

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SAINT LOUIS UNIVERSITY,)	
a Missouri benevolent corporation,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:07CV1733 CEJ
)	
AVIS MEYER,)	
)	
Defendant.)	

AFFIDAVIT OF FRANK B. JANOSKI, ESQ.
REGARDING ITEMIZATION OF FEES AND COSTS CONCERNING PLAINTIFF’S
MOTION TO COMPEL FULL AND COMPLETE INTERROGATORY ANSWERS
[dkt # 34]

I, Frank B. Janoski, being first duly sworn on oath and being competent to testify as to the facts set forth herein, do hereby state the following:

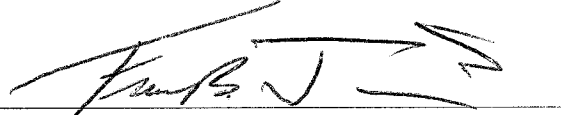
1. I am over the age of twenty-one and have personal knowledge of the facts stated herein.
2. I am a Missouri resident and am a partner at the law firm of Lewis, Rice & Fingersh, L.C.
3. I am lead counsel representing the Plaintiff, Saint Louis University (“SLU”), in the above-referenced matter. Bridget Hoy, another Lewis, Rice & Fingersh, L.C. attorney, is working under my supervision on this case.
4. I submit this Affidavit at the request of the Court upon its granting of Plaintiff Saint Louis University’s Motion to Compel Full and Complete Interrogatory Answers [dkt #34].

5. I have reviewed the invoices and time charged to SLU and submit herewith the attached chart, filed as Exhibit A to this Affidavit, which sets forth the attorneys' fees and costs incurred by SLU with regard to the above-referenced Motion.

6. The attached does not include fees for time related to Plaintiff's Motion to Compel Discovery Based on Waiver of Attorney-Client Privilege [dkt #32], which has been denied by the Court, or for Plaintiff's Motion for Sanctions for Spoliation of Evidence [dkt #36], which was taken under advisement by the Court. For work related to all three Motions, we have reduced the amounts accordingly.

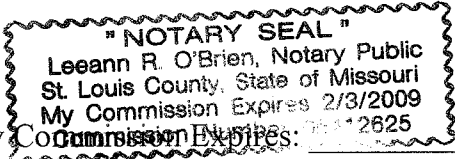
7. In my experience, the rates charged¹ and all of the fees and costs set forth in the attached were reasonable and necessary and were incurred due to Defendant's failure to serve full and accurate responses to Plaintiff's interrogatory requests.


FURTHER THE AFFIANT SAYETH NOT.


 Frank B. Janoski, Esq.

STATE OF MISSOURI)
)
 COUNTY OF ST. LOUIS CITY) SS.

Subscribed and sworn to before me this 20th day of August, 2008.


 My Commission Expires: 2-3-2009


 Notary Public

¹ The rates charged to Saint Louis University, as set forth on the attached, are reduced from Lewis, Rice, & Fingersh, L.C.'s standard rates.

Respectfully submitted,

LEWIS, RICE & FINGERSH, L.C.

By: /s/ Frank B. Janoski

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I further certify that on the 26th day of August, 2008, the foregoing was filed with the Clerk of Court to be served via the Court's ECF system upon all counsel of record.

/s/ Frank B. Janoski

Frank B. Janoski, #3480

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