

**Defendants' Opposition to Plaintiffs' Motion for Attorney Fees**

*Al-Haramain Islamic Found. Oregon et al. v. Obama et al.*  
(07-cv-109-VRW) (3:06-md-1791-VRW)

**Appendix 5**

DUPLICATIVE HOURS BY ATTORNEY

## Appendix 5 - Duplicative Hours by Counsel

The following spreadsheet lists the counsel who worked on an identified project in the case (*e.g.*, complaint, motion) and sets forth a calculation of the combined hours that all counsel worked on the project. This combined duplicative number of hours is then reduced by 25%. Estimates of time devoted to a particular project were made by taking the number of hours in a block entry that identifies the subject area of the project (*e.g.*, complaint) and dividing by the number of subject areas identified in block. More than one discrete activity that relates to work on the same project is treated as one subject area (*e.g.*, research, writing, analysis, review of defendants' motion, and prepare opposition to motion, is treated as one subject area for purposes of this calculation). These estimates for duplicative hours attempt to account for separate reductions made for consultations with co-counsel in Appendix 4 by treating consultations as a separate activity added to the divisor (thus reducing the amount of time attributed to the particular project). For example, an entry indicating that counsel researched and drafted a work product (*e.g.*, complaint) and consulted with co-counsel, for a total of 18 hours, is treated as 9 hours for work on the complaint.

Note: Page references in the chart are to the page numbers indicated in the ECF generated header at the **top** of the declaration cited.

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<b>TASK:</b>	<b>TIMEKEEPER:</b>	<b>DATES:</b>	<b>NO. OF SUBJECT AREAS</b>	<b>HOURS IN BLOCK</b>	<b>HOURS: (Total Hours Claimed / No. of Subjects )</b>	<b>DECL. CITATION:</b>
<b><i>Complaint</i></b>	Albies	2/5/06 - 2/27/06	2	18.3	9.1	Albies Decl. 3:10-11
	Eisenberg	2/27/2006	2	1	0.5	Eisenberg Decl. 5:14-15
	Goldberg	12/16/05-2/28/06	2	12.2	6.1	Goldberg Decl. 5:2
	Hassan	2/19/06-2/28/06	2	10.6	5.3	Hassan Decl. 3:26-27
	Nelson	12/16/05-2/28/06	1	96	96	Nelson Decl. 7:4-10
				<b>TOTAL:</b>	<b>117</b>	
<b><i>Recusal Judge</i></b>	Eisenberg	3/2/06-3/7/06	2	1.7	0.85	Eisenberg Decl.5:16-17
	Goldberg	2/28/06-12/20/06	2	3.4	1.7	Goldberg Decl. 5:5-6
	Nelson	3/1/06-12/20/06	5	65.6	13.12	Nelson Decl. 7:13-19
				<b>TOTAL:</b>	<b>15.67</b>	

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<b><i>Preparation of Discovery; Motion to Compel</i></b>	Albies	3/2/06-4/17/06	5	54.8	10.96	Albies Decl. 3:13-15
	Albies	5/16/06-8/29/06	4	52.5	13.13	Albies Decl. 3:22-24
	Eisenberg	3/18/06-4/14/06	5	26.5	5.3	Eisenberg Decl. 5:20-22
	Eisenberg	5/3/06-5/21/06	2	7.2	3.6	Eisenberg Decl. 5:27-28
	Goldberg	3/17/06-5/25/06	2	11	5.5	Goldberg Decl. 5:21-22
	Goldberg	7/2/06-9/22/06	1	18	18	Goldberg Decl. 6:7-8
	Goldberg	7/1/06-8/29/06	3	23	7.6	Goldberg Decl.6:9-13
	Goldberg	3/14/07-3/27/07	5	17	3.4	Goldberg Decl. 6:24-28
	Hassan	3/17/06-5/25/06	8	21.5	2.7	Hassan Decl. 4:1-4
	Hassan	5/26/06-6/28/06	2	5.4	2.7	Hassan Decl. 4:26-27
	Jaskol	5/17/06-9/14/06	4	7.3	1.8	Jaskol Decl. 5:1-3
	Nelson	3/1/06-12/20/06	5	65.6	13.12	Nelson Decl. 7:13-19

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	Nelson	3/25/06-5/1/06	5	112.1	22.42	Nelson Decl. 8:1-2
	Nelson	5/6/06-9/22/06	13	214.5	16.9	Nelson Decl. 8:3-15
				<b>TOTAL:</b>	<b>127.13</b>	
<b><i>Opposition to Ex Parte Filing by USG</i></b>						
	Albies	4/18/06 - 4/23/06	3	33.5	11.2	Albies Decl. 3:16-18
	Albies	5/16/06-8/29/06	1	1	1	Albies Decl.3:25-26
	Eisenberg	4/18/06-5/22/06	2	70	35	Eisenberg Decl.5:23-24
	Eisenberg	5/25/06-5/26/06	2	1.5	0.75	Eisenberg Decl. 6:1-2
	Goldberg	3/17/06-5/25/06	5	10.9	2.18	Goldberg Decl.5:15-18
	Goldberg	3/17/06-5/25/06	2	15.5	7.75	Goldberg Decl. 5:10-14
	Goldberg	3/17/06-5/25/06	4	34	8.5	Goldberg Decl. 5:7-9
	Hassan	3/17/06-5/25/06	8	21.5	2.7	Hassan Decl. 4:1-4
	Hassan	3/17/06-5/25/06	4	46.1	11.5	Hassan Decl. 4:7-13

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	Jaskol	4/19/06-5/25/06	1	21.5	21.5	Jaskol Decl. 4:25-28
	Nelson	3/25/06-5/1/06	5	112.1	22.42	Nelson Decl. 8:1-2
				<b>TOTAL:</b>	<b>124.5</b>	
<b><i>Plaintiffs Access to Sealed Documents</i></b>						
	Albies	3/2/06-4/17/06	5	54.8	10.96	Albies Decl. 3:13-15
	Albies	3/2/06-4/17/06	4	52.5	13.13	Albies Decl. 3:22-24
	Eisenberg	5/28/06-6/16/06	2	55.7	27.85	Eisenberg Decl. 6:3-5
	Goldberg	3/17/06-5/25/06	4	34	8.5	Goldberg Decl. 5:7-9
	Goldberg	5/28/06-6/7/06	2	18	9	Goldberg Decl. 5:23-26
	Hassan	5/28/06-6/7/06	2	7.1	3.5	Hassan Decl. 4:14-16
	Jaskol	3/17/06-6/19/06	3	32.9	10.9	Jaskol Decl. 4:22-24

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	Nelson	3/1/06-12/20/06	5	65.6	13.12	Nelson Decl. 7:13-19
				<b>TOTAL:</b>	<b>96.96</b>	
<b><i>Oregonian Motion to Unseal</i></b>	Albies	4/18/06-4/23/06	3	33.5	11.2	Albies Decl. 3:16-18
	Goldberg	3/17/06-5/25/06	2	15.5	7.75	Goldberg Decl. 5:10-14
	Goldberg	3/17/06-5/25/06	5	10.9	2.18	Goldberg Decl.5:15-18
	Hassan	3/17/06-5/25/06	4	46.1	11.5	Hassan Decl. 4:7-13
	Nelson	3/1/06-12/20/06	5	65.6	13.12	Nelson Decl. 7:13-19
	Nelson	5/6/06-9/22/06	13	214.5	16.9	Nelson Decl. 8:3-15
				<b>TOTAL:</b>	<b>62.65</b>	

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<b><i>Opposition to 2006 Motion to Dismiss</i></b>	Albies	5/16/06-8/29/06	4	52.5	13.13	Albies Decl. 3:22-24
	Eisenberg	6/12/06-7/4/06	2	66.5	33.25	Eisenberg Decl. 6:6-7
	Eisenberg	8/17/06-8/29/06	1	41.6	41.6	Eisenberg Decl. 6:15-16
	Goldberg	7/1/06-8/29/06	3	23	7.6	Goldberg Decl.6:9-13
	Hassan	7/1/06-8/29/06	4	21	5.25	Hassan Decl. 4:22-25
	Jaskol	6/6/09-9/7/06	3	26.3	8.76	Jaskol Decl. 5:10-13
				<b>TOTAL:</b>	<b>109.59</b>	
<b><i>Opposition to MDL Transfer</i></b>	Eisenberg	6/20/06-6/27/06	2	45.7	22.85	Eisenberg Decl.6:8-9
	Eisenberg	9/12/06-9/25/06	1	20.8	20.8	Eisenberg Decl. 6:22
	Eisenberg	10/24/06-10/26/06	1	10.1	10.1	Eisenberg Decl. 6:25
	Eisenberg	11/8/06-11/9/06	1	5.7	5.7	Eisenberg Decl.7:4-5
	Goldberg	6/21/06-10/28/06	2	22.5	11.25	Goldberg Decl. 6:1-3



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	Hassan	6/22/06-9/18/06	1	13.4	13.4	Hassan Decl. 4:17-21
	Jaskol	6/2/06-9/5/06	4	9.9	2.5	Jaskol Decl. 5:5-8
	Jaskol	9/21/06-11/9/06	1	13.4	13.4	Jaskol Decl. 5:20-22
	Nelson	5/6/06-9/22/06	13	214.5	16.9	Nelson Decl. 8:3-15
				<b>TOTAL:</b>	<b>116.9</b>	
<b><i>Preparation Plaintiffs 2006 Partial Summary Judgment</i></b>						
	Albies	10/23/2006-11/1/06	2	30.5	15.25	Albies Decl.4:6-8
	Eisenberg	8/30/06-10/31/06	2	71.2	35.6	Eisenberg Decl. 6:20-21
	Goldberg	10/23/06-11/1/06	2	22	11	Goldberg Decl. 6:14-19
	Hancock	11/1/06-11/27/06	5	5.7	1.14	Hancock Decl. 4:6-7
	Hassan	9/7/06-11/1/06	5	18.6	3.72	Hassan Decl. 5:1-6

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	Jaskol	10/23/06-10/27/06	2	5.6	2.8	Jaskol Decl. 5:23-25
				<b>TOTAL:</b>	<b>69.51</b>	
<b><i>Opposition to Petition for Interlocutory Review &amp; Stay Pending Appeal</i></b>						
	Albies	8/18/06-9/25/06	2	5.6	2.8	Albies Decl.4:1-3
	Albies	9/25/06-10/24/06	2	27.9	13.95	Albies Decl.4:4-5
	Eisenberg	8/10/06-8/15/06	2	5	2.5	Eisenberg Decl. 6:12-14
	Eisenberg	9/20/06-11/1/06	2	44.3	22.15	Eisenberg Decl. 6:23-24
	Eisenberg	2/1/07-2/19/07	3	21.3	7.1	Eisenberg Decl. 7:26-27
	Eisenberg	3/26/07-3/28/07	1	23	23	Eisenberg Decl. 8:6-7
	Eisenberg	4/5/07-4/6/07	1	1	5.2	Eisenberg Decl. 8:8-9
	Goldberg	3/14/07-3/27/07	5	17	3.4	Goldberg Decl. 6:24-28
	Hancock	2/05/07-2/20/07	2	4.5	2.25	Hancock Decl. 4:10-11
	Hassan	9/7/06-11/17/06	2	12.7	6.35	Hassan Decl. 5:7-9

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	Hassan	11/17/06-3/22/07	8	12.3	1.54	Hassan Decl. 5:11-15
	Hassan	3/24/07-4/12/07	2	3.9	1.95	Hassan Decl. 5:16-19
	Jaskol	9/20/06-9/29/06	2	11.2	5.8	Jaskol Decl. 5:17-19
	Jaskol	10/24/06-11/1/06	1	3.6	3.6	Jaskol Decl. 5:26-27
	Nelson	5/6/06-9/22/06	13	214.5	16.9	Nelcon Decl. 8:3-15
				<b>TOTAL:</b>	<b>118.49</b>	
<b><i>Work on Merits of 2006 Appeal</i></b>	Albies	5/31/07-8/28/07	2	31.5	15.75	Albies Decl.4:14-16
	Eisenberg	3/26/07-4/26/07	1	22.7	22.7	Eisenberg Decl. 8:4-5
	Eisenberg	4/17/07-4/20/07	2	12	6	Eisenberg Decl. 8:10-11
	Eisenberg	4/27/07-7/5/07	2	177.1	88.5	Eisenberg Decl. 8:12-13
	Eisenberg	6/15/07-6/26/07	1	9.8	9.8	Eisenberg Decl. 8:14-15
	Eisenberg	7/2/07-8/16/07	1	121.1	121.1	Eisenberg Decl. 8:16-18
	Eisenberg	7/21/07-7/25/07	1	7.4	7.4	Eisenberg Decl. 8:19
	Eisenberg	8/4/07-8/6/07	1	6.5	6.5	Eisenberg Decl. 8:20

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	Eisenberg	8/17/07-8/31/07	1	33.9	33.9	Eisenberg Decl. 8:21-22
	Eisenberg	8/16/07-8/31/07	1	6.6	6.6	Eisenberg Decl. 8:23-24
	Eisenberg	11/16/07-11/26/07	1	13.2	13.2	Eisenberg Decl. 8:28-9:1
	Goldberg	5/31/07-8/28/07	2	80.8	40.4	Goldberg Decl. 7:1-10
	Hancock	5/1/07-6/30/07	1	12.6	12.6	Hancock Decl. 4:14-16
	Hancock	7/1/07-9/30/07	1	41	41	Hancock Decl. 4:17-19
	Hancock	3/13/07-4/30/07	4	7.3	1.8	Hancock Decl. 4:12-13
	Hancock	10/1/07-12/31/07	1	4.3	4.3	Hancock Decl. 4:20-21
	Hassan	5/31/07-8/31/07	2	46.8	23.4	Hassan Decl. 5:20-28
	Jaskol	6/10/07-8/30/07	1	29	29	Jaskol Decl. 6:11-16
	Nelson	1/1/07-6/29/07	7	152.7	21.8	Nelson Decl. 9:1-9
	Nelson	7/1/07-12/14/07	6	48.1	8	Nelson Decl. 9:10-18
				<b>TOTAL:</b>	<b>513.75</b>	

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<b><i>Plaintiffs 2007 Partial Summary Judgment</i></b>	Eisenberg	3/12/07-3/23/07	2	30.2	15.1	Eisenberg Decl.8:2-3
	Eisenberg	12/28/07-2/5/08	2	71.5	35.75	Eisenberg Decl. 9:4-5
	Hancock	3/13/07-4/30/07	4	7.3	1.8	Hancock Decl. 4:12-13
				<b>TOTAL:</b>	<b>52.65</b>	
<b><i>Opposition to USG Second Motion to Dismiss</i></b>	Albies	3/15/08-4/23/08	2	12.3	6.15	Albies Decl.4:20-22
	Eisenberg	2/11/08-3/31/08	1	87.5	87.5	Eisenberg Decl. 9:8-9
	Eisenberg	4/9/08-4/14/08	1	19.1	19.1	Eisenberg Decl. 9:10-11

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	Eisenberg	4/15/08-4/24/08	1	29	29	Eisenberg Decl. 9:13-14
	Goldberg	2/7/08-4/23/08	2	83.3	41.65	Goldberg Decl. 7:16-22
	Hancock	1/1/08-5/31/08	4	14.3	3.57	Hancock Decl.3: 22-24
	Hassan	1/30/08-7/3/08	4	15.8	3.95	Hassan Decl. 6:4-10
	Jaskol	3/16/08-7/2/08	2	19.3	9.65	Jaskol Decl. 6:19-23
	Nelson	2/3/08-7/2/08	8	11.7	1.5	Nelson Decl. 9:19-24
				<b>TOTAL:</b>	<b>202.07</b>	
<b><i>Plaintiffs Amended Complaint</i></b>						
	Albies	7/3/08-7/21/08	3	3.6	1.2	Albies Decl.3:23-24
	Eisenberg	7/4/08-7/29/08	2	72.9	36.45	Eisenberg Decl. 9:17-18
	Goldberg	7/2/08-9/15/08	4	34.8	8.7	Goldberg Decl. 7:23-27

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	Hancock	6/1/08-7/31/08	3	27.6	9.2	Hancock Decl. 4:25-27
	Hassan	11/17/06-3/22/07	8	12.3	1.54	Hassan Decl. 5:11-15
	Hassan	7/2/08-9/15/08	6	12.3	2.05	Hassan Decl. 6:11-15
	Jaskol	7/6/08-7/24/08	2	11.1	5.5	Jaskol Decl. 6:24-26
	Nelson	1/1/07-6/29/07	7	152.7	21.8	Nelson Decl. 9:1-9
	Nelson	7/3/08-12/15/08	3	22.3	7.4	Nelson Decl. 10:3-10
	Nelson	1/09-present	11	113	10.27	Nelson Decl. 10:12-24
				<b>TOTAL:</b>	<b>104.11</b>	

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<i>Opposition to Third USG Motion to Dismiss</i>	Albies	10/7/08-12/18/08	3	18.1	6	Albies Decl. 4:25-28
	Eisenberg	11/16/08-12/9/08	3	27.1	9	Eisenberg Decl. 9:27-28
	Eisenberg	9/30/08-10/23/08	2	90.6	45.3	Eisenberg Decl. 9:23-24
	Goldberg	9/24/08-12/2/08	3	43.7	14.56	Goldberg Decl.8:1-4
	Hancock	8/1/08-12/31/08	6	17.6	2.9	Hancock Decl. 5:1-5
	Hassan	9/4/08-12/2/08	4	16	4	Hassan Decl. 6:16-20
	Jaskol	10/3/08-1/7/09	2	8.1	4.05	Jaskol Decl. 7:8-10
	Nelson	2/3/08-7/2/08	8	11.7	1.5	Nelson Decl. 9:19-24
				<b>TOTAL:</b>	<b>87.31</b>	



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<b>Work on Plaintiffs 1806(f) Motion</b>	Albies	10/7/08-12/18/08	3	18.1	6	Albies Decl. 4:25-28
	Eisenberg	8/26/08-9/30/08	2	70.7	35.35	Eisenberg Decl. 9:21-22
	Eisenberg	10/23/08-11/14/08	2	51	25.5	Eisenberg Decl. 9:25-26
	Goldberg	11/18/07-1/29/08	4	12.4	3.1	Goldberg Decl. 7:12-15
	Goldberg	9/24/08-12/2/08	3	43.7	14.56	Goldberg Decl.8:1-4
	Hancock	8/1/08-12/31/08	6	17.6	2.9	Hancock Decl. 5:1-5
	Hassan	9/1/07-1/29/08	4	26.2	6.55	Hassan Decl. 6:1-3
	Hassan	9/4/08-12/2/08	4	16	4	Hassan Decl. 6:16-20
	Jaskol	9/4/08-11/3/08	2	3.1	1.55	Jaskol Decl. 7:5-6
	Nelson	2/3/08-7/2/08	8	11.7	1.5	Nelson Decl. 9:19-24
	Nelson	7/3/08-12/15/08	3	22.3	7.4	Nelson Decl.10:3-10

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<b>TASK:</b>	<b>TIMEKEEPER:</b>	<b>DATES:</b>	<b>NO. OF SUBJECT AREAS</b>	<b>HOURS IN BLOCK</b>	<b>HOURS: (Total Hours Claimed / No. of Subjects )</b>	<b>DECL. CITATION:</b>
				<b>TOTAL:</b>	<b>108.41</b>	
<b><i>Work on USG Appeal in Jan. 2009 1292(b), Stay Pending Appeal, Ninth Circuit Work</i></b>	Eisenberg	1/17/09-2/23/09	2	53.5	26.75	Eisenberg Decl. 10:7-8
	Eisenberg	1/26/09-2/6/09	2	32.5	16.25	Eisenberg Decl. 10:9-10
	Eisenberg	2/12/09-2/13/09	2	11.6	5.8	Eisenberg Decl. 10:13-15
	Eisenberg	2/23/09-2/26/09	1	17.5	17.5	Eisenberg Decl. 10:16-17
	Eisenberg	2/27/2009	1	1	1	Eisenberg Decl. 10:18-19
	Goldberg	1/28/09-2/25/09	2	21.4	10.7	Goldberg Decl. 8:12-15
	Hancock	1/1/09-3/31/09	1	10.7	10.7	Hancock Decl. 5:6-8
	Jaskol	1/17/09-2/26/09	2	4.6	2.3	Jaskol Decl. 7:11-13

*Al- Haramain Islamic Foundation*

v.

*Obama*

*Duplicative Hours*

<b>TASK:</b>	<b>TIMEKEEPER:</b>	<b>DATES:</b>	<b>NO. OF SUBJECT AREAS</b>	<b>HOURS IN BLOCK</b>	<b>HOURS: (Total Hours Claimed / No. of Subjects )</b>	<b>DECL. CITATION:</b>
	Nelson	1/09-present	11	113	10.27	Nelson Decl. 10:12-24
				<b>TOTAL:</b>	<b>101.27</b>	
<b>Work Proposed Protective Order</b>	Eisenberg	4/20/09-5/15/09	2	29.4	14.7	Eisenberg Decl. 11:2-4
	Goldberg	3/2/09-6/3/09	4	32.4	8.1	Goldberg Decl. 8:16-23
	Jaskol	4/21/09-4/23/09	1	3	3	Jaskol Decl. 7:17
	Jaskol	5/15/2009	1	1	1.7	Jaskol Decl. 7:18-20
	Nelson	1/09-present	11	113	10.27	Nelson Decl. 10:12-24
				<b>TOTAL:</b>	<b>37.77</b>	

*Al- Haramain Islamic Foundation*

v.

*Obama*

*Duplicative Hours*

<b>TASK:</b>	<b>TIMEKEEPER:</b>	<b>DATES:</b>	<b>NO. OF SUBJECT AREAS</b>	<b>HOURS IN BLOCK</b>	<b>HOURS: (Total Hours Claimed / No. of Subjects )</b>	<b>DECL. CITATION:</b>
<i>Work on Order to Show Cause re: Protective Order Sanctions</i>	Albies	1/5/09-6/5/09	6	33.2	5.5	Albies Decl. 5:1-5
	Eisenberg	5/25/09-5/31/09	2	39.7	19.85	Eisenberg Decl. 11: 7-10
	Eisenberg	6/1/09-6/3/09	1	15.9	15.9	Eisenberg Decl. 11:11-12
	Goldberg	3/2/09-6/3/09	4	32.4	8.1	Goldberg Decl. 8:16-23
	Hancock	4/1/09-6/30/09	5	30.9	6.2	Hancock Decl. 4:9-15
	Nelson	1/09-present	11	113	10.27	Nelson Decl. 10:12-24
				<b>TOTAL:</b>	<b>65.82</b>	

*Al- Haramain Islamic Foundation*

v.

*Obama*

*Duplicative Hours*

<b>TASK:</b>	<b>TIMEKEEPER:</b>	<b>DATES:</b>	<b>NO. OF SUBJECT AREAS</b>	<b>HOURS IN BLOCK</b>	<b>HOURS: (Total Hours Claimed / No. of Subjects )</b>	<b>DECL. CITATION:</b>
<b>Work on Plaintiffs 2009 Partial Summary Judgment Motion</b>	Albies	6/11/09-9/23/09	2	21.5	10.75	Albies Decl. 4:6-10
	Eisenberg	6/4/09-7/9/09	2	63.9	31.95	Eisenberg Decl. 10:13-14
	Eisenberg	7/13/09-9/9/09	2	82.2	41.1	Eisenberg Decl. 10:16-18
	Eisenberg	7/10/09-7/12/09	1	7	7	Eisenberg Decl. 11:15
	Eisenberg	9/17/09-9/23/09	1	23.5	23.5	Eisenberg Decl. 11:25-26
	Goldberg	6/16/09-9/23/09	3	35.8	11.9	Goldberg Decl. 8:25-28
	Hancock	7/1/09-12/31/09	3	6.8	2.26	Hancock Decl. 4:16-18
	Hassan	5/27/09-3/30/10	2	10.4	5.2	Hassan Decl. 6:23-27
	Jaskol	5/27/09-4/13/10	2	14	7	Jaskol Decl. 7:23-25
	Nelson	1/09-present	11	113	10.27	Nelson Decl. 10:12-24
					<b>TOTAL:</b>	<b>150.93</b>

*Al- Haramain Islamic Foundation*

v.

*Obama*

*Duplicative Hours*

<b>TASK:</b>	<b>TIMEKEEPER:</b>	<b>DATES:</b>	<b>NO. OF SUBJECT AREAS</b>	<b>HOURS IN BLOCK</b>	<b>HOURS: (Total Hours Claimed / No. of Subjects )</b>	<b>DECL. CITATION:</b>
<b>SUMMARY</b>						
<b>Timekeeper:</b>	<b>2006 / (25%)</b>	<b>2007 / (25%)</b>	<b>2008 / (25%)</b>	<b>2009 / (25%)</b>	<b>2010</b>	<b>TOTAL</b>
Albies	141.56 / (35.4)	x	19.35 / (4.83)	16.25 / (4.1)	x	177.16 / (44.33)
Eisenberg	262.6/ (65.65)	366.1 / (91.52)	341.05 / (85.26)	190.8 / (47.7)	x	1160.55 / (290.13)
Goldberg	114.61 / (28.65)	43.8 / (10.95)	82.57 / (20.64)	38.8 / (9.7)	x	279.78 / (69.94)
Hancock	1.14 /(.28)	63.75 / (15.93)	18.57 / (4.64)	19.16 / (4.79)	x	102.62 / (25.64)
Hassan	62.27 / (15.57)	28.43 / (7.1)	20.55 / (5.13)	5.2 / (1.3)	x	116.45 / (29.1)
Jaskol	71.06 / (17.76)	29 / (7.25)	20.75 / (5.16)	14 / (3.5)	x	134.81 / (33.67)
Nelson	260.92 / (65.23)	51.6 / (12.5)	19.3 / (4.82)	51.35 / (12.83)	x	383.17 / (95.38)
<b>TOTAL:</b>	<b>914.16 / (228.54)</b>	<b>582.68 / (145.25)</b>	<b>522.14 / (130.48)</b>	<b>335.56 / (83.92)</b>	<b>x</b>	<b>2354.54 / (588.19)</b>

**Defendants' Opposition to Plaintiffs' Motion for Attorney Fees**

*Al-Haramain Islamic Found. Oregon et al. v. Obama et al.*  
(07-cv-109-VRW) (3:06-md-1791-VRW)

HEARING ATTENDANCE

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

AL-HARAMAIN ISLAMIC FOUNDATION, )  
INC., et al. )  
 )  
Plaintiffs, ) CV No. 06-274-KI  
 )  
vs. ) April 25, 2006  
 )  
GEORGE W. BUSH, et al, ) Portland, Oregon  
 )  
Defendants. )

TRANSCRIPT OF TELEPHONIC CONFERENCE PROCEEDINGS

BEFORE THE HONORABLE GARR M. KING  
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

FOR THE PLAINTIFFS: J. Ashlee Albise  
Zaha S. Hassan  
Thomas H. Nelson  
Steven Goldberg  
Lisa R. Jaskol  
  
FOR THE DEFENDANTS: Anthony J. Coppolino  
Andrea Marie Gacki  
James L. Sutherland  
  
FOR OREGON PUBLISHING: Charles F. Hinkle  
  
COURT REPORTER: Dennis R. Grube  
1000 S.W. Third Ave, Rm. 301  
Portland, OR 97204  
(503) 326-8180



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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

AL-HARAMAIN ISLAMIC FOUNDATION,	)	
INC., an Oregon nonprofit	)	
corporation, et al.,	)	
	)	
Plaintiffs,	)	No. CV-06-274-KI
	)	
vs.	)	June 19, 2006
	)	
GEORGE W. BUSH, President of the	)	Portland, Oregon
United States, et al.,	)	
	)	
Defendants.	)	

-----

TELEPHONE CONFERENCE  
TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE GARR M. KING  
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES

FOR THE PLAINTIFFS:	Steven Goldberg
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	Portland, OR 97205
	Jon B. Eisenberg
	Attorney at Law
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	Oakland, CA 94612
	Jessica Ashlee Albies
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	Portland, OR 97205

1 FOR THE PLAINTIFFS: Zaha S. Hassan  
2 Thomas H. Nelson & Associates  
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4 Lisa R. Jaskol  
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9 Room 7334  
Washington, DC 20001

10 Andrew H. Tannenbaum  
11 U.S. Department of Justice  
20 Massachusetts Avenue, NW  
12 P. O. Box 883  
Washington, DC 20044

13 James L. Sutherland  
14 Assistant United States Attorney  
U.S. Attorney's Office  
15 1000 S.W. Third Avenue  
Suite 600  
16 Portland, OR 97204

17 Carl Nichols

18 COURT REPORTER: Nancy M. Walker, CSR, RMR, CRR  
19 United States District Courthouse  
1000 S. W. Third Avenue, Room 301  
20 Portland, OR 97204  
(503) 326-8186

21 Proceedings recorded stenographically,  
22 computer-aided transcription  
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1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF OREGON  
3 AL-HARAMAIN ISLAMIC FOUNDATION,    )  
4 INC., an Oregon nonprofit            )  
corporation, et al.,                    )  
5                   Plaintiffs,                                    )  
6                   vs.    )  
7 GEORGE W. BUSH, President of the    )  
8 United States, et al.,                 )  
9                   Defendants.                                        )  
-----

No. CV-06-274-KI  
June 27, 2006  
Portland, Oregon

10

11

TELEPHONE CONFERENCE

12

TRANSCRIPT OF PROCEEDINGS

13

BEFORE THE HONORABLE GARR M. KING

14

UNITED STATES DISTRICT COURT JUDGE

15

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APPEARANCES

17

FOR THE PLAINTIFFS: Steven Goldberg  
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19

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Jon B. Eisenberg  
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Jessica Ashlee Albies  
Law Office of J. Ashlee Albies  
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Suite 621  
Portland, OR 97205

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25

♀

1 FOR THE PLAINTIFFS: Thomas H. Nelson  
Zaha S. Hassan  
Page 1

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5 Lisa R. Jaskol  
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6 15760 Ventura Boulevard  
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8 FOR THE DEFENDANTS: Anthony J. Coppolino  
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9 20 Massachusetts Avenue, NW  
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10 Washington, DC 20530

11 Andrea Marie Gacki  
U.S. Department of Justice  
12 20 Massachusetts Avenue, NW  
Room 7334  
13 Washington, DC 20001

14 Andrew H. Tannenbaum  
U.S. Department of Justice  
15 20 Massachusetts Avenue, NW  
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16 Washington, DC 20044

17 James L. Sutherland  
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18 U.S. Attorney's Office  
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19 Suite 600  
Portland, OR 97204

20 COURT REPORTER: Nancy M. Walker, CSR, RMR, CRR  
United States District Courthouse  
21 1000 S. W. Third Avenue, Room 301  
Portland, OR 97204  
22 (503) 326-8186

23 Proceedings recorded stenographically,  
24 computer-aided transcription

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♀

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1 P R O C E E D I N G S  
2 THE CLERK: Good afternoon, Counsel.  
3 Mr. Sutherland?  
4 MR. SUTHERLAND: Yes.  
5 THE CLERK: Mr. Nelson?

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

AL-HARAMAIN ISLAMIC FOUNDATION,	)	
INC., an Oregon nonprofit	)	
corporation, et al.,	)	
	)	
Plaintiffs,	)	No. CV-06-274-KI
	)	
vs.	)	August 29, 2006
	)	
GEORGE W. BUSH, President of the	)	Portland, Oregon
United States, et al.,	)	
	)	
Defendants.	)	

-----

MOTION HEARING

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE GARR M. KING  
UNITED STATES DISTRICT COURT JUDGE

## APPEARANCES

FOR THE PLAINTIFFS:

Steven Goldberg  
Attorney at Law  
621 S. W. Morrison  
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FOR THE DEFENDANTS:

Anthony J. Coppolino  
U.S. Department of Justice  
20 Massachusetts Avenue, NW  
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COURT REPORTER: Nancy M. Walker, CSR, RMR, CRR  
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Proceedings recorded stenographically,  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

AL-HARAMAIN ISLAMIC FOUNDATION, )  
INC., an Oregon nonprofit )  
corporation, et al., )  
  
Plaintiffs, ) No. CV-06-274-KI  
  
v ) November 1, 2006  
  
GEORGE W. BUSH, President of the ) Portland, Oregon  
United States, et al., )  
  
Defendants, )  
  
\_\_\_\_\_ )

**TRANSCRIPT OF PROCEEDINGS**

BEFORE THE HONORABLE GARR M. KING,  
UNITED STATES DISTRICT COURT JUDGE

**APPEARANCES**

FOR THE PLAINTIFFS: Steven Goldberg  
Attorney at Law  
621 SW Morrison, Suite 1450  
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1 FOR THE PLAINTIFFS: Zaha S. Hassan  
2 Thomas H. Nelson & Associates  
3 825 NE Multnomah St. Suite 925  
4 Portland, OR 97232

5 Lisa R. Jaskol  
6 Attorney at Law  
7 15760 Ventura Blvd, 18th Floor  
8 Encino, CA 91436

9 FOR THE DEFENDANTS: Andrea Marie Gacki  
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12 Washington, DC 20001

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16 PO Box 883  
17 Washington, DC 20044

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20 20 Massachusetts Ave, NW Room 6102  
21 Washington, DC 20530

22 James L. Sutherland  
23 Assistant US Attorney  
24 US Attorney's Office  
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Portland, OR 97204

\* \* \* \* \*

23 **KAREN M. EICHHORN, CSR, CM**  
24 Certified Shorthand Reporter  
25 8502 SW 43rd Ave.  
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503-936-4805

Karen M. Eichhorn, CSR, CM



Bar

Transcript 120208 PM AHIF  
20 Massachusetts Avenue, NW  
Washington, DC 20530

By: Anthony Coppolino, Esquire  
Carl J. Nichols, Esquire  
Alex Haas, Esquire  
Tim

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1 Tuesday, December 2, 2008 2:00 p.m.

2 P R O C E E D I N G S

3 THE CLERK: Calling MDL 06-1791, In re: NSA  
4 Telecommunications Records Litigation.

5 This hearing this afternoon is related to case No.  
6 07-0109, Al-Haramain Foundation versus George Bush, et al.

7 Appearances, Counsel.

8 MR. EISENBERG: Jon B. Eisenberg.  
Page 2

Volume 1

Pages 1 - 42

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE VAUGHN R. WALKER

In Re National Security Agency	)	MDL 06-1791-VRW
Telecommunications Records	)	
Litigation	)	
Al-Haramain Islamic Foundation,	)	
Inc., et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	NO. C 07-0109-VRW
	)	
George W. Bush, et al.,	)	
	)	San Francisco, California
Defendants.	)	Friday
	)	January 23, 2009
	)	10:30 a.m.

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Plaintiffs	Eisenberg & Hancock
Al-Haramain Islamic	1970 Broadway, Suite 1200
Foundation, Inc.;	Oakland, CA 94612
Asim Ghafoor;	(510) 452-2581
Wendell Belew:	(510) 452-3277 (fax)
	BY: JON B. EISENBEG
	WILLIAM N. HANCOCK

For Plaintiffs:	Steven Goldberg
Al-Haramain Islamic	Attorney at Law
Foundation, Inc.;	River Park Center, Suite 300
Asim Ghafoor;	205 SE Spokane Street
Wendell Belew:	Portland, OR 97202
	BY: STEVEN GOLDBERG

(Appearances Continued On Next Page)

Reported By: Lydia Zinn, CSR #9223, RPR  
Official Reporter - U.S. District Court

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APPEARANCES (CONT'D)

**For MDL Plaintiffs:** Electronic Frontier Foundation  
454 Shotwell Street  
San Francisco, CA 94110  
(415) 436-9333 x 108

**BY: CINDY ANN COHN**

**For Defendants** U.S. Department of Justice  
**FBI; NSA; OFAC;** Civil Division  
**President Barack Obama;** 20 Massachusetts Ave., N.W., Room 6102  
**Keith B. Alexander;** Washington, D.C. 20530  
**Robert S. Mueller,** (202) 514-4652  
**III; Adam Szubin;** Washington, D.C. 20530  
**Alexander K. Haas:** **BY: ANTHONY JOSPEH COPPOLINO**

**For Defendants** U.S. Department of Justice  
**FBI; NSA; OFAC;** Federal Programs Branch  
**President Barack Obama;** 20 Massachusetts Avenue, N.W.  
**Keith B. Alexander;** Washington, D.C. 20001  
**Robert S. Mueller,** (202) 307-3937  
**Adam Szubin:** **BY: ALEXANDER KENNETH HAAS**

**For Defendant** National Security Agency  
**National Security** Fort George G. Meade MD 20755  
**Agency:** **BY: TIMOTHY STINSON**

United States District Court

Northern District of California

Before The Honorable Vaughn R. Walker

In re: National Security )  
Agency Telecommunications )  
Records Litigation, )  
 )  
 )  
 )  
 )  
 )

No. C06-1791 VRW

San Francisco, California  
Wednesday, June 3, 2009

Reporter's Transcript Of Proceedings

Appearances:

For Plaintiff: Eisenberg And Hancock, LLP  
1970 Broadway, Suite 1200  
Oakland, California 94612  
By: Jon B. Eisenberg, Esquire  
William Hancock, Esquire

Steenson Schumann Tewksbury  
Creighton and Rose, PC  
500 Yamhill Plaza  
815 S.W. Second Avenue  
Portland, Oregon 97204  
By: J. Ashlee Albies, Esquire

Also Present:  
at Plaintiff  
Counsel Table: Alan Kabot  
(Interested Party)

(Appearances continued on next page.)

Reported By: Sahar McVickar, RPR, CSR No. 12963  
Official Reporter, U.S. District Court  
For the Northern District of California

(Computerized Transcription By Eclipse)

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Appearances, continued:

For Plaintiff:                   Law Office of Steven Goldberg  
   205 S.E. Spokane Street, Suite 300  
   Portland, Oregon 97202  
   By: **Steven Goldberg, Esquire**  
   (Telephonically)

  Thomas H. Nelson & Associates  
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   Welches, Oregon 97067  
   By: **Thomas H. Nelson, Esquire**

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   Washington, DC 20530  
   By: **Anthony Joseph Coppolino, Esquire**

  Office of the General Counsel  
   National Security Agency  
   9800 Savage Road  
   Ft. George Meade, Maryland 20755  
   By: **Timothy Stinson, Esquire**

---o0o---

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE VAUGHN R. WALKER, JUDGE

AL-HARAMAIN ISLAMIC )  
FOUNDATION, ET AL., )  
 )  
 PLAINTIFFS, )  
 )  
 VS. )  
 )  
 GEORGE W. BUSH, ET AL., )  
 )  
 DEFENDANTS. )  
 )

NO. C 07-109 VRW

SAN FRANCISCO, CALIFORNIA  
WEDNESDAY, SEPTEMBER 23, 2009

TRANSCRIPT OF PROCEEDINGS

APPEARANCES :

FOR PLAINTIFF:

EISENBERG & HANCOCK  
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BY: JON B. EISENBERG  
THOMAS HANCOCK  
ATTORNEYS AT LAW

STEVEN GOLDBERG  
ATTORNEY AT LAW  
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PORTLAND, OREGON 97202

(APPEARANCES CONTINUED ON FOLLOWING PAGE)

REPORTED BY:

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