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UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

AMERICAN BOOKSELLERS FOUNDATION  
FOR FREE EXPRESSION et al.,

Plaintiffs,

v.

John J. Burns, in his official capacity as  
ATTORNEY GENERAL OF THE STATE OF  
ALASKA,

Defendant.

Civil No. 3:10-cv-00193-RRB

DECLARATION OF THOMAS STENSON

Thomas Stenson declares, under penalty of perjury:

1. I have worked as an attorney for the ACLU of Alaska Foundation since  
September 2008. I have been licensed to practice law in Alaska since May 2008.

I served as co-counsel in the above captioned case throughout its pendency,  
representing the Plaintiffs. I conducted legal research and writing in the matter,  
met telephonically with co-counsel, and participated in tactical and strategic  
planning in the matter.

2. I graduated from the University of Pennsylvania Law School in May 2005.  
After graduation I worked as an assistant defender for the Defender Association of  
Philadelphia, the public defender for the city of Philadelphia from September 2005  
until August 2008.

1           3. I worked a total of seven (7.0) hours on this case for which I am requesting  
2 reimbursement.

3           4. On August 24, 2010, I spent one and a half (1.5) hours conducting research  
4 into legislative history on the challenged bill and its precursor, as well as into  
5 Alaska law on statutory interpretation.

6           5. On January 18, 2011, I spent one and a half (1.5) hours conducting research  
7 in response to the state's cross-motion for summary judgment and motion for  
8 certification of questions to the Alaska Supreme Court. This included research into  
9 the general issue of certification of questions to state supreme courts, as well as  
10 Alaska law and procedures specific to certification of questions of state law to the  
11 Alaska Supreme Court.

12           6. On January 21, 2011, I spent one (1.0) hour researching local rules and  
13 procedure on filing and motions for summary judgment.

14           7. On March 4, 2011, I spent two (2.0) hours researching Alaska and federal  
15 case law relating to mens rea and the inference of a mens rea standard to avoid  
16 constitutional problems in statutory interpretation.

17           8. On March 21, 2011, I spent one (1.0) hour conducting research and  
18 reviewing language for the plaintiffs' reply in support of the motion for summary  
19 judgment.

20           9. I spent many hours beyond the hours recounted here in teleconference with  
21 co-counsel, reading the pleadings in the case, and engaged in other activity in  
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1 support of the litigation. I have omitted these hours from my hours charged and  
2 limited the accounting of hours to those spent in research and writing.

3 10. My hourly rate for this work is \$225.00 per hour. This is a reasonable rate  
4 for an attorney of comparable skills and experience in the community. I was  
5 previously granted attorney's fees at that rate in another matter in Alaska state  
6 court. *Engle v. Municipality of Anchorage*, Case No. 3AN-10-07047CI. I can  
7 provide, upon request, a copy of the court order in that case granting fees at that  
8 hourly rate.  
9

10 11. The total cost of the work for which I am seeking reimbursement would be  
11 \$1,575 (i.e., \$225 x 7.0).  
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13  
14 By my signature below, I declare under penalty of perjury that the foregoing is  
15 true and correct.  
16

17 Executed this 20<sup>th</sup> of July of 2011.  
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20 

21 THOMAS STENSON  
22 AK Bar No. 0808054  
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