

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION**

COSTAR REALTY INFORMATION and
COSTAR GROUP, INC.,

Plaintiffs,

V.

ATKINSON-HUNT et al.

Defendants.

Civil Action No. PJM 06 CV 0655

**DECLARATION OF ALICE A. KELLY IN SUPPORT OF
PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION TO DISMISS**

1. My name is Alice A. Kelly. I am an individual over the age of eighteen (18) years. I have personal knowledge of the matters set forth in this Declaration and would be willing and able to testify thereto if and when called upon to do so.

2. I am an attorney with the law firm of DLA Piper Rudnick Gray Cary US LLP with the firm's Chicago office. I am licensed to practice in Illinois and am assisting the attorneys representing CoStar in this litigation. I make this Declaration in support of CoStar's Response to Defendant Resource Realty's Motion to Dismiss.

3. Attached hereto are true and correct copies of excerpts from the Report of the Administrative Office of the U.S. Courts reflecting median time intervals from filing to disposition of civil cases for 2004 and for 2005.

4. The 2004 Report reflects that the United States District Court for the District of New Jersey had 5,348 cases which took almost 9 months resolve in 2004.

5. The 2004 Report reflects that the United States District Court for the District of Maryland had only 3,416 cases which took only 8.6 months to resolve in 2004.

6. The 2005 Report reflects that the that the United States District Court for the District of New Jersey had 5,442 cases whereas the United States District Court for the District of Maryland had only 3,485.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 1, 2006


ALICE A. KELLY

**Table C-5.
U.S. District Courts—Median Time Intervals From Filing to Disposition of Civil Cases
Terminated, by District and Method of Disposition,
During the 12-Month Period Ending December 31, 2004**

Circuit and District	Total Cases			No Court Action			Court Action					
	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Before Pretrial		During or After Pretrial	Trial				
					Number of Cases	Median Time Interval in Months		Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	
TOTAL	200,388	8.4	47,844	7.4	129,961	8.9	18,948	13.5	3,635	21.3		
DC	1,994	10.5	937	9.3	984	10.3	44	18.5	29	30.0		
1ST	5,926	10.8	2,140	8.7	2,718	9.1	895	15.2	173	25.0		
ME	449	7.6	208	5.8	198	8.2	27	13.7	16	18.0		
MA	3,057	9.7	1,347	8.5	1,319	7.4	304	17.1	87	30.3		
NH	430	10.2	71	4.3	153	7.7	198	14.1	8	-		
RI	581	9.1	91	5.7	259	7.4	216	12.9	15	26.0		
PR	1,409	13.7	423	11.2	789	12.5	150	17.3	47	26.3		
2ND	18,531	9.2	6,293	8.5	9,529	9.4	2,351	15.8	358	28.1		
CT	2,051	11.6	1,371	9.0	576	14.2	37	32.0	67	32.5		
NY,N	1,034	12.3	195	9.2	601	11.5	212	16.9	26	27.0		
NY,E	5,352	11.1	927	7.9	3,574	10.6	760	17.4	91	33.4		
NY,S	8,581	8.5	3,395	8.9	3,848	6.8	1,197	12.0	141	21.5		
NY,W	1,230	10.3	367	6.4	704	10.2	140	17.0	19	33.0		
VT	283	8.0	38	5.8	226	8.7	5	-	14	26.0		
3RD	23,418	4.0	4,226	6.1	16,793	2.8	2,049	13.1	350	21.5		
DE	1,208	13.5	104	5.0	1,060	13.6	19	16.5	25	33.0		
NJ	5,348	8.9	1,665	6.4	2,184	5.8	1,423	13.3	76	27.0		
PA,E	12,504	1.0	990	5.5	10,950	1.0	424	11.6	140	17.8		
PAM	1,747	7.8	577	4.9	1,000	7.7	109	16.6	61	21.0		
PA,W	2,376	9.0	814	8.4	1,443	9.9	71	27.0	48	25.7		
VI	235	17.7	76	17.5	156	18.4	3	-	-	-		
4TH	14,891	8.6	3,249	5.5	9,907	8.6	1,467	10.3	268	18.9		
MD	3,416	8.6	1,225	7.4	1,924	8.8	222	13.6	45	23.7		
NC,E	967	10.5	232	7.0	712	11.5	3	-	20	21.0		
NC,M	730	11.9	190	6.3	338	12.0	189	13.7	13	21.0		
NC,W	825	11.7	236	8.4	486	10.3	92	15.9	11	27.5		
SC	3,330	9.1	302	6.6	2,590	8.7	362	15.5	76	22.4		
VA,E	2,913	5.3	747	4.2	1,536	5.1	562	7.5	68	11.2		
VA,W	1,029	9.4	205	8.4	779	10.2	23	10.0	22	13.0		
WV,N	489	11.4	60	8.5	413	12.1	12	13.0	4	-		
WV,S	1,192	13.8	52	5.0	1,129	13.5	2	-	9	-		

**Table C-5.
U.S. District Courts—Median Time Intervals From Filing to Disposition of Civil Cases
Terminated, by District and Method of Disposition,
During the 12-Month Period Ending March 31, 2005**

Circuit and District	Total Cases			No Court Action			Court Action					
	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Before Pretrial		During or After Pretrial		Trial			
					Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months	Number of Cases	Median Time Interval in Months		
TOTAL	200,451	8.3	49,977	7.3	126,864	8.2	19,983	13.5	3,627	21.1		
DC	1,966	10.0	879	9.9	1,019	10.4	37	18.0	31	30.0		
1ST	5,840	10.3	2,066	7.1	2,639	8.3	958	14.4	177	24.9		
ME	411	7.1	176	5.0	197	7.5	24	13.5	14	12.5		
MA	3,022	9.2	1,311	8.2	1,266	7.4	357	15.7	88	27.0		
NH	426	9.8	71	4.7	144	6.9	203	14.9	8	-		
RI	567	9.3	89	4.2	238	7.4	220	11.0	20	21.0		
PR	1,414	12.6	419	10.2	794	11.1	154	16.0	47	25.0		
2ND	18,485	10.7	6,407	8.8	9,300	9.5	2,414	15.4	364	28.6		
CT	2,103	11.6	1,411	9.5	579	14.0	41	25.4	72	32.6		
NY,N	1,083	13.5	231	8.2	570	11.4	251	16.8	31	27.0		
NY,E	5,419	11.9	865	7.4	3,729	11.1	728	18.6	97	32.0		
NY,S	8,253	9.0	3,454	8.6	3,430	7.0	1,232	12.0	137	21.8		
NY,W	1,299	10.1	396	6.7	729	10.9	157	18.6	17	36.0		
VT	328	8.7	50	4.0	263	8.7	5	-	10	32.0		
3RD	23,479	4.8	4,385	6.0	16,464	2.5	2,279	12.7	351	21.9		
DE	1,204	11.2	123	5.1	1,040	12.3	7	-	34	34.0		
NJ	5,442	7.5	1,737	6.1	2,185	5.9	1,456	12.8	64	27.0		
PA,E	12,657	1.0	1,087	5.0	10,777	1.0	646	10.6	147	17.9		
PA,M	1,694	7.4	575	4.1	967	7.4	97	16.3	55	22.0		
PA,W	2,269	9.5	806	8.1	1,346	9.8	66	25.0	51	25.8		
VI	213	20.7	57	15.0	149	21.7	7	-	-	-		
4TH	16,872	9.2	3,861	6.3	10,559	10.1	2,223	19.3	229	18.6		
MD	3,485	8.0	1,339	8.4	1,897	8.3	203	13.3	46	23.0		
NCE	926	10.5	274	8.9	635	11.0	2	-	15	20.8		
NC,M	734	11.9	215	7.9	323	12.3	186	12.0	10	20.0		
NC,W	882	10.3	261	8.6	526	11.9	84	14.0	11	27.0		
SC	3,911	12.3	316	6.0	2,374	9.4	1,168	46.6	53	24.8		
VA,E	3,203	5.3	1,098	4.9	1,498	5.3	540	7.2	67	11.8		
VA,W	997	9.4	210	8.0	749	9.7	23	11.7	15	14.0		
WV,N	513	12.2	83	8.2	419	12.9	8	-	3	-		
WV,S	2,221	19.1	65	6.7	2,138	19.1	9	-	9	-		