

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

MICAH FIALKA-FELDMAN

Case Number 08-CV-14922

Plaintiff,

Hon. Patrick J. Duggan

v.

OAKLAND UNIVERSITY BOARD
OF TRUSTEES, GARY D. RUSSI, MARY BETH
SNYDER, and LIONEL MATEN, in their
official capacity,

Defendants.

Michigan Protection & Advocacy Service, Inc.
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Veena Rao (P2981)
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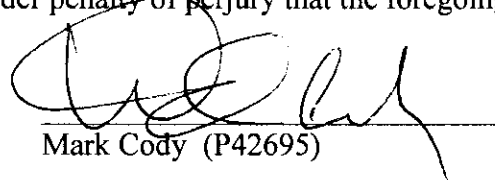
AFFIDAVIT OF MARK CODY

I, Mark Cody, make this affidavit under oath and would so testify in court:


1. I am a 1979 graduate of the University of Iowa College of Law. I was licensed to practice law in Iowa in that year.
2. I was in private practice in Iowa for five years and then a managing attorney for the Legal Services Corporation of Iowa until May of 1989.
3. In May of 1989, I moved to Michigan and was admitted to the State Bar of Michigan in November of 1989.

4. I was admitted to practice law before the United States District for the Eastern District Court of Michigan in 1993; before the United States District for the Western District Court of Michigan in 1994; and before the Sixth Circuit Court of Appeals in 2001.
5. I have been involved in litigation in federal and state courts to secure and protect the rights of individuals with disabilities.
6. Currently, I am the Legal Director at Michigan Protection and Advocacy Service, Inc. (MPAS). In this matter, I provided supervision to the lead attorney, Chris Davis, as well as the other attorneys and staff involved with the matter and reviewed depositions, motions, and pleadings.
7. With 20 years of experience as a civil rights attorney representing individuals with disabilities and over 30 years in the practice of law, a billing rate of \$300 per hour is fair and reasonable and is consistent with hourly rates charged by other attorneys with similar experience.
8. As Gabrielle Frampton's supervisor, I know she has been a member of the Barr since 1999 and was a graduate of Cooley Law School.
9. As Gabrielle Frampton's supervisor, I know she was lead counsel on a number of housing civil rights cases involving disability issues in both state and federal courts. Ms. Frampton's practice while at MPAS exclusively involved disability civil rights issue.

I declare under penalty of perjury that the foregoing is true and correct.


Mark Cody (P42695)

Subscribed and sworn to before me on January 20, 2010.



Christine M. Riddle, Notary Public
Oakland County, Michigan
Acting in Wayne County, Michigan
My Commission Expires: Nov. 4, 2014