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 25 Fax: (925) 820-6034  
 26 (designated local counsel)

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 28 IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

29 FAITH CENTER CHURCH  
 30 EVANGELISTIC MINISTRIES, et al.,

31 Plaintiffs,

32 v.

33 FEDERAL D. GLOVER, et al.,

34 Defendants.

CASE NO. C-04-3111 JSW

**DECLARATION AND ITEMIZED  
 STATEMENT OF TERRY L. THOMPSON  
 IN SUPPORT OF PLAINTIFFS' MOTION  
 FOR ATTORNEYS' FEES AND  
 NONTAXABLE EXPENSES**

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 38 DECL. & ITEM. STATEMENT OF TLT IN SUPP. OF  
 PLS.' MOT. FOR ATT'Y FEES & NONTAXABLE EXPENSES – 1  
 CASE NO. C-04-3111 JSW

1           1.       This declaration is filed to demonstrate the reasonableness of the attorney fee  
2 rates requested, and the reasonableness of the total hours incurred in this case as itemized in the  
3 declarations of myself and the other attorneys and support staff who assisted in this case.

4           2.       I graduated from John F. Kennedy University School of Law in 1998 and am  
5 admitted to practice in all California State Courts and in The United States District Court,  
6 Northern District of California.

7           3.       I have practiced law for six years as a solo practitioner, specializing in First  
8 Amendment Rights, Business Law and Estate planning. I am also an “Allied Attorney” with  
9 the Alliance Defense Fund (“ADF”), a non-profit public interest law firm. I have worked with  
10 ADF since mid 2003, primarily on a pro bono basis. The main focus of my law practice is in  
11 the area of constitutional litigation, including freedom of speech and freedom of religion.  
12

13           4.       I am in good standing with the California and federal bars, and there have been  
14 no disciplinary actions of any sort alleged or pending against me in any court or bar in which I  
15 have practiced. I have never been held in contempt of court, censured, disbarred, or suspended  
16 by any court.  
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18           5.       My billing rate of \$200.00 per hour is a reasonable rate for solo practitioner  
19 attorneys with similar skills and experience in constitutional litigation who practice in Contra  
20 Costa County and in the San Francisco area.

21           6.       I have reviewed the experience of the attorneys and support staff involved in this  
22 case, as represented in their supporting declarations. An hourly rate of \$280.00 for Mr.  
23 McCaleb, \$190.00 for Mr. Carden, and \$190.00 for Ms. Murray is reasonable for attorneys of  
24 comparable experience and skill in the San Francisco legal market. An hourly rate of \$75.00  
25 for their paralegal, Ms. Magnaghi, and \$45.00 for their legal assistants, Ms. Farney and Mr.  
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1 Adams, are reasonable for support staff of comparable experience and skill in the San  
2 Francisco legal market.

3 7. I have reviewed the itemized statements of each attorney named in paragraph 6  
4 above and am familiar with the case's procedural history. In light of this review, the time  
5 expended by the attorneys in this case was reasonable for the type of work involved.

6 8. The billable time incurred by me in litigating this case, after exercising billing  
7 judgment and omitting non-billable hours, is 9.8 hours. At a billing rate of \$200.00 per hour,  
8 this results in an amount of \$1,960.00.

9 9. The following is an itemized statement of the services that I rendered in this case  
10 and the time that I spent performing the services. The itemized statement is based on  
11 contemporaneous time records that I kept as I did the work, using a time keeping database  
12 and/or written records.  
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<b>Attorney Terry L. Thompson (Through May 23, 2005)</b>				
<b>Date</b>	<b>Task</b>	<b>Hours</b>	<b>Adjusted</b>	<b>Notes</b>
7/29/2004	Preparation for filing complaint and obtaining summons on following day.	1.0	1.0	
7/30/2004	Final preparation and assembly of documents for filing. File complaint and obtain summons in federal Court. Hire process server to serve summons.	6.5	4.5	Adjusted to exclude driving time.
8/2/2004	Prepare and send address list/proof of service of summons and declination of magistrate forms; UPS copy to J. Carden.	2.0	2.0	
8/19/2004	Review Bob Leach information on Contra Costa Library Policies and Usage	0.5	0.5	
1/13/2005	Call Bob Leach and discuss his affidavit regarding research on library room usage.	0.5	0.5	

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1	1/14/2005	Brief E. Murray on Bob Leach's affidavit regarding his research on Library Policies and usage.	0.3	0.3	
2	5/13/2005	Assist in hearing on P.I. in San Francisco	6.0	1.0	Adjusted to exclude driving and waiting time.
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5		<b>Total Hours</b>	16.8	9.8	
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28	DECL. & ITEM. STATEMENT OF TLT IN SUPP. OF PLS.' MOT. FOR ATT'Y FEES & NONTAXABLE EXPENSES – 4 CASE NO. C-04-3111 JSW				

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**DECLARATION UNDER PENALTY OF PERJURY**

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that I have read the foregoing Declaration and Itemized Statement and that to the best of my knowledge the facts alleged therein are true and correct.

Executed this 6th day of June, 2005, in Alamo, California.

/s/ Terry L. Thompson  
Terry L. Thompson  
California Bar No. 199870  
199 E. Linda Mesa, Ste. 10  
Danville, CA 94526  
Tel. (925) 855-1507  
Fax (925) 820-6034

**ATTESTATION**

I, Elizabeth A. Murray, hereby attest that concurrence in the filing of this document was obtained from Terry L. Thompson.

Dated: 6/06/05      /s/ Elizabeth A. Murray, Attorney for Plaintiffs