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17
 18 IN THE UNITED STATES DISTRICT COURT
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

20 FAITH CENTER CHURCH
 21 EVANGELISTIC MINISTRIES, et al.,

22 Plaintiffs,

23 v.

24 FEDERAL D. GLOVER, et al.,

25 Defendants.
 26
 27

CASE NO. C-04-3111 JSW

**DECLARATION AND ITEMIZED
 STATEMENT OF JOSHUA W. CARDEN
 IN SUPPORT OF PLAINTIFFS' MOTION
 FOR ATTORNEYS' FEES AND
 NONTAXABLE EXPENSES**

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

1 1. I have been practicing law since October 22, 2002. I worked on this case
2 as a Litigation Staff Attorney with the Alliance Defense Fund, a non-profit public
3 interest law firm. I am transitioning into private practice. While working at the
4 Alliance Defense Fund, I practiced exclusively in the area of constitutional litigation. I
5 was involved in all aspects of litigation, including researching, drafting briefs and
6 motions, depositions, discovery, and oral argument.

8 2. I have expended 25.5 billable hours in this case through May 23, 2005. At a
9 billing rate of \$190.00 per hour, this results in a total amount claimed of \$4,845.00 in attorney's
10 fees.

11 3. The following is an itemized statement of the services that I rendered in this case
12 and the time that I spent performing the services. The itemized statement is based on
13 contemporaneous time records that I kept as I did the work, using a time keeping database
14 and/or written records.

16 **Attorney Joshua W. Carden (Through May 23, 2005)**

| Date | Task | Hours | Adjusted | Notes |
|-------------|---|--------------|-----------------|--------------|
| 7/28/04 | Telephone call to H. Hopkins re: factual development | 0.3 | 0.3 | |
| 7/28/04 | Draft complaint | 3.2 | 3.2 | |
| 7/28/04 | Telephone call to H. Hopkins re: factual development | 0.3 | 0.3 | |
| 7/28/04 | Telephone call to H. Hopkins re: factual development | 0.3 | 0.3 | |
| 7/28/04 | Telephone call to B. Weller re: factual development | 0.2 | 0.2 | |
| 7/29/04 | Insert E. Murray & G. McCaleb edits in complaint | 0.8 | 0.8 | |
| 7/29/04 | Prepare summons | 0.2 | 0.2 | |

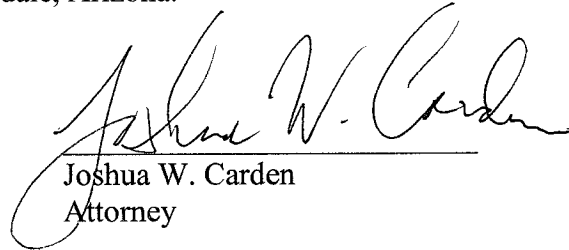
| | | | | | |
|----|---------|---|-----|-----|---------------|
| 1 | 7/29/04 | Draft statement of facts and preliminary paragraphs for PI Motion | 0.4 | 0.4 | |
| 2 | | | | | |
| 3 | 7/29/04 | Draft PHV Motion and proposed order | 0.4 | 0.0 | Firm admin. |
| 4 | 7/29/04 | Review fax from H. Hopkins and incorporate into complaint | 0.6 | 0.6 | |
| 5 | 7/29/04 | Edit complaint | 0.2 | 0.2 | |
| 6 | 7/29/04 | Research filing issues; assist T. Johnson in drafting summonses | 0.3 | 0.3 | |
| 7 | | | | | |
| 8 | 7/29/04 | Draft complaint | 2.2 | 2.2 | |
| 9 | 7/29/04 | Draft verification pages and client agreement | 0.4 | 0.1 | Firm admin. |
| 10 | 7/30/04 | Telephone call to H. Hopkins re: her edits to complaint | 0.2 | 0.2 | |
| 11 | 8/4/04 | Telephone call to H. Hopkins to discuss complaint, PI Motion, and upcoming filings | 0.2 | 0.2 | |
| 12 | | | | | |
| 13 | 8/9/04 | Review E. Murray's PI brief | 0.3 | 0.3 | |
| 14 | 8/10/04 | Telephone call to K. Flanagan to make introduction | 0.2 | 0.2 | |
| 15 | | | | | |
| 16 | 8/11/04 | Review declination of magistrate judge | 0.3 | 0.3 | |
| 17 | 8/31/04 | Telephone call to H. Hopkins to provide update | 0.2 | 0.2 | |
| 18 | 9/15/04 | Edit PI Memorandum | 1.5 | 1.5 | |
| 19 | 9/16/04 | Edit PI Memorandum | 1.8 | 1.8 | |
| 20 | 9/24/04 | Edit PI Memorandum | 1.2 | 1.2 | |
| 21 | | | | | |
| 22 | 9/28/04 | Edit PI Memorandum | 0.7 | 0.7 | |
| 23 | 9/29/04 | Telephone call to K. Flanagan re: stipulation to amend complaint | 0.2 | 0.2 | |
| 24 | 9/29/04 | Read local rules to prepare for filing amended complaint, PI Motion, and service of supplementary materials | 1.4 | 0.0 | Start-up cost |
| 25 | | | | | |
| 26 | 9/29/04 | Telephone call to K. Flanagan re: stipulation to amend complaint and ENE | 0.2 | 0.2 | |
| 27 | | | | | |

| | | | | | |
|----|----------|---|------|------|---------------|
| 1 | 9/29/04 | Update H. Hopkins on case | 0.2 | 0.2 | |
| 2 | 9/30/04 | Draft stipulation and send to opposing counsel | 0.7 | 0.7 | |
| 3 | 9/30/04 | Discuss and edit PI brief with E. Murray | 0.3 | 0.3 | |
| 4 | 9/30/04 | Draft stipulation and amended verified complaint | 0.5 | 0.5 | |
| 5 | 10/1/04 | Telephone call to K. Flanagan re: stipulation to amend complaint | 0.2 | 0.2 | |
| 6 | 10/1/04 | Telephone call to H. Hopkins re: signature pages | 0.2 | 0.2 | |
| 7 | 10/4/04 | Edit PI brief | 0.8 | 0.8 | |
| 8 | 10/5/04 | Telephone call to H. Hopkins re: sending package | 0.2 | 0.2 | |
| 9 | 10/18/04 | Edit PI brief | 1.4 | 1.4 | |
| 10 | 10/29/04 | Telephone call to K. Flanagan to schedule case management meeting | 0.2 | 0.2 | |
| 11 | 10/29/04 | Telephone call to K. Flanagan to schedule case management meeting | 0.2 | 0.2 | |
| 12 | 10/29/04 | Review rules for case management statement, conference, and ADR | 0.4 | 0.4 | |
| 13 | 11/3/04 | Review local rules for case management conference; prepare for conference with opposing counsel | 0.5 | 0.3 | Start-up cost |
| 14 | 11/4/04 | Telephone call to H. Hopkins re: ENE | 0.2 | 0.2 | |
| 15 | 11/4/04 | Prepare for conference with opposing counsel | 0.5 | 0.5 | |
| 16 | 11/4/04 | Conference call with K. Flanagan re: Rule 26 and Judge's order | 0.6 | 0.6 | |
| 17 | 11/8/04 | Draft case management order; send to opposing counsel | 1.6 | 1.6 | |
| 18 | 11/9/04 | Draft initial disclosures | 0.9 | 0.9 | |
| 19 | | Total Hours | 27.8 | 25.5 | |

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 Scottsdale, Arizona.



Joshua W. Carden
Attorney

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