

Print Form

Case 2:10-cv-01171-LKK-DAD Document 109 Filed 04/18/13 Page 1 of 2

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Charles C. James

Plaintiff(s)

vs.

Deepak Mehta, et al.

Defendants.

No. 2:10-cv-01171-LKK-DAD

REQUEST FOR AUTHORITY TO INCUR
COSTS (APPOINTED COUNSEL) AND
REQUEST FOR PAYMENT

REQUEST OF PRO BONO FOR PRE-APPROVAL OF EXPENDITURES

Complete this form and return it to the court (with two copies) for approval prior to incurring the cost for which reimbursement is requested.

I, Carter C. White, attorney for plaintiff(s), declare as follows:

I was appointed to represent plaintiff(s) in this action on April 22, 2011, by the Honorable Dale A. Drozd, United States District Judge/Magistrate.

I believe that the following course of action is reasonably necessary to the prosecution of this action:

Defendants have set the deposition of Dr. Loman-Hoerth, an outside medical specialist from the UCSF ALS Clinic in San Francisco who has treated Plaintiff since 2007. Plaintiff has cross-noticed this deposition with the related case James v. Perez, et al., No. 2:08-cv-01857-RRR. Dr. Loman-Hoerth seeks compensation of \$700 per hour for her time spent testifying by deposition. Defendants have asked Plaintiff to pay the doctor's hourly rate for the time she spends answering questions on the related case. This matter is set for hearing on the Plaintiff's Motion to Clarify Deposition Procedures on April 19, 2013, and this request is contingent on the Court's ruling that this treating doctor, who has not been designated as a testifying expert witness by either side, is entitled to compensation in excess of the appearance fee.

(e.g., deposition of _____, defendant herein).

I have made reasonable inquiry and believe that the cost of this course of action will not exceed the amount of \$ 700.

I therefore request that this court authorize the expenditure in an amount not to exceed that stated above for the completion of this contemplated course of action.

REQUEST OF PRO BONO FOR PRE-APPROVAL OF EXPENDITURES - PAGE 2

Case Number: 2:10-cv-01171-LKK-DAD

The following payments of costs have been heretofore approved in this matter:

Amount Approved	Purpose	Amount Paid

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

Signed this 12th day of April, 2013, at Davis, California.

/s/ Carter C. White

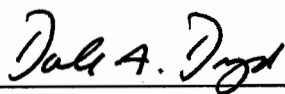
Attorney for Plaintiff(s)

The above expenditure is \$700⁰⁰ Approved _____ Denied

Or,

_____ Good cause appearing therefore, this matter is set for discovery conference, pursuant to rule _____, on _____, at _____, ____M. in Courtroom Number _____.

Dated: 4/30/13



United States District Judge/Magistrate