

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

KLEIN & HEUCHAN, INC.,

Plaintiff,

v.

Case No.: 8:08-cv-01227-JSM-MSS

**COSTAR REALTY INFORMATION, INC.,
and COSTAR GROUP, INC.,**

Defendants.

_____ /

AFFIDAVIT OF JEFFREY W. GIBSON, ESQ.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared, JEFFREY W. GIBSON, ESQ., who after first being duly sworn, deposes and says:

1. That Affiant is over the age of 18 years, has personal knowledge of the matters set forth herein.
2. That affiant is an Attorney licensed in the State of Florida.
3. Affiant is the lead attorney representing KLEIN & HEUCHAN, INC. (hereinafter “Klein”) in the above-captioned matter.
4. In addition to affiant, attorneys J. Paul Raymond, Esq., Joshua Magidson, Esq., Brian J. Aungst, Jr., Esq., David R. Phillips, Esq., and Brandon Burg, Esq. have expended hours and provided legal services to Klein in the above-captioned matter.
5. Further, a paralegal has expended hours and provided legal services to Klein in the above-captioned matter.

6. Affiant is responsible for all billing of Klein for all legal services rendered and all costs incurred.

7. Affiant has carefully reviewed all of its billings to Klein.

8. Since June of 2008, Klein has incurred costs totaling \$2,272.95. A detailed description of the costs incurred is attached as "Exhibit 1."

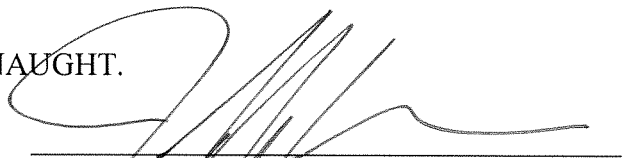
9. Since June of 2008, Klein has incurred total attorney's fees of \$129,510.50 in the defense of this matter.

10. This amount of fees represents 647.75 hours expended as follows:

- a. Attorney Jeffrey Gibson, Esq. has expended 317.80 hours;
- b. Attorney Joshua Magidson, Esq. has expended 32.90 hours
- c. Attorney J. Paul Raymond, Esq. has expended 15.00 hours;
- d. Attorney Brian J. Aungst, Jr., Esq. has expended 39.00 hours;
- e. Attorney Brandon Burg, Esq. has expended 5.25 hours;
- f. Attorney David R. Phillips, Esq. has expended 44.80 hours; and
- g. Paralegal Raymond Carr has expended 193.00 hours;

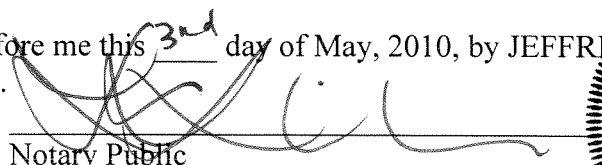
A detailed description of all legal services incurred and billed¹ to Klein is attached hereto as Exhibit "2."

FURTHER AFFIANT SAYETH NAUGHT.

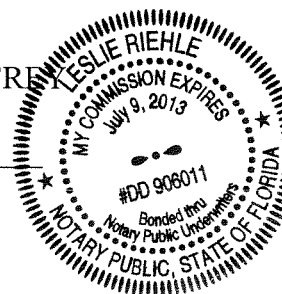


JEFFREY W. GIBSON, ESQ.

SWORN TO and SUBSCRIBED before me this 3rd day of May, 2010, by JEFFREY W. GIBSON, ESQ. personally known to me.



Notary Public
My commission expires



¹ The time entries listed for the month of March have not yet been billed to the client but will be billed during the firm's next billing cycle.

Date	Tkpr	Base Amt	Billed Amt	Narrative
6/4/2008	JG	\$255.00	\$255.00	Pinellas County Clerk's Office -- Filing fee.
8/5/2008	JG	\$140.00	\$140.00	VENDOR: K-One Investigations; INVOICE#: 200807110; DATE: 8/5/2008 - JG/plb 909492-21 served (2) summons in Maryland on CoStar Realty Information Inc. & CoStar Group, Inc.
9/14/2009	JG	\$602.25	\$602.25	VENDOR: Wilkes Professional Reporting, Inc.; INVOICE#: 1102440; DATE: 9/14/2009 - JG/vab 909492-21: Transcript Fee for Christopher Scott Bell (8/20/09)
12/31/2008	RCC	\$60.00	\$60.00	VENDOR: Scott Bell; INVOICE#: 12/31/08; DATE: 12/31/2008 - RCC 909492-21: Witness Fee.
8/26/2009	JG	\$159.25	\$159.25	VENDOR: Randall J. Love, Esq.; INVOICE#: 8/26/09; DATE: 8/26/2009 - JG/vab 909492-21: Copy charges for documents produced by Scott Ball.
9/7/2009	JG	\$510.00	\$510.00	VENDOR: Grilli, P.A., Peter J.; INVOICE#: 9/7/09; DATE: 9/7/2009 - JG/vab 909492-21: Payment for mediation fees.
9/14/2009	JG	\$546.45	\$546.45	VENDOR: Wilkes Professional Reporting, Inc.; INVOICE#: 1102440-; DATE: 9/14/2009 - JG/vab 909492-21: Transcript Fee
3/23/2009	JG	\$490.80	\$490.80	VENDOR: SLJ of Tampa, Inc.; INVOICE#: 3/23/10; DATE: 3/23/2010 - JG/lr 909492-1: Fee for trial transcript.
	TOTAL		\$2,272.95	

Tkpr	Date	Narrative	Billed Hrs	Rate	Billed Amt
JG	6/4/2008	Conference with Attorney Raymond; review file materials; draft Complaint for Declaratory Relief (1.7)	1.70	\$200.00	\$340.00
JG	6/12/2008	Edit and file Complaint; draft correspondence to Attorney Coleman regarding CoStar's continues refusal to engage in dialog and transmitting Complaint (.8)	0.80	\$200.00	\$160.00
JG	6/18/2008	Conference with Attorney Raymond regarding status; telephone conference with CoStar and General Counsel's office; telephone conference with Mr. Klein (.5)	0.50	\$200.00	\$100.00
JG	6/19/2008	Conference with Attorney Rayment regarding CoStar matter; review Maryland District Court Docket; draft correspondence to Attorney Coleman regarding CoStar's improper suit (.6)	0.60	\$200.00	\$120.00
JG	6/23/2008	Multiple conferences with Attorney Raymond; draft correspondence to Attorney Coleman regarding suit in Pinellas County and Maryland and failure of CoStar to respond (.8)	0.80	\$200.00	\$160.00
JG	6/24/2008	Multiple and lengthy conferences with Attorney Raymond; telephone conference with Attorney Raymond, Mr. Klein and Mr. Bell; receive and read federal filings from Maryland; telephone conference with Attorney Raymond and Attorney Sauers (representing CoStar).(2.4)	2.40	\$200.00	\$480.00
JG	6/25/2008	Telephonic conference with Mr. Sauers regarding settlement; conference with Mr. Raymond regarding Sauers call (.6)	0.60	\$200.00	\$120.00
JG	6/26/2008	Lengthy telephone conference with Mr. Klein and Mr. Bell; telephone conference with Attorney Sauers regarding settlement and removal; receive and read Notice of Removal and related documents; multiple conferences with Attorney Raymond (1.7)	1.70	\$200.00	\$340.00
JG	6/26/2008	Telephone conference with Attorney Kimball in Maryland regarding potential representation of Scott Bell	0.00	\$200.00	\$0.00
JG	7/9/2008	Telephone conference with Attorney Kimball in Maryland regarding potential representation of Scott Bell; conference with Attorney Raymond; receive and read removal documents filed by COSTAR; conference with Attorney Raymond regarding removal (1.8)	1.80	\$200.00	\$360.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JG	7/10/2008	Telephone conference with Mr. Bell regarding status of Maryland litigation; lengthy teleconference with Attorney Sauers; multiple teleconferences with Attorney Finamore; conference with Attorney Raymond regarding status	2.40	\$200.00	\$480.00
JG	7/15/2008	Draft correspondence to Attorney Sauers; draft correspondence to Mr. Bell; compile documents for Attorney Finamore and draft correspondence regarding status of matter	0.60	\$200.00	\$120.00
JG	7/17/2008	Receive and read correspondence regarding Order Granting our Motion for Extension of Time to Respond to Complaint; conference with Attorney Raymond; multiple correspondence to and from Attorney Astrachan regarding Maryland litigation.	0.70	\$200.00	\$140.00
JG	7/21/2008	Receive and read COSTAR's Motion to Dismiss and to Transfer filed in Middle District of Florida	1.30	\$200.00	\$260.00
JG	7/22/2008	Receive correspondence from Attorney Astrachan; review cases provided by Attorney Astrachan; teleconference with Mr. Astrachan.	0.70	\$200.00	\$140.00
JG	7/23/2008	Research for Motion to Dismiss/Motion to Transfer; meeting with Mr. Mark Klein, Mr. Steve Klein, and Attorney Raymond; conference with Attorney Raymond; teleconference with Attorney Astrachan; receive and read Independent Contractor Agreement	7.30	\$200.00	\$1,460.00
JG	7/24/2008	Research for and begin drafting Motion to Dismiss and Motion to Transfer Venue	3.80	\$200.00	\$760.00
JG	7/25/2008	Continued work on Motion to Dismiss and Motion to Transfer Venue	4.10	\$200.00	\$820.00
JG	7/26/2008	Continued work on Motion to Dismiss and Motion to Transfer	5.10	\$200.00	\$1,020.00
JG	7/27/2008	Work on Motion to Dismiss/Motion to Transfer	3.30	\$200.00	\$660.00
JG	7/28/2008	Continued work on Motion to Dismiss and Motion to Transfer	6.80	\$200.00	\$1,360.00
JG	7/29/2008	Teleconference with Mr. Klein; edit Affidavit; finalize and file Motion to Dismiss and Motion to Transfer; receive and read Bell's Motion for Extension of Time to Respond to Complaint	6.20	\$200.00	\$1,240.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JG	7/30/2008	Research for our Response to Plaintiff's Motion to Dismiss and Transfer	3.60	\$200.00	\$720.00
JG	7/31/2008	Draft and edit Response to COSTAR's Motion to Dismiss / Motion to Transfer	5.60	\$200.00	\$1,120.00
JG	8/6/2008	Edit, finalize and file Response to Plaintiff's Motion to Dismiss and Motion to Transfer	6.20	\$200.00	\$1,240.00
JG	8/7/2008	Teleconference with Mr. Klein regarding K&H Subsidiaries; teleconference with Attorney Finamore regarding subsidiaries for Rule 103.3 disclosure	0.50	\$200.00	\$100.00
JG	8/18/2008	Receive and read Business Insurance Policy from Mr. Klein in order to make appropriate federal court disclosures	0.70	\$200.00	\$140.00
JG	8/19/2008	Receive and read COSTAR's Response in Opposition to our Motion to Dismiss filed in Maryland; conference with Attorney Raymond	2.10	\$200.00	\$420.00
JG	9/3/2008	Conference with Attorney Finneman; begin drafting Reply (Maryland)	2.50	\$200.00	\$500.00
JG	9/8/2008	Receive and read Order from Judge Moody in Middle District of Florida Denying CoStar's Motion to Dismiss or Transfer Venue to Maryland; conference with Attorney Raymond; teleconference with Mr. Klein; conference with Attorney Finamore regarding notifying Maryland court of Judge Moody's Order	2.20	\$200.00	\$440.00
JG	9/11/2008	Receive and read Scott Bell's Reply in Support of his Motion to Dismiss; multiple correspondence to Mr. Astrachan	0.70	\$200.00	\$140.00
JG	9/12/2008	Lengthy teleconference with Attorney Astrachan; conference with Attorney Raymond	1.20	\$200.00	\$240.00
JG	9/22/2008	Multiple lengthy teleconferences with Mr. Mark Klein and Mr. Steve Klein; lengthy teleconference with Attorney Astrachan; edit discovery (Interrogatories and Requests to Produce) to CoStar	2.80	\$200.00	\$560.00
JG	9/23/2008	Teleconference with Attorney Savers regarding extension to file Answer and plan for litigation	0.30	\$200.00	\$60.00
JG	9/24/2008	Receive and read CoStar's Motion for Additional Time to Answer Complaint	0.20	\$200.00	\$40.00

Tkpr	Date	Narrative	Billed Hrs	Rate	Billed Amt
JG	10/7/2008	Draft correspondence to Mr. Klein regarding status of matter; receive and read Order from Judge Moody's granting CoStar's Agreed Motion for an Extension to Respond to Florida Complaint	0.30	\$200.00	\$60.00
JG	10/8/2008	Receive and read Costar's Motion for More Definite Statement; conference with Attorney Raymond; research for Motion to Strike; telephone call with Mr. Gurrante; telephone call with Mr. Sauers	2.10	\$225.00	\$472.50
JG	10/9/2008	Research for potential Motion to Strike Costar's Motion for More Definite Statement; begin drafting Motion to Strike; begin drafting Response to Motion for More Definite Statement	3.80	\$225.00	\$855.00
JG	10/13/2008	Finalize and file Response in Opposition to Motion for More Definite Statement; draft correspondence to Mr. Klein; teleconference with Tom Bible	1.70	\$225.00	\$382.50
JG	10/15/2008	Teleconference with Mr. Sauers regarding Case Management Conference; draft correspondence to Mr. Sauers regarding Case Management Conference	0.50	\$225.00	\$112.50
JG	10/24/2008	Draft proposed Case Management Conference; teleconference with Attorney Sauers regarding Case Management Conference	0.70	\$225.00	\$157.50
JG	10/29/2008	Receive and read correspondence from Mr. Klein regarding status; draft return correspondence to Mr. Klein	0.40	\$225.00	\$90.00
JG	10/29/2008	Draft correspondence to Attorney Sauers and Attorney Guerrant regarding proposed language for Case Management Report; receive and read responsive correspondence from Attorney Sauers; draft correspondence to Mr. Sauers regarding him dragging feet and demanding response.	0.50	\$225.00	\$112.50
JG	10/30/2008	Draft correspondence to attorney Sauers and Attorney Guerrant regarding proposed language for Case Management Report; receive and read responsive correspondence from Attorney Sauers; draft correspondence to Mr. Sauers regarding him dragging feet and demanding response	0.50	\$225.00	\$112.50

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
IG	10/30/2008	Receive and read Order Denying CoStar's Motion for More Definite Statement; conference with Attorney Raymond; draft correspondnce to Mr. Mark Klein and Mr. Steve Klein transmitting Order.	0.90	\$225.00	\$202.50
IG	11/4/2008	Receive and read Order Denying CoStar's Motion for More Definite Statement; conference with Attorney Raymond; draft correspondence to Mr. Mark Klein and Mr. Steve Klein transmitting Order	0.90	\$225.00	\$202.50
IG	11/5/2008	Receive and read correspondence from Mr. Sauers regarding scheduling a Case Management Conference; draft correspondnce to Mr. Sauers regarding Case Management conference; receive and read corresponence from Steve Klein; draft responsive correspondence to Mr. Klein; teleconference with Mr. Sauers and Mr. Gurrant regarding Case Management Report; draft correspondnce to Mark Klein regarding today's events.	1.60	\$225.00	\$360.00
IG	11/14/2008	Brief teleconference with Attorney Sauers; finalize and file Case Management Report; finalize and serve Interrogatories and Requests to Produce; draft correspondence to Attorney Sauers regarding Mr. Bell's deposition	0.60	\$225.00	\$135.00
IG	11/16/2008	Draft correspondence to Attorney Astrachan regarding his representation	0.20	\$225.00	\$45.00
IG	11/19/2008	Draft correspondence to Mark Klein and Steven Klein regarding Bell	0.20	\$225.00	\$45.00
IG	11/21/2008	Receive and read CoStar's Motion for 2 day extension to file Answer; conference with Attorney Raymond; multiple correspondnce with Attorney Saures regarding our objection to any extensions	0.70	\$225.00	\$157.50
IG	11/24/2008	Receive and read CoStar's Answer, Affirmative Defenses and Counterclaims in FL litigation; conference with Attorney Raymond.	0.90	\$225.00	\$202.50
IG	11/25/2008	Draft Answer to Counterclaim	1.40	\$225.00	\$315.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JG	11/26/2008	Edit Answer to CounterClaim; conference with Attorney Finamore regarding supplemental brief in Maryland; teleconference with Attorney Sours regarding pending Maryland litigation; draft correspondence to Attorney Finamore regarding conversation with Attorney Soures	1.20	\$225.00	\$270.00
JG	12/1/2008	Finalize Supplemental Reply in Maryland litigation; multiple conversations with Attorney Finamore regarding Supplemental Reply; edit Answer and Affirmative Defenses in Florida litigation; draft correspondence to Mark and Steve Klein; receive and read correspondence from Mark Klein	0.70	\$225.00	\$157.50
JG	12/8/2008	Receive and read CoStar's Rule 26 Initial Disclosures	0.50	\$225.00	\$112.50
JG	12/15/2008	Finalize and file Answer to CoStar's Counterclaim	0.60	\$225.00	\$135.00
JG	12/18/2008	Receive and read Motion to Quash Service filed by Mr. Bell; receive and read Proposed Costar's Draft Protective Order.	0.70	\$225.00	\$157.50
JG	12/22/2008	Lengthy teleconference with Attorney Saures going over Costar's individual responses to our Requests for Production and Interrogatories; conference with Attorney Raymond regarding Costar teleconference; draft correspondence to Attorney Sauers.	1.20	\$225.00	\$270.00
JG	12/31/2008	Receive and read Costar's Interrogatories to K&H.	0.40	\$225.00	\$90.00
JG	1/13/2009	Receive and read Costar's supplemental discovery responses; draft correspondence to Mr. Klein regarding discovery responses conference with Attorney Raymond.	0.60	\$225.00	\$135.00
JG	1/14/2009	Multiple correspondence with Attorney Sauers regarding CoStar's production of documents.	0.40	\$225.00	\$90.00
JG	1/21/2009	Receive and read Mr. Bell's Objection to Subpoena; draft correspondence to Mr. Bell regarding his objection; instructions to Paralegal Carr regarding Bell Objection.	0.50	\$225.00	\$112.50
JG	1/22/2009	Teleconference with Mr. Klein regarding production of documents.	0.30	\$225.00	\$67.50

Tkpr	Date	Narrative	Billed Hrs	Rate	Billed Amt
JG	1/23/2009	Receive and read correspondence from Mr. Klein regarding his telephone conference with Mr. Bell; draft correspondence to Mr. Klein.	0.40	\$225.00	\$90.00
JG	1/27/2009	Receive and read CoStar's Response in Opposition to Mr. Bell's Motion to Quash and/or Dismiss.	0.30	\$225.00	\$67.50
JG	2/23/2009	Receive and read correspondence from Mr. Bell regarding his deposition.	0.30	\$225.00	\$67.50
JG	2/26/2009	Receive and read Mr. Bell's Motion to Dismiss.	0.50	\$225.00	\$112.50
JG	3/2/2009	Receive and read correspondence from Attorney Saures regarding out standing discovery.	0.30	\$225.00	\$67.50
JG	3/30/2009	Edit Answers to Interrogatories and Responses to Costar's Requests for Production served on Costar.	0.60	\$225.00	\$135.00
JG	3/31/2009	Draft correspondence to Mr. M Klein and Mr. S Klein regarding Maryland Court granting Motion to Transfer; draft correspondence to Attorney Finamore regarding chances of obtaining Attorney fees; receive and read responsive correspondence; teleconference with Attorney Rumberger in Maryland regarding similar lawsuit filed against his client by Costar	0.80	\$225.00	\$180.00
JG	4/13/2009	Draft correspondence to Attorney Saures regarding inadequate discovery responses; draft correspondence to counsel for Bell seeking deposition dates	0.60	\$225.00	\$135.00
JG	5/14/2009	Receive and read Bell's Answer to Counterclaim.	0.40	\$225.00	\$90.00
JG	5/28/2009	Receive and read Attorney Love's Mediation Statement (.4).	0.40	\$225.00	\$90.00
JG	6/4/2009	Teleconference with Ms. Kerksiek regarding potential consolidation and extension of discovery; receive and read correspondence from Ms. Kerksiek regarding consolidation and extension of discovery; conference with Attorney Raymond; draft correspondence to Ms. Kerksiek; teleconference with Mr. Sauers; draft correspondence to Mr. Sauers; receive and read Motion for Extension of Time to Complete Discovery.	1.70	\$225.00	\$382.50

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JG	6/19/2009	Receive and read Order granting extension of discovery; receive and read Order regarding Oral Argument; receive and read Order regarding transfer and consolidation of cases.	0.60	\$225.00	\$135.00
JG	6/29/2009	Receive and read supplemental document requests from Costar; draft correspondence to Mr. Klein transmitting document requests.	0.50	\$225.00	\$112.50
JG	7/21/2009	Correspondence to and from Mr. Klein regarding supplemental discovery requests; receive and read Independent Contractor Manual.	0.40	\$225.00	\$90.00
JG	7/22/2009	Multiple conferences with Attorney Sauers regarding mediation and depositions; e-mail and telephone correspondence with Mr. Klein regarding mediation and depositions.	0.60	\$225.00	\$135.00
JG	7/24/2009	Multiple e-mail correspondence with Mr. Klein regarding mediation and depositions.	0.50	\$225.00	\$112.50
JG	7/27/2009	Receive and read correspondence from Attorney Grilli regarding mediation;	0.20	\$225.00	\$45.00
JG	7/28/2009	Receive and read Mr. Bell's Response to CoStar's Request for production	0.20	\$225.00	\$45.00
JG	8/5/2009	Receive and read correspondence from Mr. Klein regarding Mr. Bell.	0.10	\$225.00	\$22.50
JG	8/11/2009	Receive and read lengthy correspondence from Attorney Sours regarding K&H's responses to discovery	0.60	\$225.00	\$135.00
JG	8/20/2009	Teleconference with Attorney Love; lengthy teleconference with Attorney Sauers regarding outstanding discovery issues	1.30	\$225.00	\$292.50
JG	8/26/2009	Attend deposition of Scott Bell in Tampa.	5.10	\$225.00	\$1,147.50
JG	8/27/2009	Review materials sent from Bell's attorney to Costar; review Costar documents produced; teleconference with Mr. Klein in preparation for his deposition.	3.60	\$225.00	\$810.00
JG	8/31/2009	Final review of documents in preparation for Mr. Klein's deposition; meeting with Mr. Mark Klein and Mr. Steven Klein regarding Mr. Klein's deposition; defend Mr. Klein's deposition.	5.30	\$225.00	\$1,192.50
JG	9/2/2009	Multiple correspondence to and from Mr. Klein regarding mediation.	0.50	\$225.00	\$112.50
JG	10/12/2009	Draft correspondence to Mediator Grilli summarizing our legal position; final preparation for and travel to and attend Mediation at the office of Peter Grilli.	5.60	\$225.00	\$1,260.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JG	10/13/2009	Research for Response to Motion for Summary Judgment.	5.40	\$255.00	\$1,377.00
JG	10/14/2009	Edit Motion to Strike and Response to Motion for Summary Judgment.	2.60	\$255.00	\$663.00
JG	10/15/2009	Edit Motion to Strike and Response to Motion for Summary Judgment; receive and read comments from Mark and Steve Klein.	5.30	\$255.00	\$1,351.50
JG	10/16/2009	Edit Response to Motion for Summary Judgment and Motion to Strike; draft Affidavits for Mr. Mark Klein and Mr. Steve Klein to support Response to Motion for Summary Judgment.	14.50	\$255.00	\$3,697.50
JG	10/28/2009	Finalize and file Response to Motion for Summary Judgment and Motion to Strike; multiple calls with Mr. Klein.	9.60	\$255.00	\$2,448.00
JG	10/30/2009	Draft Supplemental Local Rule 3.01(g) Certification regarding Motion to Strike.	0.50	\$255.00	\$127.50
JG	11/4/2009	Receive and read Costar's Opposition to Motion to Strike.	0.70	\$255.00	\$178.50
JG	11/9/2009	Receive and read CoStar's Amended Initial Disclosures; brief research on ability to strike Amended Initial Disclosures served out of time.	1.10	\$255.00	\$280.50
JG	11/25/2009	Teleconference with Attorney Oppenheim regarding his representation of Costar; receive and read Costar's proposed Motion to Extend deadlines; edit Costar's proposed Motion; draft correspondence to Attorney Oppenheim regarding Motion; receive and read correspondence from Attorney Saur's enclosing additional CD; teleconference with Attorney Love; continued research on ability to strike late served discovery.	4.90	\$255.00	\$1,249.50
JG	1/21/2010	Receive and read Order denying Motion for Summary Judgment; conference with Attorney Raymond.	0.70	\$255.00	\$178.50
JG	1/25/2010	Preparation for and attend lengthy pretrial teleconference with Attorney Oppenheim; receive and read Costar's Pretrial Materials.	3.10	\$275.00	\$852.50
JG	1/26/2010	Review trial documents; edit Exhibit List.	2.90	\$275.00	\$797.50

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JG	1/27/2010	Telephone conference with attorney Oppenheim; review Costar's exhibits contained within exhibit list; begin drafting exhibit list; teleconference with Mr. Mark Klein regarding upcoming PreTrial; draft correspondence to Mr. Klein; receive and read correspondence from Mr. Steven Klein; draft correspondence to S. Klein.	5.90	\$275.00	\$1,622.50
JG	1/28/2010	Continued review of exhibits and edit PreTrial Statement; receive and read correspondence from Mr. Steve Klein.	3.90	\$275.00	\$1,072.50
JG	2/8/2010	Finalize and file Joint Pretrial Statement; multiple conferences with attorney Oppenheim; teleconference with attorney Love.	8.90	\$275.00	\$2,447.50
JG	2/11/2010	Finalize and file Motion in Limine regarding materials provided prior to summary judgment deadline.	2.30	\$275.00	\$632.50
JG	2/15/2010	Receive and read CoStar's Motion in Limine regarding defenses.	0.60	\$275.00	\$165.00
JG	2/17/2010	Receive and read Stipulation and Motion for Entry of Injunction (Scott Bell).	0.60	\$275.00	\$165.00
JG	2/19/2010	Receive and read CoStar's Response to K&H's Motion in Limine.	0.40	\$275.00	\$110.00
JG	2/21/2010	Receive and read correspondence from Steve Klein regarding CoStar's Motion in Limine.	0.30	\$275.00	\$82.50
JG	2/22/2010	Trial Preparation - Review of Bell Deposition and compare with Declaration; preparation of cross examination points.	4.20	\$275.00	\$1,155.00
JG	2/23/2010	Draft and file Motion regarding electronic equipment in courtroom; receive and read CoStar's Motion regarding electronic equipment; teleconference with attorney Oppenheim regarding trial logistics including finalizing exhibits; teleconference with Mark and Steve Klein regarding upcoming trial preparation; correspondence from attorney Raymond and attorney Magidson regarding trial preparation.	3.40	\$275.00	\$935.00
JG	2/24/2010	Receive and read Order granting our Motion to bring computer equipment into the courthouse.	0.10	\$275.00	\$27.50
JG	2/25/2010	Continued trial preparation.	10.00	\$275.00	\$2,750.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
IG	2/26/2010	Meeting with Mr. Mark and Steve Klein regarding trial; edit and file Response in Opposition to K&H's Motion in Limine; research on issue of whether release of Bell releases K&H on vicarious liability claim; continued trial preparation.	7.40	\$275.00	\$2,035.00
IG	2/27/2010	Receive and read correspondence from John Skicewicz; continued trial preparation; meeting with attorney Oppenheim regarding exhibits; teleconference with M. Jaye Love; teleconference with John Skicewicz.	9.50	\$275.00	\$2,612.50
IG	2/28/2010	Continued trial preparation.	6.50	\$275.00	\$1,787.50
IG	3/1/2010	Continued trial preparation.	8.50	\$275.00	\$2,337.50
IG	3/2/2010	Attend trial; preparation for tomorrow's proceedings.	15.50	\$275.00	\$4,262.50
IG	3/22/2010	Preparation for and attend Trial.	9.50	\$275.00	\$2,612.50
IG	3/23/2010	Multiple conferences regarding trial transcript; work on Proposed Findings of Fact and Conclusions of Law	2.90	\$275.00	\$797.50
IG	3/23/2010	Edit Findings of Fact and Written Closing Statement	1.70	\$275.00	\$467.50
IG	3/24/2010	Receive and review Trial Transcript; markup for proposed Findings of Fact	2.60	\$275.00	\$715.00
IG	3/25/2010	Edit Findings of Fact and Conclusions of Law	5.30	\$275.00	\$1,457.50
IG	3/26/2010	Edit Written Closing Argument	4.10	\$275.00	\$1,127.50
IG	3/26/2010	Finalize and file Proposed Findings of Fact and Conclusions of Law and Closing Argument; receive and read CoStar's Proposed Findings of Fact and Conclusions of Law and Response in Opposition to Motion for Judgment as a matter of law.	7.50	\$275.00	\$2,062.50
IG	4/26/2010	Review and edit Motion for Attorneys Fees; conference with Attorney Magidson and Phillips regarding fees.	1.40	\$275.00	\$385.00
IG	4/27/2010	Receive and read correspondence from Attorney Finamore regarding his time/bills; draft return correspondence.	0.40	\$275.00	\$110.00
IG	4/28/2010	Edit Motion for Attorney's Fees.	0.90	\$275.00	\$247.50
IG	4/30/2010	Edit Motion for Attorneys Fees and Costs.	1.50	\$275.00	\$412.50
IG	5/2/2010	Finalize Motion for Attorney's Fees and accompanying Affidavits; draft correspondence to Attorney Oppenheim regarding 3.01(g).	2.50	\$275.00	\$687.50
		Total Hours (Jeffrey W. Gibson, Esq.)	317.80		\$77,526.50

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JM	2/17/2010	Work on trial prep; review Motion in Limine and response.	2.30	\$350.00	\$805.00
JM	2/19/2010	Review Motion in Limine and responses; teleconference with opposing counsel.	1.20	\$350.00	\$420.00
JM	2/22/2010	Review file and Motion in Limine; work on trial preparation.	1.00	\$350.00	\$350.00
JM	2/23/2010	Review files; prepare for trial; review motions.	1.00	\$350.00	\$350.00
JM	2/24/2010	Receive and read e-mails regarding trial; review file; trial preparation.	0.50	\$350.00	\$175.00
JM	2/24/2010	Receive and read e-mails regarding trial preparation.	0.40	\$350.00	\$140.00
JM	3/1/2010	Prepare for trial; interview client and review files.	2.00	\$350.00	\$700.00
JM	3/2/2010	Prepare for and attend Trial.	10.00	\$350.00	\$3,500.00
JM	3/15/2010	Prepare for and attend Trial.	8.00	\$350.00	\$2,800.00
JM	3/18/2010	Review court filing; check on status for brief.	0.30	\$350.00	\$105.00
JM	3/25/2010	Various calls with opposing counsel regarding extension of filing deadlines.	0.50	\$350.00	\$175.00
JM	3/26/2010	Review and comment on various drafts of memos.	0.50	\$350.00	\$175.00
JM	4/15/2010	Review and comment on Motion response and closing argument.	0.80	\$350.00	\$280.00
JM	4/16/2010	Review and comment regarding new court order and Final Judgment.	0.40	\$350.00	\$140.00
JM	4/19/2010	Receive and read e-mails regarding Final Judgment against Bell.	0.30	\$350.00	\$105.00
JM	4/20/2010	Review Final Judgment and Order; confer with clients, research regarding fee issue and appeal issue.	1.50	\$350.00	\$525.00
JM	4/21/2010	Begin research and outline regarding entitlement to fees; confer with client.	1.20	\$350.00	\$420.00
JM	4/21/2010	Work on review of research regarding attorneys fees issue and review of time entries.	1.00	\$350.00	\$350.00
		Total Hours (Joshua Magidson, Esq.)	32.90		\$11,515.00
JPR	6/3/2008	Telephone conference with Mark Klein	0.25	\$300.00	\$75.00
JPR	6/4/2008	Telephone conferences; web site research; conference with Gibson	1.00	\$300.00	\$300.00
JPR	6/5/2008	E-mail to Greene; Federal Magistrate decision; e-mail to Gilmore	0.25	\$300.00	\$75.00
JPR	6/18/2008	Telephone conference with Mark Klein	0.25	\$300.00	\$75.00
JPR	6/23/2008	Telephone conference with Steve and Mark Klein regarding lawsuit	0.25	\$300.00	\$75.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
JPR	6/24/2008	Review Complaint; research; telephone conference with Klein; telephone conference with opposing counsel	1.00	\$300.00	\$300.00
JPR	6/25/2008	Conference with Jeff Gibson; telephone conference with opposing counsel; telephone conference with Klein	1.00	\$300.00	\$300.00
JPR	7/10/2008	Removal; telephone conference with Mark Klein	1.00	\$300.00	\$300.00
JPR	7/15/2008	Telephone conference with Mark Klein	0.25	\$300.00	\$75.00
JPR	7/17/2008	Telephone conference with attorney regarding Maryland matter	0.25	\$300.00	\$75.00
JPR	7/22/2008	Review Motion and memorandum	0.25	\$300.00	\$75.00
JPR	9/3/2008	Telephone conference with Klein; research; office conference with client	3.00	\$300.00	\$900.00
JPR	9/12/2008	Telephone conference with mark Klein; e-mail Order to Klein	0.25	\$300.00	\$75.00
JPR	9/17/2008	Conference call with Mark Klein and Steve Klein	1.25	\$300.00	\$375.00
JPR	9/19/2008	Review corporate records; telephone conference with Mark Klein	0.75	\$300.00	\$225.00
JPR	11/19/2008	Office conference with Klein	0.25	\$300.00	\$75.00
JPR	8/10/2009	Response to request for extension	0.25	\$300.00	\$75.00
JPR	8/27/2009	Telephone conference with Randy Love, Esq.	0.25	\$300.00	\$75.00
JPR	2/25/2010	review Transcript; Bell deposition	0.50	\$300.00	\$150.00
JPR	4/20/2010	Trial preparation	1.25	\$300.00	\$375.00
JPR	4/20/2010	Review of judgment and attorney fees entitlement.	1.50	\$300.00	\$450.00
		Total Hours (J. Paul Raymond, Esq.)	15.00		\$4,500.00
BJA	10/9/2008	Research Rule 12 of the Federal Rules of Civil Procedure. Locate case law regarding motions to dismiss and subsequent motions for a more definite statement for Attorneys Gibson and Raymond.	0.70	\$125.00	\$87.50
BJA	5/5/2009	Locate case law regarding Federal Rule of Civil Procedure 12 and motions to dismiss/motions for more definite statement for Attorney Gibson.	0.30	\$125.00	\$37.50
BJA	5/6/2009	Correspond with opposing counsel and coordinate dates for mediation as ordered by the Court.	0.50	\$125.00	\$62.50

Tkpr	Date	Narrative	Billed Hrs	Rate	Billed Amt
BJA	2/23/2010	Speak with Attorneys Randall Love and William Sauers and agree on Peter Grilli as Mediator; Draft letter to Attorney William Sauers outlining our inability to agree on a date for the mediation; draft Notice of Selection of Mediator and Scheduling of Mediation and file with the Court.	2.00	\$125.00	\$250.00
BJA	2/24/2010	Read Costar's Motion for Summary Judgement and our Response in Opposition, the Court's Order on Costar's Motion for Summary Judgment, and Costar's Motion in Limine to exclude evidence in support of our defenses; begin research on Costar's Motion in Limine	2.00	\$150.00	\$300.00
BJA	2/25/2010	Continue researching statutory and case law regarding Plaintiffs' Motion in Limine to exclude evidence of our affirmative defenses and research Costar's release of Scott Bell and whether it releases K&H from vicarious liability claims.	2.50	\$150.00	\$375.00
BJA	2/26/2010	Complete Response in Opposition to Motion in Limine to exclude evidence of Klein and Heuchan's 9th, 10th, 11th, 12th, 13th, and 14th affirmative defenses at trial	6.00	\$150.00	\$900.00
BJA	2/27/2010	Continue researching issue of whether Costar's release of Scott Bell releases K&H of vicarious liability for copyright infringement; begin drafting Motion for Direct Verdict on issues of contributory infringement and vicarious liability.	5.00	\$150.00	\$750.00
BJA	2/28/2010	Complete drafting Motion for Directed Verdict regarding CoStar's release of Scott Bell extinguishing its claims for vicarious and contributory copyright infringement against K&H.	3.50	\$150.00	\$525.00
BJA	3/1/2010	Research statutory and case law regarding burned of proof for contributory infringement and damages; begin drafting Motion for Directed Verdict regarding contributory infringement and damages.	4.00	\$150.00	\$600.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
BJA	3/2/2010	Continue researching statutory and case law regarding burned of proof for contributory infringement and damages; complete drafting Motion for Directed Verdict regarding contributory infringement and damages; revise and re-draft Motion for Directed Verdict regarding Vicarious Infringement.	8.00	\$150.00	\$1,200.00
BJA	4/21/2010	Re-draft and revise Motions for Directed Verdict as to Vicarious and Contributory Copyright Infringement and file with Court.	4.00	\$150.00	\$600.00
BJA		Research statutory and case law regarding entitlement to attorneys fees in actions for copyright infringement when prevailing party was defendant that recovered no monetary damages.	0.50	\$150.00	\$75.00
		Total Hours (Brian J. Aungst, Esq.)	39.00		\$5,762.50
BRB	6/25/2009	draft motion for withdraw of maryland counsel	3.00	\$150.00	\$450.00
BRB	8/26/2009	edit motion for withdraw of Maryland counsel	1.00	\$150.00	\$150.00
BRB	8/27/2009	Research necessary notice for video deposition	0.50	\$150.00	\$75.00
BRB	8/27/2009	Research federal rule allowing amended pleadings and ability for Plaintiff to incorporate additional cause of action	0.75	\$150.00	\$112.50
		Total Hours (Brandon Burg, Esq.)	5.25		\$787.50
DRP	3/26/10	Computerized legal research; draft memo regarding recovery of attorney's fees under Copyright Act; review and revise memo regarding recovery of attorney's fees under Copyright Act	6.30	\$125.00	\$787.50
DRP	3/26/10	Research federal case law related to award of attorney's fees to prevailing party under Copyright Act	2.50	\$125.00	\$312.50
DRP	4/19/10	Research federal statutes and relevant case law related to availability of attorney's fees to prevailing party in copyright litigation	2.00	\$125.00	\$250.00
DRP	4/20/10	Research federal case law related to availability of attorneys' fees to prevailing party in copyright litigation; research related to timing of Motion for Attorneys' Fees and specific pleading requirements; receive and read Final Judgment in federal case	3.00	\$125.00	\$375.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
DRP	4/21/10	Finish researching and summarizing federal case law related to Motion for Attorneys' Fees and availability of fees to prevailing party in copyright litigation	2.00	\$125.00	\$250.00
DRP	4/23/10	Review Final Judgment in copyright litigation; review federal court docket in preparation for drafting motion; begin drafting Motion for Attorneys' Fees	5.50	\$125.00	\$687.50
DRP	4/26/10	Continue drafting Motion for Attorney's Fees based on relevant federal case law	8.00	\$125.00	\$1,000.00
DRP	4/27/10	Review Rules of Civil Procedure and Local Rules related to motions for attorney's fees; research federal case law related to preservation of claim for attorney's fees; continue drafting Motion for Attorney's Fees	7.00	\$125.00	\$875.00
DRP	4/28/10	Review and revise Motion for Attorney's Fees; research specific factors enumerated in seminal fees case to support position in Motion	4.00	\$125.00	\$500.00
DRP	4/29/10	Finish reviewing and revising Motion for Attorney's Fees; Affidavits in support of Motion for Attorney's Fees	4.50	\$125.00	\$562.50
		Total Hours (David Phillips, Esq.)	44.80		\$5,600.00
RCC	9/12/2008	Legal research regarding contributory copyright infringement and vicarious copyright infringement; office conference with attorney Gibson; work on interrogatories and requests for production.	1.50	\$95.00	\$142.50
RCC	10/15/2008	Legal research regarding elements of copyright claim; review and revise interrogatories and requests for production.	1.50	\$95.00	\$142.50
RCC	11/5/2008	Review and revise interrogatories and request for production; file and serve same; calendar response date.	1.00	\$95.00	\$95.00
RCC	11/26/2008	Prepare interrogatories and requests for production for filing; calendar response date.	0.50	\$95.00	\$47.50
RCC	12/3/2008	Prepare affirmative defenses to copyright infringement suit.	2.10	\$95.00	\$199.50
RCC	12/8/2008	Review and revise rule 26 disclosure; telephone call with client; e-mail to client.	1.00	\$95.00	\$95.00
RCC	12/9/2008	Review file regarding discovery; file and serve Rule 26 Disclosure; review and revise answer and affirmative defenses to counterclaim.	0.70	\$95.00	\$66.50

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
RCC	12/19/2008	Review discovery responses from Costar.	0.70	\$95.00	\$66.50
RCC	12/30/2008	Prepare subpoena and attachment.	0.50	\$95.00	\$47.50
RCC	1/2/2009	Review and revise subpoena and notice of deposition; file and serve same.	0.70	\$95.00	\$66.50
RCC	1/12/2009	Prepare subpoena for service.	0.30	\$125.00	\$37.50
RCC	1/14/2009	Begin work on response to request for production.	1.00	\$125.00	\$125.00
RCC	1/20/2009	Legal research regarding discovery issues.	2.00	\$125.00	\$250.00
RCC	1/21/2009	Review and revise response to request for production; e-mail to client regarding same.	1.10	\$125.00	\$137.50
RCC	1/22/2009	Telephone conference with client; review and revise response to request for production; file and serve same.	1.50	\$125.00	\$187.50
RCC	1/23/2009	Review of Costar documents; review of license agreement; review of client documents; research regarding prior Costar lawsuits.	1.20	\$125.00	\$150.00
RCC	3/2/2009	Legal research regarding copyright validity; review Costar license agreement.	2.00	\$125.00	\$250.00
RCC	3/3/2009	Prepare answers to interrogatories; prepare documents for production; e-mails to client; serve responses to interrogatories; prepare letter to opposing counsel.	1.50	\$125.00	\$187.50
RCC	3/26/2009	Entry of documents into database.	1.00	\$125.00	\$125.00
RCC	3/27/2009	Review discovery responses of Defendant; begin preparation of good faith letter regarding discovery dispute.	0.50	\$125.00	\$62.50
RCC	4/23/2009	Legal research regarding discovery dispute; prepare good faith letter regarding dispute.	0.50	\$125.00	\$62.50
RCC	4/24/2009	Begin work on motion to compel; review local rules regarding motions.	1.00	\$125.00	\$125.00
RCC	4/27/2009	Review and organize file in preparation for motion to compel; review Federal Rules of Civil Procedure, Local Rules and Discovery Practice Rules for Middle District; review documents and responses to discovery requests; begin work on extensive motion to compel.	2.10	\$125.00	\$262.50
RCC	5/4/2009	Continue work on comprehensive motion to compel.	1.10	\$125.00	\$137.50
RCC	7/21/2009	Review and revise motion to compel.	1.00	\$125.00	\$125.00
RCC	10/16/2009	Prepare response to request for production.	1.00	\$125.00	\$125.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
RCC	1/22/2010	Legal research regarding summary judgment and copyright infringement; assist with preparation of motion in opposition and supporting affidavit.	4.00	\$125.00	\$500.00
RCC	1/25/2010	Facts investigation; work on pre-trial; identify exhibits.	5.00	\$125.00	\$625.00
RCC	1/26/2010	Work on draft pretrial statement.	6.00	\$125.00	\$750.00
RCC	1/27/2010	Work on pretrial statement and exhibit identification.	7.00	\$125.00	\$875.00
RCC	1/28/2010	Work on pretrial issues; facts investigation.	7.00	\$125.00	\$875.00
RCC	1/29/2010	Work on pretrial statement; exhibit identification; legal research.	7.00	\$125.00	\$875.00
RCC	2/1/2010	Legal research regarding damages and motion in limine.	1.00	\$125.00	\$125.00
RCC	2/2/2010	Work on motion in limine; facts investigation.	4.00	\$125.00	\$500.00
RCC	2/3/2010	Legal research regarding damages and motion in limine.	2.50	\$125.00	\$312.50
RCC	2/8/2010	Legal research regarding damages; copyright infringement and motion in limine.	5.00	\$125.00	\$625.00
RCC	2/11/2010	Trial preparation; work on motion in limine.	6.00	\$125.00	\$750.00
RCC	2/15/2010	Trial preparation; exhibit review.	5.00	\$125.00	\$625.00
RCC	2/16/2010	Legal research regarding copyright damages; review Plaintiff documents.	4.00	\$125.00	\$500.00
RCC	2/19/2010	Review Plaintiff documents; review deposition transcripts; legal research.	5.00	\$125.00	\$625.00
RCC	2/22/2010	Trial preparation; work on witness subpoenas.	2.00	\$125.00	\$250.00
RCC	2/23/2010	Trial preparation; work on exhibit books; review exhibits; facts investigation.	6.50	\$125.00	\$812.50
RCC	2/24/2010	Work on trial exhibits; organize files; finalize trial subpoenas; research; facts investigation.	7.00	\$125.00	\$875.00
RCC	2/25/2010	Trial preparation.	6.00	\$125.00	\$750.00
RCC	2/26/2010	Trial preparation.	6.00	\$125.00	\$750.00
RCC	3/1/2010	Trial preparation.	7.00	\$125.00	\$875.00
RCC	3/2/2010	Assist and attend trial.	9.00	\$125.00	\$1,125.00
RCC	3/15/2010	Assist and attend trial.	9.00	\$125.00	\$1,125.00
RCC	3/16/2010	Legal research regarding copyright issues; work on findings of fact and conclusions of law.	4.00	\$125.00	\$500.00
RCC	3/17/2010	Legal research regarding copyrights; work on findings of fact and conclusions of law.	4.00	\$125.00	\$500.00
RCC	3/19/2010	Legal research regarding copyright issues.	4.00	\$125.00	\$500.00
RCC	3/22/2010	Legal research; work on closing argument, findings of fact; and conclusions of law.	4.00	\$125.00	\$500.00
RCC	3/23/2010	Legal research; work on closing argument, findings of fact; and conclusions of law.	6.00	\$125.00	\$750.00

<i>Tkpr</i>	<i>Date</i>	<i>Narrative</i>	<i>Billed Hrs</i>	<i>Rate</i>	<i>Billed Amt</i>
RCC	3/24/2010	Legal research; work on closing argument, findings of fact; and conclusions of law.	3.00	\$125.00	\$375.00
RCC	3/25/2010	Legal research; work on closing argument, findings of fact; and conclusions of law.	6.00	\$125.00	\$750.00
RCC	3/26/2010	Legal research; work on closing argument, findings of fact; and conclusions of law.	6.00	\$125.00	\$750.00
RCC	3/26/2010	Legal research; work on closing argument, findings of fact; and conclusions of law; final edits.	6.00	\$125.00	\$750.00
		Total Hours (Raymond Carr)	193.00		\$23,819.00
		OVERALL NUMBER OF HOURS	647.75		
		TOTAL FEES			\$129,510.50