

Department of Physical Medicine and Rehabilitation. During the fellowship, I provided psychotherapy and neuropsychological assessment services to patients and conducted research, all focused on children with various disabilities.

4. Between 2000 and 2002, I was a lecturer at the University of Michigan in the Departments of Psychology and Physical Medicine and Rehabilitation, teaching clinical psychological assessment to clinical psychology graduate students and conducting research on topics such as cognitive abilities, psychological treatment, and quality of life after pediatric traumatic brain injury and spinal cord injury.

5. Between 2002 and 2005, I was an Assistant Professor of Physical Medicine and Rehabilitation at the University of Michigan Medical School as well as an Adjunct Assistant Professor in the University of Michigan Department of Psychology. My duties included teaching clinical psychological assessment to clinical psychology graduate students, supervising psychology interns and post-doctoral fellows, providing direct patient care as Attending Psychologist at C.S. Mott Children's Hospital, University of Michigan, conducting research and obtaining grants to support research, producing scholarly articles, and serving on various committees. My direct and supervisory clinical work focused on the psychological and neuropsychological treatment and assessment needs of children with disabilities.

6. I attended the University of Michigan Law School from 2005 to 2008 and graduated with honors.

7. In 2008, I obtained a Skadden Fellowship, which is a national, competitive funding program for new attorneys wishing to pursue public interest legal work. The fellowship funding supported my work at MPAS.

8. I have been involved in litigation in federal and state court during my time at MPAS and have focused my practice on disability-related legal matters.

9. I am presently a Clinical Assistant Professor at the University of Michigan Law School, where I teach and supervise students in the Child Advocacy Law Clinic ("CALC"). In CALC, students and faculty practice child welfare law, including child abuse and neglect cases as well as guardianship and adoption matters.

10. My time in this case was spent attending depositions, conducting legal research, developing case strategy, and reviewing the pleadings filed by Defendant in this Court.

11. I bill at the rate of \$150 per hour for my work.

12. According to the Michigan Bar Journal surveys, released in 2007, my hourly rate is at or below the rate charged by other "civil rights" attorneys in SE Michigan.

13. Based on my experience, including my practice focus on disability-related legal matters, the rate I am charging is reasonable for the services I rendered to Mr. Fialka-Feldman.

14. It is not clear if any private sector lawyer would have under-taken representation of Mr. Fialka-Feldman in this case. It is a civil rights case involving a student with disability whose only wish was to live in on-campus housing.

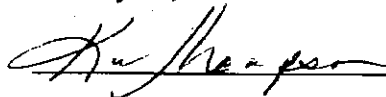
15. The limited availability of public interest attorneys from MPAS, the reality that at times the local lawyers in private practice cannot or perhaps will not accept clients like Mr. Fialka-Feldman and the overall expenses associated with hiring a lawyer from the private sector create an environment where many people seeking representation from an attorney experienced in the various aspects of such civil rights proceedings will be unable to do so.

16. For all these reasons, I believe an attorney fee of \$150 per hour for legal services provided to Mr. Fialka-Feldman is justified and reasonable.

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


Joshua B. Kay (P72324)

Subscribed and sworn to before me on
January 19, 2010.



_____, Notary Public
_____, County, Michigan
My Commission Expires: 2/28/2015

KIMARAF THOMPSON
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Feb 28, 2015
ACTING IN COUNTY OF Washtenaw