephone conference with Barbara Bolton.  Reviewed documents and proposed lawsuit by  Federal Trade Commission. (MVH)	4/14/2008 Reviewed e-mail from Bill and Larry Isely.  Prepared reply e-mail and document review.  (MVH)	· ×	4/4/2008 Telephone conference with Barbara Bolton.  Reviewed e-mail from Barbara Bolton and  Attachments thereto. (MVH)	4/3/2008 Reviewed file received from Ed Gray, including correspondence and other documents from Barbara Bolton. (MVH)	Telephone conference with Larry Isely regarding facts of case. (MVH)	Client Matter Telephone conference with William Isely.
0.00 III.	1.0 hr.	1.2 hrs.	0.80 hr.	0.20 hr.	1.0 hr.	1.0 hr.	4.0 hrs.	0.80 hr.	1.0 hr.		Hours 1.0 hr.
00.001¢	\$200.00	\$240.00	\$160.00	\$40.00	\$200.00	\$200.00	\$800.00	\$160.00	\$200.00		<b>Cost</b> \$200.00
\$100.00	\$125.00	\$150.00	\$100.00	\$25.00	\$125.00	\$125.00	\$500.00	\$100.00	\$125.00		Accepted Cap (\$1 Keywords \$125.00
Prior to complaint; vague subject matter	\$125.00 Prior to complaint; vague subject matter	Prior to complaint; vague subject matter; FDA - beyond scope	Prior to complaint; vague subject matter	Prior to complaint; no subject matter	Prior to complaint; vague subject matter	Prior to complaint; no subject matter	Prior to complaint; vague subject matter; block billing	Prior to complaint; vague subject matter	Prior to complaint; vague subject matter	Prior to complaint, vague subject matter	Keywords

matter				
_	\$50.00	\$80.00	0.40 hr.	2/13/2008   I elephone conference with Barbara Bolton of FTC   0.40 hr.   and telephone conference with Client. (MVH)
matter				to definition of culpability. (MVH)
Prior to complaint; vague subject				rederal statutes and additional case law pertaining
)()	\$150.00	\$240.00	1.2 hrs.	5/12/2008 Telephone conference with Client. Reviewed
matter				conference with Barbara Bolton. (MVH)
\$50.00 Prior to complaint; vague subject	\$50.0	\$80.00	$0.40 \ \mathrm{hr}.$	5/9/2008 Reviewed e-mail from Client and telephone
matter				conference with B. Bolton. (MVH)
\$50.00 Prior to complaint; vague subject	\$50.0	\$80.00	$0.40  \mathrm{hr}$ .	5/8/2008 E-mail exchange with B. Bolton. Telephone
matter; secretarial tasks (filing)				maintenance and organization. (LR)
Prior to complaint; no subject		\$110.00	1.0 hr.	5/6/2008 Conference with Matthew Van Horn. Legal File
mail); duplicative				
secretarial tasks (processing				and certified mail to FDA and Client. (LR)
scope; vague subject matter;				I rade Commission. Duplicate and process mail
Prior to complaint; FDA - beyond				Commission and to FDA. Fax letter to Federal
				Matthew Van Horn. Edit letters to Federal Trade
		\$77.00	0.70 hr.	5/6/2008 Review and forward e-mail from Client to
scope; no subject matter				
Prior to complaint; FDA - beyond				FDA. E-mail to Client for approval. (LR)
		\$55.00	0.50 hr.	5/5/2008 Edit letters to Federal Trade Commission and to
matter				
50 Prior to complaint; no subject	\$37.50	\$60.00	0.30 hr.	5/1/2008 Telephone conference with Client. (MVH)
matter				E-mail to Client. (MVH)
OPrior to complaint; no subject	\$75.00	\$120.00	0.60 hr.	5/1/2008 Telephone conference with Phil Campbell of FDA. 0.60 hr
matter				
50 Prior to complaint; no subject	\$37.50	\$60.00	0.30 hr.	4/29/2008 Telephone conference with Pablo. (MVH)
matter				(MVH)
Prior to complaint; no subject				Prepared letter to Pablo at domain Discovery.
			<del></del>	Telephone conference with Larry and Bill Isely.
00	\$125.00	\$200.00	1.0 hr.	4/28/2008 Exchanged e-mail with Barbara Bolton of FTC.
matter; duplicative				the same. (MVH)
50 Prior to complaint; no subject	\$37.50	\$60.00	0.30 hr.	4/26/2008 Reviewed e-mail from Bill Isely and responded to
matter				the same. (MVH)
\$37.50 Prior to complaint; no subject		\$60.00	0.30 hr.	4/25/2008 Reviewed e-mail from Bill Isely and responded to
\$1 Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Date Client Matter

Date	Client Matter		2	1 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	**
5/15/2008	Telephone conference with Larry Isely and	0.80 hr.	\$160.00	\$100.00	AC, WOLUS
	Barbara Bolton. Reviewed Sloan-Kettering		\		
	website. Began preparation of letter to FTC.				Prior to complaint; vague subject
711/200					matter
5/16/2008		1.0 hr.	\$200.00	\$125.00	
	Keviewed e-mail from Larry Isely, keviewed Sloan- Kettering internet information. (MVH)	•			Prior to complaint; vague subject
5/20/2008	E-mail exchange with Client. Telephone	0.60 hr.	\$120.00	\$75.00	\$75.00 Prior to complaint; no subject
	Conference with Barbara Bolton. (MVH)				matter
5/21/2008	Telephone conference with FDA representative.	0.30 hr.	\$60.00		\$37.50 Prior to complaint; no subject
	(MVH)				matter; FDA - beyond scope
5/31/2008	E-mail Client and telephone conference with B.  Bolton (MVH)	0.50 hr.	\$100.00	\$62.50	\$62.50 Prior to complaint; no subject
8/10/2008	E-mail exchange with Client Care water AMIII)	0.201			marici
		0.30 ш.	\$0U.UU		matter matter
6/17/2008	d to the	0.30 hr.	\$60.00	\$37.50	
	same regarding handling the press. (MVH)				Prior to complaint; vague subject
6/17/2008		0 10 1		) 	marci, press - ocyona scope
0,17,2000	) the	0.40 nr.	\$80.00	\$50.00	
	from website and receipt of solicitation letter from				Prior to complaint; renewal info/
	law firm. (MVH)				scope
6/18/2008		0.30 hr.	\$60.00	\$37.50	
****	same regarding drafting correspondence to G. Otto. (MVH)				Prior to complaint; vague subject
6/10/2000					matter; Otto - beyond scope
6/18/2008	ne bserver.	0.40 hr.	\$80.00	\$50.00	-
	Reviewed website for Schiff & Co. (MVH)				Prior to complaint; press, Schiff-
6/18/2000					beyond scope
6/18/2008	Email exchanges with Client. Reviewed file.	0.60 hr.	\$120.00	\$75.00	
1	relephone conference with reporter. (MVH)	-			Prior to complaint; press - beyond
6/10/2000					scope; vague subject matter
0/19/2008	6/19/2008 E-mail exchange with Chent. (MVH)	0.30 hr.	\$60.00	\$37.50	Prior to complaint; no subject
6/19/2008	Telephone conference and e-mail exchange with	0 30 hr	\$60.00	£27 50	Drien to complete to the state of the state
	Client. (MVH)	0.50 III.	φου.υυ	\$57.JU	matter; duplicative

6/20/2008	Client Matter  E-mail exchanges with Client and Client's son	Hours	Cost	Accepted C	Keywords
		0.70 III.	Ψ170.00		matter
7/14/2008	7/14/2008 Reviewed letter from FDA and forwarded the same 0.30 hr.	0.30 hr.	\$60.00	\$37.50	
	to Chent. (MVH)				Prior to complaint; vague subject matter; FDA - beyond scope
7/15/2008	7/15/2008 Reviewed e-mail from Client. Prepared letter to	1.8 hr.	\$360.00	\$225.00	$\overline{}$
	FDA. (MVH)				Prior to complaint; vague subject matter; FDA - beyond scope
9/18/2008	Telephone conference with Don Clark of Federal	0.20 hr.	\$22.00		
	Trade Commission regarding issuance of				
	administrative complaint. E-mail to Matthew Van Horn regarding same. (LR)	-			
9/18/2008	Telephone conferences with Bill Isely and Larry	0.30 hr.	\$33.00		
	Isely. Conference with Matthew Van Horn. Fax				
	Complaint and Exhibits to Client. (LR)				Secretarial tasks (faxing); no
9/18/2008	9/18/2008 Reviewed Complaint and telephone conference	1.0 hr.	\$225.00	\$125.00	_
	With Larry Isely. (MVH)				vague subject matter
9/19/2008	Telephone conference with Bill Isely. Reviewed email from Client. (MVH)	0.80 hr.	\$180.00	\$100.00	No subject matter
9/23/2008	9/23/2008 Research administrative filing rules regarding	0.50 hr.	\$55.00		
	Judge/Commission. Telephone call to Client				
	regarding service of litigation (LR)				
9/23/2008	9/23/2008 Reviewed press release video from FTC. Reviewed	1.4 hrs.	\$315.00	\$175.00	
	documents from FTC. (MVH)				vague subject matter; block
9/24/2008	9/24/2008 Continued research (on-line) administrative filing	1.5 hr	\$165.00		611111116
	rules regarding litigation before Administrative  Law Indoe/Commission Set up litigation and		# F C C C C C C C C C C C C C C C C C C		
	Law Judge/Commission. Set up litigation and litigation research files. Telephone conferences with Client. (LR)				vague subject matter (phone call); secretarial tasks (filing); block billing
9/30/2008	9/30/2008 Telephone conference with reporter for Macon  City Franin. Reviewed e-mail from Client. (MVH)	0.80 hr.	\$180.00	\$100.00	
					subject matter

	(MVH)	conference with Federal Trade Commission.	10/8/2008 Revised Answer to Complaint, Telephone	10/8/2008 Finalized Answer to Complaint. (MVH)		proceedings before the Federal Trade Commission.  Conference with Matthew Van Horn (IR)	10/7/2008 Created files and organized research for use in	10/7/2008 Continued preparing Answer to FTC Complaint. (MVH)	Trade Commission. (LR)	before Administrative Law Judge for the Federal	created Time-Line of Events through final hearing	Regulations, Commercial Practices (before the	10/7/2008 Continued research of Title 16, Code of Federal	Complaint. (MVH)	Complaint and began preparing response to	10/6/2008 Telephone conference with Larry Isely. Reviewed		Practices (before the Commission). (LR)	16, Code of Federal Regulations, Commercial	review and appeals, etc. Began research of Title	orders/reviews of orders and rehearing/judicial	regarding modifying and setting aside	Trade, with special emphasis on procedures	15, Code of Federal Regulations, Commerce and	Commission's Complaint. Began research of Title	10/6/2008 Prepared first draft of Answer to Federal Trade	Client.(MVH)	Campbell of FDA. Prepared e-mail to	10/1/2008 Telephone conference with Client and Phil	
		on.	Telephone 0.3 hr.	nt. (MVH) 1.2 hrs.		n Horn (IR)	search for use in 1.0 hr.	to FTC Complaint. 3.2 hrs.		dge for the Federal	hrough final hearing	ctices (before the	5, Code of Federal 2.0 hrs.		ng response to	arry Isely. Reviewed   1.4 hrs.		sion). (LR)	ns, Commercial	n research of Title	ehearing/judicial	ng aside	on procedures	ons, Commerce and	gan research of Title	to Federal Trade 3.5 hrs.		-mail to	lient and Phil 0.60 hr.	II.OUrs
		÷	\$33.00	\$270.00			\$110.00	\$720.00					\$220.00			\$315.00										\$385.00			\$135.00	Cost
	•	<del>0</del>	\$18.33	\$150.00	SI	2		\$400.00					,	d	Н	\$175.00	a	ы									· ·	<b>'</b> H		Accepted Cap (at Neywords
Vague subject matter					Secretarial tasks (filing); no subject matter									drafting); vague subject matter	Block billing (phone call and		and researching)	Block billing (combining drafting									subject matter	FDA - beyond scope; vague		reywords

10/20/2008 (c	10/19/2008 I	10/15/2008 II	10/14/2008 T	10/13/2008 I	10/13/2008 I	10/10/2008 I	10/10/2008	Date (
10/20/2008 Conference with Matthew Van Horn. Organization of legal file. Edit draft of Defense Counsel's Initial Disclosures. Prepare facsimile coversheet to opposing counsel. (LR)		10/15/2008 Prepare additional Certificate of Service for service of process on additional parties (per FTC).  Duplicate pleadings, process and mail to three parties. Prepare cover letter to Bernita Lofty,  Federal Trade Commission. Transmittal letter to Client. (LR)	Telephone conference with Office of the Secretary 0.20 hr. of Federal Trade Commission. (LR)	10/13/2008 Letter to Client enclosing copy of letter to Federal Trade Commission, Notice of Appearance and Answer to Complaint. Duplicate documents, process and mail. (LR)	10/13/2008 Research Code of Federal Regulations regarding definition of initial disclosures and deadline for filing initial disclosures. E-mail to Matthew Van Horn. Calendared deadline. (LR)	·	Addendum. Prepare transmittal letter to Federal Trade Commission and UPS delivery forms to Federal Trade Trade Commission and Trade Commission and Trade Commission and opposing counsel.  Prepare transmittal letter to Client. Duplicate documents and process for filing and service. (LR)	
0.5 hr:	1.2 hr.	1.0 hr.	0.20 hr.	0.50 hr.	0.20 hr.	2.0 hr.	1.5 hr.	
\$55.00	\$132.00	\$110.00	\$22.00	\$55.00	\$22.00	\$450.00	\$165.00	Cost
						\$250.00		Accepted Cap (\$1 Keywords
Secretarial tasks (faxing); vague subject matter; block billing (secretarial tasks and drafting)		Secretarial tasks (copies, mail); block billing (secretarial tasks	No subject matter	Secretarial tasks (mail, copies); block billing (secretarial tasks and drafting)	Secretarial tasks (calendared); block billing (secretarial tasks and research)	\$250.00 No subject matter (e-mail); block billing (e-mail response and drafting Answer)	Secretarial tasks (delivery forms; copies; filing); block billing (secretarial tasks and drafting)	1 Keywords

7					
10/20/2008	10/20/2008 Prepared Initial Disclosures filing Reviewed Order 4.2 hrs		COST 00	Accepted Cap (\$1 Keywords	Keywords
	of FTC setting hearing date. Reviewed file and		;	1	
	related documents. Reviewed proposed FTC Order				Vague subject matter; block
	setting case deadlines. (MVH)				billing
10/21/2008	10/21/2008 Continued preparing Initial Disclosures filing.  Reviewed file in preparation of completing Initial	1.8 hrs.	\$405.00	\$225.00	
	Disclosures document. (MVH)				
10/21/2008	Transmit copy of draft Scheduling Order and	0.10 hr.	\$11.00	-	
	Complaint Counsel's Initial Disclosures via				
	facsimile. (LR)				Secretarial tasks (faxing)
10/22/2008	Prepare letter to Client enclosing Respondents' Counsel's initial disclosures. Duplicate, process	0.20 hr.	\$22.00		
	and mail. (LR)				Secretarial tasks (copies, mail)
10/27/2008	Prepared for Scheduling Conference with Federal Trade Commission Telephone conference with	3.0 hrs.	\$675.00	\$375.00	
	opposing counsel. (MVH)				
10/28/2008	Prepared for and attended Scheduling Conference	4.6 hrs.	\$1,035.00	\$575.00	
	with Barbara Bolton. (MVH)				
10/30/2008	10/30/2008 Update legal calendar per Scheduling Order (with	1.2 hrs.	\$132.00		
	(LR)				Secretarial tasks (scheduling)
10/30/2008	10/30/2008 Telephone conference with Client. (MVH)	0.40 hr.	\$90.00	\$50.00	\$50.00 No subject matter
11/1/2008	11/1/2008 Reviewed e-mail from B. Isely regarding case strategy. (MVH)	0.20 hr.	\$45.00	\$25.00	
11/3/2008	11/3/2008 Reviewed e-mail from Client and facts in support	0.40 hr.	\$90.00	\$50.00	
	of Motion for Summary Decision provided by Client. Reviewed file documents. (MVH)				
11/3/2008	l	0.40 hr.	\$90.00	\$50.00	\$50.00 No subject matter
11/3/2008	11/3/2008 Telephone conference with Larry Isely. (MVH)	1.0 hr.	\$225.00	\$125.00	
11/4/2008		0.20 h	94500		No subject marier
11/7/2000	and settlement strategy. (MVH)	0.20 nr.	\$45.00	\$25.00	Settlement - beyond scope
11/10/2008	11/10/2008 Reviewed e-mail from Client. (MVH)	0.30 hr.	\$67.50	\$37.50	\$37.50 No subject matter

CITY GITTE WITH TOUR WITH BUILD		\$22.50	0.10 hr.	11/25/2008 Reviewed e-mail from Client. (MVH)	11/25/2008
Secretarial tasks (listening to voicemail and forwarding inf				preparation of case. E-mail to Matthew Van Horn. (LR)	
		\$22.00	0.20 hr.	8 Review voicemail from Client regarding Status and 0.20 hr.	11/24/2008
00	\$50.00	\$90.00	0.40 hr.	Summary Decision. (MVH)	11/23/2008
Vague subject matter				case and case strategy. (MVH)	11 (22 (2000)
	\$50.00	\$90.00	0.40 hr.	Reviewed e-mail from Client regarding facts of	11/21/2008
Vague subject matter; secretarial task (setting up conference call)				to Matthew Van Horn. (LR)	
		\$22.00	0.20 hr.	11/21/2008 Telephone conference with Barbara Bolton	11/21/2008
No subject matter				TAXY)	
		\$22.00	0.20 hr.	11/21/2008 Telephone conference with Client, Telephone conference and e-mail to Matthew Van Horn (TR)	11/21/2008
block billing				Bolton. Reviewed e-mail from Client. (MVH)	
Vague subject matter (e-mail);	÷ 1 100			Witness List. Telephone conference with B.	
_	\$125.00	\$225 00	1.0 hr.	11/20/2008 Reviewed Complaint Counsel's Preliminary	11/20/2008
Secretarial tasks (faxing)		\$22.00	0.20 hr.	8 Send FTC Preliminary Witness List to Client via facsimile. (LR)	11/20/2008
Vague subject matter				and strategy. (MVH)	
.00	\$25.00	\$45.00	$0.20 \ \mathrm{hr}.$	11/20/2009 Reviewed e-mail from Client regarding case facts	11/20/2009
Duplicative; no subject matter					
		\$22.00	0.20 III.	conference with Barbara Bolton.(LR)	11/1/2/000
		00 ccs	0 20 hr	11/19/2008 Conference with Matthew Van Horn and telephone 0 20 hr	11/19/2008
				Matthew Van Horn. (LR)	
			-	regarding FTC witness list and telephone	
		\$22.00	0.20 hr.	11/19/2008 Telephone conference with Barbara Bolton	11/19/2008
No subject matter; duplicative				(MVH)	
	\$25.00	\$45.00	0.20 hr.	11/18/2008 Reviewed e-mail from Client and responded to the	11/18/2008
.00 Vague subject matter	\$25.00	\$45.00	0.20 hr.	11/18/2008 Reviewed e-mail from Client as to facts of case and strategy. (MVH)	11/18/2008
Vague subject matter				case. (MVH)	
.00		\$45.00	0.20 hr.	11/10/2008 Reviewed e-mail from Client regarding task list in	11/10/2008
(\$1 Keywo)	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

F (1)	discovery issues and strategy for filing Summary  Decision Request. (MVH)	12/8/2008 Telephone conference with Client regarding 0.40 hr. \$90.00 \$5	0.30 hr. \$67.50	0.20 hr. \$45.00	summary decision. (MVH)	0.30 hr. \$67.50	riewed 1.4 hrs. \$315.00		(LR)	Served opposing counsel via facsimile and United	list. Prepared fax coversheet to opposing counsel.	Prepared e-mail to Client attaching final witness	same. Edited final witness list for submission	revisions to draft of witness list. Telephone	Van Horn (2). Reviewed Client's suggested	V	12/2/2008 Send draft of Preliminary Witness List to Client 1.2 hrs. \$132.00	12/2/2008 Clerical edit of Preliminary Witness List. (LR) 0.50 hr. \$55.00	Preliminary Witness List. (LR)	12/1/2008 Create initial draft of Defense Counsel's 0.40 hr. \$44.00	(LR)	regarding Court-Ordered conference of counsel. E-	12/1/2008 Telephone conference with Barbara Bolton 0.30 hr. \$33.00		Settlement, discovery and preliminary witness list.  Prenared preliminary witness list Reviewed e-mail	2.0 hrs. \$450.00	strategy. (MVH)	financial displacement and displacement
A ague subject maner	V/			5.00 \$25.00 No subject matter	0.00 \$50.00	7.50 \$37.50 No subject matter	5.00 \$175.00 Vague subject matter	tasks)	mail); block billing (drafting list,	Secretarial tasks (faxes, copies,								5.00 Secretarial tasks (clerical edits)			subject matter (email)		3.00	billing; no subject matter (e-mail)	Cottlement horsed some block	0.00 \$250.00		

		12/17/2008			12/17/2008				12/17/2008			12/16/2008				12/16/2008						12/16/2008				12/15/2009		12/10/2008		12/10/2008	12/9/2008	Date
PICALITES, PICCESS AIR HAII. (LIX)	discovery requests served upon us. Duplicate	rding	served on Chent by F1C. (MVH)	propounded to FTC. Reviewed written discovery	12/17/2008 Completed preparing written discovery to be		Horn. Update legal files. (LR)	Barbara Bolton. Conferences with Matthew Van	12/17/2008 Prepare draft of discovery requests for service on		FTC. Reviewed e-mail from Bill Isely. (MVH)	12/16/2008 Begin preparation of final written discovery to		Horn. Legal research. (LK)	Barbara Bolton. Conferences with Matthew Van	1	research. (LR)	Junge: Contretences with Matthew van Horn, legal	Tudge Conferences with Motth are Von Home lead	with rederal trade Commission and one	with Endown Tendo Commission and and	12/16/2008 Prepare draft of discovery requests for service on  Rarhara Rollon Several telephone conferences	from Barbara Bolton. (MVH)	motion for summary decision. Reviewed letter	regarding written discovery and strategy of filing a	12/15/2009 Telephone conferences with Client and Larry Isely	regarding settlement. (MVH)	12/10/2008 Telephone conference with Barbara Bolton	Fax to Barbara Bolton. (LR)	12/10/2008 Telephone conference with Matthew Van Horn.	12/9/2008 Reviewed e-mail from Client. (MVH)	Client Matter
		0.80 hr.			2.4 hrs.				3.0 hrs.			1.6 hrs.				4.0 hrs.						3.5 hrs.				1.0 hr.		0.60 hr.		0.20 hr.	0.30 hr.	Hours
		\$88.00			\$540.00			•	\$330.00			\$360.00			-	\$440.00						\$385.00				\$225.00		\$135.00		\$22.00	\$67.50	Cost
					00.00							\$200.00														\$125.00		\$75.00				Accepted Cap (\$1
(copies, mail); block billing (secretarial tasks and letter)	Discovery; secretarial tasks	Undue delay by Gemtronics -	Discovery	Undue delay by Gemtronics -	1	(conferences)	(filing); no subject matter	Discovery; secretarial tasks	Undue delay by Gemtronics -	(email)	Discovery; vague subject matter	\$200.00 Undue delay by Gemtronics -	conferences); duplicative	(research, drafting and	Discovery; block billing	Undue delay by Gemtronics -	research)	billing (teleconferences and	Discovery - Discovery; block	Undue delay by Gemtronics -			Vague subject matter				Settlement - beyond scope		Secretarial tasks (faxing)		\$37.50 No subject matter	(\$1 Keywords

Date	Client Matter	Hours	Cost	Accepted Cap (\$1 Keywords	Keywords
12/17/2008	ne conference with Federal Trade	0.20 hr.	\$22.00		
	Commission regarding issuance of subpoenas, E-				
	The second secon				Discovery
12/17/2008	12/17/2008 Make final revisions to discovery requests for	0.30 hr.	\$33.00		Undue delay by Gemtronics -
	service on Barbara Bolton. (LR)				Discovery
12/17/2008		0.50 hr.	\$55.00		
	Prepare letter to Client enclosing Respondents'				Undue delay by Gemtronics -
	discovery requests. Duplicate, process and mail.(LR)				Discovery; secretarial tasks
12/18/2008		0.80 hr.	\$88.00		( - Frank)
	Commission. Telephone conference with Office of Secretary of Federal Trade Commission, and with				
	Crystal and Linda Hodge in Records Division of				
	FTC. Voicemail with assistant to Administrative				
	Law Judge. All telephone calls were in reference to	<u></u>			
	issuance of subpoenas duces tecum requested				
	Horn (I,R)				
	`				Undue delay by Gemtronics - Discovery
12/18/2008	12/18/2008 Telephone conference with Client regarding FTC	0.50 hr.	\$55.00		
	Discovery requests, our discovery requests, and e-				
	mail and letter from UK hosting company and				
	George Otto. E-mail to Matthew Van Horn. (LR)				Undue delay by Gemtronics -
					Discovery
12/22/2008	y and	0.40 hr.	\$90.00		\$50.00 Undue delay by Gemtronics -
	Reviewed discovery requests. (MVH)				Discovery; no subject matter
12/23/2008	witnesses by FTC.	0.80 hr.	\$180.00		Undue delay by Gemtronics -
	Reviewed e-mail from Bill Isely.				Discovery; vague subject matter
10000					(email)
12/29/2008		0.20 hr.	\$22.00		
	discovery answers. E-man to mannew van hom.				Undue delay by Gemtronics -
12/20/2000			<b>,</b>		Discovery
ţ	Reviewed e-mail from Client, including Responses	2.0 ms.	\$450.00		Undue delay by Gemtronics -
	to discovery matters.				Discovery; vague subject matter

Date	Client Watter	Hours	Cost	Accented Can (\$1 Keywords	Karmarde
- 1	ference with Barbara Bolton and e-	0.30 hr.	\$33.00		Undue delay by Gemtronics -
	mail correspondence (2). (LR)				Discovery; no subject matter
1/6/2009	1/6/2009 Telephone conference with Matthew Van Horn	0.30 hr.	\$33.00		Undue delay by Gemtronics -
	and e-mail. (2) (LR)				Discovery; no subject matter
1/6/2009	1/6/2009 Begin preparation of discovery responses. (LR)	0.50 hr.	\$55.00		Undue delay by Gemtronics -
					Discovery
1/6/2009		0.60 hr.	\$66.00		Undue delay by Gemtronics -
	to Matthew Van Horn regarding discovery				Discovery; secretarial tasks
**	responses. Prepared letter to Barbara Bolton				(faxing); block billing
	confirming extension of time and sent via				(teleconferences and secretarial
	facsimile. (LK)				tasks)
1/7/2009		0.20 hr.	\$22.00		
	of discovery and case. E-mail to Matthew Van				Undue delay by Gemtronics -
	Horn. (LR)				Discovery; vague subject matter
1/8/2009	1/8/2009 Reviewed e-mail from W. Isely. (MVH)	0.10 hr.	\$22.50		\$12.50 Undue delay by Gemtronics -
					Discovery; No subject matter
1/9/2009	1/9/2009 Reviewed Expert Witness Report and revised	0.20 hr.	\$45.00		\$25.00 Undue delay by Gemtronics -
	Witness List. (MVH)				Discovery
1/12/2009		1.0 hr.	\$225.00	\$125.00	
	Reviewed file documents. (MVH)				Undue delay by Gemtronics -
					Discovery; vague subject matter
1/12/2009	1/12/2009 Reviewed e-mail from W. Isely. (MVH)	0.20 hr.	\$45.00	\$25.00	
					Discovery; no subject matter
1/12/2009	1/12/2009 Conference with Matthew Van Horn. Prepare	0.50 hr.	\$55.00		Undue delay by Gemtronics -
	racsimile to Chent. Legal file maintenance. (LR)				Discovery; secretarial tasks (fax,
1/12/2000	-1-	201			ming)
1/12/2005	1/12/2009 Telephone conference with Barbara Bolton, and e-	0.20 hr.	\$22.00		
					Chaue delay by Gemironics -
1/13/2006			) )		Discovery; vague subject matter
1/13/2009	one conference with Bill and Larry Isely.	1.80 hr.	\$405.00	\$225.00	\$225.00 Undue delay by Gemtronics -
1/12/2000	l				Discovery; no subject matter
1/13/2009	er.	0.30 hr.	\$67.50	\$37.50	
	of bottles o KAAXII sold by W. Isely. (MVH)				Undue delay by Gemtronics -
1/13/2000					Discovery
1/15/2005	1/15/2009 relephone conference with Barbara Bolton. E-Mail 0.20 hr.	0.20 hr.	\$22.00		Undue delay by Gemtronics -
	to Matthew vall fiorn. (LK)				Discovery; no subject matter

pre (M	1/21/2009 Rev		to I	pre	1/20/2009 Rev		1/19/2009 Rev	dep	1/17/2009 Rev	pro	pre	1/16/2009 Rev	dis	doc	1/16/2009 Co <sub>1</sub>	(M	atta	1/15/2009 Rev	(LR)	1/15/2009 Pre		1/13/2009 Tel	to l	1/13/2009 Coa	Date Cli
preparing responses to FTC's written discovery. (MVH)			to FTC's written discovery. (MVH)	preparation. Continued preparing Isely's responses	1/20/2009 Reviewed e-mails from Client regarding deposition 0.60 hr.		1/19/2009 Reviewed e-mails from Client. (MVH)	deposition. (MVH)	1/17/2009 Reviewed e-mails from W. Isely regarding	propounded by the FTC. (MVH)	preparing responses to written discovery	1/16/2009 Reviewed e-mails from W. Isely and began	discovery. (LR)	documents to be produced to Government in	1/16/2009 Conference with Matthew Van Horn. Copy	(MVH)	attached to e-mails relating to RAAX11 sales.	1/15/2009 Reviewed e-mails from Client and documents	2)	1/15/2009 Prepare first draft of Clients' answers to discovery. 5.0 hrs		1/13/2009 Telephone conference with Bill Isely. (LR)	to Barbara Bolton. (LR)	1/13/2009 Conference with Matthew Van Horn. Prepare letter 0.50 hr.	Client Matter
	0.80 hr.				0.60 hr.		$0.30  \mathrm{hr}.$		0.30 hr.			1.4 hrs.			0.50 hr.			$0.30  \mathrm{hr}.$		5.0 hrs.		0.10 hr.		$0.50  \mathrm{hr}.$	Hours
	\$180.00			_	\$135.00		\$67.50		\$67.50			\$315.00			\$55.00			\$67.50		\$550.00		\$11.00		\$55.00	Cost
	\$100.00				\$75.00													\$37.50							Accepted Cap (\$1 Keywords
Undue delay by Gemtronics - Discovery		Discovery	I Indue delay by Gemtronics			Discovery; no subject matter	\$37.50 Undue delay by Gemtronics -	Discovery	\$37.50 Undue delay by Gemtronics -	(email)	Discovery; vague subject matter	\$175.00 Undue delay by Gemtronics -	(copying)	Discovery; secretarial tasks	Undue delay by Gemtronics -	Discovery	Undue delay by Gemtronics -		Discovery	Undue delay by Gemtronics -	Discovery; no subject matter	Undue delay by Gemtronics -	Discovery; no subject matter	Undue delay by Gemtronics -	Keywords

	1/24/2005	1/2//2000	1/24/2005		1/2/2/2005	1/22/2000		1/23/2009		-1.0				1/23/2009		1/23/2009														1/23/2009	Date
	and Subpoena Duces Tecum to Tierra.net. (MVH)		1/24/2009 Reviewed e-mail from Client. (MVH)	Discovery. (MVH)	Motion to Compel Responses to Written	(171 711)	Compel Responses to FTC's written discovery.	1/23/2009 Reviewed FTC's Motion and Memorandum to		Matthew Van Horn. (LR)	prepare UPS delivery instructions. E-mail to	Opposing Counsel. Duplicate documents and	Trade Commission, Administrative Law Judge and	Prepare transmittal letters to Secretary of Federal	to be precluded in response to written discovery. (MVH)	1/23/2009 Reviewed e-mails from W. Isely regarding material 0.20 hr.		A COMPANY OF CALL CONTRACTOR (ALAC)	location of denosition (IR)	of Notice of Deposition. Prepared Subpoena Duces	deposition and ongoing proceedings. Clerical edit	Updated legal file maintenance in preparation for	opposition via facsimile to Matthew Van Horn.	with Matthew Van Horn. Sent draft of reply and	and Opposition to Motion to Compel. Conference	Matthew Van Horn's memorandum. Drafted Reply	(correspondence and pleadings). Reviewed	Compel Discovery. Reviewed files	discovery. Reviewed B. Bolton's Motion to	1/23/2009 Prepared second draft of Clients' answers to	Client Matter
	1.0 hr.		0.30 hr.		0.40 nr.			0.20 hr.						1.0 hr.		0.20 hr.								·	•					6.0 hrs.	Hours
	\$225.00		\$67.50		\$90.00	) )		\$45.00						\$110.00		\$45.00														\$660.00	Cost
	\$125.00		\$37.50		\$50.00			\$25.00								\$25.00															Accepted Cap (\$1 Keywords
Discovery	)   Undue delay by Gemtronics -	Discovery; no subject matter	\$37.50 Undue delay by Gemtronics -	Discovery		Discovery	Undue delay by Gemtronics -	)	(secretarial tasks and letter)	(copies, mail); block billing	Discovery; secretarial tasks	Undue delay by Gemtronics -			Undue delay by Gemtronics - Discovery		secretarial tasks)	block billing (drafting and	(clerical edits, scheduling, filing);	Discovery: secretarial tasks	Indus delevier Control										1 Keywords

	1,							<u></u>		·		<u></u>				Ĺ	Date
	/27/2009							/26/2009		/26/2009						/26/2009	
to Client and to Matthew Van Horn. (LR)	1/27/2009 Telephone conferences with Client. Prepare e-mail 0.50 hr.	recipienis. (Liv.)	pleadings, process for mailing and e-mail to	Scheduling Order. Prepare transmittal letter to Secretary of Federal Trade Commission. Duplicate	Judge. Draft Motion to Modify Scheduling Order.  Draft Order regarding Motion to Modify	Bolton to this office and to Administrative Law	status of the case. Review correspondence from B.	1/26/2009 Conference with Matthew Van Horn regarding		1/26/2009 Reviewed e-mails from Client. (MVH)		Horn regarding same. (LR)	Client. Telephone conference with Matthew Van	Bolton. Reviewed facsimile transmissions from	from Secretary of FTC and one email from Barbara	1/26/2009 Reviewed three e-mail from Client, one e- mail	Client Matter
	0.50 hr.							2.5 hrs.		0.30 hr.						$0.50  \mathrm{hr}.$	Hours
	\$55.00							\$275.00		\$67.50						\$55.00	Cost
																	Accepted Cap (\$1 Keywords
Discovery; no subject matter	Undue delay by Gemtronics -	(secretarial tasks, conferences and order drafting)	Discovery; secretarial tasks (copies, mail); block billing	Undue delay by Gemtronics -					Discovery; no subject matter	\$37.50 Undue delay by Gemtronics -	Discovery; no subject matter	Undue delay by Gemtronics -					1 Keywords

		1 [	Accepted Cap (\$1	Keywords
	3.0 hrs.	\$330.00		
and deposition of				
lited Subpoena Duces				
ition regarding Pablo				
al letter to P. Velasco				
. Duplicated all				
ter and documents to				
Conference With				
Regarding Service of				
w Van Horn regarding				
Client regarding				
nd Whois. Preparation				Undue delay by Gemtronics
vice of Subpoena				Discovery; secretarial tasks
f Deposition on Pablo				(copies, man); block billing
				(secretarial tasks, conferences,
				(conferences)
	0.80 hr.	\$88.00		Undue delay by Gemtronics
				Discovery; secretarial tasks
				(scheduling)
	0.10 hr.	\$22.50	\$12.50	Undue delay by Gemtronics -
(VH)				Discovery
	0.30 hr.	\$33.00		Undue delay by Gemtronics
print. E-mail to				Discovery; secretarial tasks
endlines into colondor				(copies, scheduling, mail); block
cautifies fillo calcildat.				billing (secretarial tasks and
				conferences); no subject matter
				(conferences)
õ	0.40 hr.	\$44.00		
Law Judge - print. E-mail to Matthew Van Horn. Enter deadline into calendar. (LR)				Undue delay by Gemtronics -
(224)				Discovery; secretarial tasks
		Hours 3.0 hrs. 0.80 hr. 0.10 hr. 0.30 hr.	Hours Cost 3.0 hrs.  0.80 hr.  0.10 hr.  0.30 hr.	Hours Cost \$330.00  3.0 hrs. \$330.00  0.10 hr. \$88.00  0.30 hr. \$22.50  0.30 hr. \$33.00  0.40 hr. \$44.00

Date	Client Matter	Hours	Cost	Accented Can (\$1 Keywords	Kaywards
1/29/2009	1/29/2009 Telephone conference with Barbara Bolton	0.50 hr.	\$55.00		110, 40
	regarding deposition of William Isely, her intent to		4		
	oppose deposition of Pablo Velasco, Order on				
	Motion to Compel, and pending Motion to Amend				
	Scheduling Order. E-mail to Matthew Van Horn.				
	Telephone conference with Matthew Van Horn.				Undue delay by Gemtronics -
1 (2)	(Lix)				Discovery
1/29/2009	1/29/2009 Prepared letter to Barbara Bolton regarding	0.50 hr.	\$55.00		Undue delay by Gemtronics -
	deposition of William Isely. Telephone conference				Discovery; secretarial tasks
	with Client regarding change of date. (LK)				(scheduling); block billing
					(secretarial tasks and
					conferences)
1/29/2009	1/29/2009 Reviewed e-mails and talking points regarding	1.0 hr.	\$225.00	\$125.00	
	deposition preparation and continued preparing				Undue delay by Gemtronics -
	responses to FTC's written discovery. (MVH)				Discovery
1/30/2009	Reviewed e-mail from Client. Printed his notes	0.20 hr.	\$22.00		Undue delay by Gemtronics -
	regarding deposition preparation. (LR)				Discovery; secretarial tasks
					(printing notes)
1/30/2009	1/30/2009 Reviewed e-mails regarding preparation of	0.80 hr.	\$180.00	\$100.00	
	Statement of Undisputed Facts for Motion For				Undue delay by Gemtronics -
	Summary Decision. (MVH)				Discovery
1/30/2009	Conference with Matthew Van Horn. Preparation	0.50 hr.	\$55.00		
	for conference call with Client. (LR)				Undue delay by Gemtronics -
					Discovery; no subject matter
1/30/2009	1/30/2009 Reviewed FTC's Opposition to Respondents'	0.20 hr.	\$45.00	\$25.00	
	Motion for Modification of Scheduling Order				Undue delay by Gemtronics -
	(MVH)				Discovery
2/2/2009	_	2.5 hrs.	\$275.00		
	to Modify Scheduling Order. Duplicated pleading				Undue delay by Gemtronics -
	and served on opposing counsel, FTC Secretary				Discovery; secretarial tasks
	and Administrative Law Judge via electronic copy		-		(copies, mail); block billing
	and United States mail. (LK)				(secretarial tasks and drafting)
2/2/2009		0.20 hr.	\$22.00		Undue delay by Gemtronics -
	on February 4, 2009. (I.R.)				Discovery; secretarial tasks
	on 1 vorum j 1, 2000. (LIN)				(scheduling)

	_				
and letter); no subject matter		-		received if the rability of the received in the received in the rability of the received in th	
block billing (secretarial tasks				For Poble Volume of documents	
Discovery; secretarial tasks (fax);				becision, riepare cover sneet to Barbara Bolton	
Undue delay by Gemtronics	<u> </u>	\$88.00	0.80 hr.	2/9/2009 Prepare first draft of Motion for Summary	2/9/2009
and copy)					2 10 10 10 10 10 10 10 10 10 10 10 10 10
Discovery; secretarial tasks (scan				of Status Report to Client. (LR)	
Undue delay by Gemtronics				of Status Deposit to Climate (T.D.)	
-		Ę.,	0.00	with Matthew Van Horn Scan and transmit conv	
	3	\$33.00	0 30 hr		2/9/2009
Discovery				Finalized Status Report. (MVH)	
\$150.00 Undue delay by Gemtronics -	00	\$270.00	1.2 hrs.	2/6/2009 Telephone conference with Barbara Bolton.	2/6/2009
scope					
Discovery; settlement - beyond				regarding settlement and status of case. (MVH)	
\$50.00 Undue delay by Gemtronics	00	\$90.00	0.40 hr.	2/0/2009 Lelephone conference with Barbara Bolton	2/6/2009
Discovery				Counsel (M v H)	2 17 12 12 1
Undue delay by Gemtronics -				Companie	
		\$22J.	1.0 111.	reviewed Status Report of Complaint	
\$125.00	8	00 SCC\$	1 0 hr	2/6/2009 Prepared Status Report as required by Court and	2/6/2009
Discovery				Administrative Law Judge. (LR)	
Undue delay by Gemtronics	<u>8</u>	\$110.00	1.0 hr.	2/5/2009 Prepared first draft of Status Report as ordered by	2/5/2009
Discovery				Isely and Pablo Velasco. (MVH)	
\$8/5.00 Undue delay by Gemtronics	0	\$1,5/C,U	/.0 III'S.	2/7/2007   1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	7/ 7/ 4/000
\$075 00 TT- 1 1-1 C /	3	\$1 575	70 1	Drengred for and attended denocition of William	2/4/2000
Discovery; block billing				(MVH)	
Undue delay by Gemtronics			,	from Verizon and PayPal produced by B. Bolton.	
				deposition of William Isely. Reviewed documents	
				propounded by Complaint Counsel. Prepared for	
\$575.00	<u>00</u>	\$1,035.00	4.6 hrs.	2/3/2009 Prepared responses to written discovery	2/3/2009
(conferences)				Tacsimile and all via ∪. S. mail. (LK)	
and letter); no subject matter				Fernaming set of responses to B. Botton via	
(secretarial tasks, conferences,				regar life for use at deposition. Earl and send	
(copies, fax, mail); block billing				legal file for use of demosition Edit and sand	
Discovery; secretarial tasks				Conferences with Client Organize undate & nack	
orithic detay by Communities				Rolton Conferences with Matthew Van Horn	
I India delay by Comtro				facsimile to Barbara Bolton. Draft letter to B.	
				requests. Duplicate pleadings, send first set via	
	<u>00</u>	\$550.00	5.0 hrs.	2/3/2009 Prepare final responses to FTC's discovery	2/3/2009
Accepted Cap (\$1 Keywords	Accept	Cost	Hours	CHent Matter	Date

Telephone conference with Secretary of Federal Trade Commission regarding documents misplaced by FTC. (LR)  Reviewed Order from Court regarding deadline extension on discovery. (MVH)  Reviewed Order from Court regarding deadline by extension on discovery. (MVH)  Reviewed proposed motion to extend deadline by Client. (MVH)  Researched case law in support of Motion for lo extend deadline in discovery. (MVH)  Reviewed Motion of Opposing Counsel to Modify Reviewed Motion of Opposing Counsel to Modify Reviewed Motion of Opposing Counsel to Modify Reviewed Order and proposed new Scheduling Reviewed Order of Judge regarding ex parte regarding deposition transcripts. Conference with Matthew Van Horn and Client. Second conference with court reporter. Prepared check for COD delivery of transcripts. (LR)  Reviewed Order extending deadline to file Motion Reviewed Order extending deadline to file Motion Reviewed Order extending deadline to file Motion Compared and deleted, when necessary, old dates. Ticklers entered for preparation time. (LR)  Telephone conference with Client. (LR)  Telephone conference with Client. (LR)  Reviewed Order extending Order and O.50 hr. Second Order extending deadline to file Motion Conference with Matthew Van Horn. Prepare draft of Oath regarding Velasco deposition. Prepare draft of Oath regarding Velasco deposition of Poath Velasco and UPS	tasks, conferences, and letter)				shipment label. (LR)	
0.20 hr. \$22.00  0.10 hr. \$22.50 \$12.50  0.30 hr. \$67.50 \$37.50  1.0 hr. \$225.00 \$125.00  0.60 hr. \$66.00  0.80 hr. \$88.00  0.10 hr. \$22.50 \$12.50  0.10 hr. \$22.50	(mail); block billing (secretarial				refler of instructions to Pablo Velasco and UPS	
0.20 hr. \$22.00  0.10 hr. \$22.50 \$12.50  0.30 hr. \$67.50 \$37.50  1.0 hr. \$225.00 \$125.00  0.60 hr. \$888.00  0.10 hr. \$22.50 \$12.50  0.10 hr. \$22.50 \$12.50  0.10 hr. \$11.00	Discovery; secretarial tasks				or Cam regarding velasco deposition, Frepare	
0.20 hr. \$22.00  0.10 hr. \$22.50 \$12.50  0.10 hr. \$67.50 \$37.50  1.0 hr. \$225.00 \$125.00  0.60 hr. \$88.00  0.10 hr. \$22.50 \$12.50  0.10 hr. \$22.50 \$12.50	Undue delay by Gemtronics -		\$110.00		of Oath recording Volcoo James Prepare draft	2/20/20
Federal   0.20 hr.   \$22.00   \$12.50	Discovery; no subject matter					2/20/20
Federal   0.20 hr.   \$22.00   \$12.50	Undue delay by Gemtronics -		\$ 11.00	0.10 hr.	009 Telephone conference with Client. (LR)	2/19/20
Cost   Accepted Cap (3)	(scheduling)					
Accepted Cap (31   S22.00   S22.00   S22.50   S12.50	Discovery; secretarial tasks				Ticklers entered for preparation time. (LR)	
Accepted Cap (31   S22.00   S22.00   S22.50   S12.50	Undue delay by Gemtronics -				compared and deleted, when necessary, old dates.	
Accepted Cap (31   S22.00   S22.00   S22.00   S22.50   S12.50			\$66.00	$0.60  \mathrm{hrs}.$	009 Docketed dates from new Scheduling Order and	2/18/20
\$22.00 \$22.00 \$22.50 \$12.50 \$12.50 \$37.50 \$37.50 \$388.00 \$388.00 \$22.50 \$388.00	Discovery				for Summary Decision. (MVH)	
\$22.00 \$22.00 \$22.50 \$12.50 \$37.50 \$225.00 \$37.50 \$388.00	0 Undue delay by Gemtronics -	\$12.50	\$22.50	0.10 hr.	009 Reviewed Order extending deadline to file Motion	2/18/20
eral 0.20 hr. \$22.00  ine 0.10 hr. \$22.50  a by 0.30 hr. \$67.50  VH)  otion  fodify 0.60 hr. \$88.00  with  rence  with  serence	subject matter (conference)					
Hours   Cost   Accepted Cap (31)	and reviewing court order); no				denvery of nanscripts. (EA)	
Hours   Cost   Accepted Cap (\$1   eral   0.20 hr.   \$22.00	block billing (secretarial tasks				delivery of transcripts (TD)	
rours Cost Accepted Cap (31   Ac	conference with court reporter);				with court reporter Prepared check for COD	
Hours   Cost   Accepted Cap (31)	copy, phone call to and			_	Matthew Van Hom and Client Second conference	
Hours   Cost   Accepted Cap (\$1   2.00   52.00   512.50   512.50   512.50   512.50   512.50   512.50   512.50   512.50   512.50   512.50   512.50   5125.0	Discovery; secretarial tasks (fwd				reception denocition transcripts Confirmed with	
Hours   Cost   Accepted Cap (31   1   1   1   1   1   1   1   1   1	Undue delay by Gemtronics -				Talenhane confirmed with court months	
Hours   Cost   Accepted Cap (\$1   erai   0.20 hr.   \$22.00			\$88.00	0.80 hr.	009 Reviewed Order of Judge regarding ex parte	2/17//20
0.20 hr. \$22.00 0.10 hr. \$22.50 \$12.50 0.30 hr. \$67.50 \$37.50 1.0 hr. \$225.00 \$125.00 0.60 hr. \$266.00	Discovery				Order attached. (LR)	
0.20 hr. \$22.00 0.10 hr. \$22.50 \$12.50 0.30 hr. \$67.50 \$37.50 1.0 hr. \$225.00 \$125.00 0.60 hr. \$266.00	Undue delay by Gemtronics -				Scheduling Order and proposed new Scheduling	
0.20 hr. \$22.00 0.10 hr. \$22.50 0.30 hr. \$67.50 1.0 hr. \$225.00 \$12.50			\$66.00	0.60 hr.	009 Reviewed Motion of Opposing Counsel to Modify	2/16/20
ral 0.20 hr. \$22.00  nlaced 0.10 hr. \$22.50 \$12.50  by 0.30 hr. \$67.50 \$37.50  7H) 1.0 hr. \$225.00 \$125.00	Discovery				to extend deadline in discovery. (MVH)	
ral 0.20 hr. \$22.00  laced  1.0 hr. \$22.50  \$12.50  1.0 hr. \$67.50  \$37.50  7H)  1.0 hr. \$225.00  \$125.00	Undue delay by Gemtronics -			-	Summary Decision. Reviewed B. Bolton's motion	
Telephone conference with Secretary of Federal 0.20 hr. \$22.00  Trade Commission regarding documents misplaced by FTC. (LR)  Reviewed Order from Court regarding deadline extension on discovery. (MVH)  Reviewed proposed motion to extend deadline by FTC. Reviewed chart prepared by Client. (MVH)  Reviewed chart prepared by Client. (MVH)		\$125.00	\$225.00	1.0 hr.	.009 Researched case law in support of Motion for	2/15/20
Telephone conference with Secretary of Federal 0.20 hr. \$22.00  Trade Commission regarding documents misplaced by FTC. (LR)  Reviewed Order from Court regarding deadline extension on discovery. (MVH)  Reviewed proposed motion to extend deadline by FTC. Reviewed chart prepared by Client. (MVH)	Discovery; duplicative					
Telephone conference with Secretary of Federal 0.20 hr. \$22.00  Trade Commission regarding documents misplaced by FTC. (LR)  Reviewed Order from Court regarding deadline extension on discovery. (MVH)  Reviewed proposed motion to extend deadline by 0.30 hr. \$67.50	Undue delay by Gemtronics -				FTC. Reviewed chart prepared by Client. (MVH)	
Hours   Cost   Accepted Cap (\$1   0.20 hr.   \$22.00	-	\$37.50	\$67.50	0.30 hr.	009 Reviewed proposed motion to extend deadline by	2/13/2009
Hours   Cost   Accepted Cap (\$1   0.20 hr.   \$22.00	Discovery				extension on discovery. (MVH)	
0.20 hr. \$22.00			\$22.50	0.10 hr.	009 Reviewed Order from Court regarding deadline	2/13/20
0.20 hr. \$22.00	Discovery			_	by FTC. (LR)	
0.20 hr. \$22.00	Undue delay by Gemtronics -			<u> </u>	Trade Commission regarding documents misplaced	
Hours			\$22.00	0.20 hr.	1009 Telephone conference with Secretary of Federal	2/13/20
House Cost	1 Keywords	Accepted Cap (\$:	Cost	Hours	Client Matter	Date

Secretarial tasks (assimilate					
Contain the leafur (project)			-	Memo to Matthew Van Horn. (LR)	
				Commission after conference with Bernita Lofty.	
				Common from Secretary of Louding Linde	
				conversation with Secretary of Federal Trade	
				Judgment. Assimilate documents. Telephone	
				preparation for filing of Motion for Summary	
		\$66.00	0.60 nr.		0,14,600
DIOCK OHIHIS		÷		000 Paviatra mail from Matthan VI. II.	3/12/2000
Block hilling			-	Undisputed Facts. (MVH)	
				Supporting Memorandum. Prepared Statement of	
.00	\$550.00	\$990.00	4.4 hrs.	3/12/2009 Prepared Motion for Summary Decision and	3/12/200
Block billing				Commission of the contract of	2/12/200
				Undisputed Racts (MIVII)	
				Supporting Memorandum, Prepared Statement of	
.00	\$750.00	\$1,350.00	6.0 hrs.	3/11/2009 Prepared Motion for Summary Decision and	3/11/200
Block billing					
				- 1- Purson Summanion Ontariputou 1 acto. (14 4 11)	
				Prepared Statement of Undignited Facts (MVII)	
				Summary Decision and Supporting Memorandum.	
				for Production of Documents. Prepared Motion for	
				documents produced by FIC pursuant to Motion	
				do annual and de	
				deposition exhibits, initial disclosures and	
				Velasco. Reviewed answers to interrogatories,	
.00	\$700.00	\$1,260.00	5.6 hrs.	3/10/2009 Reviewed Deposition of Bill Isely and Pablo	3/10/200
				Matthew Van Horn regarding same. (LR)	
				inotion for summary decision and e-mail to	
		92.44	i	motion for common desired	!
		\$22.00	0 20 hr	3/5/2009 Telephone conference with Client regarding	3/5/200
no subject matter (conference)					
				Depositions - print pertinent findings. (LR)	
			•	Federal Code of Regulations database regarding	
		\$55.00	0.50 hr.		3/5/2009
Discovery; no subject matter			i	same. (MVH)	
.50 Undue delay by Gemtronics -	\$12.50	\$22.50	0.10 hr.	2/23/2009 Reviewed e-mail from Client and responded to the	2/23/200
Discovery				Horn. (LR)	
Ondue delay by Gemtronics -				T acto y crasec. Contenent with intachiew y all	
		\$44.00	0.20 ш.	Dahlo Valasco Conference with Motthow Von	4/23/200
and reserve		2000	0.30 hz	0000 Drange a mail to D. Dolton recording outh of	00C/EC/C
dunlicative				F	
Discovery: secretarial tasks				deposition. Prepare UPS shipment label. (LR)	
Undue delay by Gemtronics -		\$88.00	0.80 hr.	2/20/2009 Prepare letter of instructions to Client regarding	2/20/200
(\$1 Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

Secretarial tasks (fwd doc)	\$11.00	0.10 hr.	3/18/2009 E-mail to Client forwarding PDF copy of FTC Motion for Summary Decision. (LR)	3/18/2009
	\$55.00	0.50 hr.	3/18/2009 On-line research of FTC website public Actions.	3/18/2009
Secretarial tasks (copies); block billing (secretarial tasks and letter)	\$33.00	0.30 hr.	3/17/2009 Draft letter to Administrative Law Judge requesting oral argument. Duplicate and mail to Client and opposing counsel. (LR)	3/17/2009
Vague subject matter	\$99.00	0.90 hr.	Telephone conferences with Client and Larry Isely. 0.90 hr. Telephone conference with Secretary's Office, Federal Trade Commission. Telephone conference with Bernita Lofty, Federal Trade Commission. Initial preparation for filing of witness and exhibit lists and conference with Matthew Van Horn. Telephone conferences with Barbara Bolton regarding Government's witness list and hearing exhibits. (LR)	3/16/2009
Block billing; secretarial tasks	\$770.00	7.0 hrs.	3/13/2009 Assist in preparation of exhibits for filing in relation to Separate Statement of Material Facts as to Which There is No Genuine Issue. Assemble, duplicate and index approximately 150 pages into eight sets. Preparation of cover letter to Federal Trade Commission. Telephone conference with Secretary of Federal Trade Commission. Deliver exhibits to International Minute Press for conversion into PDF CD-Rom format as required. Preparation of e-mail filing transmittal as required. (LR)	3/13/2009
No subject matter	\$22.00	0.20 hr.	3/13/2009 Conference with Matthew Van Horn. Telephone (LR)	3/13/2009
	\$22.00	0.20 hr.		3/12/2009
Accepted Cap (\$1 Keywords	Cost Acc	Hours	Client Matter	Date

Settlement - beyond scope				(MVH)	
	\$75.00	\$135.00	0.60 hr.	4/2/2009 Telephone conference with Barbara Bolton regarding terms of settlement. E-mail to Bill Isely.	4/2/20
No subject matter	\$125.00	\$225.00	1.0 hr.	Barbara Bolton. Telephone conferences with Bill Isely. (MVH)	3/31/2009
Settlement - beyond scope					2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
	\$75.00	\$135.00	0.60 hr.	3/30/2009 Reviewed e-mails from Client regarding settlement 0.60 hr. strategy. E-mailed Client. Prepared for telephone conference with Judge Chappell. (MVH)	3/30/20
Secretarial tasks (scan, copy, mail)		\$33.00	0.30 hr.	3/27/2009 Scan and serve final draft of proposed settlement agreement via e-mail. Duplicate and mail. (LR)	3/27/20
	\$50.00	\$90.00	0.40 hr.	3/27/2009 Telephone conference with Barbara Bolton.  Finalized letter to Barbara Bolton. (MVH)	3/27/20
Settlement - beyond scope; block billing; no subject matter (e-mail)				letter to Barbara Bolton. Telephone conferences with Bill Isely and Barbara Bolton. E-mail exchanges with Barbara Bolton and Bill Isely. (MVH)	
	\$200.00	\$360.00	1.6 hrs.	3/26/2009 Prepared settlement agreement Consent Orders and	3/26/20
Block billing	\$350.00	\$630.00	2.8 hrs.	Prepared Consent Order to Barbara Bolton.  Prepared Consent Order to Barbara Bolton.  Prepared e-mail to Client. Reviewed various  Versions of Consent Order. (MVH)	3/23/2009
Secretarial tasks (copies, mail)		\$55.00	0.50 hr.	Transmittal of depositions. Duplicate, complete UPS shipping labels and deliver. (LR)	3/23/2009
No subject matter	\$125.00	\$225.00	1.0 hr.	O09 Telephone conference with administrative law Judge and Barbara Bolton. Telephone conference With Larry Isely. (MVH)	3/19/2009
		\$66.00	0.60 hr.	3/19/2009 Preparation of Respondents' Proposed Witness List 0.60 hr and Respondents' Exhibit List. (LR)	3/19/20
		\$242.00	2.2 hrs.	3/18/2009 Conference with Matthew Van Horn regarding preparation of Respondents' Proposed Witness and Exhibit Lists. Prepared first draft of same. (LR)	3/18/20
Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

4/15/20	4/15/2(	4/15/2(	4/14/2	4/14/2		4/14/2009	4/13/2009			4/13/20			4/8/20	4/7/2	4///2	1	4/ //2		4/4/2009		4/6/2/	Date
4/15/2009 Telephone conference with Barbara Bolton. (LR)	4/15/2009 E-mail to Client. (LR)	4/15/2009 Reviewed proposed consent order from FTC.  Prepared Opposition to Summary Decision Motion filed by FTC. (MVH)	4/14/2009 Review e-mail between Matthew Van Horn and Barbara Bolton. (LR)	4/14/2009 Telephone conference with client. E-mail to  Matthew Van Horn. (LR)	Bill Isely. (MVH)		Matthew Van Horn. (LR)		Proposed settlement negotiations and conference Call with Judge. Reviewed settlement proposed	4/13/2009 Telephone conferences with Bill Isely regarding	mails. (MVH)	Representative. Reviewed and responded to e-	4/8/2009 Telephone conference with Judge and FTC.	4/7/2009 Telephone conference with Client and e-mail to Matthew Van Horn (LR)	mail to Matthew Van Horn. (LR)	(MVH)	same. Telephone conference with court clerk.	(MVH)	)09 Telephone conference with Barbara Bolton.	agreement. (MVH)	4/6/2009 Reviewed e-mails from Bill Isely and responded to the same. Reviewed FTC's proposed settlement	Client Matter
0.20 hr.	0.20 hr.	2.2 hrs.	0.20 hr.	0.20 hr.		1.3 hrs.	0.30 hrs.			1.6 hrs.			1.0 hr.	0.20 hr.	0.20 hr.	) ; ) ; ) ; 4 ;	0.40 hr.		0.20 hr.		1.2 hrs.	
\$22.00	\$22.00	\$495.00	\$22.00	\$22.00		\$292.50	\$33.00			\$360.00		<del>(</del>	\$225.00	\$22.00	\$22.00		\$90.00		\$45.00		\$270.00	Cost
	)	\$275.00				\$162.50	)			\$200.00			\$125.00	)			\$50.00		\$25.00		\$150.00	Accepted
No subject matter	No subject matter		No subject matter	No subject matter	Block billing		No subject matter	Settlement - beyond scope			No subject matter		_	No subject matter	No subject matter	No subject matter		No subject matter	)	Settlement - beyond scope		Keywords

Secretarial tasks (scan); no				Barbara Bolton and Matthew Van Horn. (LR)	
		\$55.00	0.50 hr.	O9 Scanned signature page of joint motion to Barbara Bolton via e-mail. Telephone conference with	4/30/2009
subject matter				Client and e-mail to Client. (LR)	
Secretarial tasks (fax); vague		\$33.00	0.30 hr.		4/30/2009
No subject matter				(LR)	
		\$33.00	0.30 hr.	4/30/2009 Telephone conferences with Client and e-mails.	4/30/200
No subject matter		\$22.00	0.20 nr.	Tronzoon Review c-main from Chem dated 4/2//2009. (LR)	1,007,00
subject matter		}	2	100 B criew consil from City 1 1 1 1 107 1000 (Th)	000/00/7
Secretarial tasks (filing); no		\$55.00	0.50 hr.	Horn to Client regarding status of case dated	4/20/200
No subject matter				with Client. (MVH)	000/00/7
	\$125.00	\$225.00	1.0 hr.	FTC. Telephone conference and e-mail exchange	4/29/200
\$25.00 No subject matter		\$45.00	0.20 hr.	4/29/2009 Reviewed e-mail from Client. (MVH)	4/29/200
No subject matter				(MVH)	
	\$75.00	\$135.00	0.60 hr.	4/28/2009 Telephone conference with Bill Isely. Telephone Conference with Barbara Bolton. E-mail to Court.	4/28/200
No subject matter				Barbara Bolton. (MVH)	
0	\$162.50	\$292.50	1.3 hrs.	4/27/2009 Telephone conference with Bill Isely. Drafted e-mails with Bill Isely. Telephone conferences with	4/27/200
				mail to Barbara Bolton. (MVH)	
٧	\$75.00	\$135.00	0.60 hr.	4/22/2009 Telephone conference with Bill Isely regarding Opposition to FTC's summary decision Motion. E-	4/22/200
No subject matter				and reply. (LR)	
	<u>=</u>	\$33.00	0.30 hr.	4/16/2009 Telephone conference with Client and e-mail to Matthew Van Horn. Review e-mail from Client	4/16/200
No subject matter					
0	\$275.00	\$495.00	2.2 hrs.	4/16/2009 Telephone conference with Client and conference Call with Judge and Barbara Bolton. (MVH)	4/16/200
No subject matter					
<u> </u>	\$200.00	\$360.00	1.6 hrs.	4/15/2009 Telephone conference with Bill Isely. Prepared e-mail to the Court per the Court's request.(MVH)	4/15/200
1 Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

7					
4/30/2009	4/30/2009 Reviewed Motion for Revised Scheduling Order	0.30 hr.	\$67.50	Accepted Cap (31 Neywords \$37.50	Neywords
	and Proposed Scheduling Order. Telephone conference with Client and FTC counsel. (MVH)				
05/0412009	Reviewed e-mails from Client. Reviewed and	0.40 hr.	\$44.00		V
5/5/2009	5/5/2009 Conference with Matthew Van Horn, Sent Order	0.20 hr.	\$22.00		0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	on Joint Motion to Amend the Scheduling Order to Client via facsimile. Telephone conference with				
	Carrant (Ada's)				
5/5/2009	5/5/2009 Prepared Final Proposed Exhibit and Witness List. (MVH)	3.0 hrs.	\$675.00	\$375.00	
5/6/2009	Calendar new deadlines per Scheduling Order. (LR)	0.70 hr.	\$77.00		Secretarial tasks (scheduling)
5/6/2009	Assist in preparation of Respondents' Counsel's	4.0 hrs.	\$440.00		
	Counsel's Exhibit List. Prepared Table of Exhibits.				Rlock hilling (exhibit prep and
	Serve documents via scanned Adobe Acrobat e-				secretarial tasks): secretarial tasks
	mail and overnight delivery. (LR)				(scan and delivery prep)
5/7/2009	Reviewed and responded to e-mails from Client.	0.40 hr.	\$90.00	\$50.00	
	(1VI V II)				No subject matter
5/8/2009	Telephone conference with Client regarding e-mail sent to him by Matthew Van Horn, documents filed	0.30 hr.	\$33.00		
	with the FTC, and procedure concerning				
	testimony. E-mail to Matthew Van Horn. (LR)				
5/11/2009	5/11/2009 Telephone conference with Barbara Bolton	0.20 hr.	\$22.00		
	Horn concerning same. (LR)				
5/11/2009	5/11/2009 Telephone conference with Matthew Van Horn and e-mails to Barbara Bolton regarding exhibits.	0.40 hr.	\$44.00		
6/11/2000					
3/11/2003	sent her the Distribution Agreement via e-	0.30 hr.	\$67.50	\$37.50	
	mail.(MVH)				
5/12/2009	5/12/2009 Review e-mail from Client, (LR)	0.10 hr.	\$11.00		No subject matter

tasks (adding email attachments)					
No subject matter: secretarial		\$33.00	0.30 hr.	pleading from Client. (LR).	2/20/200
No subject matter				OO Pariana mil- 1 1 1 1	2000,000
		\$11.00	0.10 hr.	with Matthew Van Horn (IB)	5/22/2009
	\$50.00	\$90.00	0.40 hr.	009 Reviewed Court's Revised Scheduling Order.  Reviewed e-mail from Client and responded to the	5/22/2009
		0,000		Motion to Strike information from website with	
	\$50 00	\$00.00	0 40 hr	5/21/2009 Reviewed FTC's Opposition to Respondents'	5/21/200
No subject matter		\$11.00	0.1 0 hr.	5/21/2009 Telephone conference with Client, Conference with Matthew Van Horn. (LR)	5/21/200
No subject matter				Matthew Van Horn. (LR)	
		\$22.00	0.20 hr.	5/20/2009 Telephone conference with Client, E-mail to	5/20/200
				Judgment. (MVH)	
		,		Opposition to FTC's Motion for Summary	
	\$37.50	\$67.50	0.30 hr.	5/15/2009 Reviewed e-mail from Bill Isely and proposed	5/15/200
No subject matter				(LR)	
				e-mail of this date. E-mail to Matthew Van Horn.	1 <del>7 17 11 1</del>
		\$55.00	0.50 hr.	5/15/2009 Telephone Conference with Client. Review Client's 0.50 hr.	5/15/200
No subject matter		\$11.00	0.10 hr.	5/14/2009 Telephone conference with Client, Conference with Matthew Van Horn. (LR)	5/14/200
				(MVH)	
				final Order on Motion for consideration of ALJ.	
				Complaint Counsel's Final Exhibit List. Prepared	
_	\$450.00	\$810.00	3.6 hrs.	5/13/2009 Prepared Motion to Strike Exhibits from	5/13/200
and preparation of order, letters); secretarial tasks (delivery prep)				Law Judge and Secretary of the Commission. (LR)	
Block billing (secretarial tasks		•	· .	Prepared transmittal letters to the Administrative	
				forms for overnight delivery to same parties.	
				secretary and opposing counsel. Prepared UPS	
				Service and e-mail transmissions to the judge,	
				Strike and Proposed Order. Prepared Certificate of	
		\$220.00	2.0 hrs.	5/13/2009 Assist in preparation of Respondents' Motion to	5/13/200
l Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

J	\$375.00	\$675.00	3.0 hrs	5/29/2009 Prepared Final Proposed Witness and Exhibit List to be filed with Court and served on Opposing Counsel. Reviewed exhibits to be submitted in defense of FTC's claims (MVIII)	5/29/2
	\$200.00	\$360.00	1.6hrs	5/29/2009 Reviewed e-mail from Court Clerk for ALJ regarding Pretrial Briefs. Reviewed FTC's Order Denying Motion to Strike and FTC's Revised Scheduling Order. (MVH)	5/29/2
Secretarial tasks (delivery labels); block billing (secretarial tasks and transmittal letter)		\$220.00	2.0 hrs.	Final Proposed Witness and Exhibit List. Prepared transmittal letters to ALJ and opposing counsel.  Prepared UPS labels for service of documents.(LR)	5/29/2
Secretarial tasks (filing, saving documents; fwd docs)		\$55.00	0.50 hr.	5/28/2009 Review e-mail from Client. Download and save Government supplemental discovery document and discovery. Download and save FTC Opposition to Respondents' Motion for Summary Decision. Send to Client with e-mail. (LR)	5/28/2
Block billing; secretarial tasks (labels)		\$110.00	1.0 hr.	5/27/2009 Assist Matthew Van Horn in preparation and service of Respondents' Counsel's Opposition to Complaint Counsel's Motion for Summary Decision. Prepare UPS labels and transmittal letter to Secretary of Federal Trade Commission for filing. (LR)	5/27/2
No subject matter		\$55.00	0.5 hr	5/27/2009 Review e-mails and correspondence/pleadings from Client. (LR)	5/27/2
Block billing (Opposition and emails); no subject matter (emails)	\$650.00	\$1,170.00	5.2 hrs.	5/27/2009 Completed preparation of Opposition to FTC's Motion for Summary Decision. Reviewed e-mails from Client and prepared e-mails to Client. (MVH)	5/27/2
J		\$292.50	1.30 hrs.	5/26/2009 Prepared Opposition to FTC's Motion for Summary Decision. Reviewed case law, Rules of Procedure for FTC and FTC Regulations. (MVH)	5/26/2
Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

No subject matter					
		\$44	.4hr	6/5/2009 Review email from Client. Telephone conferences with Client. Email to Matthew Van Horn (LR)	6/5/2009
Secretarial tasks (filing)					
		\$11	0.1hr	6/4/2009 Review email and attachments from Client. Save drafts into Client directory and reply to email (LR)	6/4/2009
				and other authority for Pretrial Brief (MVH)	
	\$350.00	\$630	2.8hr	6/4/2009 Researched case law cited by FTC and case law	6/4/2009
Secretarial tasks (fwd docs, print)		:		Print brief. (LR)	
		\$22	.2hr	6/4/2009 Review email from Matthew Van Horn. Save FTC	6/4/2009
				researched case law cited by FTC (MVH)	
				Prepared comments of the same. (MVH)	
	\$100.00	\$180	.8hr	6/3/2009 Reviewed B. Bolton's Pretrial Brief, Proposed	6/3/200
No subject matter				via e-mail. (LR)	
				Decision and Separate Statement relating thereto	
				Respondents' Counsel Motion for Summary	
		\$22	.2hr	6/3/2009 Telephone conference with Client. Send	6/3/200
No subject matter					
		Ģ	.544	with Client and email Matthew Van Horn (LR)	
0		623	2hr	6/2/2009 Review email of B Rolton Telephone conferences	6/2/200
Vague subject matter				preparation of filing Pretrial Brief (MVH)	
	\$37.50	\$67.50	.3hr	19 Telephone conference with Bill Isely in	6/2/2009
No subject matter				responded to the same (MVH)	
	\$37.50	\$67.50	.3hr	6/1/2009 Reviewed emails from B. Bolton and the FTC and	6/1/200
No subject matter				Matthew Van Horn (LR)	
		\$22	.2hr	6/1/2009 Telephone conferences with Client Email to	6/1/200
				Bolton regarding filing of Stipulations. (MVH)	
				on the ALJ. Reviewed e-mails from Barbara	
	\$125.00	\$225.00	1.0 hr	5/30/2009 Reviewed e-mails from Client. Reviewed Barbara Bolton's Final Proposed Exhibit List to be served	5/30/200
				e-mails to Barbara Bolton, (MVH)	
	\$25.00	\$45.00	0.2hrs	5/29/2009 Prepared e-mails to Client. Reviewed and prepared 0.2hrs	5/29/200
Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

6/15/2009 Initial preparation of Re(LR)		6/15/2009 Review, print and save e-mail documents from Client. Telephone conference with Client. Prep	6/12/2009 File maintenance and trial preparation. (LR)	6/11/2009 File maintenance and trial preparation. Conference with Matthew Van Horn. (LR)		documents sent via fax. (commentary) in client of	6/10/2009 Review Client's e-mail and attachment and	UPS labels to Administrative Law of FTC and Barbara Bolton. (LR)	Judge and Secretary of I	and trial. (LR)	6/10/2009 Review Client's e-mails pertaining to pretrial brief	Conclusions of Law. Review Stipulations for trial. (MVH)	support of Proposed Findings of Fact and	Reviewed documents an	6/10/2009 Prepared Pretrial Brief, Proposed Findings of Fact and Conclusions of Law and researched case law.	(LR)	of trial. Conferences with Matthew Van Horn.	of all legal files and exh	6/9/2009 Began file preparation for trial including updating	T MAN CONTAMBIONION OF THE	6/9/2009 Prepared Pretrial Brief and Proposed Findings of	ract, and reviewed case law (MVH)	6/8/2009 Prepared pretrial brief and proposed findings of	Date Client Matter
Initial preparation of Respondents' Trial Exhibits. 6.3 (LR)	memorandum from Client to Matthew Van Horn. (LR)	ared		erence		hment (LR)		UPS labels to Administrative Law Judge, Secretary of FTC and Barbara Bolton. (LR)	Judge and Secretary of FTC. Prepare e-mails and   0.8			Conclusions of Law. Reviewed FTC's proposed Stipulations for trial. (MVH)	ndings of Fact and	Reviewed documents and deposition transcripts in			ith Matthew Van Horn.	of all legal files and exhibits, etc., in anticipation		1 mon) Contournations of Part mitt Subs 1811 (111 4 11)		iaw (MVH)		
6.30 hrs.		0.60 hr.	2.0 hrs.	0.50 hr.		<u> </u>	0 30 hr		0.80 hr.		0.20 hr				6.2 hrs.				6.5 hrs.		4.6hr		6.0hr	Hours Cost
\$693.00		\$66.00	\$220.00	\$55.00			00 22\$		\$88.00	÷00	\$22.00				\$1,395.00				\$715.00		\$1,035.00		\$1,350.00	
																					\$575.00		\$750.00	Accepted Cap (\$1 Keywords
Vague subject matter; block billing	Secretarial tasks (filing); no subject matter (conferences)		Secretarial tasks (filing)	Secretarial tasks (filing)	Secretarial tasks (save doc)	,		Secretarial tasks (labels); block billing (letters and secretarial tasks)		Vague subject matter		Vague subject matter				tasks (updating files)	Vague subject matter; secretarial			matter		matter	\$750.00 Block billing; vague subject	Keywords

Data	C12. W.W. 77.		2		
6/16/2009	6/16/2009 Reviewed Stipulations and Declarations proposed	0.40 hr.	\$90.00	\$50.00	TAC Y WOL US
	by FTC and respond to mail ail same via e-mail. (MVH)				
6/16/2009	6/16/2009 Continuation of preparation of Respondents' Trial Exhibits and FTC Trial Exhibits. (LR)	6.0 hrs.	\$660.00		Vague subject matter; block
6/17/2009	dents' Trial lient. Email	2.5 hrs.	\$275.00		
	to Matthew Van Horn. Conference with Matthew Van Horn. (LR)				Vague subject matter; block billing
6/18/2009	Continuation of preparation of Respondents' Trial Exhibits. Telephone conference with Client. E-	6.0 hrs.	\$660.00		
	mails to and from Matthew Van Horn. E-mails to Larry Isely, et al. General pretrial preparation				
	assistance to Matthew VanHorn.(LR)				Vague subject matter; block billing
6/18/2009	6/18/2009 Prepared for trial, including review of Joint Trial Exhibits, supporting documents, witness	5.6 hrs.	\$1,260.00	\$700.00	
	examination preparation and other trial issues.(MVH)				Vague subject matter; block billing
6/19/2009	ıt ı	5.2 hrs.	\$1,170.00	\$650.00	
	statement, witness examinations and review of				
	documents. Prepared e-mails to FTC counsel regarding Proposed Stipulations. (MVH)				Vague subject matter; block
6/19/2009	6/19/2009 Provided general legal assistance to Matthew Van	0.30 hr.	\$330.00		8
	Horn in trial preparation. Telephone conference with Client and e-mails to and from Matthew Van				
	Horn. (LR)				No subject matter
6/21/2009	6/21/2009 Prepared witness examinations of FTC investigator 3.0 hrs and Bill Isely. Reviewed e-mails from Bill Isely and prepared for admission of supporting exhibits	3.0 hrs.	\$675.00	\$375.00	
	and deposition transcripts. (MVH)				Vague subject matter; block hilling
6/22/2009	nt	5.0 hrs.	\$1,125.00	\$625.00	
	examination and document review. (MVH)				Vague subject matter; block billing

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	6/21/2009	6/19/2009	6/19/2009	6/18/2009	6/18/2009	6/17/2009	6/16/2009	6/24/2009	6/23/2009	Date
and deposition transcripts. (MVH)	Prepared witness examinations of FTC investigator 3.0 hrs and Bill Isely. Reviewed e-mails from Bill Isely and prepared for admission of supporting exhibits	6/19/2009 Provided general legal assistance to Matthew Van Horn in trial preparation. Telephone conference with Client and e-mails to and from Matthew Van Horn. (LR)		<u> </u>	al	Continuation of preparation of Respondents' Trial Exhibits. Telephone conference with Client. Email to Matthew Van Horn. Conference with Matthew Van Horn. (LR)	6/16/2009 Continuation of preparation of Respondents' Trial Exhibits and FTC Trial Exhibits. (LR)	6/24/2009 Prepared for and attended trial at Federal Trade Commission. Attended Pretrial Conference.  (MVH)	ial and travel to Washington, D. C. NC. (MVH)	Client Matter
	3.0 hrs.	0.30 hr.	5.2 hrs.	5.6 hrs.	6.0 hrs.	2.5 hrs.	6.0 hrs.	9.0 hrs.	•	Hours
	\$675.00	\$330.00	\$1,170.00	\$1,260.00	\$660.00	\$275.00	\$660.00	\$2,025.00	\$1,035.00	Cost
	\$375.00		\$650.00	\$700.00				\$1,125.00	\$575.00	Accepted Cap (\$1 Keywords
Vague subject matter; block billing		Vague subject matter	Vague subject matter; block billing	Vague subject matter; block billing	Block billing (prepared for vs. attended)	\$575.00 Vague subject matter; block billing (does this include travel time? Secretarial tasks?)	Keywords			

			2	1 7 791	47 1
6/22/2009	6/22/2009 Prepared for trial, including preparation of Joint	5.0 hrs.	\$1,125.00	\$625.00	axey wor ds
	Trial Exhibits, Stipulation documents, witness examination and document review. (MVH)				Vague subject matter; block billing
6/23/2009	6/23/2009 Prepared for trial and travel to Washington, D. C. from Raleigh, NC. (MVH)	4.6 hrs.	\$1,035.00	\$575.00	Vague subject matter; block billing (does this include travel
					scheduling?)
6/24/2009	6/24/2009 Prepared for and attended trial at Federal Trade	9.0 hrs.	\$2,025.00	\$1,125.00	
	Commission. Attended Pretrial Conference. (MVH)				Block billing (prepared for vs. attended)
6/25/2009	6/25/2009 Prepared for and attended trial at Federal Trade	$9.0 \mathrm{hrs}$	\$2,025.00	\$1,125.00	\$1,125.00 Block billing (prepared for vs.
	Commission. (MVH)				attended)
6/26/2009	6/26/2009 Travel time from Washington, D. C. to Raleigh, NC. (MVH)	2.0hrs	\$450.00	\$250.00	Travel time
6/29/2009	E-mailed the FTC with schedule for closing	1.0hr	\$225.00	\$125.00	
	from Bill Isely and trial summary from Bill Isely. (MVH)				Vaoue subject matter
6/29/2009	Review e-mail from Client. Review e-mail to Client from Matthew Van Horn regarding trial	0.2hr	\$22.00		
	transcript. (LR)				Secretarial task (fwd doc)
7/1/2009	7/1/2009 Reviewed Orders from Administrative Trial Judge. Printed Orders for file and saved to Client	0.50 hr.	\$55.00		
	Directory. Prepared e-mail to Client attaching Orders. Docketed deadlines on litigation calendar.				Corptoriol tools (£1):
	(LR)				scheduling)
7/1/2009		0.40 hr.	\$90	\$50.00	
	on Post Trial Briefs. Forwarded the same to Client				
	with comments. (MVH)				
7/6/2009	etween Client and	$0.10\mathrm{hr}.$	\$11.00		
7/2/2000					No subject matter
7/6/2009		0.30 hr.	\$67.50	\$37.50	No subject matter
7/5/2009		0.30 hr.	\$33.00		
////2009	Isely. (MVH)	0.20 hr.	\$45.00	\$25.00	No subject matter
					INO SUDJECT IIIditel

Voicemail message left by Client. (LR)	exhibits and transcripts.(MVH)	7/12/2009 E-mail to Paralegal. Continued examination of trial 0.30 hr.		trial exhibits. Began preparing Post-Trial Brief.	7/10/2009 Reviewed e-mails from Barbara Bolton Reviewed 11 4 hrs	(MVH) (MVH)	┸	of trial and deposition exhibits per Order of the Court. (LR)	_	Telephone calls to Barbara Bolton. (LR)	mail to Barbara Bolton and to Matthew Van Horn.	┙	communications with Client and with Matthew Van Horn (TR)	7/10/2009 Reviewed and/or participated in series of e-mail 0.60 hr.		7/9/2009 Reviewed and printed e-mail from Client. (LR) 0.10 hr.	conference with Client. (LR)	7/8/2009 Conference with Matthew Van Horn. Telephone 0.50 hr.	7/8/2009 Telephone conference with Client. (MVH) 0.40 hr.		Ordered transcript from Court Reporter.(LR)	same to Client. Telephone conference with Client.	Matthew Van Horn. Prepared e-mail regarding	7/7/2009 Conference with Court Reporter. Conference with 0.30 hr.	via facsimile. (LR)	argument and briefing schedule and sent to Client	Client. Copied Orders concerning closing	Matthew Van Horn. Telephone conference with	7/7/2009 Review e-mail exchange between Client and 0.30 hr.	
 \$22.00 No subject matter	Vague subject matter	\$67.50	Vague subject matter	\$313.00	@175 00	\$67.50 \$37.50 No subject matter	Secretarial tasks (formatting disk)	\$275.00	No subject matter		\$33.00	No subject matter		\$66.00	tasks (print email)	\$11.00 No subject matter; secretarial	No subject matter		\$90.00 \$50.00 No subject matter	court reporter)	Secretarial tasks (scheduling			\$33.00	tasks (fax)	No subject matter: secretarial			\$33.00	

transc	7/19/2009 Prepa of Fac		7/17/2009 Checl	//1//2009 Revie Post-' and C	7/17/2009 Revietranse secon mailin	7/15/2009 Teler Mattl transc	7/14/2009 Revicindiv	7/14/2009 Addii mail t	7/14/2009 Revie to cas	7/14/2009 Revie revie Trial	Telep regar Clien	7/14/2009 Revie
transcripts and deposition transcripts. (MVH)	Prepared Post-Trial Brief and Proposed Statement of Facts and Conclusions of Law. Reviewed trial			Post-Trial Brief and Proposed Statement of Facts and Conclusions of Law. (MVH)	transcripts of pretrial conference and first and second volumes of trial transcript. Prepare for mailing. (LR)	7/15/2009 Telephone conferences with Client and with  Matthew Van Horn. Copied condensed trial transcript and send via UPS to Client. (LR)	7/14/2009 Review disk of exhibits and compare each individual exhibit to index and identifying numbers. (LR)	7/14/2009 Additional conference with court reporter and e-mail to Matthew Van Horn. (LR)	7/14/2009 Reviewed and/or replied to several emails related to case, including Client and B. Bolton. (MVH)	7/14/2009 Reviewed e-mail from B. Isely and began reviewing transcript. Continued drafting of Post-Trial Memorandum. (MVH)	Telephone conferences with court reporter regarding trial exhibits. Reviewed e-mail from Client and saved in Client directory. (LR)	7/14/2009 Reviewed e-mail from Matthew Van Horn.
	6.70 hrs.	6.0 hrs.	0.20 hr.	3.4 hrs.	0.60 hr.	0.50 hr.	2.0 hrs.	0.20 hr.	0.30 hr.	2.6 hrs.		<b>Hours</b> 0.30 hr.
	\$1,507.50	\$1,350.00	\$22.00	\$765.00	\$66.00	\$55.00	\$220.00	\$22.00	\$67.50	\$585.00		<b>Cost</b> \$33.00
	\$837.50	\$750.00		\$425.00					\$37.50	\$325.00		Accepted Cap (\$1 Keywords
Block billing; vague subject matter		Block billing; vague subject matter	Secretarial tasks (disk format)	Block billing; vague subject matter	Secretarial tasks (copies, mail)	Secretarial tasks (copies, mail)	Secretarial tasks (disk format)	No subject matter; secretarial tasks (court reporter)		Vague subject matter	No subject matter; secretarial tasks (filing, court reporter)	Keywords

8/3/2009 Telej mail	8/3/2009 Kevi with Horn	8/2/2009 Revi Trial	8/1/2009 Revi Isely Trial Post	7/27/2009 Revi	mail	7/23/2009 Revi	7/21/2009 Prep Conc	Tele	7/30/2009 Pren	7/29/2009 Prepare Brief to (MVH)	Law Repl	7/21/2009 Revi Prop	7/21/2009 Prep of Fa	trans	7/20/2009 Prep	Date Clie
8/3/2009 Telephone conference with Client and prepared e-mail to Matthew Van Horn. (LR)		<u> </u>	n ost- el's	L	mail.(LR)	Reviewed and responded to e-mail from Client by	Conclusions of Law. (LR).	Telephone conference with Bill Isely.	7/30/2009 Prenared for and attended Closing Armiments	d for closing argument and prepared Reply Complaint Counsel's Post-Trial Brief.	Law. Prepared notes to the Same in preparation of Reply Brief. (MVH)	7/21/2009 Reviewed Barbara Bolton's Post Trial Brief. and Proposed Findings of Fact and Conclusions of	7/21/2009 Prepared Post-Trial Brief and Proposed Statement of Facts and Conclusions of Law. (LR)	transcripts and deposition transcripts. (MVH)	Ιŧ	
0.10 hr.	0.20 hr.	5.4 hrs.	5.6 hrs.	0.30 hr.		0.20 hr.	2.0 hrs.	J.20 III 3.	5 25 hrs	4.25 hrs.		1.8 hrs.	6.0 hrs.		6.40 hr.	Hours
\$11.00	\$22.00	\$1,215.00	\$1,260.00	\$67.50		\$22.00	\$220.00	Ψ1,101.20	\$1 181 75	\$956.25		\$405.00	\$660.00		\$1,440.00	Cost
		\$675.00	\$700.00	\$37.50						\$531.25		\$225.00			\$800.00	Accepted Cap (\$1
No subject matter	No subject matter	Block billing; vague subject matter	Block billing; vague subject matter	\$37.50 No subject matter	Secretarial tasks (fwd doc)		Vague subject matter	attended)	Block killing (propered for the	Block billing; vague subject matter	Block billing; vague subject matter		Block billing; vague subject matter	Block billing; vague subject matter		(\$1 Keywords

				documents requested by Client and transmittal email. (I.R.)	
		\$55.00	0.50 hr.		8/11/2009
		\$22.00	0.20 H.	Respondents' proposed findings of fact and Conclusions of law - pretrial and post-trial. (LR)	,
doc; fwd doc)			0 20 1-	8/10/2009 Review e-mail from Client Respond and attach	8/10/2009
Block billing; vague subject matter; secretarial tasks (print				to Matthew Van Horn. (LR)	
				Post-Trial Brief and sent same via e-mail to Client.	
		\$77.00	0.70 hr.	Reviewed e-mails from Client and Matthew Van Horn. Printed opposing counsel's Response to our	08/0612009
	\$125.00	\$225.00	1.0 hr.		709
matter				_	0/5/2000
Block billing; vague subject	6000	# 1,000.00		Brief and Complaint Counsel's Post-Trial Proposed	:
_	\$850.00	\$1 530 00	6.8 hrs	8/4/2009 Prepared Reply to Complaint Counsel's Post- Trial	8/4/2009
and conferences); vague subject matter; secretarial tasks (mail, fax)				Law Judge and Secretary of FTC. (LR)	
Block billing (secretarial tasks				and e-mail to opposing counsel, Administrative	
				Prepared transmittal letter to Secretary of Federal	
				Findings of Fact in the above referenced matter.	
				Response to Complaint Counsel's Proposed	
				Counsel's Post-Trial Brief and Respondents'	
				Respondents' Reply and Opposition to Complaint	
				faxes from Client. Assisted in preparation of	
		\$660.00	6.0 hrs.	Telephone conferences with Client. Reviewed	8/4/2009
matter				with Bill Isely. (MVH)	
Block billing; vague subject				Proposed Findings of Fact. Telephone conference	
				Reply to Complaint Counsel's Post-Trial Brief and	
		,		Respondents' Exhibits. Prepared Respondents'	
0	\$900.00	\$1,620.00	7.2 hrs.	8/3/2009 Reviewed Trial Transcripts and Joint and	
1 Keywords	Accepted Cap (\$1 Keywords	Cost	Hours	Client Matter	Date

No subject matter	.00	\$11.00	0.10 hr.	3/2009 Telephone conference with Office of the Secretary of Federal Trade Commission. (LR)	11/13/2009
Secretarial tasks (fwd doc)	.00	\$55.00	0.50 hr.	Client. (LR)	11/0/20
No subject matter		) 1		(A)000 Cont. Closine Annual Cont.	11/6/20
	\$22.00	\$22	0.20 hr.	11/2/2009 Review and respond to e-mails from Client. (LR)	11/2/20
No subject matter	\$33.00	\$33	0.30 hr.	10/29/2009 E-mail exchange with Client. (LR)	10/29/20
Secretarial tasks (fax invoice)				(LR)	
	\$22.00	\$22	0.20 hr.	invoice via fax. Telephone conference with Client.	10/23/2
matter				2/2000	10/00/00
No specific date? No subject	\$11.00	\$11	0.10 hr.	Oct-09 Read and respond to e-mail from Client. (LR)	Oct
matter					
No specific date? No subject	\$11.00	\$11	0.10 hr.	Oct-09 Review and respond to e-mail from Client. (LR)	Oct
matter					
No specific date? No subject	\$11.00	\$11	0.10 hr.	Oct-09 Review and respond to e-mail from Client. (LR)	Oct
secretarial tasks (fax)				Client via fax. (LR)	
No specific date? Block billing?;				send corporate/individual financial statements to	
				Conference with Matthew Van Horn. Locate and	
	\$88.00	\$8	0.80 hr.	Oct-09 Review and respond to e-mail from Client.	Oct
No specific date? Block billing?				matter for Client. (LR)	
				to Matthew Van Horn. Researched accounting	
			·-i	Client. Review response and reply. Prepared e-mail	
	\$88.00	\$88	$0.80  \mathrm{hr}.$	Oct-09 Telephone conference with Client. E-mail to	Oct
No specific date? Block billing?					
				of Code of Federal Regulations. (LR)	
				Matthew Van Horn with copy of applicable rules	
				costs of defense. Preparation of memorandum to	
				application to be reimbursed for attorney fees and	
	: -			concerning eligibility and procedures for filing	
				objections, appeals and stay of decision. Research	
	1.00	\$154.00	1.4 hrs.	Oct-09 Research concerning deadlines for filing of	Oct
Vague subject matter				prepared e-mail to Client regarding same.	
		\$110.00	1.0 hr.	8/12/2009 Comprehensive review of case accounting and	8/12/2
accepted Cap (\$1 Keywords	Accepted Cap	Cost	Hours	Client Matter	Date

11/23/2009	11/20/2009	11/19/2009			11/18/2009	11/17/2009	11/1/2009	Date
11/23/2009 Amended First Draft of Application. Continued preparation of Exhibit "A" to Application. (LR)	ates	11/19/2009 Reviewed and responded to e-mails from Client. (LR)	legal fees and costs since inception of case. (LR)	Award of Attorney Fees and Other Expenses.  Prepare first draft of Application. Telephone	11/18/2009 Research Code of Federal Regulations and Title 5 U.S.C. as they pertain to filing Application for an	Of the Federal Trade Commission in response to review of message left responding to my call.  Prepared memo to Matthew Van Horn and to file.  (LR)	Van Horn. Review Code of Federal Regulations pertaining to applications for reimbursement of expenses as prevailing par and time-table related thereto. Telephone conference with Office of the Secretary of the Federal Trade Commission.  Telephone conference with Matthew Van Horn.  Telephone conference with Client. (LR)	
1.2 hr.	0.20 hr.	0.20 hr.			4.3 hrs.	0.20 hr.	0.00 III.	Hours
\$132.00	\$22.00	\$22.00			\$473.00	\$22.00	\$00.00	Cost
								Accepted Cap (\$1 Keywords
	Secretarial tasks (filing)	No subject matter	Block billing					l Keywords