

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

MAUREEN TOFFOLONI,)
as Administratrix and Personal)
Representative of the)
ESTATE OF NANCY E. BENOIT,)

Plaintiff,)

v.)

CIVIL ACTION
FILE NO. 1:08-CV-0421-TWT

LFP PUBLISHING GROUP, LLC,)
d/b/a Hustler Magazine,)
MARK SAMANSKY, an Individual,)
and other distributors and sellers of,)
Hustler Magazine, as)
Defendants X, Y, and Z,)

Defendants.)

SUPPLEMENT TO EXPERT REPORT
F. EDWIN HALLMAN, JR.

The following is a supplement to the report of F. Edwin Hallman, Jr. previously filed with this Court on May 28, 2010.

I have reviewed the invoices for attorneys' fees and expenses incurred by Plaintiff in responding to Defendant's Petition for Writ of Certiorari to the United

States Supreme Court, as outlined on the attached invoices, and determined that such fees and expenses were reasonable and necessary.

Respectfully submitted July 7, 2010.



F. EDWIN HALLMAN, JR.
State Bar of Georgia #319800

For HALLMAN & WINGATE, LLC

166 Anderson Street, S.E.
Suite 210
Marietta, Georgia 30060
(404) 588-2530

MILES & STOCKBRIDGE P.C.

10 Light Street, Baltimore, MD 21202-1487 • 410.727.6464 • Fax: 410.385.3700 • www.milesstockbridge.com

Cambridge, MD • Columbia, MD • Easton, MD • Frederick, MD • McLean, VA • Rockville, MD • Towson, MD

March 8, 2010
Invoice # 2315058
100909 . 0-GMC
FEI# 52-1852131

Hallman & Wingate, LLC
Suite 210
166 Adnerson Street
Marietta, GA 30060

Re: Toffoloni, Maureen, et al. v.
LFP Publishing Group, LLC, et al.

FOR PROFESSIONAL SERVICES RENDERED:

	Hours
10/08/09 GMC Research, review cited case law on right of publicity, newsworthiness exception in preparation for opposing cert petition	7.00
10/09/09 GMC Continue case review re: privilege, newsworthiness exception, review Defendants Request for En Banc Review	4.00
10/12/09 GMC Work on Opp to Cert Petition	2.00
10/16/09 GMC T/C Decker re: strategy	.30
10/19/09 GMC Review Motion for Summary Judgment pleadings, t/c from Decker, t/c to printer in DC re: preparation of brief.	.40
10/20/09 GMC Work on Opposition Brief	1.30
11/05/09 GMC Review additional cases re: First Amendment defense, likely arguments in cert petition	1.20
11/19/09 GMC Review cases not previously reviewed re: right of publicity, review articles on opposing cert petition	2.00
11/25/09 GMC Review 11th Circuit docket for pertinent Order dates, t/c, email with Decker, review Sup. Ct Rules re: cert petitions, search court website, t/c clerks office.	.80
11/30/09 GMC T/C's with Decker, review SCOTUS site, review docket entries, t/c' s to/from opposing counsel re: extension for time	1.20
12/01/09 GMC T/C's with defense counsel re: briefing issues, t/c Decker, review emails re: discovery, petitioners proof copy of brief, review brief, begin organizing thoughts re: arguments	4.00
12/02/09 LSH Review/ analyze 11th Circuit Opinion in preparation for Brief in Opposition to Petition for Certiorari to the Supreme Court.	.30
12/03/09 GMC Continue analyzing cases, planning for Opposition Brief to Cert Petition	3.50

MILES & STOCKBRIDGE P.C.

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 100909 .

Hallman & Wingate, LLC

0-GMC

12/03/09	GMC	Continue work on outlining brief	2.50
12/03/09	LSH	Review 11th Circuit's Opinion; review Petitioner's Petition for Writ of Certiorari in preparation for drafting Petition in Opposition to Petition for Writ of Certiorari.	2.20
12/04/09	GMC	Continue reviewing case law, organizing argument, t/c Decker re: same	2.00
12/04/09	LSH	Review Supreme Court Rules; research re: certworthy arguments and arguments in opposition to Petition for Certiorari.	1.60
12/07/09	GMC	Work on drafting Brief, research	2.40
12/07/09	LSH	Research and review case law cited in Petition for Certiorari; outline arguments for Brief in Opposition.	2.00
12/08/09	GMC	T/C's with Decker, Court, confer with Helfrich, research on certworthiness issues.	3.00
12/08/09	LSH	Research and outline arguments for Brief in Opposition to Petition for Certiorari.	2.60
12/09/09	GMC	Continue work, research on Brief, t/c's court	3.50
12/09/09	LSH	Research and outline arguments in opposition to Petition for Certiorari; confer with G. Church re: same.	2.10
12/10/09	GMC	Additional research on Certworthiness, drafting brief.	3.70
12/11/09	GMC	Continue drafting, researching certworthines issues	2.80
12/14/09	GMC	Continue drafting Opposition to Cert Petition.	5.00
12/14/09	LSH	Draft arguments in opposition to Petition for Certiorari; confer with G. Church re: same.	2.20
12/15/09	GMC	Continue drafting Opposition to Hustler Cert Petition, review law review article re same, t/c's re: strategy	6.50
12/15/09	LSH	Research/ draft/ edit arguments in Opposition to Petition for Certiorari.	7.50
12/16/09	GMC	Continue research, continue drafting Opposition Brief	3.00
12/16/09	LSH	Draft/ edit arguments in Opposition to Petition for Certiorari; confer with G. Church re: same.	5.40
12/17/09	GMC	Continue research and editing Opposition Brief, communications with Amicus counsel, research Amicus organization, research pros/cons of refusing to consent to amicus brief.	6.50
12/18/09	GMC	Emails, t/c's re: Brief, amicus, review cases	1.00
12/19/09	LSH	Draft/ edit Brief in Opposition to Petition for Certiorari and forward edits to G. Church.	1.00
12/21/09	GMC	Work on revisions to Brief, meeting with Helfrich re: same.	4.50
12/21/09	LSH	Strategize with G. Church re: revised Brief in	2.80

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Hallman & Wingate, LLC

0-GMC

	Opposition to Petition for Certiorari; research re: additional supporting case law; edit arguments.	
12/22/09 GMC	Review email re: amicus brief from Reporters Committee for Freedom of Speech, review prior cases, briefs re: same, t/c Decker re: strategy.	1.50
12/22/09 LSH	Draft/ edit Brief in Opposition to Petition for Certiorari.	4.00
12/23/09 GMC	Review latest draft, edit, email to Decker re: same.	1.50
12/23/09 LSH	Draft/ edit Brief in Opposition to Petition for Certiorari.	4.80
12/24/09 GMC	Pull documents, review emails re: Brief preparation.	.70
12/28/09 GMC	Continue drafting, revising Brief	7.00
12/29/09 GMC	Continue revisions on Brief, review Supreme Court docket, emails re: same	3.30
12/31/09 GMC	Check Supreme Court docket, t/c's to amicus counsel re: obtaining copies of amicus briefs, brief review	1.00
1/01/10 GMC	Review first of two Amicus briefs	1.80
1/03/10 GMC	Review Amicus briefs, strategize	3.30
1/04/10 GMC	Research on Amicus brief cites	2.70
1/04/10 LSH	Confer with G. Church re: Brief in Opposition to Petition for Certiorari; Edit Brief in Opposition to Petition for Certiorari.	.50
1/05/10 LSH	Analyze Amicus Briefs and cases cited therein; Outline reply arguments.	4.00
1/06/10 GMC	Review 5th, 9th Circuit cases.	1.00
1/06/10 LSH	Draft/ Edit Brief in Opposition to Petition for Certiorari.	7.90
1/07/10 LSH	Draft/ Edit Brief in Opposition to Petition for Certiorari; Confer with G. Church re: same.	6.70
1/12/10 GMC	Review and revise latest draft	1.70
1/12/10 LSH	Edit Brief in Opposition to Petition for Certiorari.	.70
1/15/10 GMC	Work on opposing brief	2.00
1/16/10 GMC	Review Cal Law review article regarding Privacy torts, defenses, newsworthiness exception	3.30
1/17/10 GMC	Rev work, add to, edit brief, .	7.00
1/18/10 GMC	Major re-organization of brief, mayor edits	8.00
1/18/10 LSH	Edit Brief in Opposition to Petition for Certiorari.	.60
1/19/10 GMC	write, edit, confer on brief	6.00
1/19/10 LSH	Draft/ Edit Brief in Opposition to Petition for Certiorari.	2.20
1/20/10 GMC	meet and compare with Leianne Helfrich re proposed changes, continue to edit, Opposing	3.00

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March 8, 2010
Invoice # 2315058
100909 . 0-GMC

Hallman & Wingate, LLC

14046977093, Extn: 3839, 01/19/2010

Total Expenses \$ 9.60

Total This Invoice \$ 35,009.60

Please return a copy of this invoice with your remittance. Thank you.

3191-002
mailed 1/29/10

INVOICE

Becker Gallagher Legal Publishing, Inc.
8790 Governor's Hill Drive
Suite 102
Cincinnati, OH 45249
(513) 677-5044

Invoice No S10-10017
Date 1/22/2010
Terms Due On Receipt

Bill To

Hallman & Wingate, LLC
Richard P. Decker
166 Anderson Street, Suite 210
Marietta, GA 30060

UNITED STATES SUPREME COURT
09-625 BOP, LFP Publishing Group v. Toffoloni

Quantity	Description	Rate	Amount
3	Pages of formatted/processed text (apx.) w/blue divider	18.50	55.50
50	color copies @ \$1 ea	1.00	50.00
31	Format brief	18.50	573.50
12	Pages of Index, Tables & Coverpage (x2)	18.50	222.00
0.5	Brief revisions (Standard rate) \$75.00 per hour	75.00	37.50
	Postage/Handling/Filing (overnight)	204.72	204.72

George Church (Miles & Stockbridge)
gchurch@MilesStockbridge.com 410.385.3839

Total Amount Due \$1,143.22

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

MAUREEN TOFFOLONI,)
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ESTATE OF NANCY E. BENOIT,)

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Defendants X, Y, and Z,)

Defendants.)

CERTIFICATE OF SERVICE

This is to certify that on July 7, 2010, I have electronically filed the foregoing Supplement to the Expert report of F. Edwin Hallman, Jr. with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

James Clifton Rawls, Esq.
S. Derek Bauer, Esq.
Barry J. Armstrong, Esq.
Darrell Jay Solomon, Esq.
Jeffrey F. Reina, Esq.
Paul J. Cambria, Esq.

and by placing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to:

William M. Feigenbaum, Esq.
Lipsitz, Green, Scime, Cambria, LLP
42 Delaware Avenue, Suite 120
Buffalo, NY 14202

/s/ Richard P. Decker
RICHARD P. DECKER
State Bar of Georgia #215600

For HALLMAN & WINGATE, LLC
Attorneys for Plaintiff

166 Anderson Street, S.E.
Suite 210
Marietta, Georgia 30060
(404) 588-2530