

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

MILTON SYKES

Plaintiff(s)

vs.

ATHANNASIOUS, et al.,

Defendants.

No. 2:12-cv-2570-TLN-KJN  
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, REBECCA E. IHEJIRIKA, attorney for plaintiff(s), declare as follows:

I was appointed to represent plaintiff(s) in this action on APRIL 24, 2014, by the Honorable KENDALL J. NEWMAN, United States District Judge/Magistrate Judge. I believe that the following course of action is reasonably necessary to the prosecution of this action:

The services of a medical expert to review Plaintiff's medical records are required in order to rebut Defendant's experts, evaluate the level of medical care provided to Plaintiff in the context of applicable industry standards and evaluate Plaintiff's claim of deliberate indifference and medical malpractice, as well as the medical consequences to Plaintiff in the alleged delayed treatment and alleged improperly performed medical services. The amount below is a reasonable estimate of the costs to be incurred based on the referral fee and retainer requested to obtain a review of Plaintiff's medical records and properly advise Plaintiff's counsel. Although, if the expert be required to prepare an expert report, testify at trial, the amount below is not anticipated to cover the costs for such services. Submitted herewith are the expert's Curriculum Vitae, Fee Schedule and Retainer Agreement for the Court's consideration.

Counsel seeking reimbursement must support all claimed expenses by submitting invoices, receipts or similar documentation. Without such documentation, counsel will not be reimbursed.

I have made reasonable inquiry and believe that the cost of this course of action will not exceed the amount of \$ 1,650.00

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.

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**CONTINUATION OF REQUEST EXPLANATION:**

Plaintiff's counsel has diligently sought to retain the services of a medical expert but has been unable to do so without having to utilize the services of a medical experts' referral agency. All agencies requested referral fees.

Of all the referral agencies researched and contacted by Plaintiff's counsel, the one herein presented for the court's approval has been the most reasonable, professional, co-operative and hands-on. This agency has referred an expert whose rate and estimated time is reasonable. This agency has also made possible and encouraged access to the expert, unlike other agencies that required for example, payment of a \$2,000.00 retainer (which included a referral fee) BEFORE providing the expert's information or billing rate.

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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 17th day of AUGUST, 2016, at SACRAMENTO, California.

/s/ Rebecca E. Ihejirika

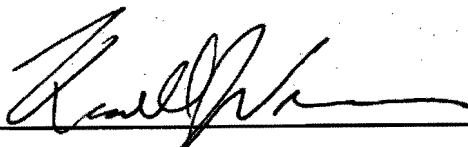
Attorney for Plaintiff(s)

The above expenditure is  Approved  Denied

Or,

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

Dated: \_\_\_\_\_

  
\_\_\_\_\_  
United States District Judge/Magistrate Judge