

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 3

BLOCK BILLING HOURS BY COUNSEL

Appendix 3 - Block Billing by Counsel

Block Billing: Defendants applied the following criteria to determine “serial or “block” billing entries. Entries that describe hours spent on more than one identifiable subject area, discrete work product, or distinct type of activity (including reference to “related tasks”) are counted as block billed. In applying this rule, entries indicating solely that counsel reviewed, analyzed, and prepared a filing on one particular subject matter (e.g. opposition to a motion to dismiss) were not counted as serial/block billed. Entries indicating that counsel prepared for and attended a hearing were treated as serial/block billed because they do not distinguish the time spent on each activity. In light of the numerous references to “consultations” with co-counsel in the declarations, Defendants have attempted to calculate an amount of hours for such “consultations” and have set forth a separate reduction for those hours. *See* Appendix 4. Thus, where a consultation with co-counsel was listed with what Defendants judged to be a single subject activity, the entry was not treated as block billed.

Using the foregoing criteria, the following lists the “bullet point” entries in the respective counsel’s declaration that are treated as serial/block billed. These block billed hours are totaled and subjected to a 30% reduction.

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

1. Eisenberg - Serial/Block Billed Hours Reduction

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	5:20-22	26.5	236.1	(70.8)
	6:10-11	10.9		
	6:12-14	5.0		
	6:15-16	41.6		
	6:17-19	2.0		
	6:20-21	71.2		
	6:23-24	44.3		
	6:26-7:1	7.7		
	7:5-6	8.8		
	7:10	4.5		
	7:11-14	9.1		
7:17-18	4.5			
<u>2007</u>	7:23-25	12.1	184.6	(55.4)
	7:26-27	21.3		
	8:16-18	121.1		
	8:25-27	30.1		
<u>2008</u>	9:2-3	62.1	209	(62.7)
	9:6-7	5.5		
	9:13-14	29.0		
	9:17-18	72.9		
	9:19-20	12.5		
	9:27-28	27.1		
<u>2009</u>	10:6	10.4	169	(50.7)
	10:20-21	11.5		
	10:23-25	4.6		
	10:26-11:1	22.4		
	11:2-4	29.4		
	11:7-10	39.7		
	11:11-12	15.9		
	11:25-26	23.5		
	12:4-5	7.0		
12:1-3	4.62 (2009 share)			
<u>2010</u>	12:1-3	3.08 (2010 share)	40.5	(12.1)
	12:21-22	10.0		
	12:24-25	14.7		
	13:11-12	12.7		

2. Goldberg - Serial/Block Billed Hours Reduction

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	ALL HOURS ON PAGE EXCEPT AS NOTED	<i>ALL HOURS</i> <i>Except</i> 5:2 12.2 5:5-6 3.4 5:20 2.0 5:23-27 18.0 5:28 2.0 6:1-3: 22.5 60.1	204.2 -60.1 = 144.1	(42.23)
<u>2007</u>	ALL HOURS	ALL HOURS	109	(32.7)
<u>2008</u>	ALL HOURS	ALL HOURS	168	(50.4)
<u>2009</u>	ALL HOURS	ALL HOURS	112.9	(33.9)
<u>2010</u>	ALL HOURS	ALL HOURS	88.1	(26.4)

3. Serial/Block Billed Hours Reduction - Nelson Data

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	ALL HOURS	ALL HOURS	561	(168.6)
<u>2007</u>	ALL HOURS	ALL HOURS	200.8	(60.2)
<u>2008</u>	ALL HOURS	ALL HOURS	34	(10.2)
<u>2009</u>	ALL HOURS	ALL HOURS	85	(25.5)
<u>2010</u>	ALL HOURS	ALL HOURS	28	(8.4)

4. Albies - Serial/Block Billed Hours Reduction

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	ALL HOURS ON PAGE EXCEPT AS NOTED	ALL HOURS <i>Except</i> 3:9-11 = 18.3 3:25-26 = 1.0	308.5 -19.3 289.2	(86.8)
<u>2007</u>	ALL HOURS	ALL HOURS	37.2	(11.2)
<u>2008</u>	ALL HOURS	ALL HOURS	45.7	(13.7)
<u>2009</u>	ALL HOURS	ALL HOURS	54.7	(16.4)
<u>2010</u>	ALL HOURS	ALL HOURS	21.4	(6.4)

5. Hassan - Serial/Block Billed Hours Reduction

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	ALL HOURS ON PAGE EXCEPT AS NOTED	ALL HOURS <i>Except</i> 4:14-16 = 7.1 4:26-27 = 5.4 12.5	159.5 -12.5 = 147	(44.1)
<u>2007</u>	ALL HOURS	ALL HOURS	80.86	(24.3)
<u>2008</u>	ALL HOURS	ALL HOURS	52.79	(15.8)
<u>2009</u>	ALL HOURS	ALL HOURS	10.73	(3.2)
<u>2010</u>	ALL HOURS	ALL HOURS	39.62	(11.9)

6. Jaskol - Serial/Block Billed Hours Reduction

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	4:19-21 4:22-24 4:25-28 5:1-4 5:5-8 5:9-13 6:1-4	16.5 32.9 21.5 7.3 9.9 26.3 1.5	115.9	(34.8)
<u>2007</u>	6:11-16	29	29	(8.7)
<u>2008</u>	7:1-3 7:7-10	3.1 8.1	11.2	(3.4)
<u>2009</u>	7:14-16	5.2	5.2	(1.6)
<u>2010</u>				

7. Hancock - Serial/Block Billed Hours Reduction

Year	Page/Line of Declaration	Hours in Block	Total Block Hours/Year	30% Reduction
<u>2006</u>	ALL HOURS ON PAGE EXCEPT AS NOTED	<i>ALL HOURS</i> <i>Except</i> 4:3 3	11.3 -3.0= 8.3	(2.5)
<u>2007</u>	ALL HOURS	ALL HOURS	76.7	(23)
<u>2008</u>	ALL HOURS	ALL HOURS	59.5	(17.8)
<u>2009</u>	ALL HOURS	ALL HOURS	48.4	(14.5)
<u>2010</u>	ALL HOURS	ALL HOURS	39.2	(11.8)