

## **EXHIBIT D**



**Accountability Services**

LEGAL COST CONTROL SPECIALISTS

Audit of the Reasonableness of the Hours Expended and Expenses Incurred by Jon Norinsberg, Esq., Gerald Cohen, Esq., Joshua Fitch, Esq., John Meehan, Esq., Nicole Burzstyn, Nathaniel Smith, Esq. , John Lenoir, Esq., Howard Suckle, Esq., James McCutcheon, Esq., Magdalena Bauza, Lysia Smejila, Jeannette Lenoir, Jeremy Smith, Harvey Levine, Esq., Peter Gleason, Esq., Richard Gilbert, Esq. in connection with the action entitled *Adrian Schoolcraft v The City of New York, Jamaica Hospital Medical Center, Dr. Isak Isakov and Dr. Lillian Aldana-Bernier*

April 8, 2016

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## 1. Introduction

Accountability Services, Inc. (“ASI”) has audited the invoices of Jon Norinsberg, Esq. (“Norinsberg,” or “JLN”), Gerald Cohen, Esq. (“Cohen,” or “GMC”), Joshua Fitch, Esq. (“Fitch,” or “JPF”), John Meehan, Esq. (“Meehan,” or “JJM”), Nicole Burzstyn (“Burzstyn,” or “NB,” and together with Norinsberg, Cohen, Fitch and Meehan, “the Norinsberg Group”), Nathaniel Smith, Esq. (“Smith,” or “NBS”), John Lenoir, Esq. (“Lenoir,” or “JL”), Howard Suckle, Esq. (“Suckle,” or “HS”), James McCutcheon (“McCutcheon” or “JJM”) Magdalena Bauza (“Bauza,” or “MB”), Lysia Smejila (“Smejila,” or “LS”), Jeannette Lenoir (“J. Lenoir,” or “JLL”), Jeremy Smith (“J. Smith,” or “JS,” and together with Smejila and J. Lenoir, the “Smith Paralegals” and together with Smith, Lenoir, Suckle, McCutcheon, and Bauza, “the Smith Group”), Harvey Levine, Esq. (“Levine”), Peter Gleason, Esq. (“Gleason”) and Richard Gilbert, Esq. (“Gilbert,” and together with Levine and Gleason, the “Gleason Group”) in connection with the action (the “Litigation”) entitled *Adrian Schoolcraft v The City of New York* (the “City”), Jamaica Hospital Medical Center (“JHMC”), Dr. Isak Isakov (“Isakov”) and Dr. Lillian Aldana-Bernier (“Aldana-Bernier” and together with JHMC and Isakov, the “Medical Defendants”), and has been asked to render an opinion with respect to the reasonableness of the hours expended and the reasonableness of the expenses and whether the billing practices of the various groups are consistent with acceptable billing practices.

ASI reviewed the time journals for each of the individuals in the Norinsberg Group and the Smith Group contained in Exhibits H, I, J, K, L, M, and N to the plaintiff’s Motion for Attorney’s Fees and Costs Award dated December 16, 2015 (“Plaintiff’s Fee Motion”) and Exhibit A to the Affirmation of Gleason in Support of Plaintiff’s Application for Attorney’s Fees and Costs (“Gleason Affirmation”), Exhibit A to Richard A. Gilbert’s Affirmation in Support of Attorney’s Fees, Expenses, and Costs (“Gilbert Affirmation”) and Exhibit A to Harvey A. Levine’s Affirmation in Support of Attorney’s Fees, Expenses and Costs (“Levine Affirmation” and together with the Gleason Affirmation and the Gilbert Affirmation, the “Gleason Fee Motion,” and together with Plaintiff’s Fee Motion, the “Fee Motions”) and all time journals listed in this report or contained in the exhibits hereto are recreated from those exhibits, with the exception that the time for days when Mr. Smith and Ms. Bauza travelled have been reduced to reflect the fact that they billed half rates for travel, and Ms. Bauza’s time after 2013 has been changed to reflect billing in six (6) minute increments as opposed to “real” time.

ASI notes that Mr. Fitch’s time journals (Exhibit J to the Plaintiff’s Fee Motion) is sorted by billing increments, not days, making the review of the reasonableness of these invoices overly cumbersome. In over twenty years of reviewing legal bills, ASI has never seen legal bills presented in this fashion.

## **2. Expert Qualifications**

This report has been prepared by Judith Bronsther, Esq., President of ASI. Ms. Bronsther is admitted to practice law in New York (since 1980). Since 1992, as President of Accountability Services, she has devoted all of her time to issues surrounding reasonable attorneys' fees. She has personally reviewed or overseen the review of close to a billion dollars of legal fees, including many fee applications opposed by governmental entities, including *Guillermo Ruelas, Oscar Miranda, Alejandro Espinoza et al. vs. The State of California by and through the California Youth Authority; James Shelby; Christine Pike, Xavier Ruiz and Walter Allen III, in their individual and official capacities; and DOES 1 through 20, inclusive, Port Authority Police Asian Jade Society of New York & New Jersey et al. vs. The Port Authority of New York & New Jersey, Diane J. Schroer v. Dr. James Billington, Library of Congress; Allison Palmer v. Colin Powell; and Marguerite Cooper v. Condoleezza Rice*. Ms. Bronsther has written extensively on the issue of legal fees and has spoken at Continuing Legal Education programs and corporate programs on the subject of legal cost control.

Attached as Exhibit 1 is a copy of Ms. Bronsther's resume.

## **3. Overview of Fees and Costs**

The City's obligation, if any, to pay the legal fees and costs incurred by the Smith Group, the Norinsberg Group and the Gleason Group in pursuing the Litigation against the City is limited to those reasonably incurred. "Reasonably" incurred is those fees that a reasonable bill paying client would pay and is calculated by the lodestar (i.e., reasonable rates times reasonable hours).

In the Fee Motions, the Norinsberg Group, the Smith Group and the Gleason Group are seeking the following fees and expenses from the City:



	Hours	Rate Sought	Fees Sought	Expenses Sought	Fees and Expenses Sought
<b>Norinsberg Group</b>					
Norinsberg	1,451.85	\$600.00	\$871,110.00	\$10,021.85	
Cohen	806.70	\$500.00	\$403,350.00	\$3,800.00	
Fitch	894.75	\$500.00	\$447,375.00		
Meehan	137.80	\$350.00	\$48,230.00		
Burzstyn	103.15	\$125.00	\$12,893.75		
	3,394.25		\$1,782,958.75	\$13,821.85	\$1,796,780.60
<b>Smith Group</b>					
Smith	2,217.50 <sup>1</sup>	\$575.00	\$1,275,062.50	\$135,235.75	
Lenoir	1,281.00 <sup>2</sup>	\$575.00	\$736,575.00		
Suckle	108.90	\$575.00	\$62,617.50		
McCutcheon	23.38	\$250.00	\$5,845.00		
Bauza	1,287.83 <sup>3</sup>	\$150.00	\$193,175.50		
Smith Paralegals	442.18	\$125.00	\$55,272.50		
	5,360.79		\$2,328,548.00	\$135,235.75	\$2,463,783.75
<b>Gleason Group</b>					
Gilbert	120.62	\$500	\$63,810.00	\$4,630.45	
Gleason	310.754	\$500	\$155,375.00	\$11,066.25	
Levine	74.32	\$600	\$70,734.00		
			\$289,919.00	\$15,696.70	\$305,615.70
Grand Total			\$4,401,425.75	\$164,754.30	\$4,566,180.05

#### 4. Executive Summary

##### **Amount of Attorney's Fees Sought from the City is Unreasonable**

As detailed in this report, in ASI's opinion, the amount of fees sought from the City in the Fee Motions is unreasonable for a number of reasons, including:

##### **Work Performed Exclusively in Connection with the Medical Defendants**

Based on a review of the docket, a great deal of the work performed by the Smith Group and the Norinsberg Group and some of the work performed by the Gleason Group related exclusively to claims against the Medical Defendants.

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1 Adjusted to account for travel time being billed at \$287.50 per hour.

2 Adjusted to account for travel time being billed at \$287.50 per hour.

3 Adjusted to account for travel time being billed at \$75.00 per hour.

4 Adjusted to account for travel time being billed at \$250.00 per hour.

### **The Norinsberg Group**

- ASI identified billing entries totaling over 269 hours (approximately 8% of the aggregate hours) that mention work that was performed exclusively in connection with the Medical Defendants.

### **The Smith Group**

- ASI identified billing entries totaling over 800 hours (approximately 15% of the aggregate hours) that mention work that was performed exclusively in connection with the Medical Defendants.

### **The Gleason Group**

- ASI identified billing entries totaling over 9 hours (approximately 2% of the aggregate hours) that mention work that was performed exclusively in connection with the Medical Defendants.

ASI notes that in addition to the work performed exclusively in connection with the Medical Defendants, there was a great deal of work that related primarily to but not exclusively to the Medical Defendants (e.g. the Second and Third Amended Complaint) or related in part to claims unique to the Medical Defendants (e.g. Plaintiff's Summary Judgment Motion, preparing Mr. Schoolcraft's for his deposition and for trial, preparing for the Medical Defendant's deposition and cross-examination at trial), and ASI has not specifically recommended a reduction for this work. In ASI's opinion, this should be taken into account when determining the appropriate reduction for duplication in effort and other inefficiencies.

### **Work that was Unnecessary or Inappropriate to Bill to a Defendant in a Fee Shifting Claim**

#### **Substitution of Counsel**

In a little over five (5) years that the Litigation against the City was pending, the Plaintiff changed legal teams five (5) times. Each of the changes necessitated that new lawyers familiarize themselves with facts, documents and law already known to the prior attorneys on the case, and not only created duplication in effort, but also rendered the prior firm's knowledge base obsolete where prior counsel was completely removed from the case.

Many of the tasks associated with the change of counsel (or the preparation of a retainer agreement for the initial counsel), such as meetings and interviews with Mr. Schoolcraft, meetings and conferences with prior counsel or co-counsel, drafting retainer agreements, and reviewing previously reviewed documents and non-specific background documents, did not advance the

Litigation and would not have been billed had the Plaintiff not changed lawyers (the “Cost of Substitution”).

### **The Norinsberg Group**

- The Norinsberg Group billed almost 57 hours in connection with the Cost of Substitution.

### **The Smith Group**

- The Smith Group billed almost 82 hours in connection with the Cost of Substitution.

### **The Gleason Group**

The Gleason Group acknowledges that after they familiarized themselves with the plaintiff and his case, read thousands of pages of discovery, and reviewed hours of videos and transcripts, the group had “just begun the process of formulating our litigation plan” when they were relieved of responsibility for the Litigation. Clearly, their familiarity with the Plaintiff and the review of these documents and videos did not advance the Litigation.

- The Gleason Group billed more than 216 hours (approximately 43% of its aggregate hours) in connection with the Cost of Substitution.

### **Deposition Digesting**

Given the fact that depositions are indexed and fully searchable electronically, most clients today will not pay for the cost of digesting or summarizing depositions. Nonetheless, the Smith Group and the Norinsberg Group billed more than 416 hours for digesting. Not only was there a disproportionate amount of time billed for many of the digests, but digests for the same deponent were drafted first by the Smith Group and then again by the Norinsberg Group. And, when it came to trial, the attorneys reviewed the transcripts, not the digests, except for a trivial amount of time that did not identify the digests reviewed.

### **The Norinsberg Group**

- The Norinsberg Group billed more than 53 hours for digesting.

### **The Smith Group**

- The Smith Group billed almost 363 hours for digesting (much of this billed by apparent relatives of attorneys Smith and Lenoir).

## **Ancillary Services**

Ancillary issues that may have been troubling to the plaintiff, such as NYPD disciplinary charges, the Queens District Attorney's Press Release exonerating NYPD personnel from criminality, and the continued use of plaintiff's name, image and recordings on the web by his discharged attorney Norinsberg, should not be the City's responsibility. Moreover, time spent on issues beneficial to the plaintiff, but did not advance the interests of the litigation (e.g., press relations, lobbying to get others involved in the Litigation, and a book deal) should not be billed to the City. In total, ASI has calculated that the Smith Group billed 51 hours (9.5% of its aggregate hours), the Norinsberg Group billed 103 hours (3% of its aggregate hours) and the Gleason Group billed 166.75 hours (33% of its aggregate hours) in connection with Ancillary Services.

### **Meetings Regarding Ancillary Issues**

The Gleason Group acknowledged that Mr. Gilbert travelled on two occasions to meet with the plaintiff on ancillary issues. In connection with these meetings and others that specifically related to ancillary issues, the Gleason Group billed 43.75 hours.

### **Press Relations/Lobbying**

#### **The Norinsberg Group**

- In connection with media communications and lobbying to get others involved in the Litigation, the Norinsberg Group billed over 96 hours.

#### **The Smith Group**

- In connection with media communications and lobbying to get others involved in the Litigation, the Smith Group billed over 30 hours.

#### **The Gleason Group**

- In connection with media communications and lobbying to get others involved in the Litigation, the Gleason Group billed over 60 hours.

### **Departmental Hearing**

#### **The Smith Group**

- In connection with Mr. Schoolcraft's departmental hearing, the Smith Group billed over 21 hours.

### **The Gleason Group**

- In connection with Mr. Schoolcraft's departmental hearing, the Gleason Group billed over 39 hours.

### **Time Journals Do Not Appear to Be Contemporaneous and Are Exaggerated**

#### **The Norinsberg Group**

- Messrs. Norinsberg, Cohen and Fitch billed almost 132 hours for writing and reviewing routine, very brief emails and correspondence, and more often than not, two (2) or more of these gentlemen reviewed the same document.
- Over 432 hours (13% of their aggregate time) was block billed.
- Messrs. Norinsberg, Cohen and Fitch billed over 877 hours (almost 28% of their aggregate time) with virtually identical task descriptions and time entries, indicating that these gentlemen did not record their own time and/or keep contemporaneous time journals.
- Over 191 hours (5.6% of their aggregate time) was recorded in a vague fashion where ASI could not ascertain what issue, motion or witness the timekeeper was working on.
- Almost 225 hours were billed to communication entries, where the average amount of time billed for email/correspondence was 9 minutes, and the average amount of time billed for telephone calls was 36 minutes.

#### **The Smith Group**

- The attorneys in the Smith Group billed primarily in 15 minute increments and the paralegals in the Smith Group billed in 60 minute billing increments.
- Over 2,710 hours (51% of their aggregate time) was block billed.
- Over 689 hours (12.8% of their aggregate time) was recorded in a vague fashion where ASI could not ascertain what issue, motion or witness the timekeeper was working on.
- Smith attorneys recorded the wrong dates for depositions and even billed time to attending a deposition when no deposition was held on that date.
- Smith attorneys recorded different amounts of time for attending the same external event.
- Almost 87 hours were billed to communication entries, where the average amount of time billed for email/ correspondence was 65 minutes, and the average amount of time billed for telephone calls was 53 minutes.

### **The Gleason Group**

- The attorneys in the Gleason Group billed primarily in 15 minute increments.
- Over 273 hours (54% of their aggregate time) was block billed.
- Mr. Gilbert reported attending a hearing (the only one he attended) on the wrong date.
- Almost 42 hours were billed to communication entries, where the average amount of time billed for email/ correspondence was 11.60 minutes, and the average amount of time billed for telephone calls was 33 minutes.

### **Lack of Billing Judgment**

In order for an attorney to meet his/her ethical obligation to charge for fees that are reasonable, the attorney must exercise billing judgment. In essence, the attorney must carefully review the invoices and write off fees that were actually incurred, but were excessive, duplicative, or unnecessary. The Smith Group, the Norinsberg Group and the Gleason Group are seeking reimbursement for time which in ASI's opinion is obviously non-reimbursable leading ASI to the conclusion that none of the groups carefully reviewed their invoices to write-off even items that were clearly non-reimbursable.

### **The Smith Group**

- Among other things, the Smith Group is seeking reimbursement for secretarial services, including printing and scanning documents.

### **The Norinsberg Group**

- Among other things, the Norinsberg Group is seeking reimbursement for drafting its own retainer agreement and working on Mr. Schoolcraft's book deal.

### **The Gleason Group**

- Among other things, the Gleason Group is seeking compensation (time at attorney rates and expenses) for purchasing iPhones, a cell phone contract, computer equipment and clothing for Mr. Schoolcraft, hand delivering letters and subpoenas, purchasing train tickets, and transporting files.

### **Duplication of Effort and Other Inefficiencies**

Since a law firm's fees must be reasonable, it has an obligation to assign the appropriate number of people at the appropriate levels of experience to handle a matter, and maintain a reasonable degree of continuity in staffing

throughout the course of the representation. In so doing, a law firm will reduce redundant and inefficient work. This was not the case in the instant situation.

The Norinsberg Group and the Smith Group did not assign discreet aspects of the Litigation to different attorneys. Rather, they adopted a team approach where, for the most part, all issues, complex or not, were reviewed by multiple senior attorneys. Examples of this team approach included the following:

### **The Complaint**

In connection with multiple amendments to the complaint, two (2) Motions to Amend and a Motion for Reconsideration, the Norinsberg Group and the Smith Group billed more than 388 hours.<sup>5</sup> A review of the time journals and time expenditures reveals pronounced duplication in efforts and other inefficiencies.

### **The Norinsberg Group**

From the date of its retention to the date of filing the initial complaint, the Norinsberg Group billed 479.70 hours. The Norinsberg Group familiarized themselves with the facts and applicable law and drafted the complaint. Two (2) or more individuals reviewed almost every issue, and three (3) attorneys ping ponged the drafting of the complaint back and forth, spending an aggregate of 140 hours for drafting and discussing the complaint.

### **The Smith Group**

In connection with the Third Amended Complaint, which corrected prior errors and asserted a federal claim against the Medical Defendants, which was unsuccessful, the Smith Group billed almost 100 hours. Mr. Smith, Mr. Lenoir and Ms. Bauza worked in tandem on this amended complaint and the related motion to amend.

ASI also notes that all versions of the complaint had medical malpractice claims, claims that were peculiar to the Medical Defendants and not in any way related to the facts or causes of action relating to the City.

### **Audio and Video Recordings**

The Smith Group and the Norinsberg Group billed over 560 hours reviewing audio and video recordings. The vast majority of the time journals relating to the audio and video recordings were vague, making it impossible to ascertain whether different timekeepers were reviewing the same recording. However, when the time journals detailed the actual recording that was being reviewed, it became clear that multiple timekeepers were reviewing the same recording.

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<sup>5</sup> Does not include the 339.13 hours that the Norinsberg Group billed for its retention and familiarizing themselves with the facts and law in connection with the complaint.

## **Summary Judgment Motions**

Six (6) Motions for Summary Judgment were filed, one (1) by the City, one (1) by Mauriello, one (1) by the Plaintiff and three (3) by the Medical Defendants. In connection with these various summary judgment motions, the Smith Group and the Norinsberg Group billed over 863 hours. Almost 37% of the time (320 hours) was too vague to determine which summary judgment motion the time related to. Not only do the vague time records obscure potential duplication in effort, but they obviate the ability to properly allocate all of the time spent on the Medical Defendants' summary judgment motions.

Nonetheless, when the time journals were specific enough to ascertain which motion the Smith Group and the Norinsberg Group were working on, it became evident that there was a great deal of duplication in effort between the two (2) groups and within each group.

## **Depositions**

Excluding deposition digesting discussed above, the Smith Group billed an aggregate of 1,182.51<sup>6</sup> hours and the Norinsberg Group billed an aggregate of 240.50<sup>7</sup> hours in connection with 41 deposition sessions (34 deponents).<sup>8</sup> Thirty-eight of the 41 deposition sessions were attended by multiple attorneys, with three (3) being attended by three (3) timekeepers. ASI notes that not only did multiple attorneys attend and prepare for these depositions, but multiple (and often different) attorneys reviewed the deposition transcripts. By way of comparison, the City had multiple attorneys at only two (2) sessions of the Schoolcraft deposition and the Lauterborn deposition.

## **Trial Preparations**

The Smith Group billed 470.72 hours and the Norinsberg Group billed 1,440.87 hours in connection with trial preparations. The Norinsberg Group seems to have taken the lead of the Litigation during the trial phase, being responsible for almost all of the examination outlines, leaving primary responsibility for only the Eterno direct examination, the jury instructions and the JPTO with the Smith Group. Nonetheless, in ASI's opinion, there was a great deal of duplication in effort between the two groups and within each group.

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<sup>6</sup> Included in this time is 260.50 hours of time relating to depositions that was vague or related to general deposition issues.

<sup>7</sup> Included in this time is 56.20 hours of time relating to depositions that was vague or related to general deposition issues.

<sup>8</sup> ASI has excluded depositions that related entirely to the Medical Defendants i.e., Dhar, Maffia, Halpren-Ruder and Lubit, but notes that all of the issues that ASI has identified as unreasonable (e.g. duplication in effort and excessive amount of time) was equally present in these depositions.



## **The Norinsberg Group**

It appears as if the Norinsberg Group brought Mr. Meehan onto the team to assist in examination outlines. Mr. Meehan billed 135.90 hours in connection with such outlines, and as set forth below, it appears as if his work was duplicative of the work performed by Mr. Norinsberg. In a relatively consistent pattern, Mr. Meehan would spend a substantial amount of time working on a cross examination outline (e.g., he spent 38 hours working on Caughey's examination) and then Mr. Norinsberg would "start" working on the same outline spending, at times, as much or more time as Mr. Meehan.

## **The Smith Group**

Excluding time specifically related to jury instructions in connection with the Medical Defendants,<sup>9</sup> the Smith Group billed 112.24 hours and the Norinsberg Group billed 4.95 hours for the jury instructions. In August 2013, Mr. Smith and Ms. Bauza spent an extraordinary amount of time on a "jury instruction project," revised them in March 2014 and then in 2015, Mr. Lenoir, Mr. Cohen, Mr. Norinsberg and Mr. Fitch all reviewed the instructions

### **Duplication Between the Norinsberg Group and the Smith Group**

#### **JPTO, Witness List and Exhibit List**

The Smith Group recorded over 107 hours and the Norinsberg Group recorded over 43 hours in connection with the JPTO, Witness List and Exhibit list. Five (5) senior attorneys and two (2) paralegals were working together and duplicating the efforts of the other.

#### **Pre-Trial Conferences**

Mr. Smith and Ms. Bauza from the Smith Group and Messrs. Norinsberg, Fitch and Cohen from the Norinsberg Group prepared for and attended two (2) pre-trial conferences, billing almost 40 hours for these two (2) short conferences.

#### **Multiparty Attendance at Meetings, Hearings, Conferences and Depositions**

Excluding preparation time for meetings, hearings, conferences and deposition attendance (other than that which was block billed on the date of the event), the Norinsberg Group billed 256 hours (7.5% of their aggregate time), the Smith Group billed 1,043 hours (19% of their aggregate time), and the

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<sup>9</sup> An aggregate of 57.10 hours were billed relating to jury instructions relating to the Medical Defendants.

Gleason Group billed 81 hours (16% of their aggregate time) to events where more than two (2) and often three (3) attorneys were in attendance. This duplication in effort was especially unjustified given the seniority of the staff (in most cases all of those attending were billed at partner-level rates).

### **Client Meetings**

The Norinsberg Group billed over 153 hours, the Smith Group billed over 319 hours, and the Gleason Group billed over 129 hours for meetings and calls with Mr. Schoolcraft. Most surprising was that there were 12 meetings with Mr. Schoolcraft where multiple attorneys/clerks (usually three (3)) travelled to his home and attended the meetings. The aggregate hours for these meetings exceeded 240 hours.

### **Witness Interviews**

The Norinsberg Group billed over 190 hours and the Smith Group billed over 24 hours in connection with witness interviews.

### **The Norinsberg Group**

Duplication was most pronounced in the Norinsberg Group where Mr. Cohen and Mr. Fitch both attended ten (10) witness interviews together and attended an additional witness interview with Mr. Norinsberg.

### **Hearings/Conferences**

As set forth on the following page, all but five (5) hearings/ conferences held in the Litigation were attended by at least two (2) and as many as six (6) timekeepers:

	GMC	JPF	JLN	NBS	HS	MB	JL
<b>Court Appearance</b>							
1/26/11 (Motion to Dismiss)	X	X					
9/28/11 (Motion to Compel)	X	X	X				
2/8/12 (Pre-Trial Conference)	X	X	X				
3/28/12 (Privilege)	X	X	X				
5/9/12(Complaint)	X	X	X				
10/24/12 (Motion to Compel)	X		X				
6/5/13 (Motion to Compel)				X			X
9/25/13 (Discovery)				X		X	X
10/16/13 (Misc. Motions)				X		X	X
11/13/13 (Video Hearing)					X	X	X
1/15/14 (Discovery)				X		X	X
3/26/14 (Discovery)				X			X
4/9/14 (Raymond)				X			X
4/30/14 (Protective Order)				X			X
5/28/14 (Notice 30B)				X		X	X
6/9/14 (Trial Status)				X		X	X
10/29/14 (Status Conference)				X			X
1/14/15 (Summary Judgment)				X			X
2/2/15 (Summary Judgment)				X			X
4/13/15 (Pre-Trial Conference)	X	X	X	X		X	X
5/12/15 (Pre-Trial Conference)	X	X	X	X		X	X

### Meetings/Conferences

As set forth below, meetings and conference calls were usually staffed with at least two (2) and often three (3) senior attorneys:

	GMC	JPF	JLN	NBS	HS	MB	JL
<b>Meetings</b>							
7/30/10 (Polanco, Raymond)	X	X	X				
7/31/10 (Polanco)	X	X					
9/22/10 (Lobbying)		X	X				
9/23/10 (Center for Constitutional Rights)	X	X	X				
9/27/10 (DOJ)	X	X	X				
9/27/10 (Lobbying)	X	X					
10/27/10 (Velez)	X	X					
1/20/12 (Discovery)	X	X	X				
4/11/13 (Rae Koscheck)				X			X
5/16/13 (Departmental Hearing)				X			X
5/18/13 (Departmental Hearing)				X			X
9/19/13 (Precinct Inspection)				X		X	
10/2/13 (Hospital Inspection)				X	X	X	
12/24/13 (Settlement)				X		X	X
12/26/13 (Exhibits)						X	X
3/4/14 (Discovery)				X		X	X
4/1/14 (Settlement)				X			X
4/14/14 (Settlement)				X		X	X
4/16/14 (Settlement)				X		X	X
5/8/14 (Settlement)				X			X
9/11/15 (Settlement)	X		X	X			
7/2/12 (Larry Schoolcraft)	X	X					
3/27/13 (Gleason)				X		X	
5/13/14 (Ferrara)				X			X
5/13/13 (Helena Melisi)				X			X
1/7/15 (James McCutcheon)				X			X
2/26/15 (Mary Soeto)	X		X				
10/23/13 (Eterno)				X			X
6/7/13 (Potential Experts)				X			X
6/13/14 (Eterno)				X		X	X
7/30/14 (LE Experts)				X			X
8/4/14 (Eterno)				X			X
10/4/14 (Eterno)				X			X

## Conclusion Regarding Duplication in Effort and Other Inefficiencies

In ASI's opinion, the Norinsberg Group, the Smith Group and the Gleason Group failed to exercise billing judgment and the unnecessary duplication in effort was pervasive, especially considering the seniority of the staff. Moreover, no reduction has been made for a great deal of work performed by the Norinsberg Group and the Smith Group relating to the Medical Defendant (e.g., the Second and Third Amended Complaint, preparing Mr. Schoolcraft for his deposition and preparing for the Medical Defendants depositions) as the tasks were not exclusively performed in connection with the Medical Defendant.

Accordingly, in ASI's opinion, a reasonable, if not conservative reduction would be 50% of the amount of time billed by the Smith Group and the Norinsberg Group. ASI is not recommending a further reduction to the Gleason Group in light of the fact that ASI has previously recommended writing off most of their time because it is non-compensable due to the fact that most of their work was unnecessary or inappropriate to bill to a defendant in a fee shifting claim. Set forth below are the hours for the various groups, which in ASI's opinion are reasonable:

	Reasonable Hours
<b>Norinsberg Group</b>	
Cohen	311.79
Fitch	295.46
Norinsberg	557.75
Meehan	58.23
Burzstyn	22.69
	1245.92
<b>Smith Group</b>	
Smith	764.05
Lenoir	424.03
Suckle	38.07
McCutcheon	9.31
Bauza	377.2
J. Lenoir	4.8
L. Smejila	1.2
J. Smith	17.29
	1635.95
<b>Gleason Group</b>	
Levine	3.88
Gleason	95.85
Gilbert	20.10
	119.83

## Amount of Expenses from the City is Unreasonable

### The Smith Group

The Smith Group is requesting \$135,235.75 in expenses, after deducting \$14,259 of expenses relating to Dr. Lubit's time preparing for trial after the City tendered their Offer of Judgment and \$1,984.43 for the cost of housing for the plaintiff on the eve of the trial of the action against the Medical Defendants.

In ASI's opinion, the following expenses were either unreasonable and/or not the City's responsibility to reimburse:

### Expenses Relating to Medical Defendants

The Smith Group is requesting reimbursement aggregating \$55,945.99 for expenses relating solely to the Medical Defendants. Such expenses include:

5/20/2014	JHMC-Mafia 30 (b) (6) ebt tr	\$711.00
7/7/2014	Dhar Dep Tr	\$1,081.38
9/20/2014	Dr. Halpren-Ruder Fees and expenses for Deposition	\$4,010.35 <sup>10</sup>
10/21/2014	Dr. Halpren-Ruder Fees	\$4,400.00
10/31/2014	Patel day two ebt tr	\$523.42
11/25/2014	Federal Express documents to Dr. Roy Lubit	\$20.00
12/2/2014	Federal Express Dr. Roy Lubit deposition transcript, dated September 2014	\$21.94
12/4/2014	Anthony Maffia deposition transcript to Veritext court reporting	\$711.00
12/8/2014	Attorney Maffia deposition transcript to Gregory Radomisli by regular mail	\$5.45
12/12/2014	Dr. Roy Lubit third deposition transcript by mail	\$5.45
11/17/2015	Dr. Lubit invoice and time records at \$500 per hours and \$4,500 per half day	\$44,456.00
		\$55,945.99

### Expenses Relating to Experts

The Smith Group is requesting additional expert-related reimbursements aggregating \$16,538.30<sup>11</sup>, including a \$188 dinner which is not a reasonable expense. I am advised that as a matter of law, expert fees are not recoverable in Section 1988 cases. Such expenses include:

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10 Paragraph 33 (c) of the Affirmation of Nathaniel B. Smith in Support of Plaintiff's Application for Attorney's Fee and Costs ("Smith Affirmation") state that Dr. Halpren-Ruder's invoices total \$8,922.70. In fact, the invoices total \$8,410.35.

11 Paragraph 33 (d) and (e) of the Smith Affirmation states that \$7,200 in expert fees were paid to Professor Eterno and \$7,350 were paid to Professor Silverman. The expenses listed on Exhibit I to Plaintiff's Fee Motion total \$16,538. ASI notes that the payments to Professor Eterno on August 23, 2014 and the payments to Professor Silverman on August 30, 2014 appear to be duplicate expenses.

6/24/2014	Dinner with Expert	\$188.30
7/11/2014	Eli Silverman Ckt #2973	\$3,000.00
7/11/2014	John Eterno Ckt #2974	\$3,000.00
9/8/2014	Eli Silverman hk #2986	\$1,950.00
9/23/2014	Eternon chk #2991	\$1,800.00
9/23/2014	John Eterno expert fee	\$1,800.00
9/30/2014	Eli Silverman: chk #2994	\$2,400.00
9/30/2014	Eli Silverman expert fee	\$2,400.00
		\$16,538.30

### **Travel Expenses**

The Smith Group is requesting reimbursement for \$6,971.62 for travel expenses. The only back-up documentation for travel expenses were three (3) invoices for the Parke Slope Inn, which all appear to be invoices for Mr. Schoolcraft's visits to New York.<sup>12</sup> One invoice is for \$716.21 for the time period July 1, 2014 through July 4, 2014, another is for \$1,193.68 for the time period December 19, 2013 through December 24, 2013. In ASI's opinion it is not appropriate to ask the City to reimburse Mr. Schoolcraft's expenses.

No other back-up documentation was provided. In ASI's opinion, until such documentation is provided and the expenses determined to be reasonable, these expenses should not be the City's obligation.

### **Conclusion Regarding Reasonable Expenses**

In ASI's opinion, the reasonable expenses for the Smith Group equal \$55,779.84.

### **The Norinsberg Group**

#### **Norinsberg**

Norinsberg is requesting reimbursement of \$10,021.85 in expenses without providing any back-up documentation in connection with such expenses. ASI notes that this is in addition to the \$4,630.45 that the Gleason Group is claiming as having been paid to Norinsberg.

ASI notes that Norinsberg is seeking compensation for the following expenses, which in ASI's opinion are clearly not reimbursable:

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<sup>12</sup> The Smith Group is not seeking reimbursement for one of the invoices in the amount of \$1,984.42.

### Mr. Schoolcraft's Expenses

7/6/2010	Western Union for Schoolcraft (travel NYC)	\$212.00
7/7/2010	Hamptons Inns (NY)	\$300.70
1/6/2012	Cosmopolitan Hotel	\$208.91
3/14/2012	Western Union for Schoolcraft (travel NYC)	\$329.00
8/9/2012	Hotel Albany (room for plaintiff/rental of conference room)	\$764.56
		\$1,815.17

### Travel Expenses for Yeudeka Cepeda

7/6/2010	Yeudeka Cepeda (cash advance for travel to NYC)	\$300.00
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### Office Supplies

9/14/2010	J&R Music World (3 250 gb Hard drives and case)	\$232.95
9/20/2010	J&R Music World (1tb gb Hard Drive)	\$72.48
9/27/2010	Staples (8gb USB Flash Drive)	\$33.76
10/22/2010	Staples	\$38.10
10/25/2010	Staples (8gb USB Flash Drive)	\$21.76
8/15/2011	Staples (4gb USB Flash Drive)	\$54.38
		\$453.43

### Website

10/4/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$110.00
10/15/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$60.00
11/4/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$581.40
11/4/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$570.00
		\$1321.40

In ASI's opinion, until documentation is provided for all of Norinsberg's expenses and the expenses are determined to be reasonable, these expenses should not be the City's obligation.

### Cohen

Cohen is requesting reimbursement of \$3,800.00 in expenses, without providing any itemization or back-up documentation In ASI's opinion, until documentation is provided for all of Cohen's expenses and the expenses are determined to be reasonable, these expenses should not be the City's obligation.

### Conclusion Regarding Reasonable Expenses

In ASI's opinion, it is not reasonable to ask the City to reimburse any of the Norinsberg Group's expenses.

## **The Gleason Group**

### **Gilbert**

Gilbert is requesting reimbursement of \$4,630.45 in expenses, the amount which he paid to Norinsberg “in order to secure the release of plaintiff’s litigation file from the outgoing attorney.”<sup>13</sup> No itemization or back-up documentation was provided. Accordingly, in ASI’s opinion, until such documentation is provided and the expenses determined to be reasonable, these expenses should not be the City’s obligation.

### **Gleason**

Gleason is requesting reimbursement of \$11,066.25 for expenses, without providing itemization or back-up documentation for \$4,088.00 in expenses. Accordingly, in ASI’s opinion, until documentation is provided for the \$4,088.00 and such expenses are determined to be reasonable, these expenses should not be the City’s obligation. In addition, the gifts for Mr. Schoolcraft totaling \$3,397.00<sup>14</sup> should not be the responsibility of the City.

## **Conclusion Regarding Reasonable Expenses**

In ASI’s opinion, the reasonable expenses for the Gleason Group equal \$3,581.25.

## **5. Standard of Review**

It is black letter law that a legal fee must be “reasonable.” The initial estimate of a reasonable attorney’s fee is properly calculated by multiplying the number of hours reasonably expended on the Litigation times a reasonable hourly rate. A strong presumption exists that the product of these two variables - the “lodestar figure” - represents a “reasonable fee.” When determining the number of hours reasonably expended, inadequate documentation may result in a reduction in the number of hours claimed, as will a claim for hours a court deems excessive, redundant, or otherwise unnecessary.

Fee applications in federal court must be accompanied by meticulous and contemporaneous time records. Contemporaneous time records should be kept by each attorney and paralegal and should specify the date the work was

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13 Gilbert Affirmation, Paragraph 6.

14 Gleason is requesting reimbursement of \$638 for purchasing business attire for Mr. Schoolcraft and \$2,759 for providing “AS with Apple laptop, printer/scanner and two iPhones. Set up Verizon cell phone service for two iPhones for 12 month contract at \$144.97 per line per month.”



performed, the hours expended and the nature of the work done. The burden is on the law firm to keep and present records of contemporaneous journals prepared by each of the attorneys and paralegals.

If time records are not kept contemporaneously, the reliability of the time records is called into question. An individual, who reconstructs his or her schedule days or even weeks after the work is performed, cannot hope to achieve the accuracy that the client deserves.

As the Supreme Court said in Hensley v. Eckerhart, 461 U.S. 424, 103 S.Ct. 1933 (1983):

The party seeking an award of fees should submit evidence supporting the hours worked and rates claimed. Where the documentation of hours is inadequate, the district court may reduce the award accordingly. The district court also should exclude from this initial fee calculation hours that were not “reasonably expended.” Cases may be overstaffed, and the skill and experience of lawyers vary widely. Counsel for the prevailing party should make a good faith effort to exclude from a fee request hours that are excessive, redundant, or otherwise unnecessary, just as a lawyer in private practice ethically is obligated to exclude such hours from his fee submission.

## 6. Analysis

### A. Work Performed Exclusively in Connection with the Medical Defendants

Based on a review of the docket, as set forth below, a great deal of the work performed by the Smith Group and the Norinsberg Group and some of the work performed by the Gleason Group related exclusively to claims against the Medical Defendants.

15	9/7/2010	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Jamaica Hospital Medical Center.(Radomisli, Gregory) (Entered:09/07/2010)
16	9/7/2010	ANSWER to Complaint with JURY DEMAND. Document filed by Jamaica Hospital Medical Center.(Radomisli, Gregory) (Entered: 09/07/2010)
18	9/10/2010	ANSWER to Complaint with JURY DEMAND. Document filed by Isak Isakov.(Lee, Brian) (Entered: 09/07/2010)
23	9/30/2010	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 09/30/2010)
24	9/30/2010	ANSWER to Complaint with JURY DEMAND. Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 09/30/2010)
25	10/6/2010	ANSWER to Amended Complaint with JURY DEMAND. Document filed by Jamaica Hospital Medical Center. Related document: 21 Amended Complaint,,,,, filed by Adrian Schoolcraft.(Radomisli, Gregory) (Entered: 10/06/2010)

26	10/12/2010	MOTION to Dismiss. Document filed by Jamaica Hospital Medical Center. Return Date set for 11/17/2010 at 12:00 PM.(Radomisli, Gregory) (Entered: 10/12/2010)
27	10/12/2010	MEMORANDUM OF LAW in Support re: 26 MOTION to Dismiss.. Document filed by Jamaica Hospital Medical Center. (Radomisli, Gregory) (Entered: 10/12/2010)
28	10/12/2010	DECLARATION of Gregory J. Radomisli in Support re: 26 MOTION to Dismiss.. Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit "A," Part One, # 2 Exhibit "A," Part Two, # 3 Exhibit "A," Part Three, # 4 Exhibit "B," # 5 Exhibit "C," Part One, # 6 Exhibit "C," Part Two, # 7 Exhibit "D")(Radomisli, Gregory) (Entered: 10/12/2010)
39	10/27/2010	ANSWER to Amended Complaint with JURY DEMAND. Document filed by Isak Isakov.(Lee, Brian) (Entered: 10/27/2010)
46	11/8/2010	REQUEST for Production of Documents.Document filed by Isak Isakov.(Lee, Brian) (Entered: 11/08/2010)
47	11/8/2010	INTERROGATORIES to plaintiff.Document filed by Isak Isakov.(Lee, Brian) (Entered: 11/08/2010)
48	11/8/2010	NOTICE to Take Deposition of plaintiff Adrian Schoolcraft on February 28, 2011 at 10:00 a.m..Document filed by Isak Isakov.(Lee, Brian) (Entered: 11/08/2010)
50	11/11/2010	SECOND RULE 7.1 CORPORATE DISCLOSURE STATEMENT. NO Corporate Parent. Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 11/11/2010)
51	11/11/2010	ANSWER to Amended Complaint with JURY DEMAND. Document filed by Lillian Aldana-Bernier. Related document: 21 Amended Complaint,,,,, filed by Adrian Schoolcraft.(Brady, Bruce) (Entered: 11/11/2010)
52	11/11/2010	FIRST SET OF INTERROGATORIES to Adrian Schoolcraft.Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 11/11/2010)
53	11/11/2010	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Isak Isakov.(Lee, Brian) (Entered: 11/11/2010)
58	1/20/2011	REPLY MEMORANDUM OF LAW in Support re: 26 MOTION to Dismiss.. Document filed by Jamaica Hospital Medical Center. (Radomisli, Gregory) (Entered: 01/20/2011)
59	2/14/2011	ORDER: Defendant Jamaica Hospital Medical Center's letter, dated February 10, 2011, will be treated as a motion to stay discovery and will be heard on submission, without oral argument, on Wednesday, March 2, 2011. (Signed by Judge Robert W. Sweet on 2/14/2011) (jar) (Entered: 02/14/2011)
61	6/23/2011	ANSWER to Interrogatories.Document filed by Isak Isakov.(Lee, Brian) (Entered: 06/23/2011)
62	6/23/2011	RESPONSE to Discovery Request from plaintiff.Document filed by Isak Isakov.(Lee, Brian) (Entered: 06/23/2011)
63	6/23/2011	REQUEST for Production of Documents.Document filed by Isak Isakov.(Lee, Brian) (Entered: 06/23/2011)
65	8/15/2011	RULE 26(f) DISCOVERY PLAN REPORT.Document filed by Isak Isakov.(Lee, Brian) (Entered: 08/15/2011)
67	10/5/2011	RULE 26(f) DISCOVERY PLAN REPORT.Document filed by Isak Isakov.(Lee, Brian) (Entered: 10/05/2011)
68	10/12/2011	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION to Approve to "so order" stipulation and protective order. Document filed by Isak Isakov.(Lee, Brian) Modified on 10/13/2011 (db). (Entered: 10/12/2011)
106	10/15/2012	ANSWER to 103 Amended Complaint,,,,,, with JURY DEMAND. Document filed by Jamaica Hospital Medical Center.(Radomisli, Gregory) (Entered: 10/15/2012)
112	10/19/2012	ANSWER to 103 Amended Complaint,,,,,, with JURY DEMAND. Document filed by Isak Isakov.(Lee, Brian) (Entered: 10/19/2012)
114	10/22/2012	ANSWER to 103 Amended Complaint,,,,,, with JURY DEMAND. Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 10/22/2012)
149	4/8/2013	JOINT REPLY MEMORANDUM OF LAW in Support re: 135 MOTION to Quash Subpoena on Queens DA Richard Brown of Queens District Attorney Richard Brown. Reply MOL for letter-motion to limit contact with the media. Document filed by Lillian Aldana-Bernier, Isak Isakov, Jamaica Hospital Medical Center. (Radomisli, Gregory) (Entered: 04/08/2013)
198	11/14/2013	LETTER addressed to Judge Robert W. Sweet from Matthew J. Koster dated November 13, 2013 re: Further support of defendants motion for a protective order. Document filed by Lillian Aldana-Bernier.(Koster, Matthew) (Entered: 11/14/2013)

244	4/15/2014	LETTER MOTION for Conference addressed to Judge Robert W. Sweet from Gregory J. Radomisli dated April 15, 2014. Document filed by Jamaica Hospital MedicalCenter. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Radomisli,Gregory) (Entered:04/15/2014)
250	4/28/2014	LETTER RESPONSE in Support of Motion addressed to Judge Robert W. Sweet from Gregory J Radomisli dated April 28, 2014 re: 244 LETTER MOTION for Conference addressed to Judge Robert W. Sweet from Gregory J. Radomisli dated April 15, 2014. . Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit1)(Radomisli, Gregory) (Entered: 04/28/2014)
282	11/3/2014	LETTER addressed to Honorable Sir from Brian E. Lee dated 10/14/2014 re: Approval of the briefing schedule for the dispositive motions in this case. (ajs) (Entered: 11/03/2014)
284	11/3/2014	LETTER addressed to Judge Robert W. Sweet from Gregory J. Radomisli dated 10/6/2014 re: Request to adjourn trial date. (ajs) (Entered: 11/03/2014)
295	12/18/2014	DECLARATION of Gregory J. Radomisli in Opposition re: 290 MOTION to Amend/Correct .. Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C part 1, # 4 Exhibit Exhibit C part 2, # 5 Exhibit Exhibit D, # 6 Exhibit Exhibit E part 1, # 7 Exhibit Exhibit E part 2, # 8 Exhibit Exhibit E part 3, # 9 Exhibit Exhibit F, # 10 Exhibit Exhibit G, # 11 Exhibit Exhibit H, # 12 Exhibit Exhibit I, # 13 Exhibit Exhibit J, # 14 Exhibit Exhibit K, # 15 Exhibit Exhibit L, # 16 Exhibit Exhibit M, # 17 Exhibit Exhibit N, # 18 Exhibit Exhibit O, # 19 Exhibit Exhibit P, # 20 Exhibit Exhibit Q, # 21 Exhibit Exhibit R, # 22 Exhibit Exhibit S, # 23 Exhibit Exhibit T, # 24 Exhibit Exhibit U, # 25 Exhibit Exhibit V, # 26 Exhibit Exhibit X)(Osterman, Brian) (Entered: 12/18/2014)
296	12/18/2014	MEMORANDUM OF LAW in Opposition re: 290 MOTION to Amend/Correct . . Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered:12/18/2014)
321	12/26/2014	ENDORSED LETTER addressed to Judge Robert W. Sweet from Brian Osterman dated 12/18/2014 re: Request that the Court defendant JHMC leave to file accompanying exhibits CD in lieu of paper copies. ENDORSEMENT: So ordered. (Signed by Judge Robert W. Sweet on 12/26/2014) (ajs) (Entered: 12/31/2014)
325	1/5/2015	MOTION for Summary Judgment . Document filed by Jamaica Hospital Medical Center. Responses due by 1/21/2015 Return Date set for 1/28/2015 at 10:00 AM.(Osterman, Brian) (Entered: 01/05/2015)
326	1/5/2015	DECLARATION of Gregory J. Radomisli in Support re: 325 MOTION for Summary Judgment .. Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C part 1, # 4 Exhibit Exhibit C part 2, # 5 Exhibit Exhibit D, # 6 Exhibit Exhibit E part 1, # 7 Exhibit Exhibit E part 2, # 8 Exhibit Exhibit E part 3, # 9 Exhibit Exhibit F, # 10 Exhibit Exhibit G, # 11 Exhibit Exhibit H, # 12 Exhibit Exhibit I, # 13 Exhibit Exhibit J, # 14 Exhibit Exhibit EE, # 15 Exhibit Exhibit FF, # 16 Exhibit Exhibit HH)(Osterman, Brian) (Entered: 01/05/2015)
327	1/5/2015	MEMORANDUM OF LAW in Support re: 325 MOTION for Summary Judgment. . Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered:01/05/2015)
329	1/8/2015	MOTION for Summary Judgment. Document filed by Lillian Aldana-Bernier. Responses due by 1/21/2015 Return Date set for 1/28/2015 at 10:00 AM. (Callan, Paul) (Entered: 01/08/2015)
330	1/8/2015	DECLARATION of Paul F. Callan in Support re: 329 MOTION for Summary Judgment .. Document filed by Lillian Aldana-Bernier. (Attachments: # 1 Exhibit 2nd amended complaint, # 2 Exhibit answer to 2nd amended complaint)(Callan, Paul) (Entered: 01/08/2015)
331	1/8/2015	RULE 56.1 STATEMENT. Document filed by Lillian Aldana-Bernier. (Callan, Paul) (Entered: 01/08/2015)
332	1/8/2015	MEMORANDUM OF LAW in Support re: 329 MOTION for Summary Judgment . . Document filed by Lillian Aldana-Bernier. (Callan, Paul) (Entered: 01/08/2015)
334	1/8/2015	MOTION to Dismiss and for other relief. Document filed by Isak Isakov. Responses due by 1/21/2015 Return Date set for 1/28/2015 at 12:00 PM. (Attachments: # 1Affidavit Declaration of Service)(Lee, Brian) (Entered: 01/08/2015)
335	1/8/2015	DECLARATION of Brian E. Lee in Support re: 334 MOTION to Dismiss and for other relief.. Document filed by Isak Isakov. (Attachments: # 1 Exhibit Exhibit A: Second Amended Complaint, # 2 Exhibit Exhibit B: Answer to Second Ameneded Complaint, # 3 Exhibit Exhibit D: Schoolcraft deposition excerpts)(Lee, Brian) (Entered: 01/08/2015)

336	1/8/2015	MEMORANDUM OF LAW in Support re: 334 MOTION to Dismiss and for other relief. . Document filed by Isak Isakov. (Lee, Brian) (Entered: 01/08/2015)
337	1/8/2015	RULE 56.1 STATEMENT. Document filed by Isak Isakov. (Lee, Brian) (Entered: 01/08/2015)
345	1/30/2015	AMENDED MEMORANDUM OF LAW in Support re: 334 MOTION to Dismiss and for other relief. . Document filed by Isak Isakov. (Lee, Brian) (Entered: 01/30/2015)
347	1/30/2015	DECLARATION of Brian E. Lee in Support re: 334 MOTION to Dismiss and for other relief.. Document filed by Isak Isakov. (Attachments: # 1 Exhibit Exhibit A: Second Amended Complaint, # 2 Exhibit Exhibit B: Answer to 2nd Amended Complaint, # 3 Exhibit Exhibit D: Deposition excerpts, # 4 Exhibit Exhibit E: Excerpt 1 of 5, # 5 Exhibit Exhibit E: Excerpt 2 of 5, # 6 Exhibit Exhibit E: Excerpt 3 of 5, # 7 Exhibit Exhibit E: Excerpt 4 of 5, # 8 Exhibit Exhibit E: Excerpt 5 of 5, # 9 Exhibit Exhibit F: 3rd Amended Complaint, # 10 Exhibit Exhibit G: Order of Judge Sweet 1-16-15)(Lee, Brian) (Entered: 01/30/2015)
348	1/30/2015	AMENDED MOTION for Partial Summary Judgment ., MOTION for Summary Judgment .( Responses due by 2/6/2015, Return Date set for 2/11/2015 at 11:00 AM.) Document filed by Lillian Aldana-Bernier.(Callan, Paul) (Entered: 01/30/2015)
349	1/30/2015	SUPPLEMENTAL MEMORANDUM OF LAW in Support re: 348 AMENDED MOTION for Partial Summary Judgment . MOTION for Summary Judgment . . Document filed by Lillian Aldana-Bernier. (Callan, Paul) (Entered: 01/30/2015)
350	1/30/2015	DECLARATION of Paul F. Callan in Support re: 334 MOTION to Dismiss and for other relief.. Document filed by Lillian Aldana-Bernier. (Attachments: # 1 Exhibit Second Amended Summons and Complaint, # 2 Exhibit Dr. Aldana-Bernier Answer to Second Amended Summons and Complaint, # 3 Exhibit Judge Sweet Opinion and Order dated 1/16/15, # 4 Exhibit Third Amended Summons and Complaint)(Callan, Paul) (Entered: 01/30/2015)
351	1/30/2015	MOTION for Summary Judgment . Document filed by Jamaica Hospital Medical Center. Responses due by 2/4/2015 Return Date set for 2/11/2015 at 12:00 PM.(Radomisli, Gregory) (Entered: 01/30/2015)
352	1/30/2015	DECLARATION of Gregory J. Radomisli in Support re: 351 MOTION for Summary Judgment .. Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit LL, # 2 Exhibit MM, # 3 Exhibit NN)(Radomisli, Gregory) (Entered: 01/30/2015)
353	1/30/2015	AMENDED MEMORANDUM OF LAW in Support re: 351 MOTION for Summary Judgment . . Document filed by Jamaica Hospital Medical Center. (Radomisli, Gregory) (Entered: 01/30/2015)
354	1/30/2015	RULE 56.1 STATEMENT. Document filed by Lillian Aldana-Bernier. (Callan, Paul) (Entered: 01/30/2015)
355	1/30/2015	NOTICE of Amended 56.1 re: 351 MOTION for Summary Judgment .. Document filed by Jamaica Hospital Medical Center. (Radomisli, Gregory) (Entered: 01/30/2015)
360	1/30/2015	AMENDED MOTION for Summary Judgment . Document filed by Lillian Aldana-Bernier. Responses due by 2/4/2015 Return Date set for 2/11/2015 at 11:00AM.(Callan, Paul) (Entered: 01/30/2015)
361	1/30/2015	MEMORANDUM OF LAW in Support re: 360 AMENDED MOTION for Summary Judgment . . Document filed by Lillian Aldana-Bernier. (Callan, Paul) (Entered:01/30/2015)
362	1/30/2015	DECLARATION of Paul F. Callan in Support re: 360 AMENDED MOTION for Summary Judgment .. Document filed by Lillian Aldana-Bernier. (Attachments: # 1 Exhibit Second Amended Summons and Complaint, # 2 Exhibit Answer to Second Amended Summons and Complaint, # 3 Exhibit Judge Sweet Opinion and Order dated 1/16/15, # 4 Exhibit Third Amended Summons and Complaint)(Callan, Paul) (Entered: 01/30/2015)
363	1/30/2015	RULE 56.1 STATEMENT. Document filed by Lillian Aldana-Bernier. (Callan, Paul) (Entered: 01/30/2015)
364	2/2/2015	RULE 56.1 STATEMENT. Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered: 02/02/2015)
365	2/2/2015	AMENDED MEMORANDUM OF LAW in Support re: 351 MOTION for Summary Judgment . . Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered: 02/02/2015)
366	2/2/2015	AMENDED MOTION for Summary Judgment and other relief. Document filed by Isak Isakov. Responses due by 2/4/2015 Return Date set for 2/11/2015 at 12:00PM.(Lee, Brian) (Entered: 02/02/2015)

367	2/2/2015	AMENDED MEMORANDUM OF LAW in Support re: 366 AMENDED MOTION for Summary Judgment and other relief. . Document filed by Isak Isakov. (Lee, Brian) (Entered: 02/02/2015)
368	2/2/2015	DECLARATION of Brian E. Lee in Support re: 366 AMENDED MOTION for Summary Judgment and other relief.. Document filed by Isak Isakov. (Attachments: # 1 Exhibit A: Second Amended Complaint, # 2 Exhibit B: Answer to 2nd Amended Complaint, # 3 Exhibit D: Excerpts from deposition of plaintiff, # 4 Exhibit E-1: Excerpts from depositions, # 5 Exhibit E-2: Excerpts from depositions, # 6 Exhibit E-3: Excerpts from depositions, # 7 Exhibit E-4: Excerpts from depositions, # 8 Exhibit E-5: Excerpts from depositions, # 9 Exhibit F: Third Amended Complaint, # 10 Exhibit G: Order of Judge Sweet January 16, 2015)(Lee, Brian) (Entered: 02/02/2015)
369	2/2/2015	RULE 56.1 STATEMENT. Document filed by Isak Isakov. (Lee, Brian) (Entered: 02/02/2015)
370	2/3/2015	DECLARATION of Service of Brian E. Lee in Support re: 366 AMENDED MOTION for Summary Judgment and other relief.. Document filed by Isak Isakov. (Lee, Brian) (Entered: 02/03/2015)
373	2/11/2015	DECLARATION of Brian E. Lee in Opposition re: 305 MOTION for Summary Judgment .. Document filed by Isak Isakov. (Attachments: # 1 Exhibit A: Excerpts from deposition, # 2 Exhibit B: Curriculum Vitae of Frank Dowling, M.D.)(Lee, Brian) (Entered: 02/11/2015)
377	2/11/2015	DECLARATION of Gregory J. Radomisli in Opposition re: 305 MOTION for Summary Judgment .. Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C)(Osterman, Brian) (Entered: 02/11/2015)
378	2/11/2015	MEMORANDUM OF LAW in Opposition re: 305 MOTION for Summary Judgment . . Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered: 02/11/2015)
379	2/11/2015	RULE 56.1 STATEMENT. Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered: 02/11/2015)
380	2/11/2015	DECLARATION of Matthew J. Koster in Opposition re: 305 MOTION for Summary Judgment .. Document filed by Lillian Aldana-Bernier. (Attachments: # 1 Exhibit Exhibit A Part 1, # 2 Exhibit Exhibit A Part 2, # 3 Exhibit Exhibit A Part 3, # 4 Exhibit Exhibit A Part 4, # 5 Exhibit Exhibit B, # 6 Exhibit Exhibit C, # 7 Exhibit Exhibit D Part 1, # 8 Exhibit Exhibit D Part 2, # 9 Exhibit Exhibit D Part 3, # 10 Exhibit Exhibit E)(Koster, Matthew) (Entered: 02/11/2015)
381	2/11/2015	MEMORANDUM OF LAW in Opposition re: 305 MOTION for Summary Judgment . . Document filed by Lillian Aldana-Bernier. (Koster, Matthew) (Entered: 02/11/2015)
382	2/11/2015	COUNTER STATEMENT TO Document filed by Lillian Aldana-Bernier. (Koster, Matthew) (Entered: 02/11/2015)
406	3/6/2015	REPLY AFFIRMATION of Brian E. Lee (declaration) in Support re: 366 AMENDED MOTION for Summary Judgment and other relief.. Document filed by Isak Isakov. (Lee, Brian) (Entered: 03/06/2015)
407	3/6/2015	REPLY MEMORANDUM OF LAW in Support re: 351 MOTION for Summary Judgment . . Document filed by Jamaica Hospital Medical Center. (Attachments: # 1 Exhibit MM)(Radomisli, Gregory) (Entered: 03/06/2015)
408	3/6/2015	REPLY MEMORANDUM OF LAW in Support re: 360 AMENDED MOTION for Summary Judgment . . Document filed by Lillian Aldana-Bernier. (Koster, Matthew) (Entered: 03/06/2015)
409	3/6/2015	DECLARATION of Matthew J. Koster in Support re: 408 Reply Memorandum of Law in Support of Motion. Document filed by Lillian Aldana-Bernier. (Attachments: # 1 Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C Part 1, # 4 Exhibit Exhibit C Part 2, # 5 Exhibit Exhibit C Part 3, # 6 Exhibit Exhibit C Part 4)(Koster, Matthew) (Entered: 03/06/2015)
423	3/30/2015	LETTER addressed to Judge Robert W. Sweet from Brian E. Lee dated March 30, 2015 re: Pending motions for summary judgment. Document filed by Isak Isakov. (Attachments: # 1 Exhibit Order denying cert in McGugan, # 2 Exhibit Ltr Supreme Court to 2d Circuit re McGugan)(Lee, Brian) (Entered: 03/30/2015)
428	3/31/2015	LETTER addressed to Judge Robert W. Sweet from Matthew J. Koster, Esq. dated March 30, 2015 re: Pending Motions for Summary Judgment. Document filed by Lillian Aldana-Bernier. (Attachments: # 1 Exhibit Order denying cert in McGugan) (Koster, Matthew) (Entered: 03/31/2015)

453	7/13/2015	OPPOSITION BRIEF to Plaintiff's Motion for Reconsideration. Document filed by Jamaica Hospital Medical Center.(Osterman, Brian) (Entered: 07/13/2015)
506	9/22/2015	FIRST MOTION in Limine to preclude expert from testimony about PTSD. Document filed by Isak Isakov. Return Date set for 10/2/2015 at 12:00 PM.(Lee, Brian) (Entered: 09/22/2015)
507	9/22/2015	MEMORANDUM OF LAW in Support re: 506 FIRST MOTION in Limine to preclude expert from testimony about PTSD. . Document filed by Isak Isakov. (Lee, Brian) (Entered: 09/22/2015)
513	9/22/2015	FIRST MOTION in Limine to preclude testimony from plaintiff's expert Dr. Roy Lubit. Document filed by Lillian Aldana-Bernier. Return Date set for 10/9/2015 at 12:00 PM.(Koster, Matthew) (Entered: 09/22/2015)
514	9/22/2015	MEMORANDUM OF LAW in Support re: 513 FIRST MOTION in Limine to preclude testimony from plaintiff's expert Dr. Roy Lubit. . Document filed by Lillian Aldana-Bernier. (Koster, Matthew) (Entered: 09/22/2015)
515	9/22/2015	SECOND MOTION in Limine to preclude testimony related to plaintiff's purported declaratory judgment claim. Document filed by Lillian Aldana-Bernier. Return Date set for 10/9/2015 at 12:00 PM.(Koster, Matthew) (Entered: 09/22/2015)
516	9/22/2015	MEMORANDUM OF LAW in Support re: 515 SECOND MOTION in Limine to preclude testimony related to plaintiff's purported declaratory judgment claim. . Document filed by Lillian Aldana-Bernier. (Koster, Matthew) (Entered: 09/22/2015)
517	9/22/2015	MOTION in Limine to preclude testimony from Dr. Roy Lubit. Document filed by Jamaica Hospital Medical Center. Return Date set for 10/9/2015 at 12:00 PM.(Osterman, Brian) (Entered: 09/22/2015)
518	9/22/2015	MEMORANDUM OF LAW in Support re: 517 MOTION in Limine to preclude testimony from Dr. Roy Lubit. . Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered: 09/22/2015)
525	9/23/2015	SECOND MOTION in Limine to preclude any testimony regarding DJ action. Document filed by Isak Isakov. Return Date set for 10/9/2015 at 12:00 PM.(Lee, Brian) (Entered: 09/23/2015)
526	9/23/2015	DECLARATION of Brian E. Lee in Support re: 525 SECOND MOTION in Limine to preclude any testimony regarding DJ action.. Document filed by Isak Isakov. (Attachments: # 1 Exhibit Exhibit A: May 2015 Order, # 2 Exhibit Exhibit B: January 2015 Order, # 3 Errata Exhibit C: Third Amended Complaint)(Lee, Brian) (Entered:09/23/2015)
527	9/23/2015	MEMORANDUM OF LAW in Support re: 525 SECOND MOTION in Limine to preclude any testimony regarding DJ action. . Document filed by Isak Isakov. (Lee, Brian) (Entered: 09/23/2015)
534	10/5/2015	MEMORANDUM OF LAW in Opposition re: 528 MOTION in Limine to exclude certain evidence at trial - Correcting the Deficient Docket Entry Number 492. . Document filed by Lillian Aldana-Bernier. (Brady, Bruce) (Entered: 10/05/2015)
535	10/5/2015	MEMORANDUM OF LAW in Opposition re: 528 MOTION in Limine to exclude certain evidence at trial - Correcting the Deficient Docket Entry Number 492. . Document filed by Jamaica Hospital Medical Center. (Osterman, Brian) (Entered: 10/05/2015)
536	10/9/2015	AMENDED ANSWER to 103 Amended Complaint,,,,,, with JURY DEMAND. Document filed by Lillian Aldana-Bernier. (Brady, Bruce) (Entered: 10/09/2015)
545	10/28/2015	REQUEST TO CHARGE. Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 10/28/2015)
546	10/28/2015	PROPOSED VOIR DIRE QUESTIONS. Document filed by Lillian Aldana-Bernier. (Brady, Bruce) (Entered: 10/28/2015)
547	10/28/2015	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. Document filed by Lillian Aldana-Bernier.(Brady, Bruce) (Entered: 10/28/2015)
548	10/28/2015	PROPOSED VOIR DIRE QUESTIONS. Document filed by Jamaica Hospital Medical Center.(Osterman, Brian) (Entered: 10/28/2015)
553	10/28/2015	PROPOSED JURY INSTRUCTIONS. Document filed by Isak Isakov.(Lee, Brian) (Entered: 10/28/2015)
554	10/28/2015	JOINT PRELIMINARY TRIAL REPORT. Document filed by Jamaica Hospital Medical Center.(Osterman, Brian) (Entered: 10/28/2015)
556	10/29/2015	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. Document filed by Jamaica Hospital Medical Center.(Osterman, Brian) (Entered: 10/29/2015)

558	10/30/2015	JOINT PRELIMINARY TRIAL REPORT. Document filed by Jamaica Hospital Medical Center.(Osterman, Brian) (Entered: 10/30/2015)
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In total, the groups are seeking compensation for over 1,078 hours relating to the Medical Defendants. ASI notes that some of the time entries included in this total were block billed and in order to approximate the amount billed for the Medical Defendants, ASI used the allocation methodology set forth on Exhibit 2.

### The Norinsberg Group

ASI identified billing entries totaling over 269 hours that mention work that was performed exclusively in connection with the Medical Defendants, allocated as follows.

	Hours
<b>Norinsberg Group</b>	
Norinsberg	72.05
Cohen	30.40
Burzstyn	7.50
Fitch	159.25
	269.20

Typical entries included the following:

08/30/10	NB	Filed Affidavit of Service as to Jamaica Hospital Medical Center	0.10
08/30/10	NB	Filed Affidavit of Service as to Lillian Aldana-Bernier	0.10
08/30/10	NB	Filed Affidavit of Service as to Isak Isakov	0.10
09/07/10	GMC	Review of JHMC Answer	0.30
09/07/10	JLN	Reviewed defendants answer to complaint filed by Jamaica Hospital Medical Center	0.10
09/07/10	JPF	Review of Answer to Complaint from Jamaica Hosp.	0.75
09/07/10	GMC	Review of JHMC corporate disclosure	0.10
09/07/10	JLN	Reviewed defendant JHMC's corporate disclosure statement	0.10
09/07/10	JLN	Reviewed Aff of Service by defendants Jamaica Hospital Medical Center.	0.10
09/30/10	GMC	Review of Bernier answer	0.30
09/30/10	JLN	Reviewed answer to complaint filed by Lillian Aldana-Bernier	0.50
09/30/10	JPF	Review of Answer to Complaint by Bernier	0.80
09/30/10	JLN	Reviewed Bernier's corporate disclosure statement	0.10
10/06/10	JLN	Reviewed answer to amended complaint filed by Jamaica Hospital	0.10
10/06/10	JPF	Review of Answer to Complaint by Jamaica	0.90
10/27/10	GMC	Review of Isakov Answer to Amended complaint	0.25
10/27/10	JPF	Review of Answer to Amended Complaint Isakov	0.60
11/04/10	JPF	Review of letter re Bernier's extension to answer Amended Complaint	0.10
11/04/10	GMC	Review of letter and stipulation re: extension of time to Answer Amended Complaint	0.25
11/11/10	GMC	Review of amended answer from Bernier	0.25
11/11/10	JLN	Reviewed defendant Bernier's answer to Second amended complaint	0.10

11/11/10	JPF	Review of Answer to Amended Complaint Bernier	0.50
12/09/10	JPF	E-mail from B. Lee defendants re late responses to interrogatories	0.10
05/22/11	JLN	Finished 1st Set of Doc Demands Jamaica	2.90
05/23/11	JLN	E-mail correspondence w/Brian Lee re: dep notices for Caughey & Weiss	0.10
06/11/11	JLN	Ltr from B. Lee re: discovery responses and order of priority	0.10
06/30/11	JLN	Reviewed Brian Lee's Proposed Discovery Plan in advance of mtg later today; notes re: same	0.20
07/01/11	JLN	E-mail from B.Brady re: need to modify plan re: setting deps only after receipt of records from City	0.10
07/01/11	JLN	Reviewed Brian Lee's Proposed Discovery Plan as agreed upon at yesterday's conference.	0.10
08/09/11	GMC	Drafted responses to JHMC discovery demands	1.80
08/14/11	GMC	Drafted responses to all discovery demands for medical defendants and emailed to JN for his review	4.75
08/26/11	JLN	Read letter from B. Lee re: request for Suppl responses	0.40
01/05/12	GMC	Review of letter from Bernier's attorneys	0.25
04/02/12	JLN	E-mail from Bernier consenting to amendment	0.10
04/02/12	JPF	Email from Bernier consenting to amendment	0.10
04/04/12	JLN	E-mail from JHMC regarding change in amended language	0.10
04/04/12	JPF	Correspondence to JHMC re Amended Complaint	0.10
04/04/12	JPF	Email from JHMC re change in amended language	0.10
06/02/12	JLN	Reviewed discovery demands from JHMC	0.20
10/19/12	JPF	Review of Answer to Amended Complaint from Isacov	0.75
01/28/15	JLN	Legal research re: JHMC arg. for exclusion of emergency med. expert Dr. Halpren Ruder	1.60
02/11/15	JPF	Review of declarations from City, Berniers, Isacov, & JHMC w/ accompanying exhibits	1.40
02/11/15	JPF	Berniers counter 56.1 statement	0.80
02/13/15	JLN	Reviewed Bernier Opp to PH. SJ motion	0.50
02/19/15	NB	Read deposition transcript of Dhar; digested same	0.60
03/05/15	JPF	Research on prior litigiousness exclusion	3.10
03/08/15	JLN	Reviewed transcripts of Dr. Dhar and Dr. Lwin; took notes re: same	1.90
03/10/15	JPF	Research on ultimate issue, bolstering w/ prior litigation for Bernier	3.25

### The Smith Group

ASI identified billing entries totaling over 800 hours that mention work that was performed exclusively in connection with the Medical Defendants, allocated as follows:

<b>Smith Group</b>	
Suckle	11.25
Bauza	293.38
McCutcheon	0.09
Lenoir	207.41
L. Smejila	62.00
Smith	226.57
	800.70



Typical entries included the following:

10/27/13	NBS	Research on dangerous assessment.	3.00
02/18/14	NBS	Review of examination before trial for discovery letter; emails reference defendant's examination before trial and Norinsberg termination letter; request JHMC provide and produce the two EMT's.	3.80
02/19/14	NBS	Telephone conference with co-counsel (HS) reference medical case; state action; pro and sub due process; review of emails reference discovery status; telephone call to John Lenoir reference same.	2.50
07/06/14	NBS	Prepare for Jamaica Hospital ebt (Dhar) on policy issue.	3.80
07/07/14	JL	Prepare for and attend deposition as co-counsel; and review; 30(b)(6) witness to testify about JHMC's policy on involuntary hospitalization.	4.50
07/07/14	NBS	Take and prepare for Jamaica Hospital examination before trial.	7.50
12/06/14	LS	Summarize deposition of Dhar.	4.00
12/08/14	LS	Summarize deposition of Dhar.	4.00
12/09/14	LS	Summarize deposition of Dhar.	4.00
12/11/14	LS	Summarize deposition of Dhar.	2.00
07/14/15	JL	Review / research of JHMC Opposition Memo re: Halpren-Ruder.	0.20
07/15/15	JL	Prepare response to defendant JHMC Memo in Opposition to motion for reconsideration re: expert Halpren-Ruder.	5.50
07/20/15	JL	Draft opposition to JHMC Memorandum re Medical Expert Halpren-Ruder.	5.00
07/22/15	JL	Prepare Response to JHMC Opposition to Plaintiff Medical Expert.	4.25

### The Gleason Group

ASI identified billing entries totaling over 9 hours that mention work that was performed exclusively in connection with the Medical Defendants, allocated as follows:

<b>Gleason Group</b>	
Gleason	4.65
Gilbert	4.80
	9.45

Typical entries included the following:

03/29/13	Gleason	Phone conv. with NS, re: gag order.	0.50
03/29/13	Gleason	E-mail from NS, re: enclosed letter from Hosp. Defendant to Judge concerning press, review of same	0.50
04/02/13	Gleason	ECF notice, re: Hospital letter to judge.	0.125
04/08/13	Gilbert	TC's with PG regarding appearance SDNY re: gag order & other relief; review of papers in support and opposition to relief	.30
04/08/13	Gilbert	TC's with PG regarding appearance SDNY re: gag order & other relief; review of papers in support and opposition to relief	2.50
04/10/13	Gleason	Court Appearance, and subsq. Meeting with legal team.	3.50
04/11/13 <sup>15</sup>	Gilbert	Appearance SDNY oral argument	2.00

<sup>15</sup> ASI notes that there was no hearing on April 11, 2013 in the Litigation. Gilbert states in his

For a complete list of the entries that should have been allocated to the Medical Defendants, see Exhibit 3. In ASI's opinion, the City should not be held responsible for any part of the time that related to the claims exclusively against the Medical Defendants, since that time was incurred in prosecuting a claim against other defendants that were not part of the City's Rule 68 Offer of Judgment.

In ASI's opinion, all time specifically related to the Medical Defendants should be excluded resulting in the following reductions:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	72.05
Cohen	30.40
Burzstyn	7.50
Fitch	159.25
	269.20
<b>Smith Group</b>	
Suckle	11.25
Bauza	293.38
McCutcheon	0.09
Lenoir	207.41
L. Smejila	62.00
Smith	226.57
	800.70
<b>Gleason Group</b>	
Gleason	4.65
Gilbert	4.80
	9.45
	1,079.35

**B. Work that was Unnecessary or Inappropriate to Bill to a Defendant in a Fee Shifting Claim**

**1) Substitution of Counsel**

In a little over five (5) years that the Litigation against the City was pending, the Plaintiff changed legal teams at least five (5) times. The sequence of legal teams based on the billing records appears to be as follows: An attorney named Jonathan Moore (referred to as "JM" in some records) for which fees are not sought; the Norinsberg Group; the Gleason Group; the Gleason Group and the Smith Group; the Smith Group alone; and then the Smith Group and Norinsberg Group. Each of the changes necessitated that new lawyers

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affirmation that he "participated" in the oral argument on a "Gag Order" on April 10, 2013. ASI has assumed that this date was an error in the time records and that Mr. Gilbert was present for the oral argument on the "Gag order."

familiarize themselves with facts, documents and law already known to the prior attorneys on the case, and not only created duplication in effort, but also rendered the prior firm's knowledge base obsolete where prior counsel was completely removed from the case.

Many of the tasks associated with the change of counsel (or the preparation of a retainer agreement for the initial counsel), such as meetings and interviews with Mr. Schoolcraft, meetings and conferences with prior counsel or co-counsel, drafting retainer agreements, and reviewing previously reviewed documents and non-specific background documents, did not advance the Litigation and would not have been billed had the Plaintiff not changed lawyers (the "Cost of Substitution").

In total, the groups are seeking compensation for over 355 hours relating to the Cost of Substitution.

### The Norinsberg Group

The Norinsberg Group billed 56.90 hours in connection with the Cost of Substitution, allocated as follows:

<b>Norinsberg Group</b>	
Norinsberg	30.00
Cohen	14.25
Fitch	10.40
Meehan	.80
Burzstyn	1.45
	56.90

Typical time entries included:

06/24/10	JLN	Travel back to NYC (3.2)	1.60
06/24/10	JLN	Traveled to Johnstown to meet prospective Client Adrian Schoolcraft (3.6)	1.80
06/24/10	JLN	Initial client meeting & interview with AS in Johnstown	7.40
06/25/10	GMC	Drafted retainer for Schoolcraft	0.60
06/25/10	JLN	Sent GC information for retainer; forwarded retainer to AS; forwarded signed retainer back to GC	0.10
06/25/10	JPF	Review of Schoolcraft retainer	0.25
06/25/10	NB	Prepared Substitution of Attorney for taking case over from JM	0.20
06/25/10	NB	Saved retainer signed by client to file	0.10
11/13/12	GMC	Correspondence from City re rep of AS	0.10
11/13/12	GMC	Various correspondence confirming termination of representation with the parties	0.25
11/13/12	GMC	Confirming with JF w/AS on the phone that he is terminating representation	0.30
11/13/12	JPF	Correspondence from City re rep of AS	0.10
11/13/12	JPF	Confirming with GC w/ AS on the phone that he is terminating representation	0.30

11/14/12	GMC	Receipt and review of letter terminating our representation of AS	0.10
11/14/12	JLN	Tennination letter from AS	0.10
11/14/12	NB	Scanned and e-mailed AS Letter of Termination in file; filed same in computer file and hard file	0.25
01/23/15	GMC	Call w/JN and JF about taking over case again	0.80
01/23/15	JLN	T/c w/GC re: potentially re-entering case & taking over for trial	0.70
01/23/15	JLN	F/u call w/GC and JF about taking over case again	0.80
01/23/15	JLN	T/c with Adrian re: potentially taking over as lead counsel for trial	1.20
01/23/15	JPF	Call w/GC and JN about taking over case again	0.80

### The Smith Group

The Smith Group billed almost 82 hours in connection with the Cost of Substitution, allocated as follows:

<b>Smith Group</b>	
Lenoir	6.25
Bauza	18.50
Smith	54.50
Suckle	2.50
	81.75

Typical time entries included:

02/03/13	NBS	Telephone conference with Gleason; review of docket complaint and decision by J. Sweet.	2.50
02/07/13	NBS	Meeting with Adrian Schoolcraft; Gleason and John Lenoir re possible representation.	2.50
02/15/13	NBS	Review of files from counsel; review of pleadings; telephone call to co-counsel twice; review of penal code.	2.20
02/16/13	JL	Review of case history and complaint; document preparation for presentation to DOJ	3.50
02/17/13	NBS	Review of boxes from client and Guilbert.	2.50
02/21/13	MB	Initial meeting with Gleason and Jeremy Skehan	2.00
02/24/13	NBS	Travel with Gleason to meet defendant and his father in Saugerties, NY.	5.20
03/09/13	NBS	Meeting with co-counsel and intern in reference to status.	2.50
07/31/13	HS	meeting with Nat Smith to review role and case	2.50
07/31/13	NBS	Meeting with H. Suckle re: hospital; draft memo to client; revise sub of counsel; memo of goals; document demand; emails re: discovery plan with co-counsel and opposing counsel; telephone call to client re: status.	6.50
02/20/15	MB	Team meeting; meet with Norinsberg and new team.	4.50
02/20/15	NBS	Meeting with John Lenoir and Mag Bauza; meeting with Jon Norinsberg and his group (Gerald Cohen and Joshua Fitch).	4.80

## The Gleason Group

The Gleason Group's Cost of Substitution is probably best described in Mr. Gilbert's Affirmation wherein he states in paragraph 3, "After being retained by plaintiff we undertook to familiarize ourselves with the plaintiff and his case. This involved reviewing thousands of pages of discovery documents exchanged by the City of New York, hours of recordings of roll calls and other investigative materials," and then in paragraph 8 of the Gilbert Affirmation, it states, "With the completion of our review and analysis of the materials provided to our firm we had just begun the process of formulating our litigation plan when the decision was made to shift the responsibility for the day to day management of the litigation to Nat Smith and the newer members of the team." In other words, the Gleason Group reviewed all of the documents that had been previously reviewed by the Norinsberg Group to no avail. Once they stopped working on the Litigation, their review of these documents and videos did not advance the Litigation.

The Gleason Group billed more than 216 hours in connection with the Cost of Substitution, allocated as follows:

<b>Gleason Group</b>	
Levine	60.60
Gleason	86.72
Gilbert	69.23
	216.55

Typical time entries included:

11/16/12	Gleason	Meeting with my colleague Richard Gilbert, Esq. (RG), Retired NYPD 2 <sup>nd</sup> grade Detective (D2) and Larry Schoolcraft (LS) to discuss Adrian Schoolcraft's (AS) claim against the City of New York.	6.00
11/16/12	Gleason	Travel to and from NYC Office to Catskill, NY. Upon Return to NYC Office review of documents provided by LS. (Travel at 1/2 hr. rate)	8.00
11/16/12	Gilbert	Meeting with my Gleason, Esq. (PG), Retired NYPD 2 <sup>nd</sup> grade Detective (D2) and Larry Schoolcraft (LS) to confer on merits of claim Filed by Adrian Schoolcraft (AS) against NYC, Jamaica Hospital & other medical defendants Review of documents provided by LS.	14.00
11/18/12	Levine	Review of Larry Schoolcraft (LS) documents re: son's case; confer with RG re: evaluation potential strategies for Adrian Schoolcraft (AS) litigation	3.50
11/18/12	Gilbert	Further review of documents provided and tc's with PG relating to AS. Conferred with Harvey Levine (HL) re: merits of claim and potential strategies for litigation	5.50
12/03/12	Gleason	Phone conv. with AS regarding e-mail from his previous counsel, investigation and setting up another meeting.	0.50
12/03/12	Levine	Conf. with RG re: discharge/email from outgoing attorney & TC from PG and TC with AS	0.50
12/03/12	Gilbert	Phone conv. with AS regarding e-mail from his previous	0.50

		counsel, investigation and setting up another meeting.	
01/04/13	Gleason	Meeting with RG and continued review of File.	4.25
01/04/13	Levine	Continued review of file; meeting with PG	6.00
01/04/13	Gilbert	Continued review of file; meeting with PG	6.00
01/08/13	Levine	Conf. with PG & RG reviewing analysis and Strategy going forward	3.50
01/08/13	Gilbert	Meeting with PG, HL re: file contents strategy.	3.50
02/13/13	Gleason	Meetings with AS, meeting with RG and NS. Meeting with VP, review of file with AS.	7.50
02/14/13	Gleason	Transport file from Levin & Gilbert to Law office of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	3.50
02/14/13	Gilbert	Meeting with PG & NS at office & file transfer of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	0.50

See Exhibit 4 for the time journals relating to the Cost of Substitution.

In ASI's opinion, this work did not advance the interests of the Litigation and the City should have no responsibility for the fees associated with the Cost of Substitution. Set forth below are the recommended reductions:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	30.00
Cohen	14.25
Fitch	10.40
Meehan	.80
Burzstyn	1.45
	56.90
<b>Smith Group</b>	
Lenoir	6.25
Bauza	18.50
Smith	54.50
Suckle	2.50
	81.75
<b>Gleason Group</b>	
Levine	60.60
Gleason	86.72
Gilbert	69.23
	216.55
	355.20

## 2) Deposition Digesting

Given the fact that depositions are indexed and fully searchable electronically, most clients today will not pay for the cost of digesting or summarizing depositions. Nonetheless, the Smith Group billed almost 363 hours and the Norinsberg Group billed over 53 hours for digesting. Not only was there a

disproportionate amount of time billed for many of the digests<sup>16</sup>, but digests for the same deponent were drafted first by the Smith Group and then again by the Norinsberg Group. And, when it came to trial, the attorneys reviewed the transcripts, not the digests, except for a trivial amount of time that did not identify the digests reviewed.<sup>17</sup>

In total, the Smith Group and the Norinsberg Group billed more than 416 hours digesting depositions, allocated as follows:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	13.20
Burzstyn	40.05
	53.25
<b>Smith Group</b>	
Bauza	28.95
Lenoir	6.00
Smejila	179.00
J. Lenoir	122.50
J. Smith	26.46
	362.91
	<b>416.16</b>

Set forth on the following page is the aggregate amount of time billed for digesting the following depositions<sup>18</sup>:

16 For instance, the Smith Group and the Norinsberg Group spent 17.10 hours digesting Valenti's deposition, which lasted one (1) hour, yet spent .40 hours digesting the Hanlon deposition that lasted 7.50 hours.

17 Attorneys spent an aggregate of 9.60 hours reviewing the digest, for no apparent reason as set forth below:

12/08/04	JL	Review deposition summaries; research on motions for summary judgment; confer with Smith re preparation for opposition	3.00
02/19/15	JL	Review of examination before trial summaries.	1.00
02/27/15	GMC	Review of deposition summaries by NS team	3.80
02/27/15	GMC	Email correspondence with NS and JN re: dep summaries, index of all exhibits, potential trial exhibits	0.40
03/02/15	GMC	Review of deposition summaries by NS team	1.40

18 Time for digesting various depositions that relate exclusively to the Medical Defendants is excluded.

Witnesses / Expert	Date	Length of Deposition	Time Billed for Digesting
Aldana-Bernier, Lilian (Dr.)	2/11/2014	8.00	7.20
Boston, Curtis	1/6/2014	2.60	.60
Broschart, Christopher	6/18/2014	6.10	14.10
Carrasco, Edward	9/19/2014	.70	4.90
Caughey, Timothy	12/9/2013	8.40	1.70
Cooper, Alan	7/24/2014	4.70	13.30
Duncan, Kurt	4/28/2014	7.10	9.30
	6/23/2014	<u>1.70</u>	
		8.80	
Eterno, John A.	10/17/2014	8.40	28.95
Ferrara, Joseph	6/5/2014	6.70	18.80
Finnegan, Kevin	7/17/2014	2.10	7.10
Gough, William	4/11/2014	6.10	15.00
Hanlon, Elise (Lt.)	1/13/2014	7.50	.40
Huffman, Rasheena	1/6/2014	3.60	.50
Isakov, Isak	2/12/2014	5.50	2.90
James, Shantel (PO)	5/12/2014	4.00	5.75
Lamstein-Reiss, Catherine (MD)	1/30/2014	9.50	1.60
Lauterborn, Theodore	11/7/2013	9.00	8.10
Lwin, Khin Mar (MD)	7/3/2014	1.20	5.60
Marino, Michael	10/8/2013	8.70	9.80
	10/18/2013	<u>8.50</u>	
		17.20	
Marquez, Jessica (EMT)	5/14/2014	6.60	9.60
Mauriello, Steven	12/20/13	9.30	38.10
	7/1/2014	<u>8.70</u>	
		18.00	
Milone, William (Sgt.)	7/17/2014	1.50	5.75
Patel, Indira (MD)	07/25/2014	1.30	10.10
	10/31/2014	<u>1.20</u>	
		2.50	
Purpi, Michael (Sgt.)	07/16/2014	1.80	8.75
	9/19/2014	<u>1.10</u>	
		2.90	
Sangeniti, Salvatore (EMT)	5/15/2014	4.00	14.60
Sawyer, Frederick	4/25/2014	4.40	15.80
Schoolcraft, Adrian	10/11/2012	8.60	42.00
	9/26/2013	9.00	
	9/27/2013	<u>8.30</u>	
		25.90	
Schoolcraft, Larry	12/11/2013	8.50	23.40
Silverman, Eli B (PhD)	10/24/2014	9.30	20.60
Trainor, Timothy (Lt.)	4/10/2014	7.30	17.40
Valenti, Dominik (Lt.)	7/16/2014	1.00	10.70
Weiss, Steven (Sgt.)	5/29/2014	3.50	1.30
Whalen, Bernard	7/15/2014	.80	2.50
Whittman, David	7/15/2014	1.40	3.00
Unknown <sup>19</sup>			36.96

19 J. Smith billed 31.96 hours to the following task descriptions, "Reading, taking notes and



The following time journals illustrate how the Smith Group and the Norinsberg Group both digested a deposition and then never reviewed the same:

**a) Adrian Schoolcraft Deposition**

02/10/15	LS	Summarize Adrian Schoolcraft deposition transcript.	4.00
02/11/15	LS	Summarize Adrian Schoolcraft deposition transcript.	4.00
02/12/15	LS	Summarize Adrian Schoolcraft deposition transcript.	4.00
02/13/15	JLL	Printed various exhibits from Plaintiff's deposition	0.20
02/13/15	LS	Summarize Adrian Schoolcraft deposition transcript.	4.00
02/16/15	LS	Summarize Adrian Schoolcraft deposition transcript.	3.00
03/01/15	JLN	Reviewed AS dep transcript Vol. I, took notes re: same	2.90
03/02/15	JLN	Reviewed AS dep Vol. II, took notes and prepared summary of most important issues raised	3.40
03/03/15	JLN	Reviewed final volume of AS transcript; notes and bullet point summary of same	2.80
03/08/15	JPF	Review of Deposition of AS with Exhibits	6.25
04/16/15	NB	Read deposition transcript of AS; digested same	3.10
04/16/15	NB	Read deposition transcript of AS (Volume II); digested same	2.90
04/16/15	NB	Read deposition transcript of AS (Volume III); digested same	2.50

**b) Trainor Deposition**

10/03/14	LS	Trainor summary deposition.	5.00
10/08/14	LS	Trainor summary deposition	5.00
10/08/14	LS	Trainor summary deposition.	5.00
10/09/14	LS	Trainor summary deposition.	2.00
04/27/15	NB	Read deposition transcript of Trainor; digested same	0.40
08/10/15	JLN	Highlighted and made edits and notes on Trainor's deposition outline for purposes of building cross-x outline	3.40
08/10/15	JLN	Continued highlighting Trainor's Dep for cross-x excerpts	1.20

In ASI's opinion, all paralegal time related to digesting should be written off as an unnecessary time expenditure.

**Recommended Reductions:**

	Hours
<b>Norinsberg Group</b>	
Burzstyn	40.05
	40.05
<b>Smith Group</b>	
Bauza	28.95
Smejila	179.00
J. Lenoir	122.50
J. Smith	26.46
	356.91
	<b>396.96</b>

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discussing the Schoolcraft depositions," "Reading and taking notes on the Schoolcraft depositions," or "Reading and taking notes."

### 3) Ancillary Services

#### a) Meetings Regarding Ancillary Issues

In Gilbert's Affirmation, he states in paragraph 8 that he was "traveling to upstate New York on two occasions to meet personally with plaintiff and his father, dealing with ancillary issues that were troubling plaintiff, such as NYPD disciplinary charges resulting in plaintiff's suspension, the Queens District Attorney's Press Release exonerating NYPD personnel from criminality despite ..., the continued use of plaintiff's name, image and recordings on the web by his discharged attorney." As such services were "ancillary" to the Litigation, in ASI's opinion, the fees associated with such services should not be the City's responsibility.

In connection with the two meeting where Mr. Gilbert travelled to meet Mr. Schoolcraft (i.e., November 16, 2012 and November 23, 2013) Mr. Gleason and Mr. Gilbert billed 45 hours.<sup>20</sup> The November 16, 2012 meeting was reduced as it was relating to Cost of Substitution. ASI recommends writing off the November 23, 2013 meeting as an ancillary cost.

Set forth below are the time journals for the November 23, 2012 meeting:

11/22/12	Gleason	Multiple phone conversation with RG, AS, and LS regarding setting up a meeting the following day.	0.75
11/22/12	Gilbert	Multiple phone conversation with PG regarding a meeting the following day with AS/LS. Confer with HL regarding potential strategies.	1.50
11/23/12	Gleason	Travel	8.00
11/23/12	Gleason	Meeting with AS, LS, RG in Albany to discuss strategy scope of work, investigations needed. Travel to and from NYC. (Travel at 1/2 hr. rate)	4.00
11/23/12	Gilbert	Meeting with PG, AS, LS, in Albany to meet client Discussed scope of work, strategy, investigation.	10.50
			24.75

In addition to these meetings, Mr. Gleason billed an additional 23 hours in connection with meeting with Mr. Schoolcraft on ancillary services, as set forth on the following page:

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<sup>20</sup> Mr. Gleason's time for travel has been adjusted to reflect the fact that he billed travel at 50%.

12/11/12	Gleason	Meeting in Albany with AS, LS, FS. Re: Status of investigations, NYPD employment issues, concerns regarding Queens DA, concerns regarding Jamaica Hospital and concerns regarding FDNY EMS Follow up conv. with RG upon return to NYC office, memo to file. (Travel at 1/2 hr. rate)	6.00
12/11/12	Gleason	Travel to Albany	8.00
12/19/12	Gleason	Albany meeting with D2 and AS. Updated AS as to status of his claims. Discussed with AS means for providing AS and LS the ability to communicate with his attorneys. (Travel at 1/2 hr. rate)	7.00
12/19/12	Gleason	Albany meeting with D2 and AS. Updated AS as to status of his claims. Discussed with AS means for providing AS and LS the ability to communicate with his attorneys. (Travel at 1/2 hr. rate)	8.00

**Recommended Reductions:**

	Hours
<b>Gleason Group</b>	
Gleason	31.75 <sup>21</sup>
Gilbert	12.00
	43.75

**b) Press Relations/Lobbying**

In total, the groups are seeking compensation for over 187 hours relating to media relations, lobbying governmental organizations and trying to get the PBA union involved in the Litigation.

**The Norinsberg Group**

The Norinsberg Group billed almost 97 hours for working with media relations, lobbying governmental organizations and trying to get the PBA union involved in the Litigation, none of which time advanced the litigation. The time was allocated as follows:

<b>Norinsberg Group</b>	
Cohen	28.42
Norinsberg	37.45
Fitch	29.9
Burzstyn	.75
	96.52

<sup>21</sup> Adjusted to account for Mr. Gleason's travel being billed at half rates.

Typical time entries included the following:

06/20/10	JLN	Read Voice articles on Schoolcraft	2.10
06/20/10	GMC	Email from Adrian Schoolcraft (AS) re: meeting with JN	0.10
06/20/10	JPF	Reading Village Voice articles on; Schoolcraft and Halloween night	2.10
08/10/10	GMC	Meeting with AS to finalize for complaint filing, news coverage, and prep for website launch	2.75
08/10/10	JLN	Review of Articles about Schoolcraft complaint	0.40
08/10/10	JLN	Listened to Brian Lehrer show (podcast) re: Schoolcraft allegations	0.50
08/10/10	JPF	Review of articles about Schoolcraft Complaint	0.30
08/11/10	GMC	Review of San Francisco Chronicle coverage	0.10
09/27/10	JLN	Meeting with AS and Feds re: potential fed civil rights violations	2.30
09/27/10	GMC	Meeting w/AS with JN, JF to prep for discussion with US attorneys office EDNY	3.25
09/27/10	GMC	Schoolcraft interview with Civil Rights Division DOJ (pre and post), NY Times, ABC news	5.25
09/27/10	JPF	Schoolcraft interview with Civil Rights Division JN, GC, DOJ	3.10
09/27/10	JPF	Meeting w/AS with JN, GC to prep for discussion with US attorneys office EDNY	3.25
09/27/10	JLN	Discussion with JF re: location of witnesses from This American Life interview	0.50
09/27/10	JPF	Discussion with JN re location & witnesses from This American Life interview	0.50
09/28/10	GMC	Review of Daily News article re: Schoolcraft	0.10
09/28/10	JLN	E-mail from JF re article in Russian news	0.10
09/28/10	JPF	E-mail from GC re article on AS	0.10
09/28/10	JPF	E-mail from JN re article in Russian news	0.10
09/28/10	JPF	Review of article from Rocco & Daily News	0.10
10/22/10	JPF	E-mail from GC re NY Times article	0.10
01/01/11	JLN	E-mail to JF re WSJ article about case	0.10
01/01/11	JPF	E-mail from JN re Wall Street Journal article about case	0.10
06/23/11	JLN	Letter to Jim Leander re: authorizing release of med records to Queens DA	0.10
06/23/11	NB	Prepared authorization and letter enclosing authorization to Queens DA	0.25
03/16/12	GMC	Radio interview re: Schoolcraft	0.40
03/30/12	JLN	E-mail from Eli Silverman re: ABC news story on under reported crime rates; watched same	0.20
02/09/15	JLN	T/c AS & LS regarding negative articles in Daily News regarding AS last week and steps moving forward	0.50
02/17/15	JLN	E-mail GC & JF regarding new MIL for Queens DA findings and meeting with NS this Friday	0.10
04/10/15	JLN	Reviewed Schoolcraft Graham Raymond materials made summary of most important points from clients' e-mail correspondence and chronological summary	1.40
07/22/15	JLN	E-mail re: new Schoolcraft "documentary"	0.10
07/22/15	JLN	Watched new Schoolcraft documentary (Eterno appears)	0.30

### The Smith Group

The Smith Group billed over 30 hours for working with media relations, lobbying governmental organizations and trying to get the PBA union involved in the Litigation, none of which time advanced the Litigation. The time was allocated as follows:

	Lobbying
<b>Smith Group</b>	
Smith	16.95
Lenoir	13.13
	30.08

Typical time entries include:

02/16/13	JL	Review of case history and complaint; document preparation for presentation to DOJ	3.50
02/17/13	JL	Review of case files and audio recordings; document preparation to formally request DOJ intervention	3.25
02/21/13	JL	Telephone conference with Gleason and client Schoolcraft in reference to case preparation for trial (DOJ letter review).	1.25
02/22/13	NBS	Review of emails; telephone call to co-counsel; telephone Graham Raymond (Village Voice).	0.70
03/03/13	NBS	Review of discovery; review of discovery plan; review of draft letter to Justice Department.	2.50
03/05/13	NBS	Telephone conference with client re Justice letter and Chris Dunn three times; review of discovery record.	2.50
06/14/13	NBS	Email regarding press contracts; telephone call to client; further research on Younger issue.	3.50
10/13/13	NBS	Telephone conference with client re: status re: NYCLU and Dunn and going forward; telephone call to John Lenoir re: same	2.30
10/13/13	JL	Telephone conference with Smith and NYACLU re assistance in case	0.75

### The Gleason Group

The Gleason Group billed over 61 hours for working with media relations, lobbying governmental organizations and trying to get the PBA union involved in the Litigation, none of which time advanced the litigation. The time was allocated as follows:

Levine	4.7
Gleason	42.27
Gilbert	14.31
	61.28

Typical time entries include:

1/11/12	Levine	Conf. with RG re: Union's failure to represent AS in trial room and/or return to full duty strategy	1.00
1/11/12	Gilbert	Meeting with PG, re: Union's failure to represent Confer with HL on failure/strategy	1.00
1/12/12	Levine	Review of research on Union's representation and failure to advocate for AS 2.0	0.70
1/12/12	Gilbert	Research on Union's failure to advocate for A.S	2.00
1/14/12	Levine	Conf. with RG re: Union rep. research & strategy	0.75
1/14/12	Gilbert	Meeting with PG, re: Queens DA. Research Discovery of D.A.'s investigative file: email PG Confer with HL regarding research outcome & strategy with regard to same	4.75
12/13/12	Gleason	Phone conv. with FS re: Queens DA press release.	0.50
12/13/12	Gilbert	review of E-mail from AS with Queens D.A. Press Release re: no criminality: multiple TC's with PG and AS & confer with HL re: same	3.00
12/13/12	Gleason	E-mail from AS containing review/discussion of 12/4/12 Press Release from QCDA with the conclusion that there was no criminality in the manner that Plaintiff was taken from his home and placed in a psychiatric facility. Extensive Follow up phone conv. with AS and RG.	4.50
12/14/12	Levine	Conf. with RG; review Queens D.A. press release Multiple, TC's with PG and AS; alternate responses discussed.	1.50
12/14/12	Gilbert	Confer with HL re: press release; TC with PG, re: 1PP's position on AS.	1.00
01/14/13	Gleason	Meeting with RG, re: Queens DA.	0.75
01/15/13	Gleason	Phone conv. with AS re: Queens DA.	0.50
01/18/13	Gleason	E-mail to PBA, re: their assistance in the matter.	0.13
01/29/13	Gleason	E-mail from Center for Constitutional Rights (CCR) review of enclosed affidavit.	0.50
02/05/13	Gilbert	Research memo & draft subpoena to Queens D.A.	2.50
02/17/13	Gleason	E-mail correspondence between NS & JL, re: Queens DA.	0.25
03/18/13	Gleason	E-mail form NS, re: edits to letter to DOJ.	0.25
03/18/13	Gleason	E-mail from JL, re: Schoolcraft media report.	0.25
03/20/13	Gleason	E-mail from NS, re: final draft of DOJ letter.	0.13
03/25/13	Gleason	E-mail from NS, re: Letter from Dept. Advocates Office dated April 5, 2011.	0.25
04/02/13	Gleason	Press inquiry, re: AS	0.13
04/10/13	Gleason	Letter from NYPD Department Advocates Office, review of same.	0.25

See Exhibit 5 for a more comprehensive list of examples.

### Recommended Reductions:

In ASI's opinion, all time specifically related to media relations, lobbying governmental organizations and trying to get the PBA union involved in the Litigation should be excluded, resulting in the following reductions:

	Press & Lobbying
<b>Norinsberg Group</b>	
Cohen	28.42
Norinsberg	37.45
Fitch	29.90
Burzstyn	.75
	96.52
<b>Smith Group</b>	
Smith	16.95
Lenoir	13.13
	30.08
<b>Gleason Group</b>	
Levine	3.70
Gleason	42.27
Gilbert	14.31
	60.28
	<b>186.88</b>

**c) Departmental Hearing**

The Smith Group and the Gleason Group billed over 61 hours<sup>22</sup> in connection with representing Mr. Schoolcraft in the departmental hearing, which was not related to the Litigation, allocated as follows:

	Hours
<b>Smith Group</b>	
Lenoir	7.25
Smith	14.15
	21.40
<b>Gleason Group</b>	
Levine	2.58
Gleason	29.70
Gilbert	7.46
	39.74
	<b>61.14</b>

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<sup>22</sup> Time related to the Motion to Stay the Departmental Hearing is not included.

## The Smith Group

Typical time journals include:

04/11/13	NBS	Meeting with team and Rae Kosheck re: NYPD re adm trial issues.	2.50
04/11/13	JL	Meeting with R. Koshets; Nat Smith; Peter Gleason; Gilbert to review NYPD pending internal charges v. client	2.75
04/25/13	NBS	Appearance at 1 Police Plaza for conference; telephone call to client re: status; review of interviews by QAD.	2.50
04/25/13	JL	Meeting with Adrian Schoolcraft and Nat Smith to prepare client for depositions; review status of case	1.25
05/16/13	NBS	Review of files; telephone call to co-counsel; telephone client; call to Lisa Bland.	5.50
05/16/13	JL	Telephone call with Nat Smith and Helena Melisi re: NYPD reinstatement options for AS.	0.75
05/17/13	JL	Telephone call with Nat Smith 3:30-4:15 and draft email re: strategy for NYPD departmental hearing June 17-18, 2013.	1.50
05/18/13	JL	Review of IAB interviews; telephone call with Nat Smith and AS re: strategy for NYPD departmental hearing	3.50
05/20/13	NBS	Review of personal file on defendants; sick report and duty status at 10/31/09; research on Judge Sweet letter; telephone call to John Lenoir re: Jimmy McCutkin re: telephone to Lisa Bland.	3.50
05/21/13	JL	Meeting with Nat Smith and telephone call with James McCutcheon re: NYPD departmental trial strategy	2.25
05/22/13	NBS	Telephone conference re: status; telephone call Lisa Bland re: possible deal (demand of back pay in consideration of resignation); review and revised responses to discovery demands.	1.80
05/30/13	NBS	Telephone conference with client; telephone call to Lisa Bland's office.	0.50
06/03/13	NBS	Telephone conference with co-counsel; letter to Judge Sweet on discovery; telephone call to Lisa Bland re: now want demand from us and will not agree to stay.	3.50

## The Gleason Group

Typical time journals include:

1/19/12	Gilbert	Multiple e-mails to /from PG, re: draft letter to NYPD & redrafts	1.50
1/21/12	Levine	Review of PG correspondence Confer with RG letter	0.20
1/21/12	Gilbert	Review of PG, re: NYPD letter. Confer with HL regarding letter	0.20
1/22/12	Gilbert	Multiple emails to PG re: 1 PP letter Meeting with PG, Re: NYPD letter; review letter	1.80
1/23/12	Levine	Review of PG correspondence to NYPD	0.13
1/23/12	Gilbert	Phone conv. with PG, Re: NYPD letter	0.13
1/25/12	Gilbert	Meeting with PG to discuss NYPD's response to e-mail communications.	0.50



12/7/12	Levine	Conf. with RG, re: AS disciplinary charges with NYPD/employment issues/potential damages reinstatement/retirement	1.50
12/14/12	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft NYPD employment issues.	0.125
12/14/12	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft NYPD employment issues.	0.13
12/14/12	Gleason	Phone conv. With RG, re: 1PP's position on AS.	0.50
12/14/12	Gilbert	review of PG E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft; confer with HL re: same	0.13
12/15/12	Gleason	Phone conv. With FS, re, his conversation with first hand witnesses to the manner in which the NYPD maintains crime stats and subsequent memo to file.	1.50
12/17/12	Gilbert	Review of E-mail to Kearns (NYPD) re: Schoolcraft NYPD employment issues; confer with HL	0.20
12/17/12	Gilbert	Meeting with PG, update on securing file from PC, NYPD employment issues, investigation	2.00
01/13/13	Gleason	Multiple e-mails from AS and follow up phone conv. with AS. Re: PBA, NYPD, employment status and investigation.	3.25
01/19/13	Gleason	Several e-mails back and forth with RG, re: draft letter to NYPD.	0.50
01/21/13	Gleason	E-mail to and from RG, re: NYPD letter.	0.25
01/21/13	Gleason	Phone conv. with NS, re: NYPD's handling of Schoolcraft matter.	0.75
01/22/13	Gleason	Phone conv. with AS, re, NYPD issues, shedding his travel to meet with counsel in NYC, update on progress of investigation.	2.25
01/22/13	Gleason	Meeting with RG, Re: NYPD letter.	1.25
01/23/13	Gleason	Phone conv. with RG, Re: NYPD letter	0.125
01/23/13	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft position on employment matter.	0.125
01/28/13	Gleason	Edit and hand deliver letter to NYPD Asst. Comm. Kearns.	2.00
02/02/13	Gleason	E-mail from AS and review of documents attached, re: NYPD mediation.	0.75
02/05/13	Gleason	E-mail to NYPD Asst. Comm. Kearns.	0.13
02/15/13	Gleason	Phone conv. with NS, re: NYS CPL & file	0.25
03/05/13	Gleason	E-mail from AS, with attachment outlining examples of NYPD retaliation.	0.25
04/03/13	Gleason	E-mail from AS, re: NYPD employment issues.	0.13
04/04/13	Gleason	E-mail to and from Rae Koshetz, Esq., re: NYPD employment issues.	0.25
04/11/13	Gleason	Consultation with AS, Meeting with legal team and Rae Koscheck, Esq., Follow up e-mail to Rae Koscheck, Esq., re: issues discussed at meeting. Draft response letter to NYPD re: letter received on 4/10/13. Discussed strategy with AS.	8.00
05/05/13	Gleason	E-mail to and from Rae Koshetz, Esq. re: scheduling meeting.	0.13

**Recommended Reductions:**

	Hours
<b>Smith Group</b>	
Lenoir	7.25
Smith	14.15
	21.40
<b>Gleason Group</b>	
Levine	2.58
Gleason	29.70
Gilbert	7.46
	39.74
	<b>61.14</b>

**C. Time Journals Deviate from Acceptable Billing Patterns and Practices**

When billed on an hourly basis, a client (or, in this case, the Court and the adversary) is entitled to an accurate accounting of the time spent on its matter. Contemporaneous time records should be kept by each attorney and paralegal and should specify the date the work was performed, the hours expended and the nature of the work done. The burden is on the law firm to keep and present records of contemporaneous journals prepared by each of the attorneys and paralegals.

Any method short of contemporaneous time records (such as re-creation of time based on review of files) presents less than credible time records. An individual, who reconstructs his or her schedule days or even weeks after the work is performed, cannot hope to achieve the accuracy that the client deserves.

The City Bar of California issued an arbitration advisory on January 29, 2003 (the "California Advisory"), attached as Exhibit 6, which gives guidance as to how an arbitrator should review legal invoices to determine whether a fee is reasonable. Among other issues, the advisory directs an arbitrator to examine the format of the invoices and identify:

1. Formula billing

Every single piece of paper gets a time entry as it wends its way past the timekeeper to its destination. It does not take more than a few seconds to read most routine correspondence. If the timekeeper reads a group of documents in a minute or two and then records a minimum time for each document, this may ultimately increase the time by several hours. Look for multiple timekeepers reading the same documents.

## 2. High minimum increments

The standard minimum is 1/10th of an hour or 6 minutes. If a higher minimum is used, such as .25 or .5, this probably increases the time by 15% to 25%. Some courts have criticized the use of a .25 or 1/4 hour minimum as being too high.

## 3. Time estimates

If the bills show hours in even numbers such as 8.0, 9.0, or 10.0, these are probably estimates rather than actual time spent and should be investigated.

## 4. Block billing

If one amount of time is shown for working on more than one discrete task, this is called "block billing" or "lumping" time. This is almost never allowed by federal courts. The practice hides accountability and may increase time by 10% to 30%. The larger the "block", the more care should be exercised.

## 5. Standardized work descriptions

If one sees the exact same phrases used again and again in the bills, it is likely that some routine has set in and this allows some "down time" to find its way into the bills. An entry such as "review documents produced by opposition, 7.5 hours" is typical.

## 6. Lack of detail

"Research issues", "attention to file", "discovery", "prepare for trial", and similar statements are not specific enough to let the reader know what was done.

## 7. Wrong times

Sometimes a client knows that certain things took less time than was billed such as the meeting in Example 1, above. Perhaps other meetings were for known times or can be checked. Deposition transcripts usually have start and end times and can be checked against billing invoices.

ASI reviewed the Smith Group's, the Norinsberg Group's and the Gleason Group's time journals against these standards and concluded that both groups deviated from acceptable billing patterns and practices, as follows:

## 1) Formula Billing

### The Norinsberg Group

Messrs. Norinsberg, Cohen and Fitch billed almost 132 hours writing and reviewing emails and correspondence and, more often than not, two (2) or more of these attorneys reviewed the same e-mails and the same correspondence. ASI notes that the individual attorney's time journals utilize virtually identical descriptions, indicating that the individual timekeeper did not write the journals. See also "Standardized Task Descriptions" below.

The effect of this formula billing is shown below, where, for instance, the Norinsberg Group is seeking compensation for 12 minutes (\$115 at the Norinsberg Group's requested rates) for two (2) attorneys reviewing an e-mail as insignificant as confirming a fax number.

04/10/12	GMC	Email re: Schoolcraft arrival to NYC	0.10
04/10/12	JLN	E-mail re: Schoolcraft arrival to NYC	0.10
07/13/12	JLN	E-mail from City regarding tax return authorizations	0.10
07/13/12	JPF	Email from City regarding tax return authorizations	0.10
08/15/12	JLN	E-mail from B Brady re plaintiff's dep	0.10
08/15/12	JPF	Email from B Brady re plaintiff's dep	0.10
08/15/12	JLN	E-mail from B. Lee re plaintiff's dep	0.10
08/15/12	JPF	Email from B: Lee re plaintiff's dep	0.10
08/15/12	JLN	E-mail from Brian Lee re subpoenaed docs	0.10
08/15/12	JPF	Email from Brian Lee re subpoenaed docs	0.10
08/21/12	GMC	Email from Brady consenting to Amendment	0.10
08/21/12	JPF	Email from Brady consenting to Amendment	0.10
08/21/12	JLN	E-mail from Brady consenting to Amendment	0.10
08/21/12	GMC	Email from Brady re scheduling AS dep	0.10
08/21/12	JPF	Email from Brady re scheduling AS dep	0.10
08/21/12	JLN	E-mail from Brady re scheduling AS dep	0.10
08/21/12	GMC	Email from City requesting copy of complaint	0.10
08/21/12	JPF	Email from City requesting copy of complaint	0.10
08/21/12	JLN	E-mail from City requesting copy of complaint	0.10
08/22/12	GMC	Email from City re AS dep date	0.10
08/22/12	JPF	Email from City re AS dep date	0.10
08/22/12	JLN	E-mail from City re AS dep date	0.10
08/22/12	JLN	E-mail from GC re dep dates	0.10
08/22/12	GMC	Email from Greg Rad re AS dep	0.10
08/22/12	JPF	Email from Greg Rad re AS dep	0.10
08/22/12	GMC	Email from JN re dep dates	0.10
08/22/12	JPF	Email from JN re dep dates	0.10
08/22/12	GMC	Email from Kretz re AS dep date	0.10
08/22/12	JPF	Email from Kretz re AS dep date	0.10
08/22/12	GMC	Email from Lee re AS dep date	0.10
08/22/12	JPF	Email from Lee re AS dep date	0.10
08/23/12	GMC	Email from Brady re plaintiff's dep date	0.10
08/23/12	JPF	Email from Brady re plaintiff's dep date	0.10
08/23/12	GMC	Email from Lee on plaintiff's dep dates	0.10
08/23/12	JPF	Email from Lee on plaintiff's dep dates	0.10

08/23/12	GMC	Email from Lee re second day for AS dep	0.10
08/23/12	JPF	Email from Lee re second day for AS dep	0.10
08/28/12	JLN	E-mail from GC re Chief article	0.10
08/28/12	JPF	Email from GC re Chief article	0.10
08/29/12	JPF	Email 2 & 3 from JN re discovery to defendants	0.10
08/29/12	GMC	Email 2 & 3 from JN re discovery to defendants	0.10
08/29/12	GMC	Email from JN to defendants enclosing discovery	0.10
08/29/12	JPF	Email from JN to defendants enclosing discovery	0.10
09/10/12	GMC	Email from City re fax# confirmation	0.10
09/13/12	JPF	Email from City re fax # confirmation	0.10
09/10/12	GMC	Email from JN re 120 day extension of discovery	0.10
09/10/12	JPF	Email from JN re 120 extension of discovery	0.10
03/26/15	GMC	Review of Kretz letter re film	0.10
03/26/15	JLN	Review of Kretz letter re film	0.10

See Exhibit 7 for a list of all correspondence that was reviewed by multiple timekeepers, used basically identical task descriptions, and was billed as .10. See Exhibit 10 for a complete listing of all correspondence that was reviewed by multiple timekeepers and used standardized task descriptions. See also “Standardized Task Descriptions” and “Communication Entries.”

## 2) Billing Increments

The practice of billing in quarter-hour (or greater) increments inflates and distorts the time actually expended, and hence is unacceptable. The use of minimum time charges is commonly understood to mean that if any part of the next time charge is consumed, then all of that time charge is billed. The use of 15-minute increments has an inherently inflationary effect on legal bills. It means that if a timekeeper spent 5 minutes on a casual assignment, the client was billed for 15 minutes of work. Likewise, if a timekeeper spent 20 minutes attending to the matter, the client was billed for 30 minutes. Clearly, the practice of billing in full hour billing increments has an even greater inflationary effect.

Several legal ethics experts — William G. Ross, a professor at Samford University Cumberland School of Law and author of *The Honest Hour: The Ethics of Time-Based Billing by Attorneys*; Lisa Lerman, who teaches professional responsibility at the Catholic University of America Columbus School of Law; and Stephen Gillers, the New York University School of Law ethicist have uniformly opined in the article that billing in minimum increments, and rounding up, are both outdated and unethical practices. These ethicists have said that a minimum billing increment of a quarter hour is definitely excessive under any circumstances.

Charging for time not actually spent on a task is, by definition, unreasonable and unethical. When a bill lists 1.00 hours, clients should have every expectation that the attorney creating the bill actually spent 60 minutes on the client’s matter. If, in truth, the attorney did not spend 60 minutes, the billing

statement is inflated. While "rounding up" is permissible to a small extent for administrative reason, repeatedly rounding to fifteen minutes is questionable at best and raises substantial issues as to whether the fee was reasonable. "[I]t goes without saying that a lawyer who has undertaken to bill on an hourly basis is never justified in charging a client for hours not actually expended. Billing by the tenth of an hour has become standard and courts have been critical of the practice of billing in quarter-hour increments as too broad to accurately reflect the amount of time lawyers devote to work on behalf of clients."

### The Smith Group

As set forth on Exhibit 8, Smith never billed anything as .10. Rather, he used .20 (twelve minutes) three occasions, .30 (18 minutes) on seven (7) occasions, .40 (24 minutes) on five (5) occasions and everything else was thirty (30) minutes or more. Lenoir never billed anything in .10, used .20 only once and everything else was billed as having lasted thirty (30) minutes or more. Suckle billed .10 on three (3) occasions, .20 on four (4) occasions and everything else was 15 minutes or more.

And, as set forth below, a disproportionate amount of Smith's time was billed in 30 minutes billing increments, and a disproportionate amount of Lenoir's and Suckle's time was billed in 15 minute time increments:

Timekeeper	Aggregate Hours Billed	Total Days Billed	.25	.50	.75	.00	Other Increment Used
<b>Smith Attorneys</b>							
Smith	2,217.50	539		344 (64%)		24 (5%)	168 (31%) <sup>23</sup>
Suckle	108.90	36	9 (25%)	8 (22%)	1 (3%)	9 (25%)	9 (25%)
Lenoir	1,281.00	378	38 (10%)	183 (48%)	66 (17%)	90 (24%)	1 (<1%)
<b>Smith Paralegals</b>							
J. Lenoir		36		3 (8%)		33 (92%)	
J. Smith		16		1 (6%)	1 (6%)	13 (82%)	1 (6%)
Smejila		62		4 (6%)		58 (94%)	
Bauza <sup>24</sup>	244	93	2 (2%)	2 (2%)		89 (96%)	

As the chart above illustrates, Mr. Smith used 30 minute billing in 69% of the time. In ASI's experience, when timekeepers are not rounding up, there should be an equal distribution of billing increments.

<sup>23</sup> In 82 instances where Mr. Smith did not bill in 30 minute billing increments, he used a time increment that ended in .80.

<sup>24</sup> Ms. Bauza billed an aggregate of 1,287.83 hours between February 21, 2013 and September 16, 2015. In 2013 she billed 244 hours, almost all of which was in full hour increments. After December 31, 2013, she billed 46.94% of her time in quarter hour increments.

### The Gleason Group

The minimum time increment for the Gleason Group was .125 (7 ½ minutes) which they occasionally used for single entry communications. The Gleason Group billed an aggregate of 7.66 hours using the .125 billing increment. It should be noted that after March 15, 2013, each time Mr. Gleason used a .125 billing increment, the amount requested was \$67.50, which equates to .135 hours and not .125 hours.

And, as set forth below, excluding communication where the Gleason Group billed .125 hours, the Gleason Group billed primarily in quarter hour increments.

Timekeeper	Aggregate Hours Billed	Total Times Billed over .125	.25	.50	.75	.00	Other Increment Used
Levine	71.03	31	4 (13%)	16 (52%)		7 (22%)	4 (13%)
Gleason	331.00	113	26 (23%)	38 (33%)	29 (26%)	20 (18%)	

### 3) Block Billing

“Block billing” is a time-keeping method by which a lawyer or legal assistant enters the total daily time spent working on a case, rather than itemizing the time expended on specific tasks. Courts disfavor the practice of block billing because “[w]hen time records are block billed, the court cannot accurately determine the number of hours spent on any particular task, and the court is thus hindered in determining whether the hours billed are reasonable.” Most courts, when considering block billing, have performed a percentage reduction in either the number of hours or in the lodestar figure.

In total the groups billed an aggregate of 3,415.09 hours that were block billed. See Exhibit 9 for all the time journals that were block billed.

Block billing is especially troubling in the instant situation because at times this billing methodology obscured the amount of time spent on work that is not compensable or is otherwise inappropriate billing (e.g., billing press relations and/ or billing work that should have been allocated to the Medical Defendants).

For instance, set forth on the following page are a few examples of block billed entries that include work, some of which is allocable to the City and other work allocable to the Medical Defendants:

02/18/14	NBS	Review of examination before trial for discovery letter; emails reference defendant's examination before trial and Norinsberg termination letter; request JHMC provide and produce the two EMT's.	3.80
02/19/14	NBS	Telephone conference with co-counsel (HS) reference medical case; state action; pro and sub due process; review of emails reference discovery status; telephone call to John Lenoir reference same.	2.50
03/19/14	MB	Draft NYPD proposed jury instructions; continue state action research re: Medical Defendants.	6.43
04/18/14	NBS	Various telephone calls with John Lenoir; telephone client; review of decisions on involuntary hospital and damages.	3.50
04/23/14	NBS	Drafting opposition to Jamaica Hospital motion for protective order; prepare for and attend examination before trial of Bernier	8.50
04/24/14	MB	Research the various state action tests in the context of a private hospital; collect and analyze Second Circuit case law.	4.00
04/29/14	NBS	Review of state motion cases; meeting with co-counsel; call to client.	2.50

### The Norinsberg Group

ASI identified almost 432 hours (13% of their aggregate time) of the Norinsberg Group's time that was block billed, allocated as follows:

	Hours	Percent of Aggregate Billing
<b>Norinsberg Group</b>		
Norinsberg	207.75	14%
Cohen	95.35	12%
Fitch	115.05	13%
Burzstyn	13.60	13%
	431.75	

### The Gleason Group

ASI identified almost 274 hours (54% of their aggregate time) of the Gleason Group's time that was block billed, allocated as follows:

	Hours	Percent of Aggregate Billing
<b>Gleason Group</b>		
Levine	49.45	66%
Gleason	118.62	38%
Gilbert	105.56	87%
	273.63	

### The Smith Group

ASI identified almost 2,710 hours (51% of their aggregate time) of the Smith Group's time that was block billed, allocated as follows:



	Hours	Percent of Aggregate Billing
<b>Smith Group</b>		
Smith	1,476.10	67% <sup>25</sup>
Lenoir	714.75	56%
Suckle	36.50	34%
Bauza	436.68	34%
J. Smith	37.68	54%
J. Lenoir	8.00	6%
	2,709.71	

#### 4) Standardized Task Descriptions

##### The Smith Group

The Smith Group's time journals are replete with entries that contain standardized work descriptions. Examples, which in no way is meant to be exhaustive are included below:

09/07/14	JLL	Read Schoolcraft deposition.	2.00
09/08/14	JLL	Read Schoolcraft deposition	2.00
09/09/14	JLL	Read Schoolcraft deposition	2.00
11/25/14	JLL	Summarize deposition of Larry Schoolcraft.	5.00

25 As set forth below (not meant to be an exhaustive list), in many instances where Mr. Smith has single entry time journals, the individual time for the tasks does not equal what he billed for the day:

7/30/2013	NBS	Revising documents (sub of counsel; memo of understanding; discovery demands) (1.5); telephone call H. Suckle re: possible involvement; telephone co-counsel re: status; review of Section 1983 case law (1.5).	3.50
10/14/2013	NBS	Telephone conference with L. Dunn; telephone call to John Lenoir re: case; drafting and research on motion to strike Mauriello answer; discovery matters (AEO personal property) and opposing to motion to amend pleadings (7.5).	8.50
10/30/2013	NBS	Telephone conference with client (1.0); email opposing counsel re: adjournment on Mauriello; review of emails; review of Mauriellotestimony in Floyd case; review of AS personnel file records for examination before trial (2.0)	4.50
2/10/2014	NBS	Telephone conference with the court clerk reference submission on February 10, 2014; letter to court; prepare for doctor's examination before trial (2.8)	3.80
3/26/2014	NBS	Review of drafts 30(b)(6); appear in court on discovery status (2.2); telephone call client; review of document demands; meet and confer with opposing counsel (1.0).	3.80
6/6/2014	NBS	Prepare discovery demands re: Mauriello (1.5); conference call with John Eterno; Eli Silverman and team re: expert issues (compstat, blue wall, and digital recorder); review of New York City conflict of interest issue, law, decision (1.2)	3.20
6/13/2014	NBS	Telephone conference with Eli Silverman and John Eterno re: expert discovery schedule (1.0); review of conflict laws; telephone call to Mag Bauza; telephone to John Lenoir; memo to file on ER expert (.5)	4.50
8/4/2014	NBS	Drafting letter re: 3 discovery motions; long conference call with experts Silverman and Eterno (1.5); preparing letter for experts on police issues and transmitting documents to experts (2.5)	7.50
10/20/2014	NBS	Telephone conference with with John Eterno (1.5) re: examination before trial and case; telephone call with chambers re: next conference; emails re: same; revising pleading for purpose of motion; review of case law on right to refuse, medical treatment (1.5).	3.80

11/26/14	JLL	Summarize deposition of Larry Schoolcraft.	5.00
11/28/14	JLL	Summarize deposition of Steven Mauriello.	2.00
11/29/14	JLL	Summarize deposition Steven Mauriello	1.00
11/30/14	JLL	Summarize deposition of Steven Mauriello.	2.00
12/10/14	JLL	Summarize deposition of Steven Mauriello,	4.00
12/02/14	JLL	Summarize deposition of Steven Mauriello.	6.00
10/01/14	JS	Reading and taking notes on "NYPD Tapes."	1.50
10/01/14	JS	Reading and taking notes on NYPD tapes	3.50
10/02/14	JS	Reading and taking notes on the Schoolcraft depositions; listening to and discussing the Schoolcraft tapes from October 31, 2009.	5.00
10/02/14	JS	Reading and taking notes on Schoolcraft Depositions; listening to and discussing Schoolcraft tapes from October 31, 2009.	4.43
09/30/14	JS	Reading, taking notes and discussing the Schoolcraft depositions	5.50
09/30/14	JS	Reading, taking notes and discussing the Schoolcraft depositions.	5.50
10/06/14	JS	Reading, taking notes, and discussing the Schoolcraft depositions.	1.00
10/07/14	JS	Reading and taking notes and discussing the Schoolcraft depositions.	2.50
10/09/14	JS	Reading, taking notes and discussing the Schoolcraft depositions.	2.00
10/09/14	JS	Reading, taking notes, and discussing the Schoolcraft depositions	1.75
10/10/14	JS	Reading, taking notes and discussing the Schoolcraft depositions	1.00
10/14/14	JS	Reading and taking notes.	3.00
10/14/14	JS	Reading and taking notes on the Schoolcraft depositions.	3.00
10/15/14	JS	Reading and discussing the Schoolcraft depositions.	2.00
10/08/14	LS	Trainor summary deposition	5.00
10/08/14	LS	Trainor summary deposition.	5.00
10/09/14	LS	Trainor summary deposition.	2.00
11/24/14	LS	Summarize deposition of Dr. Patel	4.00
11/24/14	LS	Summarize deposition of Dr. Patel.	3.00
11/28/14	LS	Summarize deposition of Purpi	3.50
11/28/14	LS	Summarize deposition of Purpi.	3.50
12/01/14	LS	Summarize deposition of Dr. Patel	2.00
12/01/14	LS	Summarize deposition of Purpi.	1.00
12/26/14	LS	Summarized Lubit deposition.	3.00
12/27/14	LS	Summarized Lubit deposition	4.00
12/28/14	LS	Summarized Lubit deposition	4.00
12/29/14	LS	Summarized Lubit deposition.	4.00
08/06/13	MB	Jury instructions project.	5.00
08/12/13	MB	Jury instructions project.	5.00
08/14/13	MB	Jury instructions project.	5.00
08/19/13	MB	Jury instructions project.	5.00
08/20/13	MB	Jury instructions project.	5.00
08/21/13	MB	Jury instructions project.	5.00
08/26/13	MB	Jury instructions project.	5.00
08/29/13	MB	Jury instructions project.	5.00
09/03/13	MB	Jury instructions project.	5.00
09/06/13	MB	Timeline Project.	5.00
09/09/13	MB	Timeline Project.	5.00
09/11/13	MB	Timeline Project.	5.00
09/12/13	MB	Timeline Project.	5.00
12/16/14	NBS	Drafting summary judgment motion.	7.50
12/17/14	NBS	Drafting summary judgment motion.	10.50

12/18/14	NBS	Drafting summary judgment motion.	12.00
12/20/14	NBS	Drafting summary judgment memo.	9.50
12/21/14	NBS	Drafting summary judgment motion.	7.50
03/03/15	NBS	Drafting reply.	7.50
03/04/15	NBS	Drafting reply.	10.50
03/05/15	NBS	Drafting reply.	10.50
03/06/15	NBS	Drafting reply.	9.50
07/04/15	NBS	Drafting opposition to reconsideration motions.	3.80
07/05/15	NBS	Drafting opposition to reconsideration motions.	4.00

### The Norinsberg Group

While not traditionally standardized task descriptions, Norinsberg, Cohen and Fitch billed almost 877 hours (28% of their aggregate time) where the task descriptions were virtually identical. Usually counsel claimed in the billing entries that these identical entries reflected meetings or discussions with each other, but it is not reasonable for every task or event to require a meeting or discussion, or even simultaneous review or editing by multiple partner level attorneys. Sometimes counsel appear to have acted independently on the face of the description for all or part of the work, yet claim the exact same amount of time for the exact same task description. Not only do these time journals indicate that the individual timekeeper did not keep contemporaneous time journals, but also shows that the timekeepers were duplicating each other's efforts and mirroring the work of the other. See also "Lack of Billing Judgment-Duplication in Effort and Other Inefficiencies" below.

Set forth below are examples, which in ASI's opinion, are suspicious entries:

08/09/10	JLN	Review of final draft of AS complaint to be filed	0.50
08/09/10	GMC	Review of final draft of AS complaint to be filed	0.50
08/09/10	JLN	Review of legal issues re: Negligent hiring claim	0.30
08/09/10	GMC	Review of legal issues re: Negligent hiring claim	0.30
09/10/10	JPF	Review of Times article points with GC	0.25
09/10/10	GMC	Review of Times article points with JF	0.25
11/16/10	JLN	Review of affidavit Darius Charney wants Schoolcraft to sign Aff for Floyd	0.40
11/16/10	GMC	Review of affidavit Darius Charney wants Schoolcraft to sign for Floyd case	0.40
02/13/12	JLN	Review of final supplemental discovery demands for NYC	0.30
02/13/12	GMC	Review of final supplemental discovery demands for NYC	0.30
03/29/12	JLN	Revised and help draft proposed AEO stip w/ GC and JF for City	0.80
03/29/12	GMC	Revised and help draft proposed AEO stip w/JN and JF for City	0.80
03/29/12	JPF	Revised and help draft proposed AEO stip w/JN and GC for City	0.80
03/30/12	GMC	Final review of proposed AEO stip	0.30
03/30/12	JLN	Final review of proposed AEO stip	0.30
05/11/12	JPF	Read and review of defendant's letter to quash and discussion w/ GC & JN	2.10
05/11/12	GMC	Read and review of defendant's letter to quash and discussion w/ JF & JN	2.10

05/11/12	JLN	Read defendant's motion to quash and discussion w/ GC & JF re: same	2.10
11/02/12	GMC	Review of case law sent by Lee re: medical defendants liability	0.40
11/02/12	JLN	Review of case law sent by Lee re: medical defendants' liability	0.40
02/11/15	JLN	Review of witness/exhibit list from JF and discuss with GC	1.30
02/11/15	JPF	Review of witness/exhibit list from JN and discuss with GC	1.30
02/11/15	GMC	Review of witness/exhibit list from JN and discuss with JF	1.30
03/09/15	JLN	Review of plaintiffs consolidated 56.1	1.00
03/09/15	GMC	Review of plaintiff's consolidated 56.1	1.00
03/27/15	JLN	Review of Sgt. Chu and Scott memo	0.30
03/27/15	GMC	Review of Sgt. Chu and Scott memo	0.30

See Exhibit 10 for a complete list of their standardized task descriptions.

### 5) Lack of Detail

Time records should set forth, in reasonable detail, an appropriate narrative description of the services rendered. The description should identify the participants in the activity, as well as its scope and purpose. This type of standard is necessary so that an assessment can be made as to whether the work was necessary, and was performed within a reasonable time or whether people with the appropriate skill levels, and hence appropriate billing rates, were assigned to the tasks. Indeed, detailed billing records are often the only line of defense that a client has to guard against padded time.

#### The Norinsberg Group

Nonetheless, excluding the audio recordings discussed below, the Norinsberg Group billed over 191 hours (5.6% of its aggregate billing) were the time journal was so vague, ASI could not ascertain what issue, motion or witness the timekeeper was working on.

Norinsberg	56.15
Cohen	54.95
Burzstyn	13.10
Fitch	58.55
Meehan	8.95
	191.70

Typical time journals included:

02/11/15	GMC	Review of email from AS	0.10
02/11/15	GMC	Review of deposition exhibits	3.10
02/12/15	GMC	Review of deposition exhibits	4.40
02/15/15	GMC	Review of deposition exhibits	4.80
02/16/15	GMC	Review of summary judgment motions and exhibits	3.10
02/17/15	GMC	Review of deposition exhibits	3.75
03/13/15	GMC	Review of email from JN re:	0.25
03/27/15	GMC	Phone conference with JN, NS, JF, John Lenoir ("JL")	1.00
07/06/15	GMC	Review of email correspondence between all parties	0.10

07/08/15	GMC	Review of email correspondence between all parties	0.10
07/15/15	GMC	Review of email correspondence between all parties	0.10
08/14/15	GMC	Review and update cross examination drafts to date and emailed all to team	4.80
08/21/15	GMC	Sent updated crosses to team	0.25
08/24/15	GMC	Reviewed JN cross outlines and updated witness examinations	1.75
08/24/15	GMC	Received JN cross examinations	0.10
08/26/15	GMC	Reviewed JN cross outlines and updated my own witness examinations	3.30
08/27/15	GMC	Reviewed JN cross outlines and updated my own witness examinations	2.50
09/01/15	GMC	Reviewed JN cross outlines and updated my own witness examinations	2.80
09/02/15	GMC	Drafted points to discuss w/JN	1.40
08/10/15	JJM	Continue reorganizing dep highlights	1.10
08/13/15	JJM	Add new dep highlights into existing prelim cross outline	2.90
08/13/15	JJM	Re-organize prelim cross outline to account for additional transcript	2.25
08/13/15	JJM	Continue to add new deposition highlights into existing prelim cross outline	2.70
02/11/15	JLN	Started review of deposition exhibits	3.40
02/12/15	JLN	Continued review of deposition exhibits	3.75
02/15/15	JLN	Cont'd review of deposition exhibits	3.20
02/17/15	JLN	Finished review of deposition exhibits	1.80
03/27/15	JLN	Phone conference with GC, NS, JL	1.00
07/31/15	JLN	T/c conference with defense counsel	0.50
08/04/15	JLN	T/c GC regarding discussion with NS	0.20
08/10/15	JLN	E-mail response from NS re: my recap of conversation with AS	0.10
08/10/15	JLN	E-mail to NS recapping discussion w/ AS this past weekend	0.10
08/24/15	JLN	Sent GC cross outlines for review	0.10
08/26/15	JLN	Sent GC more cross outlines for review	0.10
02/12/15	JPF	Email to JN re proposed email	0.10
02/15/15	JPF	Review of deposition exhibits & depositions	3.90
02/16/15	JPF	Review of deposition exhibits & depositions	4.80
03/27/15	JPF	Phone conference with JN, GC, NS, JL	1.00
04/02/15	JPF	Meeting with JN and NS team	1.90
09/02/15	JPF	Corrections from SK	0.25

### The Smith Group

The Smith Group billed over 689 hours (12.8% of its aggregate billing) that were so vague, ASI could not ascertain what issue, motion or witness the timekeeper was working on.

<b>Smith Group</b>	
J. Lenoir	2.00
McCutcheon	1.50
Suckle	.65
Bauza	139.73
J. Smith	29.46
Smith	366.06
Lenoir	150.03
	689.43

Typical journal entries included the following:

08/10/15	JJM	Continue reorganizing dep highlights	1.10
08/13/15	JJM	Add new dep highlights into existing prelim cross outline	2.90
08/13/15	JJM	Re-organize prelim cross outline to account for additional transcript	2.25
08/13/15	JJM	Continue to add new deposition highlights into existing prelim cross outline	2.70
02/12/15	JL	Telephone conference with co-counsel; review of summary judgment motions by defendants.	2.50
03/10/15	JL	Telephone conference with Nat.	0.50
04/01/15	JL	Prepare expert witness testimony and trial notebook.	6.50
04/03/15	JL	Research and prepare expert witness; direct and cross	4.50
08/24/15	JL	Review of trial exhibits, expert rpts and EBTs; prepare expert trial witness outlines.	6.50
08/26/15	JL	Prepare witness trial outlines.	3.50
02/19/15	NB	Same	1.60
02/25/15	NB	Same	0.40
03/11/15	NB	Same	1.80
06/04/15	NB	Same	0.60
04/09/15	NBS	Prepare for trial - jury verdict sheets and cross examination outlines of witnesses	7.50
07/17/15	NBS	Telephone conference with John Lenoir; review of CompStat clips; review of emails.	1.20
08/24/15	NBS	Preparing focus sheets; email co-counsel re: mental patient gun rights.	1.30
08/25/15	NBS	Review of various recordings listed on JPTO; letter to court in opposition to motions.	5.00
09/07/15	NBS	Preparing for trial; preparing cross examination outlines and focus sheets for witnesses set to testify or likely to testify for various witness assignments fro trial team	4.50
07/25/13	NBS	Prepare for all counsel conference call; telephone co-counsel; telephone call client.	3.50
07/26/13	NBS	Preparing documents for client.	0.90
07/27/13	NBS	Meeting with T. Skinner re: case.	0.80
09/21/13	NBS	Meeting with client.	3.50
03/24/14	NBS	Meeting with team; telephone call with client.	3.50
02/27/15	NBS	Preparing reply papers.	5.50
03/03/15	NBS	Drafting reply.	7.50
03/04/15	NBS	Drafting reply.	10.50
03/05/15	NBS	Drafting reply.	10.50
03/06/15	NBS	Drafting reply.	9.50

## 6) Wrong Times and Dates

### The Smith Group

#### a) Depositions

ASI reviewed the deposition transcripts to ascertain the dates and times that the depositions actually occurred and compared them with the time journals of the Smith Group, and found the following discrepancies:

**i) Dr. Aldan-Bernier Deposition**

Dr. Aldan-Bernier's deposition was taken on February 11, 2014 (10:31 A.M. - 6:31 P.M.), and according to the deposition transcript Mr. Smith, Mr. Lenoir and Mr. Suckle attended this deposition.

**Mr. Suckle**

Although Mr. Suckle was present at the Aldan-Bernier deposition, and actually was the attorney taking the deposition, his time journal for February 11, 2014 reads:

2/11/2014	HS	prep Isakov deposition	9.00
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And, as set forth below, he reports devoting 15.50 hours for preparing and attending her deposition on April 20, 2014, a date that no deposition in the Litigation occurred.

4/20/2014	HS	preparation Aldana-Bernier deposition	4.50
4/22/2014	HS	preparation Aldana-Bernier deposition	3.00
4/23/2014	HS	prep and conducted Aldana-Bernier deposition	8.00

**Mr. Lenoir**

As set forth below, Mr. Lenoir reports attending this deposition on October 16, 2013, a date that no deposition in the Litigation occurred.

10/16/2013	JL	co-counsel at deposition Dfnt Bernier - 111 Broadway- by H. Suckle	1.75
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**Mr. Smith**

As set forth below, Mr. Smith reports attending this deposition on April 23, 2014, a date that no deposition in the Litigation occurred.

4/23/2014	NBS	Drafting opposition to Jamaica Hospital motion for protective order; prepare for and attend examination before trial of Bernier	8.50
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**ii) Mr. Purpi**

Mr. Purpi's deposition was conducted on July 16, 2014 (10:25 A.M. - 12:10 P.M.) and then again on September 19, 2014 (10:06 A.M. - 11:09 P.M.) According to the deposition transcript both Mr. Smith and Mr. Lenoir were present for both sessions.

### Mr. Smith

As set forth below, Mr. Smith reports attending the second deposition session on September 17, 2014 and only Mr. Carrasco's deposition on September 19, 2014.

9/17/2014	NBS	Prepare for and take Purpi examination before trial.	3.50
9/19/2014	NBS	Prepare for and attend Carrasco ebt	5.50

### iii) Mr. Whalen and Mr. Whittman's Depositions

Mr. Whittman's deposition was conducted on July 15, 2014 (10:17 A.M. - 11:38 A.M.) and Mr. Whalen's deposition was conducted the same date from 1:46 P.M. to 2:37 P.M. and according to the deposition transcript both Mr. Smith and Mr. Lenoir were present.

### Mr. Smith

As set forth below, Mr. Smith reports that he was preparing for these depositions, not attending them, on that date.

7/15/2014	NBS	Prepare for 30(b)(6) of witnesses on appeal; review and quatoa issues; prepare for City examination before trial on training; disciplines and crime reporting.	3.20
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## 7) Different Times Reported for the Same External Event

### The Smith Group

As set forth below, when the Smith Group did not block bill their time, they often reported different amounts of time for the same external event.

04/26/13	NBS	Meeting with client re: background and chronological with John Lenoir.	6.50
04/26/13	JL	Meeting with Adrian Schoolcraft and Nat Smith to prepare for depositions	5.75
04/27/13	NBS	Meeting with client re: background with John Lenoir.	7.50
04/27/13	JL	Meeting with Schoolcraft and Nat Smith to prepare for depositions.	5.50
06/26/13	NBS	Travel to Johnstown for meeting with client [8 hours of travel].	5.00 <sup>26</sup>
06/26/13	JL	Meeting with client and Nat Smith - Johnston New York Holiday Inn. 7 hours are travel time billed separately	5.50
07/10/13	NBS	Travel to Albany and meet with the client at John Garber's office (194 Washington Avenue); return to NYC { 8 hours travel time}	5.50 <sup>27</sup>
07/10/13	JL	Meeting with client and co-counsel Smith in Albany NY. Full review of discovery and trial posture. (7 hr travel)	5.00
08/27/13	NBS	Travel to Saugerties to meet client (4.5); meeting with client re: status	3.50

<sup>26</sup> Travel Time has been deducted.

<sup>27</sup> Travel Time has been deducted.



		(3.5).	
08/27/13	MB	Te meeting with Adrian in Saugerties. (Travel time 4.5 hours)	5.50 <sup>28</sup>
11/13/13	HS	Appeared for SDNY motion: re video depositions	1.25
11/13/13	MB	Judge Sweet's courtroom hearing.	5.00
12/24/13	NBS	Meeting with client and John Lenoir re: status and possible settlement demand.	3.20
12/24/13	MB	Meeting with Team and Adrian Schoolcraft.	3.00
12/24/13	JL	Telephone conference with Smith and client re case status and possible settlement range	0.75
12/29/13	NBS	Meeting with client to review various tape recording.	4.50
12/29/13	MB	Meeting at Nat's office w/ Adrian; review audio and record.	4.00
12/29/13	JL	Meeting with client, Smith and Bauza re status and go-forward; review audio recordings	2.50
12/30/13	NBS	Meeting with client and review various tape recordings (4.3); obtain tape recorder from NYPD and send to specialist for enhancement	4.30
12/30/13	MB	Meeting at Nat's office w/ Adrian; review audio and record.	3.00
01/30/14	JL	conduct as co-counsel w/Smith Lamstein deposition	8.50
01/30/14	MB	Lamstein Deposition.	10.00
04/16/14	NBS	Telephone conference with team (1.0); conference with client re: settlement demands (1.2);	2.20
04/16/14	JL	Meeting with Smith (1.25); telephone conference with client to discuss settlement and trial issues (1.00).	2.25
04/16/14	MB	Conference call with Adrian re trial issues and settlement; team conference to confer.	2.50
06/09/14	MB	Team conference call w/ Adrain re trial prep and update.	1.50
06/09/14	NBS	Telephone conference with client re: status of case.	2.00
11/06/14	JL	Case conference with client and Smith; update re: strategy and outstanding discovery matters.	2.25
11/06/14	NBS	Telephone conference with client re: amending complaint.	2.50
01/26/15	JLN	Discussion with AS & LS re my initial review of materials they sent me and the R. 68 offer, and the next steps for moving forward	1.40
01/26/15	JL	Client conference call (1.50);	1.50

## The Gleason Group

### a) April 10, 2013 Hearing

The Gleason Group attended the hearing in the Gag Order held on April 10, 2013. As set forth below, Mr. Gilbert reported that he attended this hearing on April 11, 2013.

4/11/13	Gilbert	Appearance SDNY oral argument	2.00
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### 8) Communication Entries

As set forth below, it is impossible to calculate the amount of time billed for communication entries (i.e., emails, letters, telephone calls and internal meetings) since the majority of time that contained communication entries were blocked.

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28 Travel Time has been deducted.

	Smith Group	Norinsberg Group	Gleason Group
Single Entry Correspondence/Emails	14.10	134.55	10.41
Single Entry Telephone Calls	72.75	90.25	34.91
Blocked Entry where Entries are Exclusively Communication Entries	124.10	28.70	49.37
Blocked Entries where one or more of the entries were communication	451.51	43.10	23.78

Courts have been known to even find billing six (6) minutes for communication type entries as excessive. For instance, in *In re Pettibone Corp.*, 74 BR 293 - Bankr. Court, ND Illinois 198 the Court noted:

The actual time spent on each item should be recorded. Except as noted below, small amounts of time should not be uniformly reported as a minimum block of time. *In re Four Star Terminals, Inc.*, 42 B.R. 419, 426-27 n. 1 (Bankr.D.Alaska 1984). For example, the reception of any communication should not be routinely recorded as taking a minimum of one-fifth (0.2) of an hour. *In re Sapolin Paints, Inc.*, 38 B.R. 807, 814 (Bankr.E.D. N.Y.1984). Also, short telephone conversations should not routinely be recorded as .25 or .2 hours. *Four-Star Terminals*, 42 B.R. at 426-27 n. 1. See also *In re Tom Carter Enterprises, Inc.*, 55 B.R. 548, 549 (Bankr.C.D.Cal.1985). The telephone company's rates are predicated upon the premise that most telephone calls terminate within three minutes. *Sapolin*, 38 B.R. at 814. If very short phone calls are routinely recorded as taking 12 or 15 minutes at rates ranging from \$110 to \$150 per hour and the attorney makes a number of calls, the distortion in the hours claimed and the cost to the estate are substantial. It would not be objectionable to use one-tenth of an hour as the minimum charge for a telephone call or other services, and that minimum is in common use. However, if telephone calls comprise a large portion of the total fee petition, time entries of .1 hour might also be subject to discount. See *Sapolin*, 38 B.R. at 814C.

And, the Court in *Hernandez v Grullense*, Dist. Court, ND California 2014, found that a 50% reduction for each communication entry billed as six minutes was appropriate, stating:

The problems with excessive billing in separate six-minute increments are evident here. By billing every phone call, email, and review of any notice from the Court as a separate .1 hour entry, Rein Law inflated its fee by thousands of dollars. In addition, many of the .1 hour entries are for conferring and "strategizing" with co-counsel. This Court is critical of the practice of billing for multiple .1 hour entries separately where they could be consolidated. See,

*e.g.*, *Cruz v. Int'l Collection Corp.*, 08-cv-00991-JF (RS), 2010 WL 2509988 (N.D. Cal. June 17, 2010) ("Schwinn billed 6.6 hours in discrete six-minute increments, including a six-minute charge for reviewing a notice by Defendants' counsel of an appearance by telephone, often with multiple entries of .10 hours in a single day. Consolidating some tasks would have been more reasonable."); *Bretana v. Int'l Collection Corp.*, 07-cv-5934 JF (HRL), 2010 WL 2510081 (N.D. Cal. June 17, 2010) (same).

A study of the University of Brighton Information Services has shown that the average time to write a message is about four (4) minutes and the average time to read a message is about half a minute. Consistent with this study, Magistrate Judge Debra Freeman in *Lee v. Santiago* found that even billing six (6) minutes for each email was excessive and stated:

While it is difficult for the Court to assess the extent to which Mouton's .1-hour time entries inflated his bill, the Court notes that his separately recorded entries for what appear to be short emails or voicemails total at least 4.0 hours (see Invoice (entries for Aug. 22, 2012, Sept. 6, 20 and 28, 2012, Oct. 22 and 25, 2012, and Nov. 7, 8, 13, 14, and 15, 2012)), and, in this Court's view, a reduction of 2.0 hours of this recorded time would be appropriate.<sup>29</sup>

Accordingly, ASI would have expected to see the majority of the Law Firm's communication type entries billed at six (6) minutes or less.

While the Norinsberg Group billed many of their emails/ letters as having lasted six (6) minutes, as previously mentioned under "Formula Billing" above, multiple timekeepers reviewed routine communications. Not only was the time for each of these routine communications exaggerated, but the problem was compounded by multiple reviews of the same communication. Moreover, the Norinsberg Group's average amount of time for emails/ correspondence ranged from 9 minutes to 10 minutes and the average amount of time for telephone calls ranged from 28 to 40 minutes.

The Smith Group only billed two (2) emails as having lasted six (6) minutes and the average amount of time for emails/ correspondence ranged from 20 minutes to 144 minutes and the average amount of time for telephone calls ranged from 43 minutes to 69 minutes.

The Gleason Group billed all communications as having lasted more than six (6) minutes and the average amount of time for emails/ correspondence ranged from 11 minutes to 19 minutes and the average amount of time for telephone calls ranged from 22 to 33 minutes.

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<sup>29</sup> ROBERT LEE v. P.O. SANTIAGO, No. 12 Civ. 2558 (PAE) (DF), United States District Court, S.D. New York (August 15, 2013).

## The Norinsberg Group

	Aggregate Hours	6 minutes		12 minutes		More than 12 minutes		Average Length
		# of tasks	% of tasks	# of tasks	% of tasks	# of tasks	% of tasks	
<b>Correspondence/Emails</b>								
Norinsberg	46.75	267	82%	35	11%	22	7%	10 minutes
Cohen	49.65	173	61%			112	39%	10 minutes
Fitch	35.20	182	77%			54	23%	9 minutes
Burzstyn	2.95	9	50%	4	22%	5	28%	10 minutes
	134.55							
<b>Telephone Calls</b>								
Cohen	20.45	2	5%			42	95%	28 minutes
Norinsberg	51.15	5	6%	3	4%	69	90%	40 minutes
Fitch	18.65	2	7%			27	93%	39 minutes
	90.25							
	<b>224.80</b>							

Set forth below is a sampling of typical communication entries, where the amount of time billed for the communication entry appears excessive:

06/29/10	JLN	Drafted correspondence to Jonathan Moore	0.30
07/01/10	JLN	T/c w/AS re: specific details of events alleged in Aug. 20, 2009 UF 49 re: Caughey/Weiss	1.30
07/05/10	JLN	T/c AS re: Palesto, Daily News Contact, trip to NYC and news interviews	1.20
07/06/10	JLN	T/c Len Levit re: his knowledge of NYPD & thoughts about case	0.50
07/06/10	JLN	T/c R.P. (Daily News reporter) re: AS case;	0.50
07/09/10	JLN	T/c AS re status of move, discussions with landlord (eyewitness) and additional docs located at apt.	0.75
07/12/10	JLN	T/c AS re QAD interviews and PBA letter re: illegal quotas	0.75
07/13/10	JLN	T/c Rae Koshets re: status of Schoolcraft matter & pending charges & speed	0.50
07/16/10	JLN	T/c AS re: Eric Sanders conversation and status of hard drive retrieval	0.75
07/20/10	JLN	T/c with AS regarding case status	0.50
07/21/10	JLN	Conference call b/w Graham Raymond ("GR") GR & AS & LS re call by NYPD to GR	1.20
07/21/10	JLN	T/c call b/w AS, JN&LS re: GR infonation and Del Pozzo "offer" & new officer fired b/c if quotas	2.10
07/22/10	JLN	T/c JFIGC re updates on Schoolcraft	0.50
07/22/10	JLN	T/c AS re Del Pozzo, GR & letters to Stuart London	1.10
08/01/10	JLN	T/c w/AS & LS re: Fulton Cty decision & current status of public benefits & continued processing of Dec. 9, 2009 application for benefits	1.10
08/03/10	JPF	E-mail from JN re Revised Complaint	0.40
08/05/10	JPF	E-mail to JN re clarification of some factual issues in the Complaint	0.25
08/06/10	JPF	E-mail to JN & from JN re community visits	0.25
08/07/10	JPF	E-mail to JN & from re explanation of community visits	0.25
08/08/10	JPF	E-mail from JN with additional allegations for Complaint	0.30
08/09/10	JPF	E-mail from JN re negligent ret. claim	0.30
08/14/10	JLN	Tc w/AS & LS re: Eterno & Silverman as possible expert	1.20

		witnesses and re: specific issues raised in their Compstat article	
08/16/10	JPF	E-mail article from "Gman" re downgrading stats & PBA admission about quotas from 1994	0.30
08/17/10	JPF	E-mail from Mark Toor re Chief article	0.25
08/17/10	JLN	T/c w/AS & LS re: charges & specs, underlying facts relating to each charge, & best way to challenge charges in the NYPD trial room	1.40
08/19/10	JLN	T/c w/AS and LS re: chronology of events & questions relating to specific entries	1.10
08/20/10	JLN	T/c w/Chris Whitehead re: quotas at 75th Pct. & retaliation	0.90
08/24/10	JLN	T/c w/AS & LS re: harassment by NYPD & Johnstown PD, interactions with NYPD during visits, and specific questions relating to what is shown on videos	1.30
09/16/10	JPF	E-mail from other hospital defendant re Amended Complaint	0.25
09/22/10	JPF	E-mail to DOJ with medical records	0.25
10/07/10	JLN	T/c w/ Colleen Long (AP wire) re: doing story on Schoolcraft	0.60
11/09/10	JLN	Drafted letter to Judge Sweet requesting extension JHMC's motion to dismiss	0.30
12/06/10	GMC	Drafted letter response to premature discovery demands for Bernier and Isakov	0.40
12/14/10	GMC	Correspondence w/Charney and Schoolcraft re: Floyd affidavit	0.40
12/15/10	JPF	E-mail from GC re article involving Marino	0.25
01/03/11	JPF	E-mail from Chris Whitehead re Compstate DVDs & NYPD summons quota	0.25
01/05/11	JPF	E-mail from GC re NBC news coverage on Schoolcraft	0.25
02/09/11	JPF	Review & edit letter to court re discover schedule	0.30
04/11/11	JPF	Phone convo w/ AS, re representation on his suspension & internal hearing	1.25
05/20/11	JPF	Email from client re article on "Collars for Dollars"	0.25
08/04/11	JPF	Email from GC re Polanco charges and specs for retaliation for whistleblowing	0.25
08/08/11	GMC	Review and revised responses to Bernier Discovery demands	0.50
08/26/11	JLN	Read letter from B. Lee re: request for Suppl responses	0.40
09/12/11	JLN	Drafted letter motion to compel City defendants to produce discovery	0.70
09/28/11	JPF	Email to JN re law enforcement privilege	0.25
12/19/11	JPF	Convo w/ Larry Schoolcraft re discovery issues, avenues to pursue with defendants	0.90
02/07/12	JPF	Email from Lee re outstanding authorizations	0.25
02/10/12	JPF	E-mail from JN re additional items of discovery from City & subpoenas for Johnstown records	0.25
02/10/12	JLN	T/c with Adrian and Larry regarding update on correspondence and update on new discovery demands	0.70
03/07/12	JPF	Email from John Eterno re QAD report	0.25
03/09/12	JLN	Drafted letter to Lt. Gilbo Johnstown PD re: missing documents on visits to Schoolcraft	0.90
03/11/12	JPF	Draft email to defendants re amending complaint to add 1st Amendment claims	0.30
03/12/12	GMC	Review of SP letter re "leaked" QAD report	0.40
03/12/12	JPF	Review & edit response to City's letter re protective order	0.40
03/12/12	JPF	Diaft Response to defendants letter re: breach of protective	0.40

		order	
03/13/12	NB	Formatted letter and made edits to letter to Court re: leaks to media	0.30
03/30/12	JPF	Email from City re IAB docs & extending time to produce	0.25
04/04/12	JPF	Conf. re NY Times letter to undo the confidentiality stip	0.80
04/05/12	JPF	Email from City stating reasons why they oppose amendment to Complaint	0.25
04/06/12	GMC	Correspondence w/ NY Times counsel re: protective order	0.30
04/06/12	JPF	Corresponderice w/ NY Times about amendments to Schoolcraft protective order	0.30
04/20/12	JPF	Phone discussion w/ AS	0.75
04/23/12	JLN	Reviewed draft letter from JF regarding motion to amend complaint; made edits to same	0.40
04/23/12	JPF	Discussion w/ Larry Schoolcraft re amendments to complaint	1.25
04/24/12	JPF	Email, to hospital defendants re amendment Gough issue	0.25
05/03/12	JPF	Receipt and review of email from City re: revised confidentiality AEO and Affidavits	0.75
05/10/12	JPF	Review, edit & submit supplemental letter	0.60
05/11/12	JPF	Read and review of defendant's response to plaintiff's supplemental letter	0.30
05/22/12	JPF	Phone call w/ Larry Schoolcraft re Vallone and 1st Amendment	0.80
05/29/12	JPF	Email, from GC w/ proposed confidentiality stips	0.30
06/08/12	JPF	Email to AS re discovery VV affidavit and 1st Amendment issues	0.25
07/06/12	JPF	Email to City re relevancy redaction portion of AEO & stip	0.30
07/09/12	JPF	Email from GC w/ draft for Schoolcraft donation page	0.25
07/22/12	JPF	Phone call w/ Larry Schoolcraft re meeting and outstanding discovery issues and depositions	1.25
07/25/12	JPF	Phone call w/ Larry Schoolcraft	0.80
08/28/12	JLN	Drafted letter to Court re: extension of discovery deadline	0.40
09/11/12	JLN	Drafted letter seeking extension of discovery deadline until January 2013	0.40
09/17/12	JPF	Draft of letter to amend to add Hanlon to complaint	0.50
09/24/12	JPF	Email from City re service of amended complaint, Lauderborn dep, & discovery deficiencies	0.50
10/12/12	NB	Drafted and sent letter to City requesting color copies of photographs shown at plaintiff's deposition	0.30
10/18/12	JPF	Review and edit letter to Ct opposing an additional day for AS dep for Mauriello lawyer	0.60
10/18/12	JPF	Review and edit letter to Ct. re ASO issue & AS ability to see the QAD report	0.75
11/07/12	GMC	Review of letter by SP relieving City as counsel for Mauriello	0.30
11/26/12	GMC	Review of correspondence to AS enclosing files	0.25
01/22/15	JLN	Call from LS re: reentering case as lead counsel	0.75
01/23/15	JLN	T/c w/GC re: potentially re-entering case & taking over for trial	0.70
01/23/15	JLN	T/c with Adrian re: potentially taking over as lead counsel for trial	1.20
01/30/15	JLN	Telecon w/ plaintiff and Larry Schoolcraft re: case status, summary of w/ deposition testimony and taking over for Nat Smith	0.75
02/04/15	JLN	T/c AS & LS re: case status, SJ motions and trial strategy	1.10

		and next steps for moving forward	
02/20/15	JPF	Email from AS re indemnification issue w/ Mauriello	0.25
02/24/15	JPF	Email from JN re motion in lim issues to be covered	0.25
02/25/15	JPF	Email from AS re counterclaim	0.40
03/03/15	JPF	Letter to Ct. from Kretz correcting 56.1 statement errors	0.30
03/03/15	JLN	T/c GC regarding IAB tapes, strategy for plaintiff direct and for use of home invasion audio in opening	0.50
03/06/15	JPF	Review of email from AS w/ witness suggestions	0.80
03/10/15	JLN	T/c LS follow up on call and issues that arose in Larry's deposition	0.40
03/12/15	JPF	Email from AS re additional witnesses for trial	0.50
03/23/15	JLN	Phone call w/GC re: James call to Lauterborn from hospital	0.40
03/30/15	GMC	Review of AS letter requesting conference	0.25
04/05/15	JPF	Email from JN re edits to motion	0.25
04/07/15	JPF	Response email to team re comments on motion in lim	0.40
04/21/15	GMC	Review of letter from City requesting more time for MIL	0.25
04/23/15	JLN	T/c LS regarding status of case, Judge Sweet's decision on SJ and likely impact on case once it comes down & City's multiple settlement overtures in the past two weeks	0.75
05/08/15	JPF	Email from NS wanting to schedule team meeting prior to 5/12/15 conf.	0.10
05/21/15	JPF	Email from NS re City's overture on discussing settlement	0.25
07/18/15	JLN	T/c w/ AS & LS re: JHMC opp & City's bifurcation argument & anticipated reply arguments	1.20
07/30/15	JLN	T/c GC regarding settlement position & response to City's settlement overtures	0.40
07/31/15	JLN	T/c conference with defense counsel	0.50
08/07/15	JLN	T/c w/ GC in which GC recapped latest settlement offer as relayed by Scheiner to NS	0.30
08/19/15	JLN	T/c with plaintiff regarding City latest settlement offer and City's message that window to settle will close this week and will not re-open	0.40
08/29/15	JLN	Reviewed GC draft cross of Lt. Broschart; edits/revisions to same	1.90
08/31/15	JPF	Email final motion to team	0.10
08/31/15	JLN	F/u telecon with NS re: schedule	0.40
09/03/15	GMC	Review of City letter re: JPTO schedule	0.25
09/04/15	JPF	Email from NS adjusting motion in lim filing deadline to 9/21/15 motion	0.10
09/05/15	JLN	t/c with AS and LS regarding City's latest settlement offer	0.70
09/06/15	JLN	T/c w/ LS regarding City's settlement offer and requirements for resolving matter	0.75
09/08/15	JLN	Phone call w/GC re Schoolcrafts	0.30
09/08/15	JLN	T/c with AS and NS regarding City's latest settlement offer and plaintiff's response to same	0.40
09/08/15	JLN	T/c with NS & Alan Sheiner following up on City's offer and discussions earlier today	0.40
09/10/15	JPF	Phone Call with AS re: settlement	1.25
09/15/15	JLN	T/c with NS re: conversation w/ Scheiner	0.40

## The Smith Group

	Aggregate Hours	6 minutes		12 minutes		More than 12 minutes		Average Length
		# of tasks	% of tasks	# of tasks	% of tasks	# of tasks	% of tasks	
<b>Correspondence/Emails</b>								
Smith	7.20					3	100%	144 minutes
Suckle	1.65	2	40%	1	20%	2	40%	20 minutes
Lenoir	4.25					4	100%	64 minutes
Bauza	1.00					1	100%	60 minutes
	14.10							
<b>Telephone Calls</b>								
Lenoir	41.80					43	100%	58 minutes
Smith	25.20			2	6%	33	94%	43 minutes
Bauza	5.75					5	100%	69 minutes
	72.75							
	<b>86.85</b>							

Set forth below is a sampling of typical communication entries, where the amount of time billed for the communication entry appears excessive:

02/21/13	JL	Telephone conference with Gleason and client Schoolcraft in reference to case preparation for trial (DOJ letter review).	1.25
03/22/13	NBS	telephone call to client (.3); call to Gleason(.4);	.30 .40
03/25/13	NBS	telephone conference with Jon Norinsberg re Queens DA; suit and sharing information (0.5).	.50
03/26/13	NBS	Telephone conference with client (.5); call to Gleason (.3);.	.50 .30
05/18/13	NBS	Telephone conference with client and co-counsel.	1.20
08/06/13	JL	Confirm with Tom Litwack meeting re: Expert Witness participation	0.75
08/25/13	NBS	telephone call to J. Smith (photography of inspection).	.50
08/29/13	NBS	Review of productions; telephone call to client (0.5)	.50
10/09/13	JL	Telephone conference with Smith and client re case status after Marino depo	0.50
10/10/13	JL	Telephone conference with Smith re depositions	0.50
10/13/13	JL	Telephone conference with Smith and NYACLU re assistance in case	0.75
10/14/13	JL	Telephone conference with Smith re status of case and share of responsibilities	0.75
10/30/13	NBS	Telephone conference with client (1.0);	1.00
11/08/13	NBS	telephone call same and Mag (0.5);	.50
12/07/13	JL	Telephone conference with Smith re Mauriello counterclaim	0.50
12/24/13	JL	Telephone conference with Smith and client re case status and possible settlement range	0.75
12/30/13	JL	Confer with John Curran re Stroz Friedberg analysis of recording device and audio enhancement	1.25
01/02/14	JL	Telephone conference with Smith re status and schedule of depositions	0.75
02/03/14	JL	Telephone conference with Smith re deposition schedules	0.50
03/07/14	JL	Draft, review and edit correspondence re: discovery.	1.25
03/12/14	MB	Letter to counsel re: search for missing discovery files.	1.00
03/27/14	JL	Prepare, review, and edit correspondence re 30(b)(6)	1.50



		examination before trial.	
04/16/14	NBS	Telephone conference with team (1.0); conference with client re: settlement demands (1.2)	1.00 1.20
04/26/14	JL	Telephone conference with client and Smith re: settlement.	1.00
04/27/14	JL	Telephone conference with client re: settlement and trial strategy re: medical defendants and PTS.	1.50
06/09/14	MB	Team conference call w/ Adrain re trial prep and update.	1.50
06/09/14	NBS	Telephone conference with client re: status of case.	2.00
06/13/14	NBS	Telephone conference with Eli Silverman and John Eterno re: expert discovery schedule (1.0);	1.00
06/25/14	JL	Telephone conference with party counsel and co-counsel re: discovery scheduling.	1.00
07/18/14	MB	Team conference call with expert Dr. Halpren.	2.00
07/30/14	NBS	Telephone conference with John and Eli re: expert report.	0.80
08/04/14	NBS	preparing letter for experts on police issues and transmitting documents to experts (2.5)	2.50
08/10/14	MB	Team conference call with Dr. Lubit re testimony.	1.25
10/10/14	JL	Tel Conference with Lubit and Silverman re: schedule and prepare for deposition.	1.00
10/15/14	NBS	Telephone conference with Walter Kretz re: Mauriello; wants a small compensation from Adrian to settle (.3);	0.30
		telephone call to Suzanna Mettham and Ryan Shaffer re: Rule 68 offer (.4);	0.40
10/15/14	NBS	Telephone conference with Walter Kretz re: Mauriello; wants a small compensation from Adrian to settle (.3);	.30
		telephone call to Suzanna Mettham and Ryan Shaffer re: Rule 68 offer (.4);	.40
10/20/14	NBS	Telephone conference with with John Eterno (1.5)	1.50
11/03/14	JL	Telephone conference with Smith re: 3rd Amended Complaint.	0.75
11/06/14	NBS	Telephone conference with client re: amending complaint.	2.50
01/08/15	NBS	Telephone conference with Howard Suckle (.3);	.30
02/02/15	NBS	Telephone conference with Jon Norinsberg (.5)	.50
03/10/15	JL	Telephone conference with Nat.	0.50
05/01/15	JL	Telephone conference with Nat Smith re trial responsibilities, tactics and overall strategy	0.75
06/22/15	JL	Discussion re: opposition to city & summary motions to reconsideration (Nat Smith).	0.75
06/23/15	JL	Discussion with Nat Smith re: opposition to consideration motions.	0.50
08/21/15	JL	Draft letter to court re experts at trial.	1.00
09/11/15	NBS	Telephone conference with A Schiener and JN re settlement and willing to increase offer of cash some	0.70

## The Gleason Group

	Aggregate Hours	6 minutes		7.5 minutes to 12 minutes		More than 12 minutes		Average Length
		# of tasks	% of tasks	# of tasks	% of tasks	# of tasks	% of tasks	
<b>Correspondence/Emails</b>								
Levine	.38			1	50%	1	50%	11 minutes
Gleason	9.38			33	66%	17	34%	11 minutes
Gilbert	.65					2	100%	19 minutes
	10.41							
<b>Telephone Calls</b>								
Gleason	29.01			6	12%	46	880%	33 minutes
Gilbert	2.51			2	29%	5	71%	33 minutes
	31.52							
	<b>41.93</b>							

Set forth below is a sampling of typical communication entries, where the amount of time billed for the communication entry appears excessive:

01/12/13	Gleason	Phone conv. with JL, re: viability of DOJ involvement.	0.50
12/07/12	Gleason	Phone conv. with AS re: NYPD employment issues	0.75
12/14/12	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft NYPD employment issues.	0.125
12/14/12	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft NYPD employment issues.	0.13
12/17/12	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft NYPD employment issues.	0.125
12/19/12	Gilbert	TC with AS & LS update & strategy discussed.	0.70
12/20/12	Gleason	Phone conv. with John Lenoir, Esq. (JL) discussing his potention involvement in the Schoolcraft matter	0.75
01/23/13	Gleason	E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft position on employment matter.	0.125
02/21/13	Gilbert	Email to PG re: file preservation	0.25
03/05/13	Gilbert	TC's with PG updating status	0.20
03/10/13	Gleason	E-mail to Council Member Williams	0.25
03/21/13	Gilbert	TC's with PG updating status	0.30

### 9) Conclusion Regarding Lack of Contemporaneous Time Records

#### The Norinsberg Group

In light of the fact that:

- a) Messrs. Norinsberg, Cohen and Fitch billed almost 132 hours for writing and reviewing routine, very brief emails and correspondence, and more often than not two (2) or more of these gentlemen reviewed the same document.
- b) Over 432 hours (13% of their aggregate time) was block billed.
- c) Messrs. Norinsberg, Cohen and Fitch billed an aggregate of 877 hours (almost 28% of their aggregate time) with virtually identical task

descriptions and time entries, indicating that these gentlemen did not record their own time and/or keep contemporaneous time journals.

- d) Over 191 hours (5.6% of their aggregate time) was recorded in a vague fashion where ASI could not ascertain what issue, motion or witness the timekeeper was working on.
- e) Almost 225 hours were billed to communication entries, where the average amount of time billed for email/ correspondence was 9 minutes, and the average amount of time billed for telephone calls was 36 minutes.

in ASI's opinion, a reasonable, if not conservative, reduction would be 15% of the aggregate amount billed to account for the deviations from acceptable billing patterns and practices that artificially increased the legal fees.

**Recommended Reduction:**

	Hours Billed	Recommended Reduction	Recommended Reduction Excluding Medical Defendants, Press and Lobbying
<b>Norinsberg Group</b>			
Norinsberg	1,451.85	-217.78	-197.02
Cohen	806.70	-121.00	-109.14
Fitch	894.75	-134.21	-104.28
Meehan	137.80	-20.67	-20.55
Burzstyn	103.15	-14.47	-8.01

**The Smith Group**

In light of the fact that:

- a) The attorneys in the Smith Group billed primarily in 15 minute increments and the paralegals in the Smith Group billed in 60 minute billing increments.
- b) Over 2,710 hours (51% of their aggregate time) was block billed.
- c) Over 689 hours (12.8% of their aggregate time) was recorded in a vague fashion where ASI could not ascertain what issue, motion or witness the timekeeper was working on.
- d) Smith attorneys recorded the wrong dates for depositions and even billed time to attending a deposition when no deposition was held on that date.
- e) Smith attorneys recorded different amounts of time for attending the same external event.
- f) Almost 87 hours were billed to communication entries, where the average amount of time billed for email/ correspondence was 65 minutes, and the average amount of time billed for telephone calls was 53 minutes.

in ASI's opinion, a reasonable, if not conservative, reduction would be 20% of the aggregate amount billed to account for the deviations from acceptable billing patterns and practices that artificially increased the legal fees.

**Recommended Reduction:**

	Hours Billed	Recommended Reduction	Recommended Reduction Excluding Medical Defendants, Press and Lobbying, Substitution of Counsel and Digesting
<b>Smith Group</b>			
Smith	2,219.40	-554.85	-382.00
Lenoir	1,281.00	-320.25	-212.02
Suckle	108.90	-27.23	-19.00
McCutcheon	23.38	-5.85	-4.66
Bauza	1,297.97	-324.50	-188.60
Smith Paralegals	444.18	-111.50	-10.84

**The Gleason Group**

In light of the fact that:

- a) The attorneys in the Gleason Group billed primarily in 15 minute increments.
- b) Over 273 hours (54% of their aggregate time) was block billed.
- c) Mr. Gilbert reported attending a hearing (the only one he attended) on the wrong date.
- d) Almost 42 hours were billed to communication entries, where the average amount of time billed for email/ correspondence was 11.60 minutes, and the average amount of time billed for telephone calls was 33 minutes.

in ASI's opinion, a reasonable, if not conservative, reduction would be 15% of the aggregate amount billed to account for the deviations from acceptable billing patterns and practices that artificially increased the legal fees.

**Recommended Reduction:**

	Hours Billed	Recommended Reduction	Recommended Reduction Excluding Medical Defendants, Press and Lobbying, Substitution of Counsel and Digesting
Levine	71.03 <sup>30</sup>	-10.65	-.77
Gleason	305.38 <sup>31</sup>	-45.80	-14.44
Gilbert	129.77 <sup>32</sup>	-19.47	-1.87

**D. Lack of Billing Judgment**

In order for an attorney to meet his/her ethical obligation to charge for fees that are reasonable, the attorney must exercise billing judgment. In essence, the attorney must carefully review the invoices and write off fees that were actually incurred, but were excessive, duplicative, or unnecessary. Examples of work that should be written off are hours incurred by younger associates that should be considered training, secretarial work or quasi secretarial work, multiple attorneys at a routine deposition or court appearance and time spent by the attorney to correct an error or mistake caused by the attorney. Without good billing judgment, overbilling and billing abuse can run wild.

The Smith Group, the Norinsberg Group and the Gleason Group are seeking reimbursement for time which in ASI's opinion is obviously non-reimbursable leading ASI to the conclusion that none of the groups carefully reviewed their invoices to write-off even items that were clearly non-reimbursable.

For instance, as set forth on the following page, the Smith Group billed for secretarial work, as evidenced by the following time journals:

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30 The aggregate hours contained in Exhibit A to Levine's Affirmation total 71.025 and not 74.32 as claimed by the Gleason Group. ASI also notes that the amount charged for some entries does not match the time entry and the requested billing rate. For instance, on November 30, 2012, it states that he worked for 1.50 hours and the amount is \$600. Based on his requested rate of \$600 an hour, the amount should be \$900 and not \$600.

31 ASI has adjusted for travel time since Mr. Gleason billed half rates for travel. However, ASI notes the aggregate hours contained in Exhibit A to Gleason's Affirmation total 331 hours and not 336.37 as claimed by the Gleason Group. ASI also notes that the amount charged for some entries does not match the time entry and the requested billing rate. For instance, on March 14, 2013, it states that he worked for 1.25 hours and the amount is \$375. Based on his requested rate of \$500 an hour, the amount should be \$625 and not \$375.

32The aggregate hours contained in Exhibit A to Gilbert's Affirmation total 129.75 and not 120.62 as claimed by the Gleason Group. ASI also notes that the amount charged for some entries does not match the time entry and the requested billing rate. For instance, on February 14, 2013, it states that he worked for .50 hours and the amount is \$500. Based on his requested rate of \$500 an hour, the amount should be \$250 and not \$500.

09/17/10	NB	Printed Judge Weinslock opinion re: Velez proceedings for JLN review	0.10
09/18/10	NB	Printed NYPD Admin Guide provided by AS for JLN review	0.15
11/17/10	NB	Formatted First Request for Admissions, request for discovery demands, request for interrogatories and sent same to J LN for review	1.20
05/06/11	NB	Printed Judge Sweet's decision on defendants' MTD for JLN review	0.20
08/08/11	NB	Downloaded and printed research received from JLN	0.10
01/05/12	NB	Made reservation for Schoolcrafts for Cosmopolitan Hotel	0.10
01/11/12	NB	Sent Callan kletter and AS authorization via regular mail and e-mail	0.10
03/09/12	NB	Formatted to Lt. Gilbo regarding the documents that were sent in response to subpoena and sent same	0.25
04/23/12	NB	Sent package to all counsel enclosing transcripts of Browne, Pichardo, McHugh, Polanco, Mauriello, Herran, Gianelli, Esposito	0.80
05/17/12	NB	Sent Schoolcraft Affidavit of GS as per JLN	0.10
08/08/12	GMC	Printed out docs to go over with Adrian	0.25
08/08/12	JLN	Printed out docs to go over with Adrian	0.20
10/01/12	NB	Multiple phone calls to Hotel Albany regarding setting up conferece room for rreeting with AS	0.60
10/02/12	NB	Forwarded schoolcraft justice website to JJM	0.10
10/03/12	GMC	Received AS new email address	0.10
11/14/12	NB	Scanned and e-mailed AS Letter of Termination in file; filed same in computer file and hard file	0.25
07/26/13	NBS	Preparing documents for client.	0.90
02/03/15	NB	Printed Amended Complaint and Docket sheet for JLN review	0.10
02/03/15	NB	Downloaded and printed all memorandums of law filed by defendants	0.60
02/13/15	NB	Printed various exhibits from Plaintiff's deposition	0.20
02/18/15	NB	Printed and bound deps of Mauriello and Valenti	0.20
02/19/15	NB	Printed various exhbits from deps of Mauriello Lauterborn and Floyd	0.20
02/27/15	GMC	Emailed confidentiality stip to Veritext for transcribers to sign	0.25
03/09/15	NB	Printed Plaintiff's Rule 56.l Statement for JLN to review	0.10
03/12/15	NB	Printed and bound documents from City of New York from City of New York and Mauriello medical documents	0.20
03/23/15	NB	Downloaded, printed and bound second set of filings by all defendants for JLN to review	0.40
03/23/15	NB	Printed Huffman QAD for JLN	0.10
03/25/15	NB	Printed, reviewed and signed confidentiality agreement for myself; had JLN review and sign same	0.20
03/27/15	NB	Converted Schoolcraft opening statement to MS Word	0.10
03/30/15	NB	Printed IAB Documents for JLN; bound & collated same	0.40
03/31/15	NB	Printed and bound Caughey and Weiss Interviews	0.20
04/01/15	NB	Printed deps of Huffman, James, Hanlon, Halpren, Gough, Ferrara, Duncan, Caughey, Broschart, Bernier and bound	0.70
04/01/15	NB	Printed and bound exhibit list and witness list for Court	0.20
04/01/15	NB	Compiled, sorted, copied and collated multiple trial exhibits	0.60
04/02/15	NB	Printed, collated and bound AS direct outline	0.20
04/13/15	NB	Printed crime reporting review documents	0.20
06/17/15	NB	Printed and emailed defendants memoranda of law for reconsideration for JLN	0.20
08/05/15	NB	Printed City's draft JPTO	0.10
08/10/15	NB	Made multiple formatting changes to final S&C; prepared civil cover sheet and summons for same	0.70
08/11/15	NB	Printed, collated and stapled multiple discovery documents from City sent to JLN via ernal	0.20
08/13/15	NB	Printed spreadsheet from A. Scheiner with City's objections to plaintiffs	0.10

		JPTO	
08/25/15	NB	Printed JPTO for JLN review	0.10
08/25/15	NB	Printed filing by NS responding to various arguments by defendants on JPTO exhibits and witnesses for JLN Review	0.10
08/25/15	NB	Printed, bound, sorted and tabbed Carter Cross	0.50
08/25/15	NB	Printed, bound, sorted and tabbed Lauterborn Cross	0.60
08/25/15	NB	Printed, bound, sorted and tabbed Marino Cross	0.80
08/25/15	NB	Printed, bound, sorted and tabbed Mauriello Cross	0.80
08/25/15	NB	Printed, bound, sorted and tabbed Weiss Cross	0.60
08/31/15	NB	Printed Amended Complaint and emailed to JLN	0.10
09/03/15	NB	Printed City letter re: JPTO schedule for JLN review	0.10

And, as set forth below, the Norinsberg Group is seeking reimbursement for drafting its own retainer agreement and working on Mr. Schoolcraft's book deal.

06/18/10	JLN	Meeting w/ Gerald Cohen ("GC") and JF re: Schoolcraft coming to our office for interview	0.80
06/18/10	JPF	Meeting w/JN and Gerald Cohen ("GC") re: Schoolcraft coming to our office and retaining for lawsuit	0.80
06/18/10	GMC	Meeting w/Jon Norinsberg (JN) and Joshua Fitch (JF) re: Schoolcraft coming to our office and retaining for lawsuit	0.80
06/25/10	GMC	Drafted retainer for Schoolcraft	0.60
06/25/10	JLN	Sent GC information for retainer; forwarded retainer to AS; forwarded signed retainer back to GC	0.10
06/25/10	JPF	Review of Schoolcraft retainer	0.25
06/28/10	JLN	Discussion with JF and GC re retainer & meeting with Schoolcrafts	1.25
06/28/10	JPF	Discussion with JN and GC re retainer & meeting with Schoolcrafts	1.25
06/28/10	GMC	Discussion with JN and JF re retainer & meeting with Schoolcrafts	1.25
05/12/11	JLN	Discussion w/ GC & JF re agency agreement	0.40
05/12/11	JPF	Discussion w/ GC & JN re agency agreement	0.40
05/12/11	GMC	Discussion w/ JF & JN re agency agreement	0.40
05/12/11	GMC	Review of Book deal agreement for Adrian Schoolcraft	0.25
05/12/11	JPF	Review of agency agreement for client on book/movie deals he does	0.60
07/19/11	GMC	Review of Literary Agency agreement for Schoolcraft	0.10
07/19/11	JPF	Review of agency agreement for AS book deals	0.50

And, as set forth below, the Gleason Group is seeking compensation for providing personal services to Mr. Schoolcraft such as "obtained phone for client," "scheduling his travel to meet with counsel in NYC," and "purchase of business attire for AS."

02/11/13	Gleason	Meeting with AS, review of case, discussion of strategy and updated AS in investigation, <b>Purchase of business attire for AS.</b>	4.50
04/12/13	Gleason	Consultation with AS discussing matter <b>purchased return ticket to Albany</b> , meeting with VP.	4.50
02/09/13	Gleason	E-mail and phone conv. with AS re: upcoming deposition on 2/12/13, <b>purchase train ticket</b>	1.00
01/22/13	Gleason	Phone conv. with AS, re, NYPD issues, <b>sheduling his travel to meet with counsel in NYC</b> , update on progress of investigation.	

As set forth below, the Gleason Group is also seeking compensation for Gleason, billing at a requested a rate of \$500 an hour to hand deliver letters and subpoenas, purchasing train tickets, and transporting files.

12/24/12	Gleason	Draft and hand deliver a notice of appearance that NYPD Asst. Comm. Kearns demanded before she would communicate with my office regarding AS.	2.00
01/28/13	Gleason	Edit and hand deliver letter to NYPD Asst. Comm. Kearns.	2.00
02/09/13	Gleason	E-mail and phone conv. with AS re: upcoming deposition on 2/12/13, purchase train ticket	1.00
03/05/13	Gleason	E-mails to and from AS re: trip to city, purchase train ticket.	0.50
04/12/13	Gleason	Consultation with AS discussing matter purchased return ticket to Albany, meeting with VP.	4.50
02/14/13	Gleason	Transport file from Levin & Gilbert to Law office of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	3.50

In sum, in ASI's opinion, other than the Smith Group writing off Ms. Bauza's attendance at some of the depositions where one (1) or two (2) attorneys were present<sup>33</sup>, the Norinsberg Group "electing not to bill for the majority of the hundreds of hours of phone calls between the CFN Team and the client,"<sup>34</sup> and Gleason writing off "e-mails that were perfunctory in nature", none of the groups exercised any billing judgment, as detailed in this report.

### 1) Duplication in Effort and Other Inefficiencies

Since a law firm's fees must be reasonable, it has an obligation to assign the appropriate number of people at the appropriate levels of experience to handle a matter, and maintain a reasonable degree of continuity in staffing throughout the course of the representation. In so doing, a law firm will reduce redundant and inefficient work. This was not the case in the instant situation.

The Norinsberg Group and the Smith Group did not assign discreet aspects of the Litigation to different attorneys. Rather, they adopted a team approach where, for the most part, all issues, complex or not, were reviewed by multiple senior attorneys. For instance, just to name a few, three (3) attorneys read Mr. Raymond's book *NYPD Tapes* and billed an aggregate of 17.25 hours for reading this book,<sup>35</sup> three (3) attorneys reviewed Mr. Schoolcraft's medical

33 The Smith Group is still requesting compensation for Ms. Bauza's time at the Lamstein deposition where two (2) attorneys were present and at the Larry Schoolcraft deposition at which one (1) attorney was present.

34 Footnote 1 of the Memorandum of Law in Support of Plaintiff's Motion for Attorney's Fees, Cost and Disbursements.

35

8/13/2013	NBS	Read recent book by G. Raymond called NYPD Tapes	4.50
10/1/2014	JS	Reading and taking notes on "NYPD Tapes."	1.50
10/1/2014	JS	Reading and taking notes on NYPD tapes	3.50
07/21/15	JLN	Started reading "NYPD Tapes" (book on Scholcraft case) for additional facts & evidence & themes to use at trial.	2.40



records,<sup>36</sup> two (2) attorneys billed 4.20 hour for reading what appears to be the same village voice articles<sup>37</sup>, three (3) attorneys reviewed Mr. Schoolcraft's timeline<sup>38</sup> and then had a paralegal spend 20 hours on a "timeline project"<sup>39</sup> and four (4) attorneys billed over 33 hours in connection with the AEO file.<sup>40</sup>

The following illustrates how the Smith Group and the Norinsberg Group adopted a team approach, where senior attorneys and others duplicated each other's efforts and other inefficiencies:

### a) Complaint

The complaint was filed on August 10, 2010 (the "Initial Complaint"). Within 45 days of filing the Initial Complaint, the Norinsberg Group filed an amended complaint as of right. Three (3) months later the Norinsberg Group decided to amend the complaint once again to reinstate a First Amendment claim (the "Second Amended Complaint") that they had already voluntarily withdrawn.

07/23/15	JLN	Cont'd reading NYPD Tapes; took notes re: same	3.25
07/26/15	JLN	Cont'd reading NYPD Tapes; took notes re: same	2.10

36

06/25/10	GMC	Review of AS medical records	1.75
06/26/10	JLN	Reviewed Schoolcraft's records from Jamaica Hospital Medical Center; took notes re: same	3.25
06/26/10	JPF	Review of Schoolcraft's medical records	3.10

37

06/20/10	JLN	Read Voice articles on Schoolcraft	2.10
06/20/10	JPF	Reading Village Voice articles on; Schoolcraft and Halloween night	2.10

38

07/09/10	GMC	Reviewed AS timeline of events	1.40
07/09/10	JPF	Review of Schoolcraft timeline prepared by JN	2.25
07/31/10	JLN	Cont'd review of Schoolcraft tapes and timeline chart	3.10
07/31/10	JPF	Review of Schoolcraft tapes & timeline	3.10
08/01/10	JPF	Review of Schoolcraft tapes & timeline	3.40

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09/06/13	MB	Timeline Project.	5.00
09/09/13	MB	Timeline Project.	5.00
09/11/13	MB	Timeline Project.	5.00
09/12/13	MB	Timeline Project.	5.00

40

03/29/12	JLN	Review of AEO; Notes regarding same	0.60
03/29/12	JPF	Review of AEO	0.50
05/03/12	GMC	Review of defendants proposed AEO stip and declaration re: "leak"	1.25
11/19/12	GMC	Review of court order prohibiting providing AS AEO material	0.10
4/24/2013	NBS	Review of AEO files.	3.50

In connection with the Second Amended Complaint, the Norinsberg Group filed a Motion to Amend and a Motion for Reconsideration, both of which were denied. Thereafter, the Norinsberg Group filed a Second Amended Complaint, adding Elisa Hanlon to the complaint. On December 4, 2014, The Smith Group filed a motion to amend the Second Amended Complaint to correct errors and assert a federal claim that related solely to the Medical Defendants (the "Third Amended Complaint").

In connection with these amendments, two (2) Motions to Amend and a Motion for Reconsideration, the Norinsberg Group and the Smith Group billed more than 388 hours.<sup>41</sup>

It should be noted that all versions of the complaint had medical malpractice claims, claims that were peculiar to the Medical Defendants and not in any way related to the facts or causes of action relating to the City.

**i) Initial Complaint**

From June 30, 2010 through August 10, 2010 (the date that the Norinsberg Group filed the complaint against the City and the Medical Defendants), the Norinsberg Group billed 479.70 hours, with the time allocated as follows:

<b>Norinsberg Group</b>	
Norinsberg	220.65
Cohen	104.65
Fitch	136.20
Burzstyn	18.20
	479.70

During this time period, as set forth below, the Law Firm billed almost 24 hours relating to its own retention, a cost that should not have been billed:

06/18/10	JLN	Meeting w/ Gerald Cohen ("GC") and JF re: Schoolcraft coming to our office for interview	0.80
06/18/10	JPF	Meeting w/JN and Gerald Cohen ("GC") re: Schoolcraft coming to our office and retaining for lawsuit	0.80
06/18/10	GMC	Meeting w/Jon Norinsberg (JN) and Joshua Fitch (JF) re: Schoolcraft coming to our office and retaining for lawsuit	0.80
06/20/10	GMC	Email from Adrian Schoolcraft (AS) re: meeting with JN	0.10
06/20/10	JLN	Read Voice articles on Schoolcraft	2.10
06/20/10	JPF	Discussions with Jon Norinsberg (JN) re Schoolcraft case	0.80
06/20/10	JPF	Reading Village Voice articles on; Schoolcraft and Halloween night	2.10
06/21/10	GMC	Email from AS re: Gerald Nelson	0.25
06/21/10	JLN	Read articles sent by Schoolcraft on Gerald Nelson	0.80
06/21/10	JPF	Review of articles sent by Schoolcraft on Gerald Nelson	0.60

<sup>41</sup> Does not include the 339.13 hours that the Norinsberg Group billed for its retention and familiarizing themselves with the facts and law in connection with the complaint.

06/23/10	JLN	Meeting w/ GC and JF re: GC's upcoming meeting w/ Schoolcraft	0.75
06/23/10	JPF	Meeting w/JN and GC re: JN's upcoming meeting w/ Schoolcrafts	0.75
06/23/10	GMC	Meeting w/JN and JF re: JN's upcoming meeting w/ Schoolcrafts	0.75
06/24/10	GMC	PC with JN re: meeting w/Schoolcraft	0.40
06/24/10	JLN	Travel back to NYC (3.2)	1.60
06/24/10	JLN	TC with GC re: meeting w/Schoolcraft	0.40
06/24/10	JLN	Initial client meeting & interview with AS in Johnstown	7.40
06/24/10	JLN	Traveled to Johnstown to meet prospective Client Adrian Schoolcraft (3.6)	1.80
06/25/10	GMC	Drafted retainer for Schoolcraft	0.60
06/25/10	NB	Saved retainer signed by client to file	0.10
06/25/10	NB	Prepared Substitution of Attorney for taking case over from JM	0.20
			23.90

After its retention, the Norinsberg Group then familiarized themselves with the facts and applicable law and drafted the compliant, and, as illustrated below, it appears as if two (2) or more individuals reviewed almost every issue.

06/25/10	JPF	Review of Schoolcraft 's Patrolmens Benevolent Association ("PBA") contract	2.50
06/26/10	JPF	Review of PBA contract	1.25
06/29/10	GMC	Review of David Velez arbitration decision	0.50
06/29/10	JLN	Review of 75th Pct arbitration decision	0.90
06/30/10	JLN	Reviewed FOIL requests for 911 calls made by AS to NYPD and discussed with JF	0.30
06/30/10	JPF	Review of FOIL requests for 911 calls made by AS to NYPD and discuss with JN	0.30
07/07/10	JLN	Reviewed Schoolcraft documents, evals, memos, letters to PBA, letters to Mauriello	2.70
07/17/10	GMC	Reviewed of Schoolcraft documents, evals, photos, memos, UF49s, letters to PBA, letters to Mauriello...	2.10
07/13/10	JLN	Listened to recording b/w AS & Det. Peterson on Sept. 13, 2009	0.40
07/13/10	NB	Listened to recording b/w AS & Det. Peterson on Sept. 13, 2009 and made notes regarding same	0.40
08/06/10	JPF	Review of transcripts from Legal Language re June 2009 roll calls, Halloween Night, & visits to Johnston	2.75
08/06/10	JLN	Reviewed June 2009 roll calls, Halloween night and visits to Johnstown recording transcripts and discussed same with JF	3.80
08/10/10	GMC	Reviewed and signed contract for website hosting	0.25
08/10/10	JLN	Reviewed GC draft of Schoolcraft website content	0.20
07/29/10	JLN	Meeting with JF and Rocco P - Daily News re Schoolcraft and evidence of quotas for Monell claim	1.50
07/29/10	JPF	Meeting with JN and Rocco P - Daily News re Schoolcraft and evidence of quotas for Monell claim	1.50
07/30/10	GMC	Meeting with JN, JF, Polanco & Graham Raymond (GR) re: Schoolcraft & Monell claim	3.25
07/30/10	JLN	Meeting with JF, GC, Polanco & Raymond re: Schoolcraft & Monell claim	3.25
07/30/10	JPF	Meeting with JN, GC, Polanco & Raymond re: Schoolcraft & Monell claim	3.25
07/30/10	JLN	Continued edits and revisions to complaint	3.20
07/30/10	JPF	Meet with GC and JN re: changes and additions to complaint	1.25
07/30/10	GMC	Meet with JF and JN re: changes and additions to complaint	1.25
07/30/10	JLN	Meeting with JF and GC re: changes & additions to complaint	1.20

07/30/10	JLN	Reviewed docs re: NYC Safety Restraint Enforcement Program, from Sept. 11-14, 2009 for increased summons activity	0.30
07/30/10	JLN	Reviewed Boro Daily Impact OT Form	0.10
07/31/10	GMC	Meeting with Polanco + GR, JN, JF re: quotas and Monell Claim	3.20
07/31/10	JPF	Meeting with Polanco, Raymond, JN, GC re: quotas and Monell Claim	3.20
07/31/10	JLN	Cont'd review of Schoolcraft tapes and timeline chart	3.10
08/01/10	JPF	Review of Schoolcraft tapes & timeline	3.40

And, as the journal entries set forth below reveal, three (3) attorneys ping ponged the drafting of the complaint back and forth, spending an aggregate of 140 hours for drafting and discussing the complaint.

07/29/10	GMC	Review and Revise AS complaint	3.10
07/30/10	JLN	Continued edits and revisions to complaint	3.20
07/30/10	JPF	Revision of Complaint	2.60
07/31/10	JLN	Continued edits/revisions of complaint	2.80
07/31/10	JPF	Revision of Complaint	2.80
08/02/10	JLN	Further edits revisions & additions to complaint	3.20
08/02/10	GMC	Review and revise AS complaint	1.25
08/03/10	JPF	Revise and edit of Complaint	1.80
08/03/10	JLN	Edited complaint and sent to JF for review	1.60
08/04/10	JPF	Revise and edit Complaint	1.40
08/04/10	JLN	Review of AS chronology for complaint; incorporated same	1.40
08/05/10	GMC	Review and revise AS complaint	0.80
08/06/10	JLN	Review of revised complaint from JF: made edits and revisions to same	2.10
08/06/10	JPF	Review and edit Complaint after clarification	1.25
08/08/10	JPF	Editing Complaint with additional allegations	1.60
08/09/10	JPF	Edit/Revise Complaint	1.60

## ii) Second Amended Complaint

In connection with drafting the Second Amended Complaint, a Motion to Amend (denied as to the First Amendment Claim) and a Motion for Reconsideration (Denied), the Norinsberg Group billed 106.25 hours, with the time allocated as follows:

<b>Norinsberg Group</b>	
Norinsberg	8.25
Cohen	11.30
Fitch	86.60
Burzstyn	.10
	106.25

Unlike the Initial Complaint, primary responsibility rested in the hands of one (1) attorney; however, all three (3) attorneys attended the hearing for the Motion to Amend.

### iii) Third Amended Complaint

In connection with the Third Amended Complaint, which corrected prior errors and asserted a federal claim against the Medical Defendants, which was unsuccessful, the Smith Group billed almost 100 hours, allocated as follows:

Smith Group	
Smith	64.03
Lenoir	7.00
Suckle	1.00
Bauza	27.93
	99.96

As evidenced by the following time journals, Mr. Smith, Mr. Lenoir and Ms. Bauza worked in tandem on the Third Amended Complaint and the related motion to amend:

10/19/14	NBS	Review of 2nd Amended Complaint for purpose of motion to amend; conference call with team re: Rule 68 offer; email exchange with Howard Suckle re: same.	2.25
10/22/14	JL	Review of 2nd Amended Complaint; research for proposed 3rd Amendment.	1.50
10/27/14	NBS	Meeting with John Lenoir re: amended complaint; review of emails; telephone call to Investigator Skinner; email with Silverman review of discovery record on complaint; review of tapes re: Amended Complaint.	5.80
10/28/14	NBS	Prepare revisions to 2nd Amended Complaint for motion to arrest; research on issues relating to motion to amend.	6.80
10/31/14	NBS	Prepare for and take 2nd examination before trial of Dr. Patel (3.2); research on causes of action for motions to amend and summary judgment.	2.30
11/01/14	NBS	Research on exigent circumstances case law.	3.50
11/03/14	JL	Telephone conference with Smith re: 3rd Amended Complaint.	0.75
11/03/14	NBS	Research an existing cir. case law (3.0); telephone conference with Roy Lubit; emails with opposing counsel; revised 2nd Amended Complaint for motion to amend.	3.80
11/05/14	NBS	Drafting motion to amend.	3.50
11/06/14	JL	Case conference with client and Smith; update re: strategy and outstanding discovery matters.	2.25
11/06/14	NBS	Telephone conference with client re: amending complaint.	2.50
11/10/14	NBS	Telephone conference with Dr. Lubit; attend and defend examination before trial of Dr. Lubit at Martin Clearwater; review of draft Amended Complaint; research, on 4th Amendment warrantless entry (1.5)	1.50
11/16/14	JL	Review draft of 3rd Amended Complaint.	1.75
11/16/14	NBS	Revise complaint; email re: same.	1.00
12/01/14	MB	Review 2nd Amended Complaint track proposed changes.	4.70

12/01/14	NBS	Revising motion to amend	2.50
12/02/14	MB	Review Third Amended Complaint; draft proposed addition of malicious abuse of process claim and violation of substantive and procedural due process claims.	4.66
12/02/14	NBS	Revise memo re: motion to amend.	3.50

### b) Audio and Video Recordings

The Smith Group billed an aggregate of 251.51 hours and the Norinsberg Group billed an aggregate of 308.60 hours reviewing audio and video recordings, with the time allocated as follows:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	189.50
Cohen	34.75
Burzstyn	20.90
Fitch	63.45
	308.60
<b>Smith Group</b>	
Lenoir	78.31
McCutcheon	21.34
Suckle	9.75
Bauza	27.50
J. Smith	30.72
Smith	83.89
	251.51
	<b>560.11</b>

The vast majority of the time journals relating to the audio and video recordings were vague, making it impossible to ascertain whether different timekeepers were reviewing the same recording. For instance:

07/03/10	JPF	Review of Schoolcraft recordings	4.25
07/07/10	GMC	Listened to Schoolcraft recordings	1.80
07/14/10	JPF	Review of Schoolcraft tapes	3.60
07/15/10	JPF	Review of Schoolcraft tapes	3.40
07/21/10	JPF	Review of Schoolcraft documents & tapes	4.75
07/22/10	JLN	Continued review of Schoolcraft recordings (2009 roll calls)	3.10
07/22/10	JPF	Review of Schoolcraft documents & tapes	3.10
10/02/12	JLN	Listened to entire QAD interview of AS	3.30
05/08/13	NBS	Review of recordings; prepare discovery responses.	5.50
05/12/13	JL	Review of audio recordings made by client; sort and prepare summaries.	4.50
01/10/15	JL	Review CompStat DVD's; prep index.	7.50
01/10/15	JM	Review of CompStat videos	4.00
01/10/15	NBS	Review of examinations before trial and Compstat videos.	7.50
01/11/15	JL	Review CompStat DVD's; telephone call re: CompStat DVD's; review CompStat DVD's.	8.25

01/11/15	JM	Review of CompStat videos	2.00
01/11/15	JM	Discussions of Compstat and Schoolcraft materials.	0.75
01/11/15	NBS	Review of examination before trial and Compstat videos; conference with group on Compstat videos.	7.50
01/12/15	JL	CompStat DVD review.	6.50
01/13/15	JL	Review and index CompStat DVD's.	6.00
01/13/15	NBS	Compstat vide review	5.50

However, when the time journals detailed the actual recording that was being reviewed, it became clear that multiple timekeepers were reviewing the same recording. For instance:

06/25/10	JLN	Reviewed transcript of Polanco tapes; took notes re: same	0.40
06/26/10	GMC	Reviewed transcript of Polanco tapes	0.75
07/13/10	JLN	Listened to recording b/w AS & Det. Peterson on Sept. 13, 2009	0.40
07/13/10	MB	Listened to recording b/w AS & Det. Peterson on Sept. 13, 2009 and made notes regarding same	0.40
07/15/10	MB	Continued reviewing Schoolcraft roll calls (2009 roll calls); prepared digest of same	3.10
07/20/10	JLN	Continued review of Schoolcraft roll calls (2009); took notes on same	3.90
08/05/10	JPF	Review of transcribed tape recording from August & March 2009 from Legal Language	2.75
08/06/10	JLN	Continued review transcriptions of August 2009 logs	1.40
08/10/10	JLN	Began review of new CD from Client w/ numerous additional recordings and docs	3.70
08/11/10	MB	Began review of new CD from Client w/ numerous additional recordings and docs	3.90
10/02/12	JLN	Listened to entire QAD interview of AS	3.30
10/02/12	GMC	Review of QAD interview of AS	2.25
10/07/12	JPF	QAD interview review	2.40
08/14/15	GMC	Review of Lauterborn transcribed audio interview and emailed to team	0.60
08/14/15	JLN	Review of Lauterborn's transcribed audio interview; 2nd IAB interview took notes re: same	0.60

### c) Summary Judgment Motions

As set forth below, six (6) Motions for Summary Judgment were filed, one (1) by the City, one (1) by Mauriello, one (1) by the Plaintiff and three (3) by the Medical Defendants.

Filed By	Docket Number	Date Filed	
City	297	12/22/2014	MOTION for Summary Judgment .
Plaintiff	305	12/23/2014	MOTION for Summary Judgment . Document filed by Adrian Schoolcraft. (Smith, Nathaniel) (Entered: 12/23/2014)
Mauriello	314	12/27/2014	MOTION for Summary Judgment . Document filed by Steven Mauriello(Tax Id.895117, Individually), Steven Mauriello(Tax Id. 895117 in his official capacity). Responses due by 1/21/2015

			Return Date set for 1/28/2015 at 12:00 PM.(Kretz, Walter) (Entered: 12/27/2014)
Jamaica Hospital	325	1/5/2015	MOTION for Summary Judgment . Document filed by Jamaica Hospital Medical Center. Responses due by 1/21/2015 Return Date set for 1/28/2015 at 10:00 AM.(Osterman, Brian) (Entered: 01/05/2015)
Aldana-Bernier	329	1/8/2015	MOTION for Summary Judgment . Document filed by Lillian Aldana-Bernier. Responses due by 1/21/2015 Return Date set for 1/28/2015 at 10:00 AM. (Callan, Paul) (Entered: 01/08/2015)
Isak Isakov	334	1/8/2015	MOTION to Dismiss and for other relief. Document filed by Isak Isakov. Responses due by 1/21/2015 Return Date set for 1/28/2015 at 12:00 PM. (Attachments: # 1Affidavit Declaration of Service)(Lee, Brian) (Entered: 01/08/2015)
Isak Isakov	366	2/2/2015	AMENDED MOTION for Summary Judgment and other relief. Document filed by Isak Isakov. Responses due by 2/4/2015 Return Date set for 2/11/2015 at 12:00PM.(Lee, Brian) (Entered: 02/02/2015)

In connection with these various summary judgment motions and motions to reconsider, the Smith Group and the Norinsberg Group billed over 863 hours, with the time allocated as follows:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	42.20
Cohen	15.05
Fitch	12.00
Burzstyn	1.00
	70.25

<b>Smith Group</b>	
Smith	344.33
Lenoir	214.08
McCutcheon	0.54
Bauza	233.82
	792.77
	<b>863.02</b>

Almost 37% of the time (320 hours) devoted to these summary judgment motions was vague, and ASI was unable to ascertain which summary judgment the time related to. The time relating to the vague time entries was allocated as follows:



	Hours
<b>Norinsberg Group</b>	
Norinsberg	14.35
Cohen	6.85
Fitch	6.90
	28.10
<b>Smith Group</b>	
Lenoir	66.33
Bauza	44.73
Smith	181.40
	292.46
	320.56

Typical vague time entries dealing with the summary judgment motions included the following:

10/02/14	JL	Prepare for summary judgment motion (1.25); summarize examination before trial (1.00); review LE expert resource materials for production (1.50); prepare and schedule legal assistants (Jeanette and Lysia) for examination before trial summaries (2.50).	6.25
12/30/14	NBS	Telephone conference with John Lenoir; telephone call to client re: Norinsberg; drafting summary judgment; review of new material.	9.50
12/31/14	NBS	Draft opposition to summary judgment.	7.50
01/01/15	NBS	Review of motions by defendants.	5.50
01/08/15	JL	Review and index CompStat DVD's (4.50); prepare response to summary judgment motion (4.00).	8.50
01/14/15	JL	Meeting re: summary judgment motion (2.00); CompStat DVD review (4.50).	6.50
01/14/15	NBS	Conference with client and John Lenoir; review of examination before trial and motions.	7.50
01/17/15	NBS	Review of examination before trial; prepare summary judgment oppositions.	7.50
01/18/15	NBS	Prepare summary judgment opposition; review of Hanlon, Sangianetti, and Marquez examination before trial; review of Compstat videos.	8.50
01/19/15	NBS	Review of Compstat videos; review of cases cited in various motions; research on standard of objective/subjective good faith and qualified immunity.	7.50
01/24/15	NBS	Review of record; research on cases cited by defendants summary judgment motion.	6.50
01/25/15	NBS	Review of record for summary judgment motion opposition.	7.50
01/26/15	NBS	Drafting opposition papers; research on probable cause.	7.50
01/27/15	NBS	Meeting with John and Mag re: summary judgment motion; draft opposition; research on St amendment issues.	9.50
02/01/15	NBS	Drafting opposition to motions.	5.50
02/02/15	NBS	Telephone conference with Jon Norinsberg (.5); meeting with John Lenoir re to do list for trial(1.2); conference with client and John Lenoir re: trial team; drafting opposition to	7.80

		motion (5.0); telephone call to client re: same; letter to court re: schedule adjustment.	
02/07/15	JL	Review and draft Summary Judgment Motions.	6.50
02/12/15	NBS	Telephone conference with client; call with Jon Norinsberg and John Lenoir; emails; telephone call with new city lawyer; review of files under seal; review of opposition motion.	7.50
02/12/15	JPF	Review of Memo of Law in Opp to plaintiff's motion for SJ	3.30
02/13/15	MB	Review all defendants motions in opposition submissions; Meeting with Nat to discuss submissions.	6.00
02/13/15	JL	Review of defendant's motions in opposition to plaintiffs motion summary judgment; review of defendant's motions and prepare for plaintiffs reply re: Schoolcraft discovery.	2.00
02/16/15	GMC	Review of summary judgment motions and exhibits	3.10
02/17/15	NBS	Review of files on summary judgment papers.	2.50
02/17/15	NBS	Review of files on summary judgment papers.	2.50
03/03/15	JL	Research and review of defendants motions and summary judgment statements re: re-preparation w/Smith of reply brief.	6.50
03/03/15	NBS	Drafting reply.	7.50
03/04/15	JL	Review of case file and research for smmary judgment motion reply brief.	7.25
03/04/15	NBS	Drafting reply.	10.50
03/05/15	MB	Review and track proposed changes to Reply motion draft.	5.50
03/05/15	JL	Draft, discuss and review summary judgment motion.	8.50
03/05/15	NBS	Drafting reply.	10.50

Not only do these time entries obscure potential duplication in effort, but they also obviate the ability to allocate all of the time spent on the Medical Defendants' summary judgment motions.

Moreover, when the time journals were specific enough to ascertain which motion the Smith Group and the Norinsberg Group were working on, it became evident that there was a great deal of duplication in effort between the two groups and within each group.

For instance, as evidenced by the following time journals, five (5) timekeepers were working on Plaintiff's Motion for Reconsideration.

05/27/15	MB	Draft motion for reconsideration issues; research post-suspension First Amendment claim; review cross examination outlines for defendants.	6.15
05/28/15	NBS	Review of memo re: reconsideration; telephone call with John Lenoir and email with MG re: same.	0.50
05/28/15	MB	Analyze Second Circuit freedom-of-speech cases (Jackler, Gacetti, Walsh); conference call w/ Nat re reconsideration motion.	4.33
05/29/15	NBS	Prepare reconsideration letter.	1.50
05/31/15	MB	Memo to counsel re: post-suspension retaliation claim.	4.78
06/01/15	JLN	Reviewed draft of Plaintiffs motion for Reconsideration	0.20
06/01/15	GMC	Review and comment on NS draft reconsideration	0.40

06/01/15	JLN	Reviewed NS draft reconsideration	0.40
06/01/15	NBS	Drafting letter to court on reconsideration motion.	3.50
06/01/15	JL	Research and draft letter motion re: reconsideration of order re: modified complaint.	5.75
06/01/15	MB	Review letter to Judge for reconsideration draft; track changes; research issue of qualified immunity in a First Amendment retaliation case.	6.90
06/02/15	JL	Review of draft and additional research re: court motion to reconsider re: Dr HR; review draft of reconsideration letter and motion.	2.00
06/02/15	NBS	Revising and drafting reconsideration motion.	3.00
06/02/15	MB	Memo to counsel re: qualified immunity and "clearly established" law doctrine.	4.25
06/03/15	JLN	Reviewed plaintiff's motion for reconsideration as filed	0.20

And, at least two (2) senior attorneys were working on Plaintiff's consolidated 56.1 Statement, a task which is little more than a cut and paste job that could have been accomplished by a junior associate or law clerk.

03/09/15	GMC	Phone call w/NS re consolidated 56.1	0.40
03/09/15	GMC	Review of plaintiff's consolidated 56.1	1.00
03/09/15	JLN	Review of plaintiffs consolidated 56.1	1.00
03/10/15	JLN	Reviewed NS' Rule 56.1 Statement global summary of all facts admitted; took notes re: same	1.40

While the documentation in connection with the various summary judgment motions was voluminous, it should be noted that many of the motions contained virtually the same language (e.g. Plaintiff's Rule 56.1 statement was the same as the statement of facts in Plaintiff's Memorandum of Law in Support of Plaintiff's Summary Judgment Motion ("Plaintiff's Summary Judgment Memorandum"), and approximately 20% of the Plaintiff's Summary Judgment Memorandum dealt exclusively with the City,<sup>42</sup> approximately 60% of the Memorandum of Law in support of Plaintiff's Summary Judgment Motion dealt exclusively with the City<sup>43</sup>, and approximately 18% of Reply Memorandum of Law in Support of Plaintiff's Summary Judgment Motion dealt exclusively with the City.<sup>44</sup>

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42 The Plaintiff's Summary Judgment Memorandum was 50 pages, with pages 25-34 dealing with Mauriello's counterclaims, pages 34-44 dealing with the City and pages 44-49 dealing with the Medical Defendants.

43 The Memorandum of Law in Support of Plaintiff's Summary Judgment Motion is 135 pages long, with pages 2-83 dealing with the City, pages 84-98 dealing with Mauriello's counterclaim, and pages 99-129 dealing with the Medical Defendants.

44 The Plaintiff's Reply Memorandum of Law in Support of Plaintiff's Summary Judgment Motion was 40 pages long, with pages 7-22 dealing with Mauriello's Counterclaim, pages 23-30 dealing with the City and pages 30-40 dealing with the Medical Defendants.

#### d) Depositions

Excluding deposition digesting discussed above, the Smith Group billed an aggregate of 1,182.51<sup>45</sup> hours and the Norinsberg Group billed an aggregate of 240.50<sup>46</sup> hours in connection with the following 34 deponents.<sup>47</sup>

Deponent	Date	Length of Deposition	Attending Deposition for Plaintiff	Attending Deposition for City	Aggregate Hours Billed by Plaintiff's Attorneys
Schoolcraft, Adrian	10/11/2012	8.60	Norinsberg, Cohen,	Mettham Smith	137.75 <sup>48</sup>
Schoolcraft, Adrian	9/26/2013	9.00	Smith, Lenoir	Mettham, Shaffer	
Schoolcraft, Adrian	9/27/2013	8.30	Smith, Lenoir	Mettham	
Marino, Michael	10/8/2013	8.70	Smith, Lenoir	Mettham	59.67
Marino, Michael	10/18/2013	8.50	Smith Lenoir	Mettham	
Lauterborn, Theodore	11/7/2013	9.00	Smith, Lenoir,	Mettham, Shaffer	62.75
Caughey, Timothy	12/9/2013	8.40	Smith, Lenoir,	Shaffer	32.58
Schoolcraft, Larry	12/11/2013	8.50	Lenoir, Bauza	Shaffer	39.70
Mauriello, Steven	12/20/2013	9.30	Smith, Lenoir,	Mettham	131.67
Mauriello, Steven	7/1/2014	8.70	Smith, Lenoir,	Mettham	
Boston, Curtis	1/6/2014	2.60	Smith, Lenoir,	Mettham	29.07
Huffman, Rasheena	1/6/2014	3.60	Smith, Lenoir,	Mettham	30.60
Hanlon, Elise (Lt.)	1/13/2014	7.50	Smith, Lenoir,	Shaffer	31.08
Lamstein-Reiss,	1/30/2014	9.50	Smith,	Mettham	49.85

<sup>45</sup> Included in this time is 260.50 hours of time relating to depositions that was vague or related to general deposition issues.

<sup>46</sup> Included in this time is 56.20 hours of time relating to depositions that was vague or related to general deposition issues.

<sup>47</sup> ASI has excluded depositions that related entirely to the Medical Defendants i.e, Dhar, Maffia, Halpren-Ruder and Lubit., but notes that all of the issues that ASI has identified as unreasonable (e.g. duplication in effort and excessive amount of time) was equally present in these depositions.

<sup>48</sup> An additional 112.25 hours were spent preparing Adrian Schoolcraft for depositions at various client meetings.

Deponent	Date	Length of Deposition	Attending Deposition for Plaintiff	Attending Deposition for City	Aggregate Hours Billed by Plaintiff's Attorneys
Catherine (MD)			Lenoir Bauza,		
Aldana-Bernier, Lilian (Dr.)	2/11/2014	8.00	Smith, Lenoir, Suckle,	Shaffer	90.15
Isakov, Isak	2/12/2014	5.50	Smith, Lenoir, Suckle	Shaffer	37.36
Trainor, Timothy (Lt.)	4/10/2014	7.30	Smith, Lenoir,	Mettham	19.45
Gough, William	4/11/2014	6.10	Smith, Lenoir,	Mettham	28.85
Sawyer, Frederick	4/25/2014	4.40	Smith, Lenoir,	Mettham	21.70
Duncan, Kurt	4/28/2014	7.10	Smith, Lenoir,	Shaffer	46.75
Duncan, Kurt	6/23/2014	1.70	Smith, Lenoir,	Shaffer	
James, Shantel (PO)	5/12/2014	4.00	Smith, Lenoir,	Mettham	21.10
Marquez, Jessica (EMT)	5/14/2014	6.60	Smith, Lenoir,	Mettham	16.40
Sangeniti, Salvatore (EMT)	5/15/2014	4.00	Smith, Lenoir,	Mettham	10.25
Weiss, Steven (Sgt)	5/29/2014	5.30	Smith,	Shaffer	21.55
Ferrara, Joseph	6/5/2014	6.70	Smith, Lenoir,	Mettham	33.10
Broschart, Christopher	6/18/2014	6.10	Smith, Lenoir,	Mettham	22.00
Lwin, Khin Mar (MD)	7/3/2014	1.20	Smith, Lenoir,	Mettham	10.20
Whalen, Bernard	7/15/2014	.80	Smith, Lenoir,	Mettham	3.75
Whittman, David	7/15/2014	1.40	Smith, Lenoir,	Mettham	Too vague to calculate
Purpi, Michael (Sgt)	7/16/2014	1.80	Smith, Lenoir,	Shaffer	15.35
Purpi, Michael (Sgt)	9/19/2014	1.10	Smith, Lenoir,	Shaffer	
Valenti, Dominik (Lt)	7/16/2014	1.00	Smith, Lenoir,	Shaffer	12.10
Finnegan, Kevin	7/17/2014	2.10	Smith, Lenoir,	Shaffer	2.40
Milone, William (Sgt.)	7/17/2014	1.50	Smith, Lenoir,	Shaffer	Too Vague to calculate
Cooper, Alan	7/24/2014	4.70	Smith,	Mettham	7.50
Patel, Indira (MD)	7/25/2014	1.30	Smith	Mettham	12.10

Deponent	Date	Length of Deposition	Attending Deposition for Plaintiff	Attending Deposition for City	Aggregate Hours Billed by Plaintiff's Attorneys
Patel, Indira (MD)	10/31/2014	1.20	Smith,	Seligman	
Carrasco, Edward	9/19/2014	.70	Smith, Lenoir,	Shaffer	6.88
Eterno, John A.	10/17/2014	8.40	Smith, Lenoir,	Mettham	34.70
Silverman, Eli B (PhD)	10/24/2014	9.30	Smith, Lenoir,	Mettham	27.95

As the chart above indicates 38 of the 41 deposition sessions were attended by multiple attorneys, with three (3) being attended by three (3) timekeepers. ASI notes that not only did multiple attorneys attend and prepare for these depositions, but multiple (and often different) attorneys reviewed the deposition transcripts. By way of comparison, the City had multiple attorneys at only two (2) sessions of the Schoolcraft deposition and the Lauterborn deposition.

Set forth below are details regarding a few of the depositions. ASI notes that the pattern of duplication in effort and other inefficiencies were present in all of the depositions, with the exception of the Cooper deposition, where 7.5 hours were devoted by Mr. Smith.

#### i) Duncan Deposition

The Norinsberg Group and the Smith Group billed over 46 hours in connection with the Duncan depositions, which were held on April 28, 2014 and June 23, 2014 and lasted an aggregate of 8.80 hours.

The time was allocated as follows:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	.20
Cohen	.20
Fitch	8.50
	8.90
<b>Smith Group</b>	
N. Smith	22.35
J. Lenoir	15.50
	37.85
	<b>46.75</b>

As the following time journals reveal, both Mr. Lenoir and Mr. Smith prepared for and attended the Duncan deposition, and then Mr. Fitch and Mr. Cohen reviewed and/or discussed the transcript:

02/26/14	JL	Prepare examination before trial materials for Duncan.	0.50
04/28/14	JL	Prepare/conduct w/Smith examination before trial: Duncan.	7.50
04/28/14	NBS	Prepare for and take Duncan examination before trial and conference with all counsel and MJ Freeman re: settlement discussion.	7.80
06/19/14	NBS	Review of scheduling order; email with team re: schedule; email Dr Lubit; review of Patrol Guide; prepare for Duncan examination before trial (3.0)	4.50
06/20/14	NBS	Draft opposition to reconsider; review of Duncan examination before trial; prepare for Duncan.	4.50
06/23/14	JL	Prepare for, and conduct with Smith dfnt Duncan examination before trial; review Duncan examination before trial.	7.50
06/23/14	NBS	Telephone conference with client (log) re: status; prepare for and take examination of Duncan; emails with opposing counsel re: schedule; telephone call to Dr, Patel.	7.50
12/05/14	NBS	Review of letters; review of Duncan transcripts, emails with team re: status.	1.80
03/02/15	JPF	Review of Schoolcraft discovery/deps - Sawyer/Duncan	3.75
03/04/15	JPF	Review of Schoolcraft discovery/deps - Duncan	4.75
04/08/15	GMC	Phone call JN regarding points from Duncan deposition regarding ESU, meat cleaver and travelling to Johnstown	0.20
04/08/15	JLN	T/c GC regarding points from Duncan deposition regarding ESU, meat cleaver and travelling to Johnstown	0.20

## ii) Boston Deposition

The Norinsberg Group and the Smith Group billed over 29 hours in connection with the Boston Deposition, which was held on January 6, 2014 and lasted 2.60 hours.

The time was allocated as follows:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	.10
Cohen	4.60
Fitch	3.75
	8.45
<b>Smith Group</b>	
Bauza	5.27
Lenoir	6.00
Smith	9.35
	20.62
	29.07

As the following time journals reveal, Mr. Lenoir, Mr. Smith and Ms. Bauza prepared for this deposition, which was attended by both Mr. Lenoir and Mr. Smith. This transcript was then reviewed by both Mr. Fitch and Mr. Cohen.

01/03/14	MB	Prepare for Huffman and Boston Deposition; review discovery docs; draft questions.	4.50
01/03/14	NBS	Prepare for Boston and Huffman examination before trial	4.50
01/03/14	JL	Preparing docs and audio for Sgt Huffman and PAA Boston depositions	2.50
01/05/14	MB	Prepare for Boston and Huffman Deposition.	6.02
01/05/14	NBS	Prepare for Boston and Huffman examination before trial.	3.70
01/06/14	JL	co-counsel w/Smith depositions of Huffman and Boston; post EBT review w/Smith and Bauza	9.50
01/06/14	NBS	Prepare for and take examination before trial of Boston and Huffman; meeting with team re: status and going forward	10.50
02/01/15	JLN	Read Curtis Boston Dep.; notes on same	0.60
02/18/15	GMC	Read, reviewed and took notes of PAA Boston deposition	2.25
02/28/15	JPF	Review of Schoolcraft discovery/deps – Boston	3.75
04/15/15	GMC	Reviewed and revised Boston outline for deposition read ins	2.25

**iii) Medical Defendants Depositions: Dr. Aldana-Bernier and Dr. Isakov**

Between February 11, 2014 and February 12, 2014, Mr. Smith, Mr. Lenoir and Mr. Suckle all attended the following depositions:

Deponent	Date	Deposition Time <sup>49</sup>
Aldana-Bernier	2/11/2014	8.00
Isakov	2/12/2014	5.50
		13.50

Four (4) timekeepers billed over 164 hours in connection with depositions of the Medical Defendants<sup>50</sup>. The time journal set forth below reveal that a great deal of the time was block billed and vague (not specifying which deponent the timekeeper was working on), billed almost exclusively in 15 minute billing increments and establish that Mr. Smith, Mr. Suckle, Mr. Lenoir and Ms. Bauza duplicated each other's efforts. Moreover, as set forth in "Time Records are Not Proven and Are Exaggerated" above, wrong dates and times were recorded for these depositions, including 15.50 hours that Mr. Suckle billed for a deposition of Dr. Aldana-Bernier that did not take place.

10/14/13	MB	Prepare medical defendants examination before trial; review medical chart and record; review depositions of City defendants; review hospital policy and procedure; review MHL 9.39; draft deposition questions.	5.00
10/15/13	MB	Prepare medical defendants examination before trial.	5.00
10/16/13	JL	co-counsel at deposition Dfnt Bernier - 111 Broadway- by H. Suckle	1.75
10/17/13	MB	Prepare medical defendants examination before trial	3.00
10/18/13	HS	prep for Aldana-Bernier depo	4.00
10/21/13	HS	reviewed Aldana-Bernier interrogatories and further prep for depo	3.25
10/21/13	MB	Prepare medical defendants examination before trial	6.00
10/22/13	HS	meeting with Nat Smith to review case	2.50

<sup>49</sup> Based on a review of the deposition transcripts.

<sup>50</sup> Includes time for a court appearance regarding the videotaping of the deposition.



10/22/13	MB	Prepare medical defendants exination before trial	5.00
10/22/13	NBS	Meeting with H. Suckle re: medical examination before trial preparation.	2.50
10/23/13	MB	Prepare medical defendants exination before trial.	5.00
10/24/13	HS	prep deposition binder for Aldana-Bernier depo	10.00
10/24/13	NBS	Prepared for examination before trial of Dr. Bernier	5.50
10/25/13	HS	appeared for Aldana-Bernier depo and strategized with John Meg and Nat Smit	5.00
10/25/13	JL	Appearance in court re attorney video of deposition--Bernier	0.75
10/25/13	MB	Dr. Aldana-Berner; deposition was cancelled.	2.50
10/25/13	NBS	Appearance for Bernier examination before trial; wait for response from Court on video objection; meeting with team.	3.20
11/14/13	JL	Review of hospital and NYPD files and audio recordings in preparation for examination before trial of Bernier and Mauriello.	5.50
02/08/14	MB	Prepare for Medical Defendant's EBTs; review medical chart, record, and deposition summaries; review Beiner's prior litigation testimony.	5.75
02/09/14	HS	call and email re: Deposition of hospital with deft counsel	0.20
02/10/14	HS	deposition preparation	5.20
02/10/14	JL	Preparing depositions of Bernier and Isakov; review NYS 9.39	2.50
02/10/14	MB	Conference with Howard Suckle re deposition prep; prep for Medical Defendants depositions.	6.25
02/11/14	HS	prep Isakov deposition	9.00
02/11/14	HS	reviewed client's deposition questions	0.50
02/11/14	JL	Deposition of defendant Dr. Bernier. 111 B'Way--co-counsel with Smith and Suckel	8.50
02/11/14	NBS	Prepare for and attend Dr. Bernier examination before trial.	8.50
02/12/14	HS	prep and conducted Isakov deposition	7.25
02/12/14	JL	co-counsel with Smith and Suckle at deposition of Defendant Dr. Isakov.	7.50
02/12/14	BS	Prepare for and attend Dr. Isakov examination before trial.	9.50
02/13/14	JL	Review with Smith notes and exhibits of depositions of Bernier and Isakov.	1.00
02/20/14	MB	Draft memo to counsel re: Dr. Isakov.	2.00
04/20/14	HS	preparation Aldana-Bernier deposition	4.50
04/22/14	HS	preparation Aldana-Bernier deposition	3.00
04/23/14	HS	prep and conducted Aldana-Bernier deposition	8.00

**iv) July 2014 City 30 (b) 6 Depositions: Purpi, Whalen, Whittman, Valenti, Milone, and Finnegan**

Between July 15, 2014 and July 17, 2014, Mr. Smith and Mr. Lenoir both attended the following depositions:

Deponent	Date	Deposition Time
Whalen	7/15/2014	.90
Whittman	7/15/2014	1.20
Valenti	7/16/2014	1.10
Purpi	7/16/2014	1.90
Finnegan	7/17/2014	2.20
Milone	7/17/2014	1.50
		8.80

As set forth below, three (3) timekeepers billed over 64 hours in connection with 8.80 hours of deposition time, and as shown below the time journals never mention the name of the deponent, the time is block billed, billed almost exclusively in 15 minute billing increments and establish that Mr. Smith and Mr. Lenoir were duplicating each other's efforts.

03/14/14	MB	Draft subject matter for NYPD 30(b)(6) notices.	5.67
03/27/14	NBS	Telephone conference with client (twice) re subject matters of numerous 30(b)(6) notices; revising same.	3.50
03/27/14	JL	Prepare, review, and edit correspondence re 30(b)(6) examination before trial.	1.50
03/28/14	JL	Finalize Plaintiff 30(b)(6) notices. Prepare examination of City 30(b)(6) witnesses	3.25
07/13/14	MB	Prep for City 30(b)(6) deposition topics; research anti-quota law, New York Labor Law § 215-a, and Operations Order No. 52.	6.00
07/14/14	JL	Prepare for City 30(b)(6) examination before trial.	2.25
07/14/14	NBS	Prepare for examination before trial of City 30(b)(6) witnesses.	1.50
07/15/14	JL	Conduct two City 30(b)(6) examinations before trial.	7.50
07/15/14	NBS	Prepare for 30(b)(6) of witnesses on appeal; review and quota issues; prepare for City examination before trial on training; disciplines and crime reporting.	3.20
07/16/14	JL	Conduct two City 30(b)(6) examination before trial.	7.00
07/16/14	NBS	Take deposition 30(b)(6) witnesses of City in the morning and afternoon; prepare for same; conference with co-counsel; conference with court clerk; prepare for examination before trial next day.	9.50
07/17/14	JL	Conduct two City 30(b)(6) examination before trial.	7.00
07/17/14	NBS	Prepare for and take examination before trial of City 30(b)(6) witnesses on performance evaluation of supervisors and of police officers.	6.50
			64.37

### e) Trial Preparations

The Smith Group billed 470.72 hours and the Norinsberg Group billed 970 hours in connection with trial preparations, allocated as follows:

	Hours
<b>Smith Group</b>	
Suckle	1.25
Bauza	157.88
Smith	229.15
Lenoir	82.44
	470.72
<b>Norinsberg Group</b>	
Cohen	228.35
Norinsberg	475.95
Fitch	122.10
Burzstyn	7.85
Meehan	135.90
	970.15
	<b>1,440.87</b>

The Norinsberg Group seems to have taken the lead of the Litigation during the trial phase, being responsible for almost all of the examination outlines, leaving primary responsibility for only the Eterno direct examination, the jury instructions and the JPTO with the Smith Group. Nonetheless, in ASI's opinion, there was a great deal of duplication in effort between the two groups and within each group.

**i) Duplication in Effort within the Norinsberg Group**

**a. Examination Outlines: Mr. Meehan**

It appears as if the Norinsberg Group brought Mr. Meehan onto the team to assist in examination outlines. Mr. Meehan billed 135.90 hours in connection with such outlines, and as set forth below, it appears as if his work was duplicative of the work performed by Mr. Norinsberg:

**i. Caughey Cross Examination**

The Caughey deposition lasted 8.40 hours and the Smith Group and the Norinsberg Group billed an aggregate of 32.58 hours in connection with the preparation for, attendance at, and review of this deposition.

During the trial phrase, the Norinsberg Group billed an additional 79 hours working on the Caughey cross examination. As the following time journals reveal, Mr. Meehan spent over 38 hours on this outline and then Mr. Norinsberg "started" working on it.

08/10/15	JJM	<b>Start Caughey prelim cross outline</b>	1.60
08/10/15	JJM	Start MS OneNote Tab - reorganize dep highlights on Caughey prelim cross outline	3.50
08/11/15	JJM	continue prelim cross outline of Caughey (Pt. 2)	1.40
08/11/15	JJM	Add allegations to prelim cross outline of Caughey	4.30
08/12/15	JJM	Continue prelim cross outline of Caughey (Pt. 3)	3.30
08/12/15	JJM	Meeting with JIn re: Caughey signing memobooks	0.50
08/12/15	JJM	Add memobook impeachment to Caughey prelim cross outline	1.25
08/12/15	JJM	Conlinue prelim cross outline of Caughey	2.10
08/14/15	JJM	Continue Caughey prelim cross outline (Pt 5)	3.20
08/14/15	JJM	Continue Caughey prelim cross outline (Pt 6)	3.10
08/17/15	JJM	Continue Caughey prelim cross outline (incorporate part 1 of IAB transcript into cross) (Pt 7)	2.40
08/17/15	JJM	Continue Caughey prelim cross outline (incorporate part 2 of IAB transcript into cross) (Pt 8)	1.80
08/17/15	JJM	Continue Caughey prelim cross outline (incorporate part 3 of IAB transcript into cross) (Pt 9)	2.30
08/17/15	JJM	Continue Caughey prelim cross outline (incorporate part 4 of IAB transcript into cross) (Pt 10)	2.10
08/18/15	JJM	Finished Caughey prelim cross outline, reorganized and edited	2.70

		same	
08/18/15	JJM	Added part headings to Caughey prelim cross outline	2.40
08/18/15	JJM	Finish Caughey prelim cross outline	0.90
			38.85
07/30/15	JLN	Reviewed and highlighted first volume of Lt. Caughey's deposition for extraction and use in cross x outline; took notes re: same	2.30
08/30/15	JLN	<b>Started working on Lt. Caughey cross-x</b>	4.25
08/31/15	JLN	Continued working on cross-x of Lt. Caughey	6.40
09/01/15	JLN	Continued working on Caughey cross-x	8.20
09/02/15	JLN	Cross outline of Lt. Caughey	7.60
09/04/15	JLN	Continued working on Caughey cross-x	4.60
09/07/15	JLN	Continued working on Caughey cross-x	6.25
			39.60
			<b>78.45</b>

## ii. Weiss Cross Examination

The Weiss deposition lasted 3.50 hours and the Smith Group and the Norinsberg Group billed an aggregate of 21.55 hours in connection with the preparation for, attendance at, and review of this deposition.

During the trial phrase, the Norinsberg Group billed an additional 38 hours working on the Weiss cross examination. As the following time journals reveal, Mr. Meehan spent 21 hours on this outline and then Mr. Norinsberg "started" working on it.

08/03/15	JJM	<b>Begin prelim cross outline of Sgt. Weiss</b>	1.40
08/04/15	JJM	Continue prelim cross outline of Sgt. Weiss (part 1)	3.20
08/04/15	JJM	Continue prelim cross outline of Sgt. Weiss (part 2)	3.40
08/05/15	JJM	Continue prelim cross outline of Sgt. Weiss (part 3)	5.60
08/06/15	JJM	Continue prelim cross outline of Sgt. Weiss (part 4)	2.60
08/06/15	JJM	Continue prelim cross outline of Sgt. Weiss (part 5)	4.80
			21.00
08/11/15	JLN	Made revisions and edits to base cross-x outline for Sgt. Weiss	2.10
08/16/15	JLN	<b>Started work on Sgt. Weiss cross-x outline</b>	4.60
08/17/15	JLN	Continued Weiss cross-x outline	5.60
08/17/15	JLN	Continued working on Sgt. Weiss cross-x outline	4.25
08/25/15	NB	Printed, bound, sorted and tabbed Weiss Cross	0.60
			17.15
			<b>38.15</b>

## iii. Trainor Cross Examination

The Trainor deposition lasted 7.30 hours and the Smith Group and the Norinsberg Group billed an aggregate of 19.45 hours in connection with the

preparation for, attendance at, and review of this deposition.

During the trial phrase, the Norinsberg Group billed an additional 68 hours working on the Trainor cross examination. As the following time journals reveal, Mr. Meehan spent over 33 hours on this outline and then Mr. Norinsberg “started” working on it.

08/19/15	JJM	<b>Begin Trainor prelim cross outline (part 1)</b>	2.90
08/19/15	JJM	Continue Trainor prelim cross outline (part 2)	2.30
08/19/15	JJM	Continue Trainor prelim cross outline (part 3)	1.70
08/20/15	JJM	Continue Trainor prelim cross outline (part 4)	3.70
08/20/15	JJM	Finish Trainor prelim cross outline (part 4)	2.60
08/21/15	JJM	Continue Trainor prelim cross outline (part 5)	3.30
08/21/15	JJM	Continue Trainor prelim cross outline (part 6)	4.70
08/24/15	JJM	Continue Trainor prelim cross outline (part 7)	3.10
08/24/15	JJM	Continue Trainor prelim cross outline (part 8)	3.70
08/25/15	JJM	Add part hearings to parts 1 - 4 and reorganize Trainor prelim cross outline	2.60
08/25/15	JJM	Add part hearings to parts 5 - 8 and reorganize Trainor prelim cross outline	3.10
			33.70
08/10/15	JLN	Continued highlighting Trainor's Dep for cross-x excerpts	1.20
08/26/15	JLN	<b>Began work on Trainor Cross-x outline using JM preliminary outline</b>	2.70
08/27/15	JLN	Continued working on Trainor cross-x	6.40
08/27/15	JLN	Continued working on Trainor cross-x	4.80
08/30/15	JLN	Continued working on cross-x of Capt. Trainor; cross-referenced BNIU file for several additional points	6.75
09/02/15	JLN	Continued working on Trainor cross-x	1.40
09/04/15	JLN	Continued working on Trainor cross-x	4.60
09/06/15	JLN	Finished Trainor cross-x	7.10
			34.95
			<b>68.65</b>

#### iv. Lamstein Cross Examination

The Lamstein deposition lasted 9.50 hours and the Smith Group and the Norinsberg Group billed an aggregate of 39.85 hours in connection with the preparation for, attendance at, and review of this deposition.

During the trial phrase, the Norinsberg Group billed an additional 56 hours working on the Lamstein cross examination. As the following time journals reveal, Mr. Meehan spent over 33 hours on this outline and then Mr. Norinsberg “started” working on it.

08/25/15	JJM	<b>Begin prelim cross outline of Lamstein (Part 1)</b>	3.70
08/26/15	JJM	Continue prelim cross outline of Lamstein (Part 2)	3.20
08/26/15	JJM	Continue prelim cross outline of Lamstein (Part 3)	3.40
08/27/15	JJM	Continue prelim cross outline of Lamstein (Part 4)	2.80
08/27/15	JJM	Continue prelim cross outline of Lamstein (Part 5)	2.20
08/28/15	JJM	Discussion with JLN about format of prelim cross outline of Lamstein	0.30
09/02/15	JJM	Continue lamstein prelim cross outline (Part 6)	3.70

09/02/15	JJM	Continue lambsstein prelim cross outline (Part 7)	2.30
09/08/15	JJM	Continue lambsstein prelim cross outline (Part 8)	2.90
09/08/15	JJM	Continue lambsstein prelim cross outline (Part 9)	2.30
09/09/15	JJM	Add part headings and reorganize Lamstein prelim cross outline	3.70
09/09/15	JJM	Continued to reorganize lamstein prelim cross outline	2.80
			33.30
09/09/15	JLN	<b>Started work on cross-x Lamstein</b>	1.70
09/10/15	JLN	Reviewed Lamstein's PES file & her handwritten notes for incorporation into cross	2.60
09/10/15	JLN	Reviewed Lamstein Declaration Lamstein dep corrections & Lamstein original typed notes vs. "draft" notes exchanged this summer compared with dep testimony for use in cross-x	2.40
09/10/15	JLN	Reviewed Lamstein's IAB interview compared w/ dep testimony for developing grounds to explore in cross	1.80
09/10/15	JLN	Reviewed Lamstein VM to AS on 10-31-09 to incorporate into cross	0.30
09/11/15	JLN	Continued working on Lamstein cross-x	3.20
09/12/15	JLN	Continued working on Lamstein cross-x	4.25
09/13/15	JLN	Continued working on Lamstein cross-x	2.80
09/15/15	JLN	Continued working on Lamstein cross-x	3.20
			22.25
			<b>55.55</b>

**b. Examination Outlines: Cohen, Fitch and Norinsberg**

As the following time journals reveal, at least two (2) and often three (3) senior attorneys worked on the same trial outline:

		<b>Sawyer</b>	
03/23/15	GMC	Draft Sawyer cross examination, reviewed docs, memos, hospital records, audio	2.75
03/23/15	JPF	Review of Sawyer cross examination outline	1.40
08/13/15	GMC	Reviewed and updated Sawyer examination	3.75
08/28/15	JLN	Reviewed GC draft cross of Sgt. Sawyer; highlights, edits, revisions to same	1.30
		<b>James</b>	
03/18/15	GMC	Began Draft James cross examination, reviewed docs, memos, hospital records	5.40
03/19/15	GMC	Draft James cross examination, reviewed docs, memos, hospital records	3.90
03/19/15	JPF	Review of James Cross outline	2.10
08/31/15	JLN	Reviewed GC draft of Sgt. James cross; edits to same & extracted relevant points for opening statement	2.40
03/19/15	GMC	Discussion with JF re: James cross examinaiton	0.75
03/19/15	JPF	Discussion with GC re: James cross examinaiton	0.75
08/13/15	GMC	Update and revise James cross examination	2.90
		<b>Gough</b>	
08/24/15	JLN	Reviewed GC's cross-x outline on Gough; took notes re: same	0.70
08/30/15	JLN	Reviewed GC draft of Gough cross; edits/revisions to same	1.90

08/12/15	GMC	Update and revise Gough examination	2.50
		<b>Huffman</b>	
02/24/15	GMC	Discussion with JF re: Huffman cross	0.75
02/24/15	JPF	Discussion with GC re: Huffman cross	0.75
02/24/15	JPF	Review of Huffman cross examination outline	1.25
02/24/15	GMC	Drafted Huffman cross examination outline	3.40
02/25/15	GMC	Drafted Huffman cross examination outline	3.40
03/03/15	GMC	Review and revise Huffman cross examination outline	1.80

**ii) Duplication in Effort within the Smith Group and Between the Smith Group and the Norinsberg Group**

**a. Jury Instructions**

Excluding time specifically related to jury instructions in connection with the Medical Defendants,<sup>51</sup> the Smith Group billed 112.24 hours and the Norinsberg Group billed 4.95 hours, allocated as follows:

	Hours
<b>Smith Group</b>	
Suckle	1.25
Bauza	88.23
Smith	12.05
Lenoir	10.71
	112.24
<b>Norinsberg Group</b>	
Cohen	1.10
Norinsberg	.60
Fitch	3.25
	4.95
	<b>117.19</b>

As the following time journals reveal, in August 2013, Mr. Smith and Ms. Bauza spent an extraordinary amount of time on a “jury instruction project,” revised them in March 2014 and then in 2015, Mr. Lenoir, Mr. Cohen, Mr. Norinsberg and Mr. Fitch all reviewed the instructions.

08/01/13	NBS	Meeting with Magdalen re: status and case; review of case law in jury instructions.	2.80
08/01/13	MB	Meeting with Nat re: jury instructions project.	3.00
08/05/13	MB	Jury instructions project: research fundamentals of 1983 litigation and federal causes of action; review commentary Bender and Schwartz; causation by multiple defendants; collect cases for authority.	5.00
08/06/13	MB	Jury instructions project.	5.00

<sup>51</sup> An aggregate of 57.10 hours were billed relating to jury instructions relating to the Medical Defendants.

08/12/13	MB	Jury instructions project.	5.00
08/14/13	MB	Jury instructions project.	5.00
08/19/13	MB	Jury instructions project.	5.00
08/20/13	MB	Jury instructions project.	5.00
08/21/13	MB	Jury instructions project.	5.00
08/26/13	MB	Jury instructions project.	5.00
08/29/13	MB	Jury instructions project.	5.00
09/03/13	MB	Jury instructions project.	5.00
03/14/14	MB	Revise proposed jury instructions for City defendants; research Monell custom and policy municipal liability; analyze Monell jury instructions from other jurisdictions; draft alternate instructions; review and collect cases for authority.	5.47
03/15/14	MB	Continue with research and drafting NYPD proposed jury instructions; draft charges for supervisor liability, First Amendment retaliation and prior restraint.	6.00
03/19/14	MB	Draft NYPD proposed jury instructions; continue state action research re: Medical Defendants.	6.43
03/28/14	MB	Meeting with Nat re: NYPD proposed jury instructions draft.	6.25
03/28/14	NBS	Meeting with Mag reference jury instructions; telephone call with client reference 30(b)(6); revising same and serving same.	4.50
03/30/14	JL	Review jury instructions with Magdalena.	1.00
03/12/15	MB	Revise NYPD jury instructions; distribute revised charges to counsel.	1.70
03/13/15	GMC	Review of proposed jury instructions drafted by NS team	0.40
03/13/15	JPF	Review jury instructions from NS team	1.10
03/19/15	JLN	E-mail comments and feedback re: verdict sheet	0.30
03/19/15	JLN	Review of NS verdict sheet; made edits revisions to same	0.40
03/23/15	GMC	Various email correspondence w/NS re: verdict sheet, Lamstein letter and exhibit list/chart	0.50
03/24/15	JL	Draft/prepare jury verdict sheet template. Research re jury instruction re elements of complaint.	4.50
03/25/15	HS	prepared request to charge	1.25
03/30/15	MB	Call with Nat re: Glendale diagram/jury charges.	0.50
04/02/15	MB	Trial Team meeting re trial prep, jury instructions.	0.10
04/04/15	GMC	Review of revised verdict sheet from NS	0.10
04/04/15	JLN	Reviewed revised verdict sheet and revised exhibit list sent by NS	0.40
04/06/15	MB	Combine NYPD and Medical Defendants Jury Instructions.	6.33
04/06/15	JLN	E-mail to rest of team regarding specific comments and suggestions on verdict sheet	0.20
04/07/15	GMC	Review of Jury Instructions from Magdalena Bauza ("MB")	0.30
04/07/15	JLN	Reviewed changes to verdict sheet; additional edits and revisions to same	0.20
04/09/15	NBS	Prepare for trial - jury verdict sheets and cross examination outlines of witnesses	7.50
04/14/15	GMC	Email correspondence with SK re: Jury instructions	0.10
07/28/15	GMC	Review of updated jury instructions	0.40
07/28/15	JLN	Reviewed revised Jury Charges from SK; made notes re: same	0.60
07/28/15	JPF	Review of updated jury instructions	0.75



## b. JPTO, Exhibits and Witness List

The Smith Group recorded over 107 hours and the Norinsberg Group recorded over 43 hours in connection with the JPTO, Witness List and Exhibit list, with the time allocated as follows:

	Hours
<b>Smith Group</b>	
Smith	94.96
Lenoir	12.75
	107.71
<b>Norinsberg Group</b>	
Cohen	11.30
Norinsberg	23.35
Fitch	6.65
Burzstyn	2.10
	43.40
	151.11

As the following time journals reveal, five senior attorneys and two paralegals were working together and duplicating the efforts of the other.

02/11/15	GMC	Review of witness/exhibit list from JN and discuss with JF	1.30
02/11/15	JLN	Review of witness/exhibit list from JF and discuss with GC	1.30
02/11/15	JPF	Review of witness/exhibit list from JN and discuss with GC	1.30
02/20/15	JLN	Further revised and edited proposed list of exhibits and witnesses; E-mailed same to NS for todays meeting	1.60
02/27/15	JLN	E-mail exchange with NS regarding following up on Exhibit lists, Index of CD's, Index of exhibits and EBT summaries	0.10
02/27/15	JLN	E-mail exchange to NS requesting review of our exhibit list (as compiled by JN & GC) re global "universe" of all exhibits needed for trial, and made additional requests for items that will facilitate trial prep.	0.20
02/27/15	JLN	Reviewed preliminary list of exhibits and Indexes provided by NS	0.20
03/04/15	GMC	E-mail from JN with revised witness list	0.10
03/04/15	JLN	E-mail to GC with revised witness list	0.10
03/04/15	GMC	Phone and email call w/JN re: witness list	0.30
03/04/15	JLN	Phone and E-mail w/GC re: witness list	0.30
03/06/15	JLN	E-mail exchange with client and LS regarding witness list and case update	0.10
03/06/15	GMC	Review of AS proposed witness list	0.30
03/06/15	JLN	Discussion w/ JF & GC re proposed witnesses	0.60
03/06/15	JPF	Discussion w/ JN & GC re proposed witnesses	0.60
03/06/15	GMC	Discussion w/JN & JF re proposed witnesses	0.60
03/06/15	JPF	Review of email from AS w/ witness suggestions	0.80
03/06/15	JPF	Research on limitations of witness examinations	2.10
03/09/15	JLN	Compiled List of NYPD witnesses for trial and assigned all witnesses to team for trial; e-mailed copy of same to team	0.30
03/12/15	GMC	Email from AS re: witness list	0.10
03/12/15	JPF	Email from AS re additional witnesses for trial	0.50
03/18/15	JL	Review of trial; prepare exhibits.	0.50

03/21/15	NBS	Drafting letter re: Lamstein; Q/F issue and adjournment request; review of exhibit lists for JPTO.	3.50
03/22/15	JL	Trial exhibits preparation.	1.50
03/22/15	NBS	Review of exhibits for JPTO; revise letter to Court.	3.50
03/23/15	JLN	E-mail exchange with NS regarding trial exhibit list and verdict sheet (uncluding JL's marshalling of facts)	0.20
03/23/15	JL	Meeting with Nat MSith at 100 Wall Street; prepare trial exhibits and witness list.	4.50
03/23/15	NBS	Prepare witness and exhibit list; rewrite letter to Court.	4.50
03/24/15	JLN	E-mail exchange with rest of team regarding exhibit list and concerns over IAB file and impeachment documents	0.20
03/27/15	NBS	Review of production for JPTO; emails to opposing counsel; emails to co-counsel re: status.	5.50
03/29/15	NBS	Review of discovery record for JPTO and witness cross.	7.50
03/30/15	NBS	Review of discovery record for JPTO - exhibits and witness; telephone call to John Lenoir re: witness responsibilities; telephone to Mag Bauza re: jury instructions and diagram.	7.50
03/31/15	JLN	E-mail exchanges with GC and NS regarding list of trial exhibits, list of trial assignments, verdict sheet from Marshall and handling Valenti	0.20
03/31/15	GMC	Email correspondence w/NS and JN re trial witnesses and exhibits	0.25
03/31/15	NBS	Review of discovery for witness list, exhibit list, and JPTO; emails with opposing counsel re: service of subpoenas.	5.50
03/31/15	JLN	E-mail correspondence w/NS and GC re trial witnesses and exhibits	0.20
04/01/15	NB	Printed and bound exhibit list and witness list for Court	0.20
04/01/15	NB	Compiled, sorted, copied and collated multiple trial exhibits	0.60
04/02/15	JLN	Reviewed proposed exhibit list from NS in prep for today's meeting. Also compiled own list of subject for discussing	0.30
04/02/15	GMC	Drafted and sent follow up emails w/NS team and JN after meeting re: exhibits	0.50
04/02/15	JLN	Drafted and sent follow up E-mails w/NS team and GC after meeting re: exhibits	0.50
04/02/15	JLN	Meeting with GC and NS team	1.90
04/02/15	GMC	Meeting with JN and NS team	1.90
04/02/15	JPF	Meeting with JN and NS team	1.90
04/04/15	GMC	Email from NS re: revised exhibit list	0.25
04/05/15	JLN	E-mail correspondence w/GC and NS re revised exhibit list	0.20
04/05/15	GMC	Email correspondence w/JN and NS re revised exhibit list	0.25
04/06/15	JLN	E-mail to rest of team regarding additional exhibits that should be added to list	0.10
04/06/15	JLN	Phone call w/GC and NS re: trial exhibits	0.50
04/06/15	GMC	Phone call w/JN and NS re: trial exhibits	0.50
04/09/15	GMC	Emailed NS for BNIU exhibits for inclusion on JPTO	0.10
04/10/15	NBS	Prepare for Harlon cross; emails re: status; telephone call to Mag Bauza re: to do; telephone conference with John Lenoir re: witnesses; review of witness list.	7.50
04/12/15	JLN	Compiled list of all trial exhibits to be used on my section of trial.	0.70
05/14/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/14/15	JLN	E-mail correspondence amongst all parties re: pretrial submissions schedule	0.10
05/14/15	JLN	E-mail re: pretrial submissions schedule	0.10

05/15/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/15/15	JLN	Further e-mail w/ all parties re: pretrial submissions schedule	0.10
05/18/15	GMC	Review of letter motion titled by City re JPTO dates	0.10
05/18/15	JLN	Review of letter motion filed by City re: JPTO dates	0.10
05/29/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
06/25/15	NBS	Emails with counsel re: status; letter to court re: schedule; review of trial exhibit folder.	0.30
07/23/15	NBS	Drafting reply; review of witness list and exhibit trial list for JPTO	5.50
07/24/15	JLN	E-mail exchanges re: JPTO deadline	0.10
07/24/15	JPF	Review of draft witness list from NS: notes taken	1.10
07/25/15	JLN	E-mail exchange from NS re: adding Polanco to JPTO	0.10
07/27/15	JLN	Read NS letter motion for extension on JPTO	0.10
07/27/15	GMC	Email w MS re: master exhibit list	0.10
07/27/15	JLN	E-mail w/ MS re: master exhibit list	1.75
07/28/15	JLN	Reviewed revised witness list; made edits/revisions to same	0.20
08/04/15	NBS	Preparing JPTO draft section.	4.50
08/04/15	GMC	Review of NS revised witness and exhibit list	0.30
08/04/15	JLN	Review of NS revised witness and exhibit list	0.30
08/04/15	JLN	Phone call w/GC re: witness list and exhibit list	0.40
08/04/15	GMC	Phone call w/JN re: witness list and exhibit list	0.40
08/05/15	NB	Printed City's draft JPTO	0.10
08/05/15	JLN	Preliminary review of City's JPTO and hospital JPTO	0.30
08/05/15	JLN	Multiple phone calls w/ GC & NS regarding JPTO exhibits and witnesses	0.90
08/05/15	NBS	Preparing JPTO section; telephone call with team re: same.	5.50
08/05/15	GMC	Phone calls with JN and NS re: exhibit and witness list	1.00
08/05/15	JLN	Continued conversations with NS regarding exhibits & witnesses	1.00
08/06/15	NB	JPTO	0.10
08/06/15	JLN	Continued review of JPTO submissions by all parties; took notes re: same	0.60
08/07/15	GMC	Phone call with JN, JL & NS regarding multiple issues in defendants' respective JPTO's	1.00
08/07/15	JLN	T/c with GC, JL & NS regarding multiple issues in defendants' respective JPTO's	1.00
08/07/15	NBS	Review of JPTO sections from defendants; telephone call with Brian Osterman; conference call with Plaintiff's team re: JPTO objections; letter to Judge Sweet opposing motion to strike reply.	3.20
08/07/15	JL	Review JPTO's filed by defendants; telephone conference with counsel team re: JPTO; conference with co-counsel re: Trial Draft.	3.50
08/09/15	GMC	Review of email correspondence re: JPTO and motion deadlines	0.10
08/09/15	JLN	E-mail correspondence re: JPTO and motion deadlines	0.10
08/09/15	NBS	Review of JPTO submissions and interrogation of sections; email team; email opposing counsel re: schedule; review of trial assignments.	3.50
08/10/15	GMC	Review of email correspondence re: JPTO and motion deadlines	0.10
08/10/15	JLN	E-mail correspondence re: JPTO and motion deadlines	0.10
08/10/15	NB	Made multiple formatting changes to final S&C; prepared civil cover sheet and summons for same	0.70
08/10/15	NBS	Revised JPTO; letter to court re: schedule; emails with co-counsel; emails with opposing counsel re: JPTO.	3.50

08/11/15	JLN	E-mail from NS to all counsel w/ consolidated shell of JPTO; reviewed same	0.10
08/11/15	JLN	Review of City defendants JPTO	0.60
08/11/15	GMC	Review of City defendants JPTO	0.75
08/11/15	NBS	Revising JPTO; review defendant's depositions; objections to exhibits.	3.50
08/13/15	GMC	Review of correspondence all parties re: JPTO	0.10
08/13/15	JLN	Review of correspondence all parties re: JPTO	0.10
08/13/15	JLN	E-mail from Scheiner w/ spreadsheet re: City JPTO objections	0.10
08/13/15	NB	Printed spreadsheet from A. Scheiner with City's objections to plaintiffs JPTO	0.10
08/13/15	JLN	Reviewed NS letter to Court seeking 1 extra week for JPTO; also reviewed opposition e-mails by defense counsel to same; reviewed Mauriello's response to plaintiffs JPTO	0.40
08/14/15	JLN	Review of letter to Court filed by Scheiner re: Defendants' JPTO (w/o plaintiff's portion)	0.10
08/14/15	GMC	Email re: City filing JPTO without our input	0.10
08/14/15	JLN	E-mail from NS asking team for input in responding to Scheiner's letter JPTO	0.10
08/14/15	JLN	Read City's letter to Court re: Defendants' JPTO	0.10
08/14/15	GMC	Review of City's email re JPTO	0.25
08/14/15	JLN	Reviewed multiple E-mail exchanges between NS and counsel regarding JPTO and best way to proceed	0.30
08/14/15	JLN	Reviewed consolidated JPTO; made notes re: same	0.70
08/14/15	JL	Meeting with Smith re JPTO	1.00
08/14/15	NBS	Revising section of JPTO; review and inclusion in sections from defendants; emails with opposing counsel and co-counsel re: JPTO; conference with John Lenoir re: rifle issues for trial.	3.50
08/15/15	JLN	T/c w/ AS & LS re: City's JPTO filing & attorney's motion to strike reply & several updates on trial prep	0.90
08/16/15	JLN	Reviewed defendants JPTO filing; took notes re: same	0.60
08/17/15	JLN	Read City's letter to Court re: Opposition to Plaintiff's August 13th Request to Modify the JPTO Filing Deadline	0.10
08/17/15	NBS	Review of JPTO; telephone call with Kretz; review of letter to court from city.	2.50
08/18/15	JLN	Reviewed NS reply to City's letter JPTO	0.10
08/18/15	NBS	Letter to court in reply on JPTO adjournment.	1.50
08/19/15	NBS	Preparing JPTO; review of emails; preparing witness focus sheets; review of all defendants exhibits for purposes of asserting objections.	8.50
08/20/15	JLN	Reviewed NS letter to Court re: JPTO	0.10
08/20/15	NBS	Review of exhibits and serve photos on defendants by email and fax; letter to court re: filing JPTO; revise and file plaintiffs draft of pre-trial order.	3.80
08/21/15	JLN	Read Alan Sheiner's letter to Court regarding striking plaintiff's JPTO	0.10
08/21/15	JLN	Scheiner letter to Court attaching City's response to August 20th letter by NS	0.10
08/22/15	JLN	T/c w/ AS & LS re: City's letter seeking to limit us to one police expert & city opp. to our request to modify JPTO deadlines & general updates on status of cross examinations	0.70
08/25/15	NB	Printed JPTO for JLN review	0.10
08/25/15	NB	Printed filing by NS responding to various arguments by defendants on JPTO exhibits and witnesses for JLN Review	0.10

08/25/15	JLN	Reviewed filing by NS responding to various arguments by defendants on JPTO exhibits and witnesses	0.10
08/25/15	JLN	Reviewed JPTO; edits and revisions to same	0.60
09/03/15	NB	Printed City letter re: JPTO schedule for JLN review	0.10
09/03/15	JLN	Review of City letter re: JPTO schedule	0.20
09/03/15	GMC	Review of City letter re: JPTO schedule	0.25
09/04/15	NBS	Review of and drafting JPTO; long tc with A Scheinder (3x) with J Norinsberg re settlement; tc JL re settlement; email team re same	4.50
09/08/15	NBS	Telephone conference with JN; tc A Schiener (several times) re settlement; email all counsel re JPTO and new exhibits added; tc B Osterman re request to discontinue against JHMC (less than 6 figures)	3.50

### c. Pre-Trial Conferences

As set forth below, Mr. Smith and Ms. Bauza from the Smith Group and Messrs. Norinsberg, Smith and Cohen from the Norinsberg Group prepared for and attended the pre-trial conferences, billing almost 40 hours for these two short conferences.

05/11/15	NBS	Review of decision on summary judgment; prepare for conference with court.	1.50
05/11/15	JL	Prepare for hearing re: Court's Opinion/Order re: dispositive motions.	2.50
05/12/15	GMC	Travel from SDNY for conf. (.5)	0.25
05/12/15	GMC	Travel to SDNY for conf. (.5)	0.25
05/12/15	JPF	Travel to SDNY for conf. (.5)	0.25
05/12/15	GMC	Conf. trial adjourned to Oct. 19	1.00
05/12/15	JLN	Conference before Judge Sweet regarding setting new trial date and schedule for pre-trial filings	1.00
05/12/15	JPF	Conf. trial adjourned to Oct. 19	1.00
05/12/15	GMC	Team meeting following conf.	1.25
05/12/15	JLN	Team meeting following conf.	1.25
05/12/15	JPF	Team meeting following conf.	1.25
05/12/15	JLN	Meeting w/NS team GC and JF pre-conf	1.50
05/12/15	JPF	Meeting w/NS team JN and GC pre-conf	1.50
05/12/15	GMC	Meeting w/NS team JN and JF pre-conf	1.50
05/12/15	JL	Meeting with full trial team re: hearing; status conference with Judge Sweet.	1.75
05/12/15	MB	Conference with Judge Sweet; Trial team meeting re status.	3.50
05/12/15	NBS	Prepare for conference meeting with team; conference with court on case re: schedule for trial and pre-trial.	3.50
05/13/15	GMC	Email correspondence w/SK re conference	0.10
05/13/15	JLN	E-mail correspondence w/SK re conference	0.10
04/11/15	JLN	E-mail correspondence w/ GC and NS re: trial date and schedule	0.20
04/13/15	GMC	Travel from SDNY for conference re: trial date (.5)	0.25
04/13/15	GMC	Travel to SDNY for conference re: trial date (.5)	0.25
04/13/15	JPF	Travel from SDNY for conference re: trial date (.5)	0.25
04/13/15	JPF	Travel to SDNY for conference re: trial date (.5)	0.25
04/13/15	JPF	Meeting w/JN and GC re new trial date	0.50
04/13/15	GMC	Meeting w/JN and JF re new trial date	0.50
04/13/15	JLN	Meeting w/ GC and JF re new trial date	0.50
04/13/15	GMC	Conf. on trial date- case adjourned	1.00
04/13/15	JLN	Conference before Judge Sweet regarding adjournment of trial and next steps for moving forward	1.00

04/13/15	JPF	Conf. on trial date - case adjourned	1.00
04/13/15	JLN	T/c with plaintiff regarding today's conference and Judge's proposed dates and impact this will have and variety of trial issues	1.25
04/13/15	MB	Conference with Judge Sweet; team conference.	2.50
04/13/15	JL	Prepare for hearing before Judge Sweet re: trial schedule; meeting with trial team re: trial schedule and strategy.	3.50
04/13/15	NBS	Prepare for oral argument; appear in court for conference with court (2.0); conference with team thereafter; email opposing counsel re: Lauterborn CD and Boston illness.	3.20

### f) Multiparty Attendance at Meetings, Hearings, Conferences and Depositions

The Norinsberg Group billed 256 hours (7.5% of their aggregate time), the Smith Group billed 1,043 hours (19% of their aggregate time), and the Gleason Group billed 81 hours (16% of their aggregate time) to events where more than two (2) and often three (3) attorneys were in attendance.<sup>52</sup> This duplication in effort was especially wasteful given the seniority of the staff.

### i) Client Meetings

The Norinsberg Group billed over 153 hours, the Smith Group billed over 319 hours, and the Gleason Group billed over 129 hours for meetings and calls with Mr. Schoolcraft, allocated as follows:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	78.85
Cohen	37.30
Fitch	37.10
	153.25
<b>Smith Group</b>	
Smith	145.05
J. Lenoir	104.12
Suckle	4.00
Bauza	66.00
	319.17
<b>Gleason Group</b>	
Gleason	104.25
Gilbert	25.00
	129.25

<sup>52</sup> Amounts exclude preparation time for these events other than that which was block billed on the date of the event.

As set forth below, there were 12 meetings with Mr. Schoolcraft where multiple attorneys travelled to his home and attended the meetings, billing over 240 hours for these 12 meetings.

			GMC	JPF	JLN	NBS	MB	JL	Gleason	Gilbert
8/9/12	31.75		X	X	X <sup>53</sup>					
11/16/12	24.00								x	x
11/23/12	18.50								x	x
2/24/13	12.90									
4/7/13	22.60					X	X		x	
6/26/13	18.00					X		X		
7/10/13	17.00					X		X		
8/27/13	22.50					X	X	X		
5/20/14	16.50					X	X	X		
9/12/14	16.50					X	X	X		
9/13/14	22.50					X	X	X		
9/14/14	17.50					X	X	X		
	240.25									

Other meetings/ conference calls with Mr. Schoolcraft where multiple attorneys attended include the following:

	GMC	JPF	JLN	NBS	HS	MB	JL
10/8/12		X	X				
10/9/12		X	X				
10/10/12	X		X				
10/11/12	X	X	X				
11/13/12	X	X					
4/25/13				X			X
4/26/13				X			X
4/27/13				X			X
5/18/13				X			X
10/1/13				X	X		
10/7/13				X			X
12/24/13				X		X	X
12/26/13						X	X
12/29/13				X		X	X
12/30/13				X		X	
2/16/14				X			X
4/16/14				X		X	X
4/18/14				X			X
4/29/14				X			X
6/2/14				X			X
6/9/14				X		X	X
6/29/14				X			X
7/22/14				X		X	X

53. Attorney Norinsberg billed twice for this meeting

08/09/12	GMC	Meeting w/AS in Albany	5.75
08/09/12	JLN	Meeting with Client in Albany with GC & JF	5.50
08/09/12	JLN	Meeting w/AS in Albany	5.75
08/09/12	JPF	Meeting w/ AS in Albany	5.75

	GMC	JPF	JLN	NBS	HS	MB	JL
11/6/14				X			X
1/26/15			X				X
2/2/15				X			X
6/10/15	X		X				

## ii) Witness Interviews

The Norinsberg Group billed over 190 hours and the Smith Group billed over 24 hours in connection with witness interviews, allocated as set forth on the following page:

	Hours
<b>Norinsberg Group</b>	
Norinsberg	54.25
Cohen	86.70
Fitch	49.20
Burzstyn	.30
	190.45
<b>Smith Group</b>	
Lenoir	4.08
Bauza	14.31
Smith	5.90
	24.29
	<b>214.74</b>

As set forth below, Mr. Cohen and Mr. Fitch attended these interviews in concert and one of the witness interviews was even attended by Mr. Cohen, Mr. Fitch and Mr. Norinsberg.

	GMC	JPF	JLN
8/25/10 ("PF")	X	X	
8/27/10 (Lipscomb)	X	X	
8/31/10 ("DH" & "EB")	X	X	
9/3/10 ("MG")	X	X	
10/4/10 ("JR")	X	X	
10/7/10 ("EB")	X	X	
10/26/10 ("RC")	X	X	
11/4/10 ("BP")	X	X	
11/8/10 ("MC")	X	X	
11/11/10 (JW)	X	X	
3/1/11 (Anonymous)	X	X	X

## iii) Hearings/Conferences

As set forth on the following page, all but five (5) hearings/conferences<sup>54</sup>

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11/07/12	GMC	Hearing on issue of AS able to review QAD file	0.80
05/23/12	GMC	Attend and argue against motion to quash	1.00
9/25/2013	NBS	Appearance in court on motions (2.0);	2.00
10/01/14	JL	... hearing on city and hospital defendants' motion (.75);	.75



were attended by at least two (2) and as many as six (6) timekeepers:

	GMC	JPF	JLN	NBS	HS	MB	JL
<b>Court Appearance</b>							
1/26/11 (Motion to Dismiss)	X	X					
9/28/11 (Motion to Compel)	X	X	X				
2/8/12 (Pre-Trial Conference)	X	X	X				
3/28/12 (Privilege)	X	X	X				
5/9/12(Complaint)	X	X	X				
10/24/12 (Motion to Compel)	X		X				
6/5/13 (Motion to Compel)				X			X
9/25/13 (Discovery)				X		X	X
10/16/13 (Misc. Motions)				X		X	X
11/13/13 (Video Hearing)					X	X	X
1/15/14 (Discovery)				X		X	X
3/26/14 (Discovery)				X			X
4/9/14 (Raymond)				X			X
4/30/14 (Protective Order)				X			X
5/28/14 (Notice 30B)				X		X	X
6/9/14 (Trial Status)				X		X	X
10/29/14 (Status Conference)				X			X
1/14/15 (Summary Judgment)				X			X
2/2/15 (Summary Judgment)				X			X
4/13/15 (Pre-Trial Conference)	X	X	X	X		X	X
5/12/15 (Pre-Trial Conference)	X	X	X	X		X	X

#### iv) Meetings/Conferences

As set forth below, meetings and conference calls were usually staffed with at least two (2) and often three (3) senior attorneys:

	GMC	JPF	JLN	NBS	HS	MB	JL
<b>Meetings</b>							
7/30/10 (Polanco, Raymond)	X	X	X				
7/31/10 (Polanco)	X	X					
9/22/10 (Lobbying)		X	X				
9/23/10 (Center for Constitutional Rights)	X	X	X				
9/27/10 (DOJ)	X	X	X				
9/27/10 (Lobbying)	X	X					
10/27/10 (Velez)	X	X					
1/20/12 (Discovery)	X	X	X				
4/11/13 (Rae Koscheck)				X			X
5/16/13 (Departmental Hearing)				X			X
5/18/13 (Departmental Hearing)				X			X
9/19/13 (Precinct Inspection)				X		X	
10/2/13 (Hospital Inspection)				X	X	X	
12/24/13 (Settlement)				X		X	X
12/26/13 (Exhibits)						X	X
3/4/14 (Discovery)				X		X	X
4/1/14 (Settlement)				X			X
4/14/14 (Settlement)				X		X	X
4/16/14 (Settlement)				X		X	X
5/8/14 (Settlement)				X			X
9/11/15 (Settlement)	X		X	X			
7/2/12 (Larry Schoolcraft)	X	X					
3/27/13 (Gleason)				X		X	
5/13/14 (Ferrara)				X			X

03/13/14	JL	Hearing and conference. SDNY Sweet, J., re discovery status	0.75
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	GMC	JPF	JLN	NBS	HS	MB	JL
5/13/13 (Helena Melisi)				X			X
1/7/15 (James McCutcheon)				X			X
2/26/15 (Mary Soeto)	X		X				
10/23/13 (Eterno)				X			X
6/7/13 (Potential Experts)				X			X
6/13/14 (Eterno)				X		X	X
7/30/14 (LE Experts)				X			X
8/4/14 (Eterno)				X			X
10/4/14 (Eterno)				X			X

## 2) Conclusion Regarding Duplication in Effort and Other Inefficiencies

In ASI's opinion, the Norinsberg Group, the Smith Group and the Gleason Group failed to exercise billing judgment and the unnecessary duplication in effort was pervasive, especially considering the seniority of the staff. Moreover, no reduction has been made for a great deal of work performed by the Norinsberg Group and the Smith Group relating to the Medical Defendant (e.g., the Second and Third Amended Complaint, preparing Mr. Schoolcraft for his deposition and preparing for the Medical Defendants depositions) as the tasks were not exclusively performed in connection with the Medical Defendant.

Accordingly, in ASI's opinion, a reasonable, if not conservative reduction would be 50% of the amount of time billed by the Smith Group and the Norinsberg Group. ASI is not recommending a further reduction to the Gleason Group in light of the fact that ASI has previously recommended writing off most of their time because it is non-compensable due to the fact that most of their work was unnecessary or inappropriate to bill to a defendant in a fee shifting claim.

### Recommended Reductions:

#### The Smith Group:

	Hours Billed	Recommended Reduction	Recommended Reduction Excluding Medical Defendants, Press and Lobbying, Substitution of Counsel and Digesting, and Adjusting for Billing Methodology Reduction
<b>Smith Group</b>			
Smith	2,219.40	-1,109.70	-764
Lenoir	1,281.00	-640.50	-424.04
Suckle	108.90	-54.45	-38.08
McCutcheon	23.38	-11.69	-9.32
Bauza	1,297.97	-648.98	-377.21
Smith Paralegals	444.18	-222.09	-24.29

**The Norinsberg Group:**

	Hours Billed	Recommended Reduction	Recommended Reduction Excluding Medical Defendants, Press and Lobbying, Substitution of Counsel and Digesting, and Adjusting for Billing Methodology Reduction
<b>Norinsberg Group</b>			
Norinsberg	1,451.85	-725.93	-557.75
Cohen	806.70	-403.35	-311.79
Fitch	894.75	-447.38	-295.46
Meehan	137.80	-68.90	-58.23
Burzystyn	103.15	-51.58	-22.69

**E. Conclusion**

In ASI’s opinion, the reasonable hours for the Litigation are as follows:

	Reasonable Hours
<b>Norinsberg Group</b>	
Cohen	311.79
Fitch	295.46
Norinsberg	557.75
Meehan	58.23
Burzystyn	22.69
	1245.92
<b>Smith Group</b>	
Smith	764.05
Lenoir	424.03
Suckle	38.07
McCutcheon	9.31
Bauza	377.2
J. Lenoir	4.8
L. Smejila	1.2
J. Smith	17.29
	1635.95
<b>Gleason Group</b>	
Levine	3.88
Gleason	95.85
Gilbert	20.1
	119.83

**7. Amount of Expenses from the City is Unreasonable**

**The Smith Group**

The Smith Group is requesting \$135,235.75 in expenses, after deducting \$14,259 of expenses relating to Dr. Lubit’s time preparing for trial after the City

tendered their Offer of Judgment and \$1,984.43 for the cost of housing for the plaintiff on the eve of the trial of the action against the Medical Defendants.

In ASI's opinion, the following expenses were either unreasonable and/or not the City's responsibility to reimburse:

### Expenses Relating to Medical Defendants

The Smith Group is requesting reimbursement aggregating \$55,945.99 for expenses relating solely to the Medical Defendants. Such expenses include:

5/20/2014	JHMC-Mafia 30 (b) (6) ebt tr	\$711.00
7/7/2014	Dhar Dep Tr	\$1,081.38
9/20/2014	Dr. Halpren-Ruder Fees and expenses for Deposition	\$4,010.35 <sup>55</sup>
10/21/2014	Dr. Halpren-Ruder Fees	\$4,400.00
10/31/2014	Patel day two ebt tr	\$523.42
11/25/2014	Federal Express documents to Dr. Roy Lubit	\$20.00
12/2/2014	Federal Express Dr. Roy Lubit deposition transcript, dated September 2014	\$21.94
12/4/2014	Anthony Maffia deposition transcript to Veritext court reporting	\$711.00
12/8/2014	Attorney Maffia deposition transcript to Gregory Radomisli by regular mail	\$5.45
12/12/2014	Dr. Roy Lubit third deposition transcript by mail	\$5.45
11/17/2015	Dr. Lubit invoice and time records at \$500 per hours and \$4,500 per half day	\$44,456.00
		\$55,945.99

### Expenses Relating to Experts

The Smith Group is requesting additional expert-related reimbursements aggregating \$16,538.30<sup>56</sup>, including a \$188 dinner which is not a reasonable expense. I am advised that as a matter of law, expert fees are not recoverable in Section 1988 cases. Such expenses include:

6/24/2014	Dinner with Expert	\$188.30
7/11/2014	Eli Silverman Ckt #2973	\$3,000.00
7/11/2014	John Eterno Ckt #2974	\$3,000.00
9/8/2014	Eli Silverman hk #2986	\$1,950.00
9/23/2014	Eternon chk #2991	\$1,800.00
9/23/2014	John Eterno expert fee	\$1,800.00

<sup>55</sup> Paragraph 33 (c) of the Affirmation of Nathaniel B. Smith in Support of Plaintiff's Application for Attorney's Fee and Costs ("Smith Affirmation") state that Dr. Halpren-Ruder's invoices total \$8,922.70. In fact, the invoices total \$8,410.35.

<sup>56</sup> Paragraph 33 (d) and (e) of the Smith Affirmation states that \$7,200 in expert fees were paid to Professor Eterno and \$7,350 were paid to Professor Silverman. The expenses listed on Exhibit I to Plaintiff's Fee Motion total \$16,538. ASI notes that the payments to Professor Eterno on August 23, 2014 and the payments to Professor Silverman on August 30, 2014 appear to be duplicate expenses.

9/30/2014	Eli Silverman: chk #2994	\$2,400.00
9/30/2014	Eli Silverman expert fee	\$2,400.00
		\$16,538.30

### **Travel Expenses**

The Smith Group is requesting reimbursement for \$6,971.62 for travel expenses. The only back-up documentation for travel expenses were three (3) invoices for the Parke Slope Inn, which all appear to be invoices for Mr. Schoolcraft's visits to New York.<sup>57</sup> One invoice is for \$716.21 for the time period July 1, 2014 through July 4, 2014, another is for \$1,193.68 for the time period December 19, 2013 through December 24, 2013. In ASI's opinion it is not appropriate to ask the City to reimburse Mr. Schoolcraft's expenses.

No other back-up documentation was provided. In ASI's opinion, until such documentation is provided and the expenses determined to be reasonable, these expenses should not be the City's obligation.

### **Conclusion Regarding Reasonable Expenses**

In ASI's opinion, the reasonable expenses for the Smith Group equal \$55,779.84.

### **The Norinsberg Group**

#### **Norinsberg**

Norinsberg is requesting reimbursement of \$10,021.85 in expenses without providing any back-up documentation in connection with such expenses. ASI notes that this is in addition to the \$4,630.45 that the Gleason Group is claiming as having been paid to Norinsberg.

ASI notes that Norinsberg is seeking compensation for the following expenses, which in ASI's opinion are clearly not reimbursable:

#### **Mr. Schoolcraft's Expenses**

7/6/2010	Western Union for Schoolcraft (travel NYC)	\$212.00
7/7/2010	Hamptons Inns (NY)	\$300.70
1/6/2012	Cosmopolitan Hotel	\$208.91
3/14/2012	Western Union for Schoolcraft (travel NYC)	\$329.00
8/9/2012	Hotel Albany (room for plaintiff/rental of conference room)	\$764.56
		\$1815.17

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<sup>57</sup> The Smith Group is not seeking reimbursement for one of the invoices in the amount of \$1,984.42.

### Travel Expenses for Yeudeka Cepeda

7/6/2010	Yeudeka Cepeda (cash advance for travel to NYC)	\$300.00
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### Office Supplies

9/14/2010	J&R Music World (3 250 gb Hard drives and case)	\$232.95
9/20/2010	J&R Music World (1tb gb Hard Drive)	\$72.48
9/27/2010	Staples (8gb USB Flash Drive)	\$33.76
10/22/2010	Staples	\$38.10
10/25/2010	Staples (8gb USB Flash Drive)	\$21.76
8/15/2011	Staples (4gb USB Flash Drive)	\$54.38
		\$453.43

### Website

10/4/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$110.00
10/15/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$60.00
11/4/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$581.40
11/4/2010	Off the Page Creations <a href="http://www.schoolcraftjustice.com">www.schoolcraftjustice.com</a>	\$570.00
		\$1321.40

In ASI's opinion, until documentation is provided for all of Norinsberg's expenses and the expenses are determined to be reasonable, these expenses should not be the City's obligation.

### Cohen

Cohen is requesting reimbursement of \$3,800.00 in expenses, without providing any itemization or back-up documentation. In ASI's opinion, until documentation is provided for all of Cohen's expenses and the expenses are determined to be reasonable, these expenses should not be the City's obligation.

### Conclusion Regarding Reasonable Expenses

In ASI's opinion, it is not reasonable to ask the City to reimburse any of the Norinsberg Group's expenses.

### The Gleason Group

#### Gilbert

Gilbert is requesting reimbursement of \$4,630.45 in expenses, the amount which he paid to Norinsberg "in order to secure the release of plaintiff's litigation file from the outgoing attorney."<sup>58</sup> No itemization or back-up documentation was

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<sup>58</sup> Gilbert Affirmation, Paragraph 6.

provided. Accordingly, in ASI's opinion, until such documentation is provided and the expenses determined to be reasonable, these expenses should not be the City's obligation.

### **Gleason**

Gleason is requesting reimbursement of \$11,066.25 for expenses, without providing itemization or back-up documentation for \$4,088.00 in expenses. Accordingly, in ASI's opinion, until documentation is provided for the \$4,088.00 and such expenses are determined to be reasonable, these expenses should not be the City's obligation. In addition, the gifts for Mr. Schoolcraft totaling \$3,397.00<sup>59</sup> should not be the responsibility of the City.

### **Conclusion Regarding Reasonable Expenses**

In ASI's opinion, the reasonable expenses for the Gleason Group equal \$3,581.25.

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59 Gleason is requesting reimbursement of \$638 for purchasing business attire for Mr. Schoolcraft and \$2,759 for providing "AS with Apple laptop, printer/scanner and two iPhones. Set up Verizon cell phone service for two iPhones for 12 month contract at \$144.97 per line per month." Docket No. 564-8, at 7, 13;

## EXHIBIT 1

### Judith A. Bronsther

#### Education:

New York University School of Law, J.D. 1979  
University of Rochester, BA., *magna cum laude*, 1976

#### Work Experience:

1992-Present      President of Accountability Services Inc.

Accountability Services is a legal cost control specialist that has performed legal audit and consulting services to "Fortune 500" companies, international organizations, governmental institutions as well as individuals.

1989-1992      Attorney at Kaye Scholer Fierman Hayes & Handler

1984-1989      Executive Vice President of Empire Securities

1979-1983      Attorney at Finley, Kumble, Wagner, Heine, Manley &  
Underberg

#### Publications:

"Ten Ways to Effectively Manage Outside Counsel Spending"  
Hq.org, 2014

"In-House Counsel Seek Fee Accountability"  
Ohio Lawyers Weekly, September 3, 2001

"Watching the Clock"  
Los Angeles Daily Journal, May 4, 1999

"Determining the Most Cost-Effective Legal Service Providers"  
U.S. Business Litigation, January 1997

"Alternative Billing Methods: Proceed With Caution"  
The Revolutionizing Litigation Management Report, May 1995

"Take the Lead in the Management of Your Outside Counsel...Implement and Monitor a Billing and Case Management Policy"  
Revolutionizing Litigation Management Report, March 1995



## Resume of Judith Bronsther

“Law Firms Won’t Reduce Bills Without Pressure From You... Audits Aren’t A Cure All“

Corporate Legal Times, April 1993

### **Speaking Engagements:**

“The Ethical and Practical Implications of Legal Billing”  
Sponsor: Clecenter.com

“Thinking and Acting Like a Seller of Legal Services”  
March 2000 (Overlooking, Boston)  
Sponsor: Partners in Professional Development, Inc.

“Developing the Trial Budget-Proven Techniques for Controlling Costs”  
September 1999 (New York, NY)  
Sponsor: Fulcrum Information Services

“Legal Fees in Indiana: The Legal, Ethical and Practical Issues”  
November 1998 (Indianapolis, IN)  
Sponsor: National Business Institute

“Making Your Lawyers Accountable: How Internal Auditors Can Manage Legal Costs for Value and Efficiency”  
November 1998 (Philadelphia, PA)  
Sponsor: MIS Training Institute

“Tools and Techniques to Manage the Caseload and Minimize Costs”  
March 1997 (New York, NY)  
Sponsor: Practicing Law Institute-Civil Litigation Institute

“The Customer is Always Right... Surviving the Legal Audit”  
November 1996 (Washington, DC)  
Sponsor: The Law Firm Governance Institute

“Auditing Your Legal Fees- A Useful Hammer in the Law Management Toolbox”  
June 1996 (Stamford, CT)  
Sponsor: Westchester Bar Association

“Cost-Effectively Managing Your Outside Counsel”  
December 1995 (Washington, DC)  
Sponsor: The National Forum for Women Corporate Counsel

## Resume of Judith Bronsther

“For Services Rendered: Thinking and Acting Like a Seller of Legal Services When Compiling Your Client’s Bills”

November 1995 (New York, NY)

Sponsor: Law Firm Profitability Forum

“Budgets and Billing”

November 1995 (Washington DC)

Sponsor: National Association of Attorneys General

“Managing Your Outside Counsel”

September 1995 (New York, NY)

Sponsor: Greater New York Hospital Association

“The Customer is Always Right-Surviving the Audit”

May 1995 (Chicago, IL)

Sponsor: Defense Research Institute

“Legal Practice-How to Maximize the Inside-Outside Counsel Relationship to Optimize Cost Effective Legal Representation”

September 1994 (Hershey, PA)

Sponsor: Pennsylvania Bankers Association

“Bold Initiatives or Micro Management With Your Outside Counsel”

March 1994 (Chicago, IL)

Sponsor: Corporate Counsel Institute

### **Expert Testimony (Written and Oral):**

Communities for Equity, et al. v. Michigan High School Athletic Association

United States District Court for the Western District of Michigan

Case No: 1:98-CV-479

Allison Palmer v. Colin Powell; Marguerite Cooper v. Condoleza Rice

United States District Court for the District of Columbia Civil Action No. 76-1439 (HHK/JMF); Civil Action No 77-2006 (HHK/JMK)

Symbol Technologies, Inc. v. Intersil Corporation and Choice-Intersil Microsystems

Supreme Court of the State of New York

County of Suffolk

Commercial Division

Index No. 03-18971

Resume of Judith Bronsther

Alan W Alexander et al. v. State of Texas dba Department of Public Safety  
District Court of Travis County, Texas 200<sup>th</sup> District  
(Statistics submitted to Leonard Bucklin, Esq.)

NOOB LP et al. v. Corporate Realty Corp et. al.  
District of Harris County 190<sup>th</sup> District  
(Statistics submitted to Leonard Bucklin, Esq.)

In the Matter of Walton Construction Co, and FGI Glass  
(Privately Administered Arbitration in Missouri)

HMC Capital Resources LLC v. Seas Inc d/b/a Flower World  
Civil Court of the City of New York  
County of New York: Part 65  
Index No.: L&T 60119/05

Allen, Dryer, Doppelt, Milbrath & Gilchrist, P.A., v. Smartweb  
Technology Inc. et. al.  
Ninth Judicial Circuit in and for Orange County, Florida  
Civil Division: 35  
Case No.: 06-CA-2485

Greenbaum Rowe Smith & Davis v. Bassily, et al  
Superior Court Law Division Middlesex County  
Docket No.:MID-L-4621-07

Collier, Halpern, Newberg, Nolleti & Block v. Andrew Carothers et al.  
Supreme Court of the State of New York  
County of Westchester  
Index No.: 25754/07

Allegaert Berger & Vogel LLP v. Jane A. Halbritter  
Supreme Court of the State of New York  
County of New York  
Index No.: 102292/09

Port Authority Police Asian Jade Society of New York  
& New Jersey et al. vs. The Port Authority of New York  
& New Jersey  
United States District Court  
Southern District of New York  
05 CV 3838 (MGC)

Resume of Judith Bronsther

Lipper & Company, L.P. et al. v. Richard Williamson, as Successor  
Liquidating TTEE of Lipper Convertibles

FINRA Dispute Resolution Arbitration No. 07-03139

Prospect Capital Corporation, et. al. v Michael Enmon

United States District Court  
Southern District of New York  
08 Civ. 03721 (LBS)

Kaygreen Realty Co. v IG Second Generation Partners, L.P. and I BLDG  
CO, INC

Supreme Court of the State of New York  
County of Queens: Civil Term: Part 17  
(Index No.13633-03)

Tenore vs. Tenore

Supreme Court, County of Rockland  
State of New York  
(Index No. 4324/2005)

Guillermo Ruelas, Oscar Miranda, Alejandro Espinoza et. al. vs. The State  
of California

Superior Court of the State of California  
County of San Bernardino  
Case No. RCV 083017  
Case No. RCV 085421

Tennessee Gas Pipeline Company vs. Delta Gulf Corporation et.al.

In the 215<sup>th</sup> Judicial District Court  
Harris County, Texas  
Case No. 2009-55773

Carlos Castro vs. Cal Terhune, et al

United States District Court  
Northern District of California  
NO. C 98-04877 WHA

R. Parke Collins II. vs. Varnum LLP

American Arbitration Association  
Grand Rapids Michigan  
File No. 54 51600024 11

Resume of Judith Bronsther

NL Industries, Inc. vs. OneBeacon America Insurance Company  
Supreme Court of the State of New York  
County of New York  
(Index No. 108881/09)

CDS Holdings I, Inc. vs. Shutts & Bowen, L.L.P.  
Circuit Court of the 11<sup>th</sup> Judicial Circuit  
Miami-Dade County, Florida  
Case No. 08-38518 (Ca-09)

Osram GmbH, Osram Opto Semiconductors GmbH, Osram Sylvania Inc.,  
and Osram Opto Semiconductors Inc. vs. Samsung Electronics Co., Ltd  
and LG Electronics Inc.  
(Arbitration before U.S. International Trade Commission)

American Infoage, LLC and Sago Networks, LLC vs. Regions Bank.  
U.S. District Court Middle District of Florida (Tampa)  
CASE #: 8:13cv01533SDMJSS.

Craig Arthur Humphries et al. v. County of Los Angeles, et al.  
The United States District Court for the Central District of California Santa  
Ana Division  
Case No SA CV 03-0697-JVS (MANx)

Ambac Assurance Corporation v Adelanto Public Utility Authority  
United States District Court Southern District of New York  
Civil Action No. 09-cv-05087 (JFK)

**Professional Admissions and Memberships:**

New York Bar March 1980

## EXHIBIT 2

### Allocation Methodology

#### A. Methodology for Addressing Issues Raised By the Billing Entries

##### 1. Coding Structure

In order to determine the time and fees associated with a particular matter and specific tasks and projects performed in connection with the matter, ASI reviews the Invoices and creates a three-tier coding structure tailored to the matters underlying the Invoices. The three tiers are as follows:

##### a. Categories

A specific code is assigned to each major aspect of a matter, e.g., Case Assessment, Pleadings, Discovery, Deposition, Trial.

##### b. Subcategories

To further refine the division of time and fees within each category, subcategory codes are assigned to individual witnesses or deponents, to specific research topics or other key issues or projects mentioned in the billing descriptions contained in the Invoices.

##### c. Tasks

Each entry is also assigned a particular task code, representing the activity in which the timekeeper engaged, e.g. document review (RV), drafting (DR), internal meeting or conference (IM). However, if there are multiple tasks dealing with the same category, the individual tasks are not broken out, but would be coded as a blocked entry.

##### d. Coding Procedure

Each time entry for each timekeeper is then assigned a code from each of these three tiers. For example, the following billing entry would be coded as shown below:

Prepare for Parker Deposition

CATEGORY  
DE (Deposition)

SUBCATEGORY  
PAR (Parker)

TASK  
PR (Prepare)

## 2. Coding for Vague Entries

If the nature of the work (at any tier of coding) could not be determined from the entry or from the context, the entry would be coded as “Unknown” for that tier.

An entry stating “meet with client” would be coded: UN/UN/CC

However, if the above entry appeared at a point in time or in a context that clearly indicated the issue in question, the pertinent category and/or subcategory code would be assigned.

## 3. Coding for Miscellaneous Items

If an entry contained a description suggesting that a number of calls or conferences were held on a given day covering a variety of topics, none of which consumed much time, such calls or conferences would be given a miscellaneous code.

For example, the following entry would be coded as shown below:

“spoke to client re: scheduling, status, key depositions: .3 hrs.”

CATEGORY	SUBCATEGORY	TASK
DE (Deposition)	MISC (Miscellaneous)	CC(Client Communication)

.3 hrs.

## 4. Time Allocations for Multi-Task Entries Dealing with Different Categories

If timekeeper’s daily activities lump together multiple tasks into one block of time (typically referred to as “block billing”), ASI allocates the time for multi-task billing entries equally among the individual tasks. However, if a review of surrounding time entries or corresponding entries of other timekeepers indicated a greater or lesser time commitment to the activity, e.g. reference to a team meeting might result in a larger allocation of time where the co-conferee’s records provided evidence of a more precise time allocation.

### EXHIBIT 3

<b>Norinsberg Group</b>			
06/06/10	JLN	Discussions with Joshua Fitch ("JF") re Schoolcraft case	0.80
08/20/10	JLN	Interviewed Marc Johnson, Ph.D., re: possible use as expert for psych claims	0.60
08/23/10	GMC	Phone call with Isakoff Attorney - Brian Lee	0.80
08/30/10	NB	Filed Affidavit of Service as to Jamaica Hospital Medical Center	0.10
08/30/10	NB	Filed Affidavit of Service as to Lillian Aldana-Bernier	0.10
08/30/10	NB	Filed Affidavit of Service as to Isak Isakov	0.10
09/01/10	GMC	Review of DC extension letter	0.10
09/01/10	JPF	Correspondence from Donna Canfield re extension of time to response	0.25
09/07/10	GMC	Review of JHMC corporate disclosure	0.10
09/07/10	GMC	Review of JHMC Answer	0.30
09/07/10	JLN	Reviewed defendants answer to complaint filed by Jamaica Hospital Medical Center	0.10
09/07/10	JLN	Reviewed defendant JHMC's corporate disclosure statement	0.10
09/07/10	JLN	Reviewed Aff of Service by defendants Jamaica Hospital Medical Center.	0.10
09/07/10	JLN	Reviewed Defendant Isakov's answer to complaint	0.30
09/07/10	JPF	Review of Answer to Complaint from Jamaica Hosp.	0.75
09/16/10	JPF	E-mail from other hospital defendant re Amended Complaint	0.25
09/16/10	NB	Reviewed AS hospital records to locate discharge summary; sent JLN snme	0.20
09/23/10	JLN	Reviewed insurance coverage for Def. Isakov	0.10
09/30/10	GMC	Review of Bernier answer	0.30
09/30/10	JLN	Reviewed Bernier's corporate disclosure statement	0.10
09/30/10	JLN	Reviewed answer to complaint filed by Lillian Aldana-Bernier	0.50
09/30/10	JPF	Review of Answer to Complaint by Bernier	0.80
10/06/10	JLN	Reviewed answer to amended complaint filed by Jamaica Hospital	0.10
10/06/10	JPF	Review of Answer to Complaint by Jamaica	0.90
10/12/10	GMC	Review of JHMC motion to dismiss	0.75
10/12/10	JLN	Discussion with JF re motion to Dismiss sched.	0.30
10/12/10	JLN	Reviewed Declaration of Gregory J. Radomisli in Support of defendant JHMC motion to Dismiss	0.30
10/12/10	JLN	Reviewed memo of law in Support of defendants JHMC motion to Dismiss; ; took notes re: same; researched case law cited	2.80
10/12/10	JPF	Discussion with JN re Motion to Dismiss schedule	0.30
10/12/10	JPF	Review of JHMC Dec. for motion to dismiss	0.50
10/12/10	JPF	Review of Motion to Dismiss by Jamaica Hosp.	1.50
10/12/10	NB	Printed JHMC MTD for JLN: bound same	0.15
10/13/10	JLN	Discussion with JF re agreement on briefing sched. w/ defendant Jamaica Hosp.	0.10
10/13/10	JLN	Discussion with JF re: arguments to make in response to JHMC motion	1.25



10/13/10	JPF	Discussion with JN re agreement on briefing sched. w/ defendant Jamaica Hosp	0.10
10/13/10	JPF	Discussion with JN re: arguments to make in response to JHMC motion	1.25
10/15/10	GMC	Review of order setting deadlines for Motion to Dismiss	0.10
10/15/10	JLN	Reviewed order re: defendant JHMC's motion to Dismiss	0.10
10/18/10	GMC	Review of letter requesting additional time to respond to Motion to Dismiss	0.25
10/18/10	JPF	Review of letter to court re briefing sched.	0.25
10/27/10	GMC	Review of Isakov Answer to Amended complaint	0.25
10/27/10	JPF	Review of Answer to Amended Complaint Isacov	0.60
10/27/10	NB	Filed Affidavit of Service as to defendant Jamaica Hospital Medical Center	0.10
11/04/10	GMC	Review of letter and stipulation re: extension of time to Answer Amended Complaint	0.25
11/04/10	JPF	Review of letter re Bernier's extension to answer Amended Complaint	0.10
11/08/10	GMC	Review of letter requesting additional time to oppose motion to dismiss	0.25
11/08/10	GMC	Review of Document Demands and Interrogatories filed by Isakov	0.50
11/08/10	JLN	Read 1st Set of Rogs for plaintiff sent by Isakov	0.10
11/08/10	JLN	Reviewed defendant Isakov's dep notice for plaintiff Adrian Schoolcraft	0.10
11/08/10	JLN	Reviewed Defendant Isakov's request for Production of Documents	0.10
11/08/10	JPF	Review of letter to Sweet extending motion time	0.10
11/08/10	JPF	Review of Doc Demands/Interrogatories by Isacov	0.80
11/08/10	JPF	Research on involuntary confinement & state action	3.60
11/09/10	JLN	Reviewed Dep notice for plaintiff from B. Lee	0.10
11/09/10	JLN	Drafted letter to Judge Sweet requesting extension JHMC's motion to dismiss	0.30
11/10/10	JPF	Research on hospital confinement constituting state action under any of the three tests	4.25
11/11/10	GMC	Review of amended answer from Bernier	0.25
11/11/10	GMC	Review of discovery demands from Bernier	0.40
11/11/10	JLN	Reviewed defendant Bernier's answer to Second amended complaint	0.10
11/11/10	JLN	Reviewed defendant Bernier's 1st Set of Interrogatories	0.10
11/11/10	JLN	Reviewed defendant Isakov's corporate disclosure statement	0.10
11/11/10	JPF	Review of Answer to Amended Complaint Bernier	0.50
11/11/10	JPF	Review of Interrogatoiiies & Demands Bernier	0.80
11/11/10	JPF	Research on traditional function state action test "hospital used as jail"	2.75
11/11/10	JPF	Research on state action standard for private parties - joint action test	3.75
11/12/10	GMC	Meeting with JN and JF re: issues on our motion opposition and about information provided by JW anonymous cop	1.00
11/12/10	JLN	Meeting with JF and GC re: issues on our opposition and GC's meeting with JW anonymous cop	0.30
11/12/10	JPF	Meeting with JN and GC re: issues on our motion	1.00

		opposition and GC's meeting with JW anonymous cop	
11/15/10	JPF	Research on close nexus test and private parties	3.25
11/18/10	JPF	Draft of prelim statement in opp to Motion to Dimiss	0.80
11/18/10	JPF	Research on joint action w/ private parties and police in the context of false arrest claims	4.10
11/18/10	JPF	Draft of argument	4.90
11/19/10	JPF	Draft argument	3.40
11/19/10	JPF	Research on joint action w/ private parties and police in the context of false arrest claims	3.90
11/20/10	JPF	Draft of Argument	2.25
11/20/10	JPF	Research on joint action where state coerces private action	3.40
11/20/10	JPF	Research on state action - use of private facilities to imprison	4.10
11/21/10	JPF	Research on joint action	1.90
11/21/10	JPF	Research on hospital state action where EDPs are involved	3.10
11/21/10	JPF	Research on joint action where state coerces private action	3.80
11/22/10	JPF	Draft of Argument	4.75
11/23/10	JPF	Draft of Argument	5.60
11/24/10	JPF	Draft of Argument	3.80
11/26/10	JPF	Draft of Argument	4.40
12/01/10	JPF	Draft factual section of opp	1.75
12/02/10	JPF	Review of Memo of Law argument	3.10
12/03/10	JPF	Review of argument	1.25
12/03/10	JPF	Draft of argument	4.75
12/04/10	JPF	Draft section on supplement jurisdiction	1.25
12/04/10	JPF	Draft of argument	3.90
12/04/10	JPF	Review and edit argument for brief	4.40
12/05/10	JLN	Reviewed JF's draft Opp to MTD; made edits to same	0.70
12/05/10	JPF	Review of argument	3.10
12/05/10	JPF	Edit and Incorporate changes on argument	5.25
12/06/10	GMC	Drafted letter response to premature discovery demands for Bernier and Isakov	0.40
12/06/10	GMC	Discussion with JF & JN re final corrections	0.80
12/06/10	GMC	Revise and review opposition to JHMC motion to dismiss	1.25
12/06/10	JLN	Discussion with GC & JF re final corrections	0.80
12/06/10	JPF	Discussion with GC & JN re final corrections	0.80
12/06/10	JPF	Review and edit brief	1.75
12/06/10	JPF	Review and edit argument	4.80
12/07/10	JPF	File final brief	0.25
12/07/10	JPF	Final review & edit of brief	1.30
12/08/10	GMC	Email correspondence from Lee re: Docket sheet	0.10
12/08/10	JPF	E-mail from Hospital defendants re docketing error on ECF	0.10
12/09/10	JPF	E-mail from B. Lee defendants re late responses to interrogatories	0.10
12/09/10	NB	Drafted letter to all counsel enclosing, opposition to MTD	0.25
12/10/10	NB	Prepared AS authorizaitons for Jamaica Hospital and sent same to all counsel	0.70
12/17/10	JPF	E-mail to AS with opp to Jamaica's motion	0.10

01/20/11	GMC	Meeting with JN, JF to discuss JHMC's reply memo of law	0.40
01/20/11	GMC	Review of JHMC reply memo in support of motion to dismiss	0.50
01/20/11	JLN	Reviewed Defendant JHMC's reply memo of law in Support of their motion to Dismiss; additional research regardng issues raised in same	0.30
01/20/11	JLN	Meeting with GC, JF to discuss JHMC's reply memo of law	0.40
01/20/11	JPF	Meeting with JN, GC to discuss JHMC's reply memo of law	0.40
01/20/11	JPF	Review of defendants' reply memo of law	0.60
01/25/11	JPF	Email from GC re statements from Jamaica Hospital to Village Voice	0.10
01/25/11	JPF	Email Response to GC re statements from Jamaica Hospital to Village Voice	0.10
01/25/11	JPF	Prep for oral argument on JHMC motion	1.25
01/26/11	GMC	Travel from SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
01/26/11	GMC	Travel to SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
01/26/11	GMC	Discussion with JF & JN re oral arguments	0.60
01/26/11	GMC	Appearance for motion to dismiss in Schoolcraft	1.00
01/26/11	JLN	Discussion with GC & JF re oral arguments on MTP	0.60
01/26/11	JPF	Travel from SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
01/26/11	JPF	Travel to SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
01/26/11	JPF	Discussion with GC & JN re oral arguments	0.60
01/26/11	JPF	Appearance for motion to dismiss in Schoolcraft	1.00
01/26/11	JPF	Prep for oral argument	2.30
02/09/11	NB	Formatted Ltr. Opposing Defendants' Request Stay pending MTD; made multiple edits and filed same with Court	0.60
02/10/11	GMC	Review of JHMC motion to stay discovery	0.25
02/11/11	JLN	Reviewed JHMC request for stay while MTD is pending	0.10
02/11/11	JLN	Researched issue of stay while MTD is pending	2.40
02/12/11	JLN	Discussion with JF re; motion to stay and arguments in opposition	0.90
02/12/11	JPF	Discussion with JN re; motion to stay and arguments in opposition	0.90
02/13/11	JLN	Drafted letter brief opposing stay	3.20
02/13/11	JPF	Review and Edit letter brief opposing stay	2.25
03/08/11	JPF	Email from GC re medical defendants' article	0.10
05/06/11	GMC	Email correspondence w/JN and JF re: motion to dismiss decision	0.25
05/06/11	GMC	Review of Judge Sweet's opinion re: JHMC motion to dismiss	0.60
05/06/11	JLN	E-mail exchange w/ GC and JF re: motion to dismiss decision	0.20
05/06/11	JLN	Read Judge Sweet's decision on defendants' MTD; notes re: same	0.30
05/06/11	JPF	E-mail from GC on Cts decision on motion	0.10
05/06/11	JPF	Read & review the decision & order written disposing of	0.60

		the motion to dismiss	
05/06/11	NB	Printed Judge Sweet's decision on defendants' MTD for JLN review	0.20
05/09/11	JLN	Drafted 1st Set of Rogs to Isakov	2.10
05/10/11	NB	E-mailed JLN Opinion of Judge Sweet	0.10
05/21/11	JLN	Started drafting 1st Set of Document Demands for JHMC	2.30
05/22/11	JLN	Started drafting Schoolcraft document demands for other defendants	1.70
05/22/11	JLN	Finished 1st Set of Doc Demands Jamaica	2.90
05/23/11	JLN	E-mail correspondence w/Brian Lee re: dep notices for Caughey & Weiss	0.10
05/23/11	JLN	Reviewed Notice of Deps for Isakov/Bemier	0.10
05/23/11	JLN	Drafted 1st Set of Rogs for JHMC	2.30
05/23/11	JLN	Continued drafting Schoolcraft discovery demands and interrogatories against medical defendants	3.60
05/23/11	JPF	Review and Edit discovery demands and rogs against all defendants	2.40
05/24/11	JLN	Finished drafting discovery demands/rogs for med defendants	3.70
05/24/11	NB	Formatted final draft of discovery demands/ Rogs for JHMC; copied same for courtesy copy to all parties; prepared letter enclosing said documents; sent to all parties via regular mail	1.70
05/25/11	JLN	Drafted NoT/ce of Inspection for JHMC	2.30
05/25/11	NB	Formatted final draft of Deposition JHMC Defendants; copied same for courtesy copy to all parties; prepared letter enclosing said documents; sent to all parties via regular mail	0.50
06/01/11	JLN	Reviewed initial disclosure from JHMC	0.10
06/03/11	JLN	Reviewed JHMC's Initial Disclosures	0.10
06/11/11	JLN	Ltr from B. Lee re: discovery responses and order of priority	0.10
06/17/11	JLN	Reviewed Isakov response to Rogs	0.10
06/23/11	GMC	Discussion with JF & JN re responses & requests from Isacov	0.60
06/23/11	GMC	Review of Isakov response to Discovery Demands	0.60
06/23/11	JLN	Review of requests for discovery from Isakov	0.30
06/23/11	JLN	Discussion with GC & JF re responses & requests from Isakov	0.60
06/23/11	JLN	Review of response to doc demands by Isakov; notes re: same	0.70
06/23/11	JLN	Review of answers to interrogatories by Isakov	0.90
06/23/11	JPF	Discussion with GC & JN re responses & requests from Isacov	0.60
06/23/11	JPF	Review of requests for discovery from Isacov	0.75
06/23/11	JPF	Review of response to doc demands Isacov	1.00
06/23/11	JPF	Review of answers to interrogatories by Isacov	1.40
06/24/11	JLN	Reviewed Def. Isakov's 2nd Request for Docs	0.10
06/27/11	GMC	Discussion with JN and JF re City's failure to response to discovery requests	0.30
06/30/11	JLN	Reviewed Brian Lee's Proposed Discovery Plan in advance of mtg later today; notes re: same	0.20
07/01/11	JLN	E-mail from B.Brady re: need to modify plan re: setting	0.10

		deps only after receipt of records from City	
07/01/11	JLN	Reviewed Brian Lee's Proposed Discovery Plan as agreed upon at yesterday's conference.	0.10
07/17/11	JLN	Reviewed Isakov response to Document Demands	0.10
07/18/11	GMC	Review of changes to discovery plan made by Lee	0.25
07/18/11	JLN	Review of changes to discovery plan made by B. Lee	0.20
07/25/11	GMC	Review of email from Brian Lee re: Discovery plan dispute	0.25
08/05/11	JLN	Reviewed JHMC guidelines re: Involuntary commitment, Psych ER guidelines and use of handcuffs	0.90
08/08/11	GMC	Review and revised responses to Bernier Discovery demands	0.50
08/08/11	NB	Downloaded and printed research received from JLN	0.10
08/09/11	GMC	Drafted responses to JHMC discovery demands	1.80
08/10/11	GMC	Review of JN comments to JHMC responses	0.25
08/10/11	JLN	Review of GC comments to JHMC discovery responses	0.20
08/11/11	GMC	Review of Isakov demands	0.25
08/11/11	JLN	Review of responses to Isakov discovery demands	0.40
08/11/11	JPF	Review of responses to Isakov discovery demands	0.90
08/14/11	GMC	Drafted responses to all discovery demands for medical defendants and emailed to JN for his review	4.75
08/14/11	JLN	Review GC's draft responses to all discovery demands for medical defendants	0.40
08/15/11	JLN	Reviewed Rule 26 (a) Discovery plan filed by Isakov	0.10
08/15/11	JLN	Review of our responses to Bernier & Jamaica discovery demands; edits/revisions	0.80
08/15/11	JPF	Review of responses to Bernier & Jamaica discovery demands	2.25
08/17/11	GMC	Review of Brian Lee objections to protective order stip	0.25
08/17/11	JPF	Review of responses to requests & discovery demands from hospital defendants	2.40
08/26/11	JLN	Read letter from B. Lee re: request for Suppl responses	0.40
08/30/11	GMC	Review of email correspondence from Brian Lee re: protective order stip changes	0.30
09/26/11	JLN	T/c w JHMC def. counsel re: extending time for hospital to respond and/or object to visiting JHMC and/or taking pies.	0.30
10/05/11	JLN	Reviewed Rule 26 Discovery Plan filed by B. Lee	0.10
11/01/11	JLN	Reviewed Isakov 3rd request for docs	0.10
11/29/11	GMC	Review of email re: discovery from Brian Lee	0.10
11/29/11	JLN	E-mail from B. Lee re: upcoming discovery conference and status of case	0.10
12/13/11	JLN	Drafted letter re: supplemental discovery responses for med. Defendants	0.10
01/05/12	GMC	Review of letter from Bernier's attorneys	0.25
01/10/12	JPF	Correspondence mail from medical defendant Isakov re plaintiff EBT	0.10
01/10/12	JPF	Email from JMH re outstanding discovery from plaintiff	0.10
01/11/12	NB	Sent Callan kletter and AS authorization via regular mail and e-mail	0.10
02/07/12	GMC	Review of email demanding authorizations from Brian Lee	0.25

04/02/12	JLN	E-mail from Isakov consenting to amendment	0.10
04/02/12	JLN	E-mail from Bernier consenting to amendment	0.10
04/02/12	JPF	Email from Isacov consenting to amendment	0.10
04/02/12	JPF	Email from Bernier consenting to amendment	0.10
04/04/12	JLN	E-mail from JHMC regarding change in amended language	0.10
04/04/12	JPF	Correspondence to JHMC re Amended Complaint	0.10
04/04/12	JPF	Email from JHMC re change in amended language	0.10
04/04/12	JPF	Email from JHMC	0.10
04/04/12	JPF	Email from JHMC	0.10
04/04/12	JPF	Email to JHMC	0.10
04/24/12	JPF	Email, to hospital defendants re amendment Gough issue	0.25
06/02/12	JLN	Reviewed discovery demands from JHMC	0.20
06/08/12	JPF	Email from Lee re docs in response to subpoenas outstanding	0.10
08/13/12	JLN	E-mail from Brian Lee regarding deposition	0.10
08/13/12	JPF	Email from Brian Lee re deposition	0.10
08/14/12	JLN	E-mail from Brady re deps	0.10
08/14/12	JPF	Email from Brady re deps	0.10
08/15/12	JLN	E-mail from B Brady re plaintiff's dep	0.10
08/15/12	JLN	E-mail from B. Lee re plaintiff's dep	0.10
08/15/12	JLN	E-mail from Brian Lee re subpoenaed docs	0.10
08/15/12	JPF	Email from B Brady re plaintiff's dep	0.10
08/15/12	JPF	Email from B: Lee re plaintiff's dep	0.10
08/15/12	JPF	Email from Brian Lee re subpoenaed docs	0.10
08/21/12	GMC	Email from Brady consenting to Amendment	0.10
08/21/12	GMC	Email from Lee consenting	0.10
08/21/12	GMC	Email from Brady re scheduling AS dep	0.10
08/21/12	GMC	Email from Lee re scheduling AS dep	0.10
08/21/12	JLN	E-mail from Brady consenting to Amendment	0.10
08/21/12	JLN	E-mail from Brady re scheduling AS dep	0.10
08/21/12	JPF	Email from Lee consenting	0.10
08/21/12	JPF	Email from Brady consenting to Amendment	0.10
08/21/12	JPF	Email from Brady re scheduling AS dep	0.10
08/21/12	JPF	Email from Lee re scheduling AS dep	0.10
08/22/12	GMC	Email from Lee re AS dep date	0.10
08/22/12	GMC	Meeting w/ JF & JN re Kretz's request to have an additional day to depose plaintiff	0.40
08/22/12	JLN	Meeting w/ GC & JF re Kretz's request to have an additional day to depose plaintiff	0.40
08/22/12	JPF	Email from Lee re AS dep datr	0.10
08/22/12	JPF	Meeting w/ GC & JN re Kretz's request to have an additional day to depose plaintiff	0.40
08/23/12	GMC	Email from Brady re plaintiff's dep date	0.10
08/23/12	GMC	Email from Lee on plaintiff's dep dates	0.10
08/23/12	GMC	Email from Lee re second day for AS dep	0.10
08/23/12	JPF	Email from Brady re plaintiff's dep date	0.10
08/23/12	JPF	Email from Lee on plaintiff's dep dates	0.10
08/23/12	JPF	Email from Lee re second day for AS dep	0.10
09/10/12	GMC	Email response from Brady	0.10
09/10/12	GMC	Email response from Lee	0.10
09/10/12	JPF	Email response from Brady	0.10
09/10/12	JPF	Email response from Lee	0.10

09/24/12	JPF	Response from B Lee	0.10
09/26/12	GMC	Brady email re: service of process	0.10
09/26/12	JLN	Brady E-mail re: service of process	0.10
09/26/12	JLN	Response from B Lee re: adj.	0.10
09/26/12	JPF	Response email from B Brady re service of amended complaint	0.10
09/26/12	JPF	Response from B Lee	0.10
10/18/12	GMC	Review of email from B Lee asking that plaintiff withdraw opp to extra day of dep for AS	0.10
10/18/12	JPF	Review of email from B Lee asking that plaintiff withdraw opp to extra day of dep for AS	0.10
10/19/12	JLN	Read answer filed by Isak Isakov	0.10
10/19/12	JLN	Created chart summarizing differences b/w James & Yeager accounts of events at JHMC Med. ER.	1.70
10/19/12	JPF	Review of Answer to Amended Complaint from Isacov	0.75
10/22/12	JPF	Review of Amended Complaint by Bernier	0.60
11/02/12	GMC	Review of case law sent by Lee re: medical defendants liability	0.40
11/02/12	JLN	Review of case law sent by Lee re: medical defendants' liability	0.40
01/28/15	JLN	Reviewed Mauriello's motion for SJ	0.60
01/28/15	JLN	Reviewed JHMC motion for SJ	0.80
01/28/15	JLN	Legal research re: JHMC arg. for exclusion of emergency med. expert Dr. Halpren Ruder	1.60
01/29/15	JLN	Reviewed Isakov's motion for summary judgment; notes on same	0.50
01/29/15	JLN	Reviewed Dr. Bernier's motion for summary judgment; notes on same.	0.60
01/30/15	JLN	Reviewed Callan Declaration & Exhibits in Support of Motion	1.60
02/02/15	JLN	Reviewed Dep. of Dr. Halpren Rudit	0.60
02/11/15	GMC	Review of summary judgment motions and exhibits	2.50
02/11/15	JLN	Reviewed JHMC memo in opp to SJ	0.30
02/11/15	JPF	Berniers counter 56.1 statement	0.80
02/11/15	JPF	Review of declarations from City, Berniers, Isacov, & JHMC w/ accompanying exhibits	1.40
02/12/15	JPF	Review of 56.1 counter statements from JHMC, City, Mauriello, & Isacov	2.30
02/13/15	GMC	Review of letter by Ryan Shaffer requesting more time for reply and 2 week adjournment of trial	0.10
02/13/15	JLN	Reviewed JHMC Mem. of Law in opp to Pl. mot for SJ	0.30
02/13/15	JLN	Review of letter by Ryan Shaffer requesting more time for reply and 2 week adjournment of trial	0.10
02/13/15	JLN	Reviewed Bernier Opp to PH. SJ motion	0.50
02/19/15	NB	Read deposition transcript of Dhar; digested same	0.60
03/04/15	JLN	E-mail to Scott Korenbaun ("SK") regarding jury charges, including 1 st amended complaint; subst. due process, malpractice and MH 9.39	0.20
03/05/15	JPF	Research on prior litigiousness exclusion	3.10
03/08/15	JLN	Reviewed transcripts of Dr. Dhar and Dr. Lwin; took notes re: same	1.90
03/10/15	JPF	Research on ultimate issue, bolstering w/ prior litigation for Bernier	3.25
03/13/15	JLN	Review of proposed jury instructions from SK	0.50

03/19/15	JLN	E-mail exchange with GC regarding Jamaica	0.10
03/19/15	JLN	Started review of NYPD Psychological Evaluation Section ("PES") file for AS; notes on same.	2.10
03/24/15	JLN	E-mail exchange with SK regarding issues requiring special jury charges	0.20
03/29/15	JLN	Reviewed Dr. Halpren's Ruder's report; highlighted same	0.30
03/29/15	JLN	Reviewed narrative reports of defense experts Dr. Levy, Dr. Tancredi, Dr. Dolger, & Dr. Dowling; prepared bullet point summary of key points from each report; cross-referenced with plaintiff expert, Dr. Lubit's report.	4.20
04/02/15	GMC	Review of SK jury instructions along with email re: same	0.30
04/03/15	GMC	Review of revised Scott Korenbaum ("SK") jury instructions along with email re: same	0.25
04/03/15	JLN	Review of revised SK jury instructions	0.20
04/06/15	GMC	Review of revised SK jury instructions along with email re: same	0.25
04/06/15	GMC	Phone call with NS & JN regarding exhibit list, verdict sheet, important points for opening regarding Bernier and Isakov and failure of med departments to speak with IAB	1.00
04/06/15	JLN	T/c with NS & GC regarding exhibit list, verdict sheet, important points for opening regarding Bernier and Isakov and failure of med departments to speak with IAB	1.00
04/06/15	JPF	Review of revised SK jury instructions	0.90
04/07/15	JLN	E-mail from JL re: Halpren's dep testimony re: his daughter and need to add this to MIL	0.10
04/08/15	JLN	Continued adding sections to opening, focusing on Mental Health Law & 9.39, as well as med mal claims against hospital	1.30
04/14/15	GMC	Email correspondence with SK re: Jury instructions	0.10
04/14/15	JLN	Reviewed e-mails and attachments from SK regarding latest versions of jury charges	0.20
04/14/15	JLN	T/c w/ SK regarding adjournment of trial and status of jury charges	0.20
06/05/15	NB	Read deposition transcript of Halpren-Ruder; digested same	0.80
06/05/15	NB	Read deposition transcript of Lubit; digested same	1.10
06/22/15	GMC	Review of email correspondence re: opposition to reconsideration motions	0.25
06/22/15	JLN	E-mail from NS to defense counsel seeking an additional week for opposition to reconsider	0.10
06/22/15	JLN	T/c w/ AS & LS re: case status, pending motion for reconsideration & impact on case if we cannot call Dr. Halpren as witness	0.90
06/24/15	JLN	Review of E-mail correspondence w SK re: motion schedules	0.10
07/13/15	GMC	Review of JHMC to NS motion for recon	0.30
07/13/15	JLN	Read opposition brief to Plaintiff's motion for Reconsideration filed by JHMC	0.10
07/13/15	JLN	Review of JHMC to NS motion for recon	0.30
08/07/15	GMC	Review of Bernier and Jsakov proposed JPTO sections	0.50
08/07/15	JLN	E-mail from NS re: Bernier & Isakov JPTO	0.10



08/13/15	JLN	Reviewed portion of opening outline regarding MHL 9.39 and Bernier decision to involuntary commit; reviewed section relating to QAD; reviewed section regarding harrassment upstate	1.40
<b>Smith Group</b>			
08/23/13	NBS	Meeting with Magdalena re legal research on state action; telephone call with Jon Lenoir re: status.	1.50
09/27/13	NBS	Appearance for examination before trial of defendant and prepare for same.	9.00
03/29/13	NBS	Review of discovery; review of letter re gag order; telephone call to client; email team; call to Peter Gleason; telephone G. Rayma.	7.50
03/30/13	NBS	Review of gag order cases (1.5); conference with team (1.0).	2.50
03/31/13	NBS	Review of cases on gag order.	3.50
04/09/13	NBS	Continued review of discovery(4.0); MHL on emergency hospitalization; meeting with potential expert re: medical malpractice issues (1.5); meeting with John re: motion; telephone call to Walker re: same.	6.50
06/06/13	NBS	Review of emails; review of proposed order; review of notes on defendant's examination before trial; email co-counsel; prepare for meeting with experts.	1.80
06/07/13	JL	Meeting with potential expert witnesses, Dr. Tom Litwack, Dr. Eli Silverman and Dr. John Eterno; introduction of Nat Smith to experts	2.50
06/07/13	NBS	Review of Queens D.A. files (20); meeting with John Lenoir and potential experts on NYPD and dangerousness (2.0); telephone client re: motion for stay of NYPD	4.50
08/06/13	HS	reviewed Jamaica Hospital's doc exchange	1.50
08/07/13	JL	Meeting with trial illustrator (11am-1pm). Meeting with potential expert witness, Dr. Tom Litwack - (3pm-5pm).	3.50
09/27/13	JL	Co-counsel with Smith in representation of client at deposition of client by defendant Mauriello and Jamaica Hospital defendants - Callan, Koster, Brady & Brennan, LLP - One Whitehall Street, 10th Floor New York, NY 10004.	9.00
10/16/13	NBS	Prepare for court appearance; appear before Judge Sweet on various motions (3.2); conference with trial team; telephone call with Howard Suckle re: status and medical defendant's examination before trial; email to client.	4.50
10/18/13	NBS	Telephone conference with client; review of medical documents responses; email opposing counsel re: status of production.	1.80
10/27/13	NBS	Research on dangerous assessment.	3.00
10/28/13	HS	performed research on video tape depositions	2.50
10/28/13	HS	reviewed motion by medical deft re; video depo/6 emails	3.50
10/28/13	NBS	Telephone conference with client re: status; emails re: schedule and video objections.	0.80
10/29/13	HS	emails to team re: motion for video dep/ research	1.00
10/29/13	NBS	Preparation for examination before trial of Mauriello; review of research on video use conference with 10-10.	5.80

11/13/13	HS	Appeared for SDNY motion: re video depositions	1.25
02/18/14	NBS	Review of examination before trial for discovery letter; emails reference defendant's examination before trial and Norinsberg termination letter; request JHMC provide and produce the two EMT's.	3.80
02/19/14	NBS	Telephone conference with co-counsel (HS) reference medical case; state action; pro and sub due process; review of emails reference discovery status; telephone call to John Lenoir reference same.	2.50
02/21/14	NBS	Review of cited psychiatric journals.	2.50
03/16/14	MB	Research and draft NYPD proposed jury instructions; draft conspiracy and state action charges.	5.88
04/02/14	MB	Research re: possible medical experts.	6.50
04/03/14	MB	Memo to counsel re: possible medical expert Dr. Peter Stastny, MD.	5.53
04/07/14	JL	Review filings (ECF posts) and correspondence.	1.50
04/13/14	JL	Meet possible Psychiatric expert Dr. Lubit; review case and discuss Dr. Lubit's participation.	2.75
04/13/14	NBS	Prepare for and meet with potential expert (Roy Lubit).	4.50
04/15/14	JL	Review ECF filing by JHC defendant.	0.50
04/18/14	JL	Research on detention verdicts (.75), discussion and planning re: settlement (1.00); telephone call with defense counsel (.50). Tel conf with client and Smith (.75)	3.00
04/18/14	NBS	Various telephone calls with John Lenoir; telephone client; review of decisions on involuntary hospital and damages.	3.50
04/23/14	NBS	Drafting opposition to Jamaica Hospital motion for protective order; prepare for and attend examination before trial of Bernier	8.50
04/24/14	NBS	Prepare for Sawyer examination before trial (3.0); revise opposition to Jamaica Hospital protective order motion.	3.50
04/27/14	JL	Telephone conference with client re: settlement and trial strategy re: medical defendants and PTS.	1.50
04/29/14	NBS	Review of state motion cases; meeting with co-counsel; call to client.	2.50
04/30/14	JL	Schoolcraft hearing with Judge Sweet re: discovery (.75); post hearing consultation with Smith and Henry Steinglass re: trial strategy (2.75).	3.50
04/30/14	NBS	Appearance in court on JHMC motion for protective order and Adrian's motion to strile Mauriello counterclaims reference (2.2); prepare for same; lunch meeting with team and colleague of John's re: case.	3.80
05/01/14	JL	Conference with Smith re: prior counsel fees/expenses; brief client on settlement issues; research re: use/abuse of psychiatry for political intimidation and retaliation.	1.75
05/02/14	JL	Review and conf (all counsel) with re: deposition schedules; review case law re: settlement (range of awards of involuntary confinement, false arrest..).	1.75

05/08/14	NBS	Prepare for conference; attend to conference with Magistrate Freeman re: settlement: hospital defendant have no pay status and City willing to continue discussions, email client re: status; revising letter to Judge; review of opinion on Mauriello counterclaim/motion to strike Plaintiff (0.5); research on law enforcement privileged (1.0).	4.50
05/11/14	JL	Consultation by telephone with Dr. Halpern-Ruder re: EMT and ER procedures as potential expert witness; review correspondence with client.	2.00
05/12/14	JL	Preparation/conduct w/Smith EBT of Sgt Shantel James; EBT Sgt James 10am-3:30pm; review of EBT; follow up with Dr. Halpern-Ruder; EMT/ER expert.	7.00
05/29/14	MB	Draft summary of Weiss deposition send to counsel; prepare for JHMC 30(b)6 depositions on policy; review Beiner's depo transcript; draft questions.	6.70
05/30/14	JL	Review w/co-counsel EBT Jamaica Hospital 30(b)(6); Skype conference with client (:30).	1.50
05/30/14	NBS	Prepare for and take examination before trial of Jamaica Hospital (Maffia)	4.50
06/11/14	JL	(with Smith) Prepare and meet with Dr. Dan Halpern-Ruder in Providence RI re proposed EMT and ER expert.	4.00
06/11/14	NBS	Travel to Rhode Island and meet with Dr. Dan re: ER expert.	6.50
06/12/14	JL	Return drive POV (Lenoir's) to 111 Broadway NYC from Providence, RI for meeting with Dr. Dan Halpern proposed EMT and ER expert.	2.00
06/12/14	NBS	Continue meeting with Dr. Dan re: ER expert; review parts of PX69 and home invasion recording with expert; revised and drafted discovery demand; travel back to New York.	5.50
06/26/14	JL	Telephone conference with client, co-counsel and psychiatric expert re: meeting with client; call with co-counsel re: examination before trial scheduling.	2.00
06/27/14	JL	Meeting (telephone conference) with client; co-counsel and expert re: evaluation by psychiatric expert.	2.50
06/28/14	NBS	Review of Mauriello examination before trial; review of Lubit affirmation in Monaco.	4.50
06/29/14	JL	Telephone conference with client; co-counsel and expert (Lubit) re: scheduling of evaluation meeting.	1.00
06/30/14	JL	Meeting with client (2.00); arrange meeting with psychiatric expert (2.00); conference with Dr. Lubit; call with client re: evaluation (1.25).	5.25
07/06/14	NBS	Prepare for Jamaica Hospital ebt (Dhar) on policy issue.	3.80
07/07/14	JL	Prepare for and attend deposition as co-counsel; and review; 30(b)(6) witness to testify about JHMC's policy on involuntary hospitalization.	4.50
07/07/14	NBS	Take and prepare for Jamaica Hospital examination before trial.	7.50
07/10/14	JL	Consultation and negotiation with psych and law enforcement experts; revise retainer agreements.	2.25
07/18/14	JL	Prepare, do, and review telephone call with MD expert;	2.50

		client and co-counsel.	
07/18/14	MB	Team conference call with expert Dr. Halpren.	2.00
07/18/14	NBS	Review of prior arguments and submissions discussions outstanding; conference with Dr. Halpern and team.	3.50
07/28/14	NBS	Review of Dr. Lwin examination before trial; review letter from Jamaica Hospital.	1.20
07/30/14	JL	Telephone conference with Smith and LE experts re repost	0.75
07/30/14	NBS	Telephone conference with John and Eli re: expert report.	0.80
07/31/14	JL	Preparing letter to Court; tel conf w/Smith and LE experts	1.50
07/31/14	MB	Team conference call with experts, Halpern-Ruder and Dr. Lubit.	1.50
07/31/14	NBS	Review of earlier Silverman book on NYPD (2.8); drafting letter to Judge Sweet; review of letter re: outstanding; telephone conference with trial team and Dr. Lubit and Dr. Halpern.	5.50
08/06/14	MB	Conference call with Nat re: defendant's objection to video; new assignments.	0.50
08/06/14	NBS	Telephone conference with Mag Bauza to do list; meeting with John Lenoir re: same; revise letter to Court re: video objection.	1.50
08/08/14	NBS	Review of reports of experts (police and ER); review of record from psychiatric experts.	3.50
08/09/14	JL	Confer w/Smith re: expert reports; conference call with LE experts.	2.00
08/09/14	MB	Review and analyze Dr. Lubit's expert report.	3.13
08/10/14	HS	reviewed expert report and emailed team re: expert report	1.50
08/10/14	JL	Review expert reports; conference calls with psychiatric expert.	2.50
08/10/14	MB	Team conference call with Dr. Lubit re testimony.	1.25
09/02/14	NBS	Meeting with co-counsel; review of decisions on discovery; emails re: scheduling with experts; telephone call with Roy Lubit re: same.	1.50
09/04/14	JL	Schedule of expert depositions (.75); review defendants letter motion re: expert reports and depositions (1.25); prepare for expert depositions (1.50).	4.50
09/04/14	MB	Search for missing case citations for Dr. Lubit's prior expert testimony.	2.32
09/16/14	JL	Reivew and consult re: expert discovery.	2.50
09/16/14	NBS	Telephone conference with experts; conference with co-counsel; emails re: schedule with all counsel.	1.80
09/18/14	NBS	Prepare for examination before trial; telephone call with Walter Kretz; telephone conference with Roy Lubit; review of expert reports served today and with co-counsel.	3.50
09/20/14	MB	Review Medical defendants expert reports; review expert Tancredo's deposition transcripts.	4.62
09/20/14	NBS	Review of medical expert reports by Jamaica Hospital Medical Center; Bernier and Isakov.	2.20
09/21/14	JL	Prepare ER expert for examination before trial; confer	2.75

		w/Smith re med experts.	
09/21/14	MB	Team meeting with Dr. Lubit re: deposition prep.	4.00
09/21/14	NBS	Meeting with John Lenoir and Mag Bauza; meeting with Lubit re: examination before trial preparation.	3.50
09/22/14	JL	ER and Psych Expert deposition preparation (2.00); review defendants' expert reports (2.00).	4.50
09/23/14	JL	Expert deposition with Dr. Lubit at MCB 220 East 42nd Street, NYC.	7.50
09/23/14	NBS	Prep for and attend examination before trial of Roy Lubit; call to court re: schedule.	8.00
09/24/14	JL	Expert deposition: Review Lubit deposition; review defendants' expert reports; prepare for LE experts.	1.50
09/24/14	NBS	Telephone conference with Roy Lubit; telephone call with John Lenoir; review of emails; letter to court re: motion by city.	1.70
09/25/14	JL	Discuss and prepare documentation for LE Expert depositions.	2.00
09/29/14	JL	Prepare (w/Smith) Dr. Halpern-Rudger for examination before trial at 330 East 42nd Street, NYC.	2.00
09/29/14	NBS	Meeting with Dr. Halpern Ruder and John Lenoir; prepare for examination before trial; review of CompSTAT notes.	5.80
09/30/14	JL	Expert deposition with Dr. Halpern-Ruder at MCB.	7.50
09/30/14	NBS	Appear for and defendant Ruder examination before trial; prepare for conference the following day; review of CompSTAT notes.	8.90
10/02/14	NBS	Email re: scheduling Silverman and Lubit; conference call with John Lenoir and Mag Bauza re: trial prep review of CompStat notes.	4.50
10/08/14	NBS	Review of Floyd record; research on witness list issues; telephone call with Dr. Dan Halpern; email correspondences Silverman and Eterno.	7.50
11/07/14	NBS	Meeting with S. Korenbaum; emails re: status; telephone call with Dr. Lubit.	2.20
11/10/14	JL	Defend with Smith Lubit examination before trial	4.00
11/10/14	NBS	Telephone conference with Dr. Lubit; attend and defend examination before trial of Dr. Lubit at Martin Clearwater; review of draft Amended Complaint; research, on 4th Amendment warrantless entry (1.5)	5.20
11/13/14	JL	Lubit deposition continued (defend plaintiff psych expert with Smith).	5.50
11/13/14	NBS	Appear and defend Dr. Lubit; conference re: examination before trial with witness.	5.50
11/20/14	JL	Follow up re: Lubit deposition and prep materials for trial testimony.	1.00
11/21/14	NBS	Emails re: Lubit; review of Azira files	2.50
12/03/14	MB	Review final draft memo of law in support of Motion to Amend; Begin research for summary judgment arguments; analyze Second Circuit summary judgment decisions re due process and dangerousness in context of civil commitment; false imprisonment claims.	6.50
01/04/15	NBS	Reading Mauriello and JHMC motions and case law.	8.20
01/05/15	JL	Review of summary judgment motion; prepare response.	4.50
01/05/15	MB	Review Medical defendants summary judgment	6.00

		motions; research cited caselaw; conference with Nat re: motions.	
01/05/15	NBS	Review of motions; review of recent production by City (videos and EIU file); conference with John Lenoir and Mag Bauza re: motions.	5.50
01/07/15	MB	Prepare for opposition papers; draft Medical Defendants' summary judgment issues; analyze cited caselaw.	6.50
01/08/15	MB	Meeting with Nat re: Medical Defendants summary judgment issues; conduct research on issues.	5.50
01/12/15	MB	Research Medical Defendants summary judgment issues; draft the state action issue; analyze McGugan v. Aldana-Bernier and Doe.	5.55
01/14/15	MB	Research Medical Defendant's summary judgment motion issues; respondeat superior, vicarious liability; apparent authority.	5.40
01/15/15	MB	Research Medical Defendant's summary judgment issues; review Dr. Lubit's Report for establishing the standard of care.	7.10
01/16/15	MB	Continue research on Medical Defendants summary judgment issues; research applicable standard of care; analyze "substantially below" legal standard; review defendants deposition summaries.	6.70
01/21/15	MB	Continue research on defendants summary judgment issues; conspiracy/joint activity state action liability.	7.00
01/22/15	MB	Research re: intracorporate conspiracy doctrine.	6.75
01/29/15	MB	Research intentional infliction of emotional distress claim.	4.70
02/05/15	MB	Continue to research Medical Defendants Memo in Opposition issues; research defendant's argument of legal justification to confine plaintiff under EMTALA.	6.50
02/05/15	NBS	Drafting opposition brief.	7.50
02/06/15	JL	Research and draft Summary judgment motion.	7.50
02/06/15	MB	Draft opposition to Medical Defendants summary judgment arguments.	5.60
02/06/15	NBS	Drafting opposition papers.	9.50
02/06/15	JM	Email regarding summary judgment to City reponse	0.09
02/07/15	MB	Draft opposition to Medical Defendants summary judgment arguments.	7.50
02/07/15	NBS	Drafting opposition to Jamaica Hospital and doctor motion.	7.80
02/08/15	JL	Preparation in opposition to defendants summary judgment motion.	8.50
02/08/15	MB	Call with Nat discuss current status on JHMC opposition issues.	0.50
02/08/15	NBS	Drafting opposition to Dr. Bernier and Dr. Isakov's motions; conference with John Lenoir; telephone call with Mag Bauza.	9.50
02/09/15	JL	Summary Judgment motions; confer w/Smith re prepare in opposition to motions and response to Rule 56.1 Statement.	9.50
02/09/15	MB	Call with Nat re: progress on research Medical defendants issues.	0.50
02/09/15	NBS	Drafting opposition motion; conference with John	10.50

		Lenoir (.5) telephone call with Mag Bauza; drafting 56.1 opposition; telephone conference with Brian Lee re: Isakov claims (0.2).	
02/10/15	JL	Prepare memorandum in opposition to defendant's motions for summary judgment and Rule 56.1 Statement.	8.50
02/10/15	MB	Draft opposition to JHMC summary judgment motions.	2.80
02/10/15	MB	Draft opposition to JHMC summary judgment arguments.	4.60
02/10/15	NBS	Opposition motion ; telephone conference with Ryan Shaffer; telephone call with Jon Norinsberg, email client.	12.50
02/11/15	JL	Review and edit of opposition to defendant's summary judgment motion.	6.50
02/11/15	MB	Review/edit second draft of Motion in Opposition.	3.75
02/11/15	MB	Review and track proposed changes on first draft of Motion in Opposition.	5.65
02/23/15	MB	Draft issues re: reply to Medical defendants memo in opp.	7.00
02/24/15	MB	reply to Medical defendants memo in opp.	7.20
03/25/15	JL	Review of of trial preparation - especially Lubit Direct Outline.	2.50
03/28/15	MB	Draft proposed jury instructions for claims against Medical Defendants; draft charges for medical malpractice and other state claims.	6.60
03/29/15	MB	Draft proposed jury instructions for Medical Defendants; draft state false imprisonment charge.	5.70
03/30/15	JL	Trial preparation; expect witness direct - Eterno, Lubit, Halpren-Ruder.	6.00
03/31/15	JL	Prepare trial examination - Eterno, Lubit, and Halpren-Ruder.	6.50
03/31/15	MB	Draft proposed jury instructions Medical Defendants; draft corporate negligence charge.	5.50
04/01/15	MB	Draft proposed jury instructions for claims against Medical Defendants; draft charge re: the stigma of an involuntary commitment; charge instructing requirement of a sufficient investigation of dangerousness; damages	5.70
04/03/15	MB	Combine NYPD and Medical Defendants Jury Instructions.	3.95
04/06/15	MB	Combine NYPD and Medical Defendants Jury Instructions.	6.33
04/06/15	NBS	Email team; telephone call to Scott Korenbaum re: jury change; prepare Isakov cross.	2.50
04/07/15	JL	Prepare trial testimony for Halpren-Ruder; review jury instructions and motion.	4.25
04/08/15	JL	Review of trial exhibits for expert witnesses Eterno and Halpren-Ruder; prepare expert testimony for Halpren-Ruder.	3.00
04/08/15	MB	Revise jury instructions Medical Defendants incorporating Nat's edits; conference w/ team.	5.80
04/10/15	JL	Prepare expert trial testimony for Halpre-Ruder; expert witness preparation for Lubit.	4.25

04/28/15	JL	Telephone conference with Nat Smith; call to Roy Lubit re: trial schedule.	1.25
05/07/15	NBS	Review of decision; telephone call with opposing counsel (Brian Lee) re: state medical malpractice sliding scale issues and status.	1.30
05/13/15	NBS	Telephone conference with Dr. Lubit re: status and trial date; telephone call to Dr. Eterno re: status and trial date.	0.70
06/22/15	JL	Discussion re: opposition to city & summary motions to reconsideration (Nat Smith).	0.75
07/14/15	JL	Review / research of JHMC Opposition Memo re: Halpren-Ruder.	0.20
07/15/15	JL	Prepare response to defendant JHMC Memo in Opposition to motion for reconsideration re: expert Halpren-Ruder.	5.50
07/20/15	JL	Draft opposition to JHMC Memorandum re Medical Expert Halpren-Ruder.	5.00
07/22/15	JL	Prepare Response to JHMC Opposition to Plaintiff Medical Expert.	4.25
07/23/15	JL	Research and draft Memo In Response to JHMC opposition memo;	7.50
09/08/15	NBS	Telephone conference with JN; tc A Schiener (several times) re settlement; email all counsel re JPTO and new exhibits added; tc B Osterman re request to discontinue against JHMC (less than 6 figures)	3.50
<b>Gleason Group</b>			
03/29/13	Gleason	Phone conv. with NS, re: gag order.	0.50
03/29/13	Gleason	E-mail from NS, re: enclosed letter from Hosp. Defendant to Judge concerning press, review of same	0.50
04/02/13	Gleason	ECF notice, re: Hospital letter to judge.	0.125
04/08/13	Gilbert	TC's with PG regarding appearance SDNY re: gag order & other relief; review of papers in support and opposition to relief	.30
04/08/13	Gilbert	TC's with PG regarding appearance SDNY re: gag order & other relief; review of papers in support and opposition to relief	2.50
04/10/13	Gleason	Court Appearance, and subsq. Meeting with legal team.	3.50
04/11/13 <sup>1</sup>	Gilbert	Appearance SDNY oral argument	2.00

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<sup>1</sup> ASI notes that there was no hearing on April 11, 2013 in the Litigation. ASI has assumed that this date was in error and Mr. Gilbert was present for the oral argument on the Gag order.



## EXHIBIT 4

<b>Norinsberg Group</b>			
06/18/10	GMC	Meeting w/Jon Norinsberg (JN) and Joshua Fitch (JF) re: Schoolcraft coming to our office and retaining for lawsuit	0.80
06/18/10	JLN	Meeting w/ Gerald Cohen ("GC") and JF re: Schoolcraft coming to our office for interview	0.80
06/18/10	JPF	Meeting w/JN and Gerald Cohen ("GC") re: Schoolcraft coming to our office and retaining for lawsuit	0.80
06/24/10	JLN	Travel back to NYC (3.2)	1.60
06/24/10	JLN	Traveled to Johnstown to meet prospective Client Adrian Schoolcraft (3.6)	1.80
06/24/10	JLN	Initial client meeting & interview with AS in Johnstown	7.40
06/25/10	GMC	Drafted retainer for Schoolcraft	0.60
06/25/10	JLN	Sent GC information for retainer; forwarded retainer to AS; forwarded signed retainer back to GC	0.10
06/25/10	JPF	Review of Schoolcraft retainer	0.25
06/25/10	NB	Prepared Substitution of Attorney for taking case over from JM	0.20
06/25/10	NB	Saved retainer signed by client to file	0.10
06/28/10	GMC	Review of correspondence w/Jonathan Moore re: AS	0.10
06/28/10	GMC	Discussion with JN, JF & Adrian Schoolcraft (AS) re: prior counsel Jonathan Moore	0.30
06/28/10	GMC	Discussion with JN and JF re retainer & meeting with Schoolcrafts	1.25
06/28/10	JLN	Review of correspondence w/Jonathan Moore re: AS	0.10
06/28/10	JLN	Discussion with JF & Adrian Schoolcraft (AS) re prior counsel Jonathan Moore	0.30
06/28/10	JLN	Discussion with JF and GC re retainer & meeting with Schoolcrafts	1.25
06/28/10	JPF	Discussion with JN, GC & Adrian Schoolcraft ("AS") re: prior counsel Jonathan Moore	0.30
06/28/10	JPF	Discussion with JN and GC re retainer & meeting with Schoolcrafts	1.25
06/28/10	NB	Faxed Substitution of Attorney to Jonathon Moore; mailed same via regular mail	0.20
06/28/10	NB	E-mailed Substitution of Attorney and Signed retainer Agreement to J LN	0.10
06/29/10	GMC	Discussion with JN & JF re substitution of counsel Moore	0.25
06/29/10	GMC	Correspondence w/JN re: Jonathan Moore	0.25
06/29/10	JLN	Discussion with JF & GC re substitution of counsel Moore	0.20
06/29/10	JLN	Correspondence w/ GC re: Jonathan Moore substitution	0.20
06/29/10	JLN	Drafted correspondence to Jonathan Moore	0.30
06/29/10	JPF	Discussion with JN & GC re substitution of counsel Moore	0.25
11/12/12	JLN	Phone call with LS and AS re: continuing atty client relationship	0.75
11/13/12	GMC	Correspondence from City re rep of AS	0.10
11/13/12	GMC	Various correspondence confirming termination of representation with the parties	0.25
11/13/12	GMC	Confirming with JF w/AS on the phone that he is terminating representation	0.30
11/13/12	JPF	Correspondence from City re rep of AS	0.10

11/13/12	JPF	Confirming with GC w/ AS on the phone that he is terminating representation	0.30
11/14/12	GMC	Receipt and review of letter terminating our representation of AS	0.10
11/14/12	JLN	Tennination letter from AS	0.10
11/14/12	NB	Scanned and e-mailed AS Letter of Termination in file; filed same in computer file and hard file	0.25
11/15/12	GMC	Review and signed letter to court informing we no longer represent AS	0.25
11/15/12	NB	Made changes and formating edits to letter to Judge Sweet regarding being relieved as counsel and filed same with Court	0.60
11/26/12	GMC	Review of correspondence to AS enclosing files	0.25
01/22/15	JLN	Call from LS re: reentering case as lead counsel	0.75
01/23/15	GMC	Call w/JN and JF about taking over case again	0.80
01/23/15	JLN	T/c w/GC re: potentially re-entering case & taking over for trial	0.70
01/23/15	JLN	F/u call w/GC and JF about taking over case again	0.80
01/23/15	JLN	T/c with Adrian re: potentially taking over as lead counsel for trial	1.20
01/23/15	JPF	Call w/GC and JN about taking over case again	0.80
01/24/15	JLN	T/c w/AS and LS re: willingness to take over again and inclusion of C & F on our trial team	0.90
01/30/15	JLN	Telecon w/ plaintiff and Larry Schoolcraft re: case status, summary of w/ deposition testimony and taking over for Nat Smith	0.75
02/02/15	GMC	Phone conversation w/JN re AS wants to rehire us	0.30
02/02/15	GMC	Discussion w/ JF & JN re representing AS again for trial	1.30
02/02/15	JLN	Further discussion w/ GC & JF rejoining team to represent AS for trial	1.30
02/02/15	JPF	Discussion w/ GC & JN re representing AS again for trial	1.30
02/04/15	GMC	Review of email from Nat Smith ("NS") acknowledging and logistics of represetation	0.10
02/04/15	GMC	Discussion w/ JN & JF re scheduling a meeting w/ NS to discuss case status and trial prep	0.25
02/04/15	GMC	Phone call w JN and JF re: pending trial strategy and misc.evidentiary issues, and setting up meetng to discuss same in greater detail	0.90
02/04/15	GMC	Read and reviewed email from AS re: rehiring us	0.30
02/04/15	JLN	E-mail from AS to NS and entire team re: formally stating that we have been reinstated as lead trial counsel	0.10
02/04/15	JLN	E-mail from NS acknowledging Adrian Schoolcraft e-mail and suggesting mtg of entire team	0.10
02/04/15	JLN	Discussion w/ JF & GC re scheduling a meeting w/ Nat Smith ("NS") to discuss case status and trial prep	0.25
02/04/15	JLN	T/c GC & JF re: pending trial strategy and misc.evidentiary issues, and setting up meetng to discuss same in greater detail	0.90
02/04/15	JLN	T/c AS & LS re: case status, SJ motions and trial strategy and next steps for moving forward	1.10
02/04/15	JPF	Email AS confirming our rep w/ current counsel	0.10
02/04/15	JPF	Email from Nat Smith re logistics of representation	0.10
02/04/15	JPF	Discussion w/ JN & GC re scheduling a meeting w/ Nat Smith ("NS") to discuss case status and trial prep	0.25
02/05/15	GMC	Phone call w. JN re: updates on discussion with Nat Smith, records and transcripts provided by Adrian and goal to streamline case for trial	0.50
02/05/15	JLN	T/c w. GC re: updates on discussion with Nat Smith, records and transcripts provided by Adrian and goal to streamline case for trial	0.50

02/11/15	JPF	2nd confirmation email from AS that we have been officially retained again to represent AS in this case	0.10
02/20/15	GMC	Phone call JN regarding summary of today's meeting	0.20
02/20/15	GMC	Meeting w/ JN and JF before meeting with Nat Smith to discuss how we are going to proceed at meeting	1.00
02/20/15	GMC	Meeting w/ TEAM to discuss trial strategy, division of Labor, motions	3.50
02/20/15	JLN	T/c GC regarding summary of today's meeting	0.20
02/20/15	JLN	T/c with AS & LS re: overview of today's meeting and strategic issues that came up	0.75
02/20/15	JLN	Meeting with GC & JF prior to today's meeting with NS to go over legal issues to discuss	1.00
02/20/15	JLN	Meeting w/ NS and JL regarding overall trial strategy and specific evidentiary issues and motions in limine, verdict sheet and Monell theories against JHMC and the City and allocation of trial responsibilities	3.50
02/20/15	JPF	Meeting w/ JN and GC before meeting with Nat Smith to discuss how we are going to proceed at meeting	1.00
02/20/15	JL	Prepare for meeting with new trial team; meet with Norinsberg trial team; and review draft of trial memo.	4.50
02/20/15	JPF	Meeting w/ TEAM to discuss trial strategy, division of labor, motions	3.50
04/07/15	GMC	Review and discuss NS letter to court re: delay of trial and announcing our rehiring w/JN	0.30
08/03/15	JJM	Watch documentary on Schoolcraft case to get feel for case & issues	0.30
08/03/15	JJM	Mtg. w/ Jon L. Norinsberg re: new role in schoolcraft case	0.50
<b>Smith Group</b>			
02/03/13	NBS	Telephone conference with Peter Gleason; review of docket complaint and decision by J. Sweet.	2.50
02/07/13	NBS	Meeting with Adrian Schoolcraft; Peter Gleason and John Lenoir re possible representation.	2.50
02/08/13	NBS	Telephone conference with Peter Gleason re taking on new case	0.30
02/13/13	NBS	Telephone conference with Peter Gleason; telephone to Richard Guilbert re status.	0.50
02/14/13	NBS	Telephone conference with client; review of Floyd decision; meeting with client and team.	3.50
02/15/13	NBS	Review of files from counsel; review of pleadings; telephone call to co-counsel twice; review of penal code.	2.20
02/16/13	JL	Review of case history and complaint; document preparation for presentation to DOJ	3.50
02/17/13	NBS	Review of boxes from client and Guilbert.	2.50
02/18/13	NBS	Review of decisions of file; review of production.	3.50
02/20/13	MB	Team meeting; meet with Norinsberg and new team.	4.50
02/20/13	NBS	Meeting with co-counsel; prepare subpoenas	0.80
02/21/13	MB	Initial meeting with Gleason and Jeremy Skeham	2.00
02/24/13	NBS	Travel with Peter Gleason to meet defendant and his father in Saugerties, NY.	5.20
02/27/13	NBS	Review of file; prepare summons for amended complaint; file Summons with SDNY clerk; attempt service of same on Law Dept; telephone call to Peter Gleason re status of serving 5 remaining defendants.	2.80
02/28/13	NBS	Review of examination before trial; prepare subpoena; prepare	3.50

		Notice of Appearance.	
03/02/13	NBS	Review of Section 1983 and 242 issues and jury instructions for various theories of the case.	5.00
03/05/13	MB	Meeting with Peter Gleason re: coming on board the Schoolcraft team.	3.00
03/05/13	NBS	Telephone conference with client re Justice letter and Chris Dunn three times; review of discovery record.	2.50
03/07/13	NBS	Review of file; meeting with client and Peter Gleason; review of new matter.	3.80
03/09/13	MB	Meeting with Peter and Nat re briefing of the case.	3.00
03/09/13	NBS	Meeting with co-counsel and intern in reference to status.	2.50
04/07/13	MB	Meeting with Adrian and team in Saugerties (travel to and from meeting 4 hours).	6.00
04/07/13	NBS	Meeting at upstate with' team.	6.60
07/31/13	HS	meeting with Nat Smith to review role and case	2.50
02/20/15	JL	Prepare for meeting with new trial team; meet with Norinsberg trial team; and review draft of trial memo.	4.50
02/20/15	NBS	Meeting with John Lenoir and Mag Bauza; meeting with Jon Norinsberg and his group (Gerald Cohen and Joshua Fitch).	4.80
<b>Gleason Group</b>			
11/16/12	Gleason	Meeting with my colleague Richard Gilbert, Esq. (RG), Retired NYPD 2nd grade Detective (D2) and Larry Schoolcraft (LS) to discuss Adrian Schoolcraft's (AS) claim against the City of New York.	6.00
11/16/12	Gleason	Travel to and from NYC Office to Catskill, NY. Upon Return to NYC Office review of documents provided by LS. (Travel at 1/2 hr. rate)	8.00
11/16/12	Gilbert	Meeting with my Gleason, Esq. (PG), Retired NYPD 2nd grade Detective (D2) and Larry Schoolcraft (LS) to confer on merits of claim Filed by Adrian Schoolcraft (AS) against NYC, Jamaica Hospital & other medical defendants Review of documents provided by LS.	14.00
11/18/12	Levine	Review of Larry Schoolcraft (LS) documents re: son's case; confer with RG re: evaluation potential strategies for Adrian Schoolcraft (AS) litigation	3.50
11/18/12	Gilbert	Further review of documents provided and tc's with PG relating to AS. Conferred with Harvey Levine (HL) re: merits of claim and potential strategies for litigation	5.50
11/19/12	Gleason	Meeting with RG, and follow phone conversation with AS to discuss strategy of case, drafting of the retainer and setting up next meeting with AS.	1.50
11/19/12	Gleason	Phone conv. with Nathaniel Smith, Esq. (NS) to discuss potentially working on this matter.	0.50
11/19/12	Levine	Further review of LS documents, ECF filings including pleadings & internet materials Meeting with RG to discuss case & strategy relative to further AS and LS contact	4.50
11/19/12	Gilbert	Meeting with PG to discuss case parameters & strategy relative to further AS and LS contact. & impact of LS documents provided. Confer with Confer with HL re: PG discussion & strategy	2.50
11/22/12	Levine	Conf. with RG & PG regarding meeting with AS & LS on moving forward, litigation strategies and client management issues.	1.00
11/26/12	Gleason	Meeting with RG regarding obtaining and scheduling picking up	0.25

		Schoolcraft file from prior counsel.	
11/26/12	Levine	Conf with RG re: meeting with AS; review of documents from AS smart drive, ECF entries & documents; discuss discharge of outgoing counsel	4.50
11/26/12	Gilbert	Confer with HL re: first AS meeting; Meeting with PG regarding obtaining Schoolcraft file from prior counsel (PC); review of client's smart drive, court notes and documents filed in USDC; TC with outgoing counsel; draft of correspondence to PC	3.40
11/27/12	Gleason	E-mail from RG and follow up phone conversation with RG regarding the Schoolcraft file.	0.25
11/27/12	Gilbert	Obtained phone for client; further review of smart drive and filed documents; follow up phone conversation with PG on PC file with PG regarding the Schoolcraft file. TC with PC & follow up correspondence Forwarding Consent	2.45
11/28/12	Levine	Conf. with RG re: prior cc oushnel discharge "for cause" issues dispute over disbursements	0.45
11/28/12	Gilbert	Review of PC case disbursements claimed as prereq. for transfer of file; research on atty. discharge for cause and excessive disbursements	4.20
11/29/12	Gleason	Phone conv. with AS regarding status of obtaining his file from previous counsel and strategy moving forward.	0.75
11/29/12	Gleason	Phone conv. with RG for update on obtaining file.	0.25
11/29/12	Gilbert	Research on "cause" continued; TC & email with AS re: facts underlying "cause" forward. TC with PG on "cause"	3.00
11/30/12	Levine	Conf. with RG re: TC with co-counsel re: AS email and discharge of PC "for cause"	1.50
11/30/12	Gilbert	TC with PC re: transfer of file vs. allowable disb. Multiple TCs with PG on strategy and focus of investigation, discharge of PC "for cause" & Review of AS email and attachments; confer with HL regarding course of action	1.50
12/02/12	Gleason	Phone conv. with RG regarding correspondence to and conversation with AS's previous counsel.	0.50
12/03/12	Gleason	Phone conv. with RG regarding e-mail from AS's previous counsel.	0.25
12/03/12	Gleason	Phone conv. with AS regarding e-mail from his previous counsel, investigation and setting up another meeting.	0.50
12/03/12	Levine	Conf. with RG re: discharge/email from outgoing attorney & TC from PG and TC with AS	0.50
12/03/12	Gilbert	Phone conv. with AS regarding e-mail from his previous counsel, investigation and setting up another meeting.	0.50
12/04/12	Gleason	Phone conv. with AS regarding all aspects of his representation.	0.75
12/05/12	Gleason	E-mail from AS regarding previous counsel, phone conv. with RG and AS	1.25
12/05/12	Gilbert	Review of e-mail from AS & TC with PG re: transfer of file from PC	0.80
12/10/12	Gleason	E-mail and follow up phone conv. with RG, re: follow up with AS's prior counsel.	0.50
12/10/12	Gilbert	E-mail and TC with PG, re: file transfer/termination for cuase of PC.	0.50
12/17/12	Levine	Conf. RG & PG re: discharge for cause. vs. alternatives; review of correspondence to outgoing attorney	1.50
12/17/12	Gilbert	Additional research on discharge for cause. Conferred with HL re: merits of moving v. merits of negotiated transfer; conferred with PC reaching agreement on file transfer; draft letter	2.25

12/18/12	Gleason	Meeting with RG to facilitate picking up file from previous counsel, picked up file (6+ banker boxes) from previous counsel with RG and initial cursory review of once secured in office.	6.00
12/18/12	Levine	Conf. RG & PG re: AS file transfer Begin Inventory of files	1.50
12/18/12	Gilbert	Confer with PG prior to file transfer; travel to PC Office to effectuate transfer of 6 banker boxes of files; brief review of files at PC office.	6.00
12/21/12	Gleason	Organize and review case files.	2.50
12/22/12	Levine	Cont. inventory of contents of file conf. w/ RG re: amended complaint	2.50
12/22/12	Gilbert	Review of PG E-mail re, amended complaint Discuss with HL	0.20
12/23/12	Gleason	Review of amended complaint, memo to file.	1.50
12/23/12	Levine	Complete inventfory of AS files	3.50
12/26/12	Levine	Begin comprehensive review of transferred files & notes; pleadings & discovery	6.00
12/27/12	Gleason	Review of part of Schoolcraft file: Partial review of "Attorney's eyes only" File.	3.50
12/27/12	Levine	Continued review of AS files w/notes discovery materials	5.00
12/28/12	Levine	Continued review of AS files w/notes discvoery materials	6.00
01/02/13	Gleason	Meeting at law office of Levine & Gilbert and continued review of "Attorney's eyes Only," file.	3.25
01/02/13	Gleason	E-mails back and forth to JL re: meeting.	0.25
01/02/13	Levine	Continued review of AS files w/notes Conf. with PG & RG at office re: update on file review & discussion of "eyes only" file. continued review of file.	6.25
01/02/13	Gilbert	Meeting with HL & PG at office re: update on file review & discussion of "eyes only" file. continued review of file.	4.50
01/04/13	Gleason	Meeting with RG and continued review of File.	4.25
01/04/13	Levine	Continued review of file; meeting with PG	6.00
01/04/13	Gilbert	Continued review of file; meeting with PG	6.00
01/05/13	Gleason	Continued review of the file	4.50
01/05/13	Levine	Memo summarizing and analyzing contents	3.50
01/05/13	Gilbert	Continued review of file Memo to file.	3.50
01/06/13	Gleason	Completion of review of file from prevous counsel, Memo to file.	6.50
01/08/13	Gleason	Meeting with RG to review and discuss the review of the parts of the file reviewed by Levine & Gilbert and by PG.	3.50
01/08/13	Gleason	Phone conv. with AS, Re; update as to complete review of file (excluding review of recordings) and discussion on need for investigator to verify identity of certain individuals who were present at the, "home invasion."	0.75
01/08/13	Levine	Conf. with PG & RG reviewing analysis and Strategy going forward	3.50
01/08/13	Gilbert	Meeting with PG, HL re: file contents strategy.	3.50
01/11/13	Gleason	Meeting with VP, re: individuals presnt at, "Hone invasion."	0.75
01/17/13	Gleason	Meeting with VP, re: "Home Invasion," participants.	0.75
01/19/13	Gleason	Review of Schoolcraft audio regardings, notes to file.	4.75
01/20/13	Gleason	Continued review of Schoolcraft recordings, notes to file.	4.50
01/29/13	Gleason	Meeting with RG, FS atty.	1.50
02/06/13	Levine	Conf. RG re: expansion of legal team; and transfer of banker boxes & files to PG & Nat Smith (NS) for scanning; organizing files	1.00
02/06/13	Gilbert	Organize file for transfer to PG & Nat Smith (NS)	1.00
02/07/13	Gleason	Meeting with AS, NS, & JL, re: adding lawyers to the legal team.	2.50

02/07/13	Gilbert	Draft receipt to PG for transfer of hard copy of files For scanning for the legal team.	0.50
02/08/13	Gleason	Phone conv. with NS, re: joining legal team.	0.50
02/13/13	Gleason	Meetings with AS, meeting with RG and NS. Meeting with VP, review of file with AS.	7.50
02/14/13	Gleason	Transport file from Levin & Gilbert to Law office of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	3.50
02/14/13	Gilbert	Meeting with PG & NS at office & file transfer of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	0.50
02/21/13	Gilbert	Email to PG re: file preservation	0.25
02/26/13	Gleason	E-mail from Magdalena Bauza (MB), re: resume and her interest in working on matter.	0.125
02/27/13	Gleason	Review of e-mail from Corp. Counsel containing additional "Attorney's eyes only" documents and discussion with RG & NS.	1.25
02/27/13	Gilbert	Review of e-mail from Corp. Counsel containing additional "Attorney's eyes only" documents and discussion with PG & NS.	1.25
02/28/13	Gleason	Prepared and file notice of appearance.	0.25
03/19/13	Gleason	E-mail from NS, re: Home invasion recording.	0.125
03/23/13	Gleason	E-mail from AS, re: recording of Lt. Mascol.	0.50
03/24/13	Gleason	E-mail from NS, re: recording of Lt. Mascol	0.13

## EXHIBIT 5

<b>Norinsberg Group</b>			
06/20/10	GMC	Email from Adrian Schoolcraft (AS) re: meeting with JN	0.10
06/20/10	JLN	Read Voice articles on Schoolcraft	2.10
06/20/10	JPF	Reading Village Voice articles on; Schoolcraft and Halloween night	2.10
06/21/10	GMC	Email from AS re: Gerald Nelson	0.25
06/21/10	JLN	Read articles sent by Schoolcraft on Gerald Nelson	0.80
06/21/10	JPF	Review of articles sent by Schoolcraft on Gerald Nelson	0.60
07/01/10	NB	Calendared JLN meeting with Justice Dept. re: Schoolcraft	0.10
07/02/10	GMC	Phone call w/Eric Schneiderman staff re: Schoolcraft	0.30
07/02/10	JLN	Reviewed media stories & news articles provided by AS; notes re: same	4.20
07/04/10	JLN	Read e-mails from A. Schoolcraft re: articles on Mauriello and Palestro	0.25
07/05/10	JLN	T/c AS re: Palestro, Daily News Contact, trip to NYC and news interviews	1.20
07/06/10	JLN	T/c R.P. (Daily News reporter) re: AS case;	0.50
07/08/10	JLN	Read tribute to Mauriello praising effectiveness in crime reduction	0.10
07/14/10	JLN	T/c Eric Sanders, Esq., re: Frank Palestro & PO Minaya & possible joint participation in each others cases	0.25
07/15/10	JLN	Reviewed ltr from AS to Senator Hugh Farley requesting assistance	0.10
07/16/10	JLN	Reviewed PBA letter (Aug. 17, 09 ) in response to AS's request for legal representation from PBA	0.10
07/19/10	GMC	Review of Village Voice Articles re: Schoolcraft	1.25
07/21/10	JLN	Conference call b/w Graham Raymond ("GR") GR & AS & LS re call by NYPD to GR	1.20
07/22/10	JLN	E-mail exchange with AS re: council speaker wants CCRB to try its own cases	0.10
08/03/10	GMC	Phone call with Jim Hoffer (ABC News) re: Schoolcraft	0.30
08/03/10	GMC	Email correspondence re: media coverage of filing Schoolcraft complaint	0.25
08/10/10	GMC	Meeting with AS to finalize for complaint filing, news coverage, and prep for website launch	2.75
08/10/10	JLN	Review of Articles about Schoolcraft complaint	0.40
08/10/10	JLN	Listened to Brian Lehrer show (podcast) re: Schoolcraft allegations	0.50
08/10/10	JPF	Review of articles about Schoolcraft Complaint	0.30
08/11/10	GMC	Review of San Francisco Chronicle coverage	0.10
08/11/10	JPF	E-mail with Mark Toor - Chief	0.10
08/11/10	JPF	E-mail with Mark Toor - Chief	0.10
08/11/10	JPF	E-mail with Mark Toor - Chief	0.10
08/11/10	JPF	E-mail with Mark Toor - Chief	0.10
08/11/10	JPF	E-mail with Mark Toor - Chief	0.10
08/11/10	JPF	Phone call with Mark Toor re article in Chief	0.30
08/13/10	GMC	Review of Bloomberg coverage of AS complaint	0.25
08/15/10	GMC	E-mail to JF re NYPD blog picking up case	0.10
08/15/10	GMC	Meeting with JN and JF re NYTimes story about quotas & Schoolcraft	0.60
08/15/10	GMC	Email w/JN re: NY Times to run Schoolcraft story	0.25



08/15/10	JLN	Meeting with JF and GC re NY Times story about quotas & Schoolcraft	0.60
08/15/10	JPF	E-mail from GC re NYPD blog picking up case	0.10
08/15/10	JPF	Meeting with JN and GC re NYTimes story about quotas & Schoolcraft	0.60
08/16/10	JLN	Read CCRB Report on 75th & 81st Pcts, as provided by AS; took notes re: same	1.20
08/16/10	JLN	Read articles about NYPD's gun buy-back program provided by AS	0.30
08/16/10	JPF	E-mail article from "Gman" re downgrading stats & PBA admission about quotas from 1994	0.30
08/17/10	GMC	Review of Mark Toor article - JF interview	0.25
08/17/10	JPF	E-mail from Mark Toor re Chief article	0.25
08/18/10	JLN	Discussion with JF re Rocco's story in Daily News	0.25
08/18/10	JPF	Discussion with JN re Rocco's story in Daily News	0.25
08/25/10	GMC	Review of email correspondence w/ Len Levitt re: WSJ police correspondence	0.25
08/27/10	GMC	Discussion w/Jim Hoffer re: story on 81st precinct	0.50
08/31/10	GMC	Conversation with JN and JF re: topics to be discussed/disclosed with Mark Toor in Chief article	0.25
08/31/10	JLN	Conversation with GC and JF re: topics to be discussed/disclosed with Mark Toor in Chief article	0.25
08/31/10	JPF	Phone call with Mark Toor re new article	0.30
08/31/10	JPF	Conversation with JN and GC re: topics to be discussed/disclosed with Mark Toor in Chief article	0.25
09/03/10	GMC	Email correspondence w/JN re: This American Life Radio show	0.10
09/03/10	JLN	E-mail w/ GC re: This American Life Radio show	0.10
09/03/10	JLN	Discussion with JF re AS interview with This American Life	0.40
09/03/10	JPF	Discussion with JN re AS interview with This American Life	0.40
09/07/10	GMC	Review of Media coverage NYTimes	0.25
09/07/10	JPF	Review of Chief article on AS	0.25
09/07/10	JPF	Discussion with Mark Toor re article in Chief about Amended Complaint	0.40
09/10/10	GMC	Review of Times article points with JF	0.25
09/10/10	GMC	Listened to AS NPR radio show	1.00
09/10/10	JPF	Review of Times article points with GC	0.25
09/12/10	JLN	Reviewed "Poilice & Public Safety in NYC" report from Citizens Crime	0.70
09/12/10	JLN	Reviewed "Crime, Police & the Community" report by Citizens Crime Commision, as provided by AS	0.80
09/20/10	JLN	Discussion with JF re meeting with DOJ on AS case	0.40
09/20/10	JPF	Discussion with JN re meeting with Department of Justice ("DOJ") on AS case	0.40
09/20/10	JPF	Listening to This American Life interview with client	0.80
09/21/10	JLN	Meeting with DOJ EDNY regarding potential civil rights enforcement action and setting up meeting w/ AS	3.10
09/22/10	JLN	Meeting with JF to prepare for EDNY DOJ	1.10
09/22/10	JPF	Meeting with JN to prepare for EDNY DOJ	1.10
09/22/10	JPF	Meeting with DOJ EDNY	3.10
09/22/10	JPF	E-mail to DOJ with medical records	0.25
09/23/10	GMC	Meeting with JF, JN and Center for Constitutional Rights (CCR) re Schoolcraft	2.25
09/23/10	JLN	Meeting with GC, JF and Center for Constitutional Rights	2.25

		(CCR) re Schoolcraft	
09/23/10	JPF	Meeting with GC, JN and Center for Constitutional Rights (CCR) re Schoolcraft	2.25
09/24/10	GMC	Discussion with JN and JF re: first meeting with the DOJ and upcoming meeting with the DOJ and AS	1.75
09/24/10	JLN	Discussion with JF and GC re: first meeting with the DOJ and upcoming meeting with the DOJ and AS	1.75
09/24/10	JPF	Discussion with JN and GC re: first meeting with the DOJ and upcoming meeting with the DOJ and AS	1.75
09/25/10	GMC	Meeting with JF & JN re AS interview with feds	0.50
09/25/10	GMC	Email re: Schoolcraft visit to meet with Feds, NY Times, ABC news	0.25
09/25/10	JLN	E-mail from JF re: upcoming fed meeting with AS	0.10
09/25/10	JLN	Meeting with GC & JF re: upcoming AS interview with feds	0.50
09/25/10	JPF	E-mail from JN re fed meeting	0.10
09/25/10	JPF	Meeting with GC & JN re AS interview with feds	0.50
09/27/10	GMC	Meeting w/AS with JN, JF to prep for discussion with US attorneys office EDNY	3.25
09/27/10	GMC	Schoolcraft interview with Civil Rights Division DOJ (pre and post), NY Times, ABC news	5.25
09/27/10	JLN	Meeting with AS and Feds re: potential fed civil rights violations	2.30
09/27/10	JLN	Discussion with JF re: location of witnesses from This American Life interview	0.50
09/27/10	JPF	Schoolcraft interview with Civil Rights Division JN, GC, DOJ	3.10
09/27/10	JPF	Meeting w/AS with JN, GC to prep for discussion with US attorneys office EDNY	3.25
09/27/10	JPF	Discussion with JN re location & witnesses from This American Life interview	0.50
09/28/10	GMC	Review of Daily News article re: Schoolcraft	0.10
09/28/10	JLN	E-mail from JF re article in Russian news	0.10
09/28/10	JPF	E-mail from GC re article on AS	0.10
09/28/10	JPF	E-mail from JN re article in Russian news	0.10
09/28/10	JPF	Review of article from Rocco & Daily News	0.10
10/07/10	JLN	T/c w/ Colleen Long (AP wire) re: doing story on Schoolcraft	0.60
10/08/10	GMC	Review of AP story re: Schoolcraft case	0.25
10/08/10	JLN	Review of AP story re: Schoolcraft case	0.20
10/08/10	JPF	Review of article from Associate Press on Schoolcraft	0.25
10/22/10	JPF	E-mail from GC re NY Times article	0.10
10/24/10	JPF	Article from the "L" re Schoolcraft	0.10
10/30/10	GMC	Meeting with JF & JN re: information provided by MR, MG RC whistleblower cops and movie and book publicist contacting AS for information	2.25
10/30/10	GMC	Phone call with entertainment lawyer	0.40
10/30/10	GMC	Email correspondence re: selling Schoolcraft life rights for movie or book so that Adrian can support himself while case proceeds	0.30
10/30/10	JLN	Meeting with GC & JF re: information provided by MR, MG RC (whistleblower cops) and movie and book publicist contacting AS for information	2.25
10/30/10	JPF	Meeting with GC & JN re: information provided by MR, MG RC whistleblower cops and movie and book publicist contacting AS for information	2.25
11/03/10	GMC	Review of mark ups from entertainment lawyer re:	0.30

		Schoolcraft entertainment contracts	
11/16/10	JPF	Review of affidavit for AS for CCR case	0.30
11/19/10	GMC	Email correspondence with French documentarian	0.10
11/19/10	JPF	E-mail from French journalist Marie Brunerie re documentary on whistle blowing and Schoolcraft case	0.10
11/21/10	GMC	Review of WSJ article re: Schoolcraft case	0.25
11/21/10	JPF	Email from GC re Wall Street Times article	0.10
11/29/10	JLN	Reviewed draft CCR Affidavit by AS	0.10
11/29/10	JPF	E-mail from AS re CCR affidavit	0.10
12/01/10	JPF	Correspondence from CCR re affidavit	0.10
12/08/10	GMC	Review of email correspondence w/Graham Raymond	0.10
12/11/10	JLN	E-mail exchange re: posting on Thee Rant relating to Mauriello	0.10
12/12/10	GMC	Review of Daily News article w/memo showing proof of quota	0.25
12/15/10	JPF	E-mail from GC re article involving Marino	0.25
12/16/10	JLN	Reviewed final AS Affidavit for CCR	0.10
12/16/10	JPF	E-mail from GC re AS affidavit	0.10
12/29/10	JPF	E-mail article from GC by Len Levitt re AS case	0.10
01/01/11	JLN	E-mail to JF re WSJ article about case	0.10
01/01/11	JPF	E-mail from JN re Wall Street Journal article about case	0.10
01/05/11	JPF	E-mail from GC re NBC news coverage on Schoolcraft	0.25
01/31/11	GMC	Review of materials sent to Queens DA to start investigation	0.25
01/31/11	GMC	Discussion w/JN re: requesting Queens DA to investigate Halloween night	0.40
01/31/11	GMC	Meeting with JN & JF re send documents & authorizations to Queens DA office	0.40
01/31/11	JLN	Review of materials sent to Queens DA to start investigation	0.20
01/31/11	JLN	Discussion w/ GC re: requesting Queens DA to investigate Halloween night	0.40
01/31/11	JLN	Meeting with JF & GC re sending documents & authorizations to Queens DA office	0.40
01/31/11	JPF	Meeting with JN & GC re send documents & authorizations to Queens DA office	0.40
02/24/11	JPF	Email from GC re article re Marino misconduct	0.10
03/03/11	JLN	E-mail exchange with C. Whitehead re: Daily News article on quotas and pressure.	0.10
03/03/11	JPF	Email from HV re article re Lt. Williams	0.10
05/20/11	JPF	Email from client re article on "Collars for Dollars"	0.25
06/16/11	JLN	E-mail exchange upcoming meeting with Queens DA & plaintiff desire to postpone meeting until we have discovery responses	0.20
06/16/11	NB	Sent AS authorizaiton to Queens DA	0.20
06/21/11	JLN	E-mail exchange re: Queens DA meeting & avoiding any contact w/ press/media	0.10
06/23/11	JLN	Letter to Jim Leander re: authorizing release of med records to Queens DA	0.10
06/23/11	NB	Prepared authorization and letter enclosing authorization to Queens DA	0.25
12/13/11	NB	Sent AS Authorization to James Liander (Queens DA)	0.20
03/06/12	GMC	Review of Village Voice Article re QAD investigation	0.30
03/08/12	GMC	Discussion with JN & JF re VV article and the confidential report	0.75
03/13/12	GMC	Email from PBS producer Weinrich on documentary of	0.10

		Schoolcraft	
03/13/12	GMC	Email correspondence with Mark Toor	0.10
03/13/12	JPF	Email from PBS producer Weinrich on documentary of Schoolcraft	0.10
03/14/12	GMC	Review of NY Times article on Schoolcraft	0.10
03/16/12	GMC	Radio interview re: Schoolcraft	0.40
03/30/12	JLN	E-mail from Eli Silverman re: ABC news story on under reported crime rates; watched same	0.20
08/28/12	GMC	Email JN and JF re Chief article	0.10
08/28/12	JLN	E-mail from GC re Chief article	0.10
08/28/12	JPF	Email from GC re Chief article	0.10
10/18/12	GMC	Meeting w/JF & JN re: City's Deliberative Process and Grand Jury privilege claims and best strategy for defeating same.	1.20
10/18/12	JLN	Mtg w/JF & GC re: City's Deliberative Process and Grand Jury privilege claims and best strategy for defeating same.	1.20
10/20/12	JPF	E-mail from GC re another article AMNY	0.10
02/09/15	JLN	T/c AS & LS regarding negative articles in Daily News regarding AS last week and steps moving forward	0.50
02/17/15	JLN	E-mail GC & JF regarding new MIL for Queens DA findings and meeting with NS this Friday	0.10
04/10/15	JLN	Reviewed Schoolcraft Graham Raymond materials made summary of most important points from clients' e-mail correspondence and chronological summary	1.40
07/22/15	JLN	E-mail re: new Schoolcraft "documentary"	0.10
07/22/15	JLN	Watched new Schoolcraft documentary (Eterno appears)	0.30
<b>Smith Group</b>			
02/16/13	JL	Review of case history and complaint; document preparation for presentation to DOJ	3.50
02/17/13	JL	Review of case files and audio recordings; document preparation to formally request DOJ intervention	3.25
02/18/13	JL	Review of case timeline and document preparation for Main Justice and US Attorney presentation	4.00
02/19/13	JL	Telephone conference with EDNY Civil Rts Chief Pam Chen; document preparation.	0.75
02/20/13	JL	Prepare draft letters to DOJ--Main Justice and USAO, EDNY	1.50
02/21/13	JL	Telephone conference with Peter Gleason and client Schoolcraft in reference to case preparation for trial (DOJ letter review).	1.25
02/22/13	NBS	Review of emails; telephone call to co-counsel; telephone Graham Raymond (Village Voice).	0.70
03/03/13	NBS	Review of discovery; review of discovery plan; review of draft letter to Justice Department.	2.50
03/05/13	NBS	Telephone conference with client re Justice letter and Chris Dunn three times; review of discovery record.	2.50
03/06/13	NBS	Review of discovery records; telephone call to Chris Dunn (NYCLU); meeting with City CM Williams; Peter Gleason and Adrian Schoolcraft (2.1).	3.50
03/20/13	JL	Final Draft, review and mail of letters to Main Justice and US Attorney	1.50
03/25/13	NBS	Working on opp to motions to quash and compel; telephone call with client and review of materials with client (1.5); telephone conference with Jon Norinsberg re Queens DA;	8.50

		suit and sharing information (0.5).	
05/15/13	NBS	Continued review of production; email opposing counsel re: status of IPP trial and Queens DA document.	2.20
06/07/13	NBS	Review of Queens D.A. files (20); meeting with John Lenoir and potential experts on NYPD and dangerousness (2.0); telephone client re: motion for stay of NYPD	4.50
06/14/13	NBS	Email regarding press contracts; telephone call to client; further research on Younger issue.	3.50
08/06/13	NBS	Telephone conference with co-counsel; review of emails and press coverage; call from G. Rayman re: book out.	0.80
10/13/13	NBS	Telephone conference with client re: status re: NYCLU and Dunn and going forward; telephone call to John Lenoir re: same	2.30
10/13/13	JL	Telephone conference with Smith and NYACLU re assistance in case	0.75
11/14/13	NBS	Email in reference to Daily News Article; telephone call to Mag Bauza re: interview with Carol Street.	1.20
<b>Gleason Group</b>			
01/11/12	Gilbert	Meeting with PG, re: Union's failure to represent Confer with HL on failure/strategy	1.00
01/11/12	Levine	Conf. with RG re: Union's failure to represent AS in trial room and/or return to full duty strategy	1.00
01/12/12	Gilbert	Research on Union's failure to advocate for A.S	2.00
01/12/12	Levine	Review of research on Union's representation and failure to advocate for AS 2.0	0.70
01/14/12	Gilbert	Meeting with PG, re: Queens DA. Research Discovery of D.A.'s investigative file: email PG Confer with HL regarding research outcome & strategy with regard to same	4.75
01/14/12	Levine	Conf. with RG re: Union rep. research & strategy	0.75
01/19/12	Levine	Conf. RG re: correspondence to Queens D.A. & redrafts	0.25
01/29/12	Gilbert	Review of PG E-mail & affidavit from Center for Constitutional Rights (CCR)	0.50
01/29/12	Levine	Review of proposed AS affidavit for Center for Constitutional Rights (CCR)	0.50
02/01/12	Gilbert	E-mail to PG, re: e-mail from CCR. Final draft cease & desist to PC re: website	0.13
11/19/12	Gleason	Meeting with RG to discuss news articles and our strategy to follow up with AS and LS.	1.50
11/28/12	Gleason	Phone conv. with AS regarding Nov. 12, 2012 news report and possible sources of media leaks.	1.50
12/05/12	Gleason	E-mail and phone conversation with AS regarding Frank Serpico (FS) and his assistance through support and institutional knowledge of the NYPD.	0.75
12/07/12	Gleason	Phone conv. with AS re: NYPD employment issues	0.75
12/13/12	Gilbert	review of E-mail from AS with Queens D.A. Press Release re: no criminality: multiple TC's with PG and AS & confer with HL re: same	3.00
12/13/12	Gleason	Phone conv. with FS re: Queens DA press release.	0.50
12/13/12	Gleason	E-mail from AS containing review/discussion of 12/4/12 Press Release from QCDA with the conclusion that there was no criminality in the manner that Plaintiff was taken from his home and placed in a psychiatric facility. Extensive Follow up phone conv. with AS and RG.	4.50

12/14/12	Gilbert	Confer with HL re: press release; TC with PG, re: 1PP's position on AS.	1.00
12/14/12	Levine	Conf. with RG; review Queens D.A. press release Multiple, TC's with PG and AS; alternate responses discussed.	1.50
12/23/12	Gleason	Phone conv. with AS, re update on Queens DA	0.50
12/23/12	Gleason	E-mail correspondence and phone conv. with JL Re: Queens DA's investigation of the Schoolcraft matter.	0.75
12/24/12	Gleason	Draft and hand deliver a notice of appearance that NYPD Asst. Comm. Kearns demanded before she would communicate with my office regarding AS.	2.00
12/26/12	Gleason	E-mail to and from NYPD Asst. Comm. Kearns.	0.25
12/31/12	Gleason	E-mail from and follow up conversation with JL, Re: his potential involvement in the Schoolcraft matter, Queens DA's investigation, scheduling a time we can meet.	1.50
01/03/13	Gleason	Meeting with JL, Re: Queens DA, the amended complaint, and aspects of the Schoolcraft file.	2.50
01/04/13	Gleason	E-mail and phone conv. with PBA counsel, Re: Union's position on Schoolcraft matter.	0.50
01/10/13	Gleason	Multiple phone conv. and e-mails back and forth with AS, re: PBA and AS's recordings.	2.50
01/10/13	Gleason	E-mail, fax and phone conv. with PBA legal counsel.	1.25
01/11/13	Gleason	Meeting with RG, re: PBA matter.	0.75
01/12/13	Gleason	Phone conv. with JL, re: viability of DOJ involvement.	0.50
01/13/13	Gleason	E-mail to Pat Lynch, PBA President.	0.13
01/14/13	Gleason	Meeting with RG, re: Queens DA.	0.75
01/15/13	Gleason	Phone conv. with AS re: Queens DA.	0.50
01/18/13	Gleason	E-mail to PBA, re: their assistance in the matter.	0.13
01/29/13	Gleason	E-mail from Center for Constitutional Rights (CCR) review of enclosed affidavit.	0.50
02/05/13	Gilbert	Research memo & draft subpoena to Queens D.A.	2.50
02/17/13	Gleason	E-mail correspondence between NS & JL, re: Queens DA.	0.25
02/20/13	Gleason	Meeting with NS, JL. Re: Queens DA subpoena	0.75
02/28/13	Gleason	Queens DA's office to serve subpoena. (travel)	2.00
03/10/13	Gleason	E-mail to Council Member Williams	0.25
03/14/13	Gleason	E-mail from NS, re: Queens DA	0.13
03/16/13	Gleason	E-mail from JL, re: Letter to DOJ and strategy.	0.50
03/18/13	Gleason	E-mail from NS, re: edits to letter to DOJ.	0.25
03/18/13	Gleason	E-mail from JL, re: Schoolcraft media report.	0.25
03/20/13	Gleason	E-mail from NS, re: final draft of DOJ letter.	0.13
03/25/13	Gleason	E-mail from NS, re: Letter from Dept. Advocates Office dated April 5, 2011.	0.25
04/02/13	Gleason	Press inquiry, re: AS	0.13
04/10/13	Gleason	Letter from NYPD Department Advocates Office, review of same.	0.25

## EXHIBIT 6

ARBITRATION ADVISORY  
03-01

DETECTING ATTORNEY BILL PADDING  
January 29, 2003

Points of view or opinions expressed in this document are those of the Committee on Mandatory Fee Arbitration. They have not been adopted or endorsed by the State Bar's Board of Governors and do not constitute the official position or policy of the State Bar of California.

### QUESTION PRESENTED:

When an attorney's invoice overstates the amount of time required for work performed, it is called bill "padding." If a lawyer charges for services on an hourly basis how can an arbitrator evaluate the invoices for possible bill padding? This advisory explores the question of how an arbitrator may identify bill padding and determine a reasonable fee in such circumstances.

### INTRODUCTION

Most bills are a collection of a great many estimates of time spent for work performed in the privacy of a lawyer's office. Accordingly, it is usually true that one cannot challenge most of these estimates with mathematical precision. Overall, arbitrators should look at three things:

- A. Evaluate the team/staffing used on the matter,
- B. Evaluate the work performed against the time billed, and
- C. Look for certain patterns in the form of the work descriptions.

### DISCUSSION

Rules and observations about determining reasonable attorney's fees in general are addressed in Arbitration Advisories 95-02 (June 9, 1995) and 98-03 (June 23, 1998). This advisory focuses on a subset of that topic: when too much time is recorded for the individual units of work performed, generally known as bill "padding". In order to understand the likely areas to look for such problems, it is useful to consider the historical background of attorney's professional fees [See American Bar Association Commission on Billable Hours Report (August, 2002) referred to hereinafter as "ABA Report" (See <http://www.abanet.org/>)].

Historically, lawyers routinely billed clients in flat sums or fixed amounts - often

at the conclusion of the matter. This required some estimating and discretion on the part of counsel. A bill often read something like this: "Fee for services rendered, \$ 750.00."

Clients sometimes paid their bills six months or a year after receipt of the invoice, which reflected services performed long before it was sent.

In *Gisbrecht v. Barnhart* [*Gisbrecht v. Barnhart*, 535 U.S. 789 (2002)] the Supreme Court wrote:

". . . . An American Bar Association (ABA) report, published in 1958, observed that attorneys' earnings had failed to keep pace with the rate of inflation; the report urged attorneys to record the hours spent on each case in order to ensure that fees ultimately charged afforded reasonable compensation for counsels' efforts. See Special Committee on Economics of Law Practice, *The 1958 Lawyer and His 1938 Dollar* 9-10 (reprint 1959).

Hourly records initially provided only an internal accounting check. See *Honest Hour* 19. The fees actually charged might be determined under any number of methods: the annual retainer, the fee-for-service method, the "eyeball" method under which the attorney estimated an annual fee for regular clients, or the contingent-fee method, recognized by this Court in *Stanton v. Embrey*, 93 U. S. 548, 556 (1877), and formally approved by the ABA in 1908. See *Honest Hour* [W. Ross, *The Honest Hour: The Ethics of Time-Based Billing by Attorneys* (1996), 13-19]. As it became standard accounting practice to record hours spent on a client's matter, attorneys increasingly realized that billing by hours devoted to a case was administratively convenient; moreover, as an objective measure of a lawyer's labor, hourly billing was readily impartable to the client. *Id.*, at 18. By the early 1970's, the practice of hourly billing had become widespread. See *id.*, at 19, 21."

Over the decades, federal and state courts have developed vast experience in evaluating requests for fees calculated on the basis of units of time at hourly rates. This process is called the "lodestar" method. The number of hours reasonably devoted to each case is multiplied by an amount determined to be a reasonable hourly rate. The time involved in many lodestar matters is often hundreds, perhaps thousands of hours of time, and evaluating such a request can be a vexing, complicated process even for courts experienced in such matters. Once the lodestar amount is determined it is presumed thereafter to be the reasonable fee, although the amount can sometimes be adjusted upwards or downwards for 12 reasons or factors [See *Kerr v. Screen Extras Guild, Inc.* 526 F.2d 67, 70 (9th Cir. 1975)]. This advisory is not concerned with these adjustments but with evaluating the lodestar for fees for services which have been rendered by a law firm to its client on an hourly basis and with a specific focus on whether or not there has been "padding" or "heavy pencil" time



estimates in the bill.

In the now-standard chronological legal bill, almost all time is (or can be, if requested) shown by day and by timekeeper. If a lawyer or other timekeeper does several things in one day on a particular matter then he or she must decide how to describe this work and how much time to enter for the work. This can be done for the batch of things done as a total or for each element within the batch. The use of only one total time is called "block billing" or "lumping" and it is not a favored practice. Many sophisticated users of legal services and many courts specifically prohibit block billing, and in evaluating the appropriateness of charges for legal services it may be appropriate - even essential in some cases - to write off time and fees to account for this practice.

An arbitrator's review of legal bills should include an inquiry into the method and timing used to prepare the bills in order to form an opinion as to the accuracy of the data shown by the bills. Some attorneys, particularly solo practitioners and very small firms, still use word processing programs to generate bills but most mid-size and larger firms use billing programs for this function. Many time and billing software programs in use today have a timer feature that allows one to input "start" and "stop" commands for one or more matters. The program then automatically calculates the elapsed time for each procedure in the same manner as a stopwatch. This feature is cumbersome and very rarely used by timekeepers, due in part to the nature of the way timekeepers devote their time to various matters during a typical day. Telephone calls, voice-mails, e-mails, faxes, couriers, mail, colleagues, sudden inspiration, etc., interrupt and require instant attention to another matter. Sometimes two or more things are happening at the same time, and there is no way to have a timekeeper keep track of these events and the time involved for each event will have to be estimated and written or entered manually for each task.

Many lawyers no longer write out what they do by hand on paper time sheets but input their work descriptions directly into computers. These can usually be identified because they are often longer and more detailed. For example, if an entry in an invoice reads: "meeting with client to discuss the elements of the separate statement of facts and the source of evidence for each element (1.8); research new opinion on the presumptions and burden of proof under Festo and progeny (2.5)" [Example 1], this is likely (but not necessarily) something actually entered into the program by the lawyer. On the other hand, the briefer description for the same work of: "meeting with client re MSJ; research burden of proof (4.3)" [Example 2] is probably something written in longhand and then transcribed into the billing program. Some lawyers still do not use billing programs but generate their bills by word processing programs or even on hand-written slips of carbon paper designed for this use. It is not the format of the bill but the information provided which is important. Full and complete hand-written descriptions are fine, but these are now very rare.

While it is almost universally acknowledged that contemporaneous records are the best practice, many times the press of business is such that a day or two (or more) goes by without the timekeeper entering any times. Sometimes a month may pass without any entries. Rarely years go by without any entries! At some point a bill needs to be generated and the timekeeper is faced with the need to reconstruct what happened a day or two or a month ago (or a year ago) with great precision. The time will be turned in or reconstructed and the invoices may appear to be very precise, with exact times noted for each activity, but this surface appearance of accuracy is deceptive and the time recorded is subject to re-evaluation by the arbitrator. When reading the bill it is very important to remember that in the vast majority of cases each time entry in a lawyer's bill is merely an estimate of how much time was required for the work performed that is being described in a summary fashion.

Since the entry for time spent is done by the individual timekeeper with no one watching, and because the ascribing of time is sometimes a very subjective thing which must be done with some care, it is up to the timekeeper to exercise judgment in making these estimates. Once the time is entered it is not final, however. It is customary for larger law firms to have a draft of the bill circulated to the partner in charge of billing on the matter. These are often called "pre-bills" which are edited for errors and the time is written up or down in an exercise of what is called "billing judgment" by the billing partner (who may or may not be the lawyer actually working on the file) who originated the case for the firm. Pre-bills have the raw data and often have cumulative totals as well. After the pre-bill is revised it becomes the invoice. The client may or may not ever know about this process. The final bill may or may not have some entries that read "no charge". Following this process, the final bill is sent out to the client, with or without an explanatory letter. Many times the pre-bills are not carefully reviewed by the billing partner for a number of reasons, including the fact that most billing partners are very busy and do not have or want to allocate the time to check each bill carefully, the entries may be for timekeepers who are not readily available, and the billing partner may have a huge stack of pre-bills to go through and only a short time to do so since the firm wants to "get the bills out".

It is just about impossible to be certain that any one single time entry is wrong or faked or padded. "The 'perfect crime' [is the] padding of bills..." [W. Ross, *The Honest Hour: The Ethics of Time Based Billing by Attorneys 2* (1996)]. If, in Example 1 above, the client is certain that the meeting required only 30 minutes (with no travel time), then perhaps one could question the entry of 1.8 hours. But how can one prove that the time for, say, a specific letter was really 12 minutes rather than 30? If the time is block-billed and one does not even know how much time is being claimed for the letter, then what? Look at the totality of the data and consider the following three methods.

## THE THREE APPROACHES TO IDENTIFYING PADDING

Assuming that one is presented with a group of invoices that seem to be (or are claimed to be) too high, and assuming that one suspects that some irregularity might be present, how can one evaluate these invoices for padding? There are three ways: (1) examine the staffing; (2) quantify and evaluate the reasonableness of the time spent on specific tasks or for major specific items; and (3) look at the format of the bills.

A. Examine Staffing. Invoices should indicate the names of the timekeepers.

It is customary to show the hours and fees billed by timekeepers by invoice and sometimes also cumulatively for the life of the matter. Examine these invoices and make a list of timekeepers and their hours per invoice. Do many come and go from invoice to invoice? If there are many timekeepers on a matter then one should focus on the ones who are more likely to have been using what is called a "heavy pencil" in recording their time. Who in the firm is the most likely to pad the bill?

The least experienced lawyers are called "associates". They are employees of the firm and are paid a salary and sometimes a bonus for billing high hours in a year. Many firms pay bonuses if associates bill about 2,000 to 2,420 hours in a year. Try to ascertain the plan in effect for the particular case and be aware that some firms will allow an associate to elect a particular plan. Base salary is tied to a certain minimum, and an associate may get a bonus for meeting specified "billables". New associates are often not efficient but they need to record as many hours as they can to meet their targets. The matters they work on are usually ones where they have no direct relationship with the client. New associates are most likely to be under great pressure to bill very high hours. If they have not developed the discipline to record their times daily, some time may go by before the associate enters the work description and time. Some will give in to the temptation to guess and to exaggerate in order to meet the demands on them, anticipating that it will be at least a month and maybe longer before anyone questions the time. Be observant for elastic phrases to describe what they did in a way which is easy to justify or at least hard to disprove. Phrases such as "review documents produced by counsel, 8.0 hours", "discovery, 6.0 hours", "prepare for trial 9.0 hours", etc., should trigger suspicion. Scrutinize newer associates' times first. The fewer the years of practice, the higher the probability of padding. The ABA Commission on Billable Hours Report recognizes that hourly billing penalizes efficient and productive lawyers and "may allow, indeed may encourage, profligate work habits" [ABA Commission on Billable Hours Report (August, 2002), at pages 6 - 8].

It is also generally accepted that the more timekeepers on a case, the higher the bill will be. Pay particular attention to time recorded by newer associates who

record time on the matter only briefly, such as one or two months.

B. Measure some or all of the work produced by the law firm against the hours claimed. Evaluate this for a range of reasonableness.

What were the major items of work performed? How many hours were recorded for this work? How many timekeepers were involved? What did they do? Did they duplicate each other's work? Was some of this "training" time for new lawyers? Was the client given an estimate or a budget? An "estimate" is not binding. A budget is supposed to be accurate and binding but subject to revision if circumstances change and the client is promptly informed.

Major tasks. One may need to quantify the time first. It may be possible to calculate how much time was billed for certain major tasks and then to look at the work product to see if the time falls into a range that appears reasonable. This can be hard to do without some experience in the particular legal area involved.

While the times-by-task can be hard to assemble, sometimes the bills themselves will have guides to that information within them if the firm employs what are called the "Uniform Task-Based Management System" (or Codes) published by the American Bar Association. Task-based billing codes are in fairly wide use but are not standard and there is some debate over their usefulness. For example, one may know that certain hours were recorded for "L240 - Motions For Judgment" but not how many hours were shown for a specific Motion for Summary Adjudication.

The ABA Task Codes assign litigation time within 5 groups: case assessment, pre-trial, discovery, trial and appeal. There are also 11 optional Activities Codes (such as "A106 - Communication (with client)" which may be used within each of these 5 groups in the Litigation Code Set.

In Example 1 above, for example, the time billed for meeting with the client to prepare the statement of facts would show the codes "L240" / "A106" in or right after the descriptions of the activities and the totals for these things would (or could) appear on the bill. Once the ABA key is in hand, this will help to break down the time and fees into broad tasks, which may be useful information. Once it is known that a motion for summary judgment required many hours of several timekeepers' time, one can then come to a conclusion or ask for an explanation of whether or not the time spent on this particular task is reasonable.

Documents. There often is a good deal of time shown for "reviewing documents" ("L320 - Document Production") in many litigation matters. First, ascertain how many document pages were produced or reviewed. This is sometimes stated in terms of "boxes" which is a standard file storage box normally holding anywhere from 2,000 to 3,500 pages of documents, depending on how tightly they are packed. Some courts and commentators mention 2,500 as the average number of

pages per box. Ask how many timekeepers reviewed the documents and how long did it took. A general rule of thumb commonly used by experts in billing analysis is that it will take a lawyer about 8 hours to review a box of relevant documents. It might also require a paralegal's help at about 4 hours per box. This can vary widely depending on the type of documents and their importance and repetitiveness.

C. Examine the format of the invoices for patterns that suggest padding.

#### 1. Formula billing

Every single piece of paper gets a time entry as it wends its way past the timekeeper to its destination. It does not take more than a few seconds to read most routine correspondence. If the timekeeper reads a group of documents in a minute or two and then records a minimum time for each document, this may ultimately increase the time by several hours. Look for multiple timekeepers reading the same documents.

#### 2. High minimum increments

The standard minimum is 1/10th of an hour or 6 minutes. If a higher minimum is used, such as .25 or .5, this probably increases the time by 15% to 25%. Some courts have criticized the use of a .25 or 1/4 hour minimum as being too high.

#### 3. Time estimates

If the bills show hours in even numbers such as 8.0, 9.0, or 10.0, these are probably estimates rather than actual time spent and should be investigated.

#### 4. Block billing

If one amount of time is shown for working on more than one discrete task, this is called "block billing" or "lumping" time. This is almost never allowed by federal courts. The practice hides accountability and may increase time by 10% to 30%. The larger the "block", the more care should be exercised.

#### 5. Standardized work descriptions

If one sees the exact same phrases used again and again in the bills, it is likely that some routine has set in and this allows some "down time" to find its way into the bills. An entry such as "review documents produced by opposition, 7.5 hours" is typical.

## 6. Lack of detail

"Research issues", "attention to file", "discovery", "prepare for trial", and similar statements are not specific enough to let the reader know what was done.

## 7. Wrong times

Sometimes a client knows that certain things took less time than was billed such as the meeting in Example 1, above. Perhaps other meetings were for known times or can be checked. Deposition transcripts usually have start and end times and can be checked against billing invoices.

## 8. Timeliness of invoices

Was the invoice prepared at or near the time when the services were provided? As noted above, if too much time has elapsed between the event and generating the invoice, the times shown might be estimates or best guesses of the time involved. On the other hand, it is possible that the timekeeper recorded his or her time contemporaneously but did not generate the invoice for some reason. The responsible attorney should be questioned about this.

## 9. Experts and outside investigators

Outside vendors such as experts or investigators should submit invoices that set out what they did with adequate detail. Representations or proof that these charges have actually been paid should also be produced.

## 10. Computer Assisted Legal Research ("CALR")

Firms such as Lexis-Nexis and Westlaw may offer "pro-forma" invoices which are not the actual charges to the firm. The actual net amounts paid by the firm should be determined.

## 11. Overhead items

Some charges such as telephone, facsimile, internet fees, extranet costs, office supplies, library charges, seminars, continuing legal education charges, and perhaps even basic CALR are really part of the cost of doing business and should be reflected in the professionals' hourly rates. These should not be passed on to the client unless the client has clearly agreed otherwise.

## CONCLUSION

The vast majority of lawyers are honest and their bills are reliable statements of what was done. However, the economic pressure on lawyers and firms is enormous, continuous, and irrefutable. Some few timekeepers will pad the bill

by inserting extra hours from time to time, and the cumulative effect of this practice can be very significant. Arbitrators should examine each case appropriately by: (1) examining the staffing, (2) quantifying and evaluating the time spent on major items of work, and (3) evaluating the form or pattern of the invoices for padding.

## EXHIBIT 7

06/28/10	JLN	Review of correspondence w/Jonathan Moore re: AS	0.10
06/28/10	GMC	Review of correspondence w/Jonathan Moore re: AS	0.10
06/29/10	JLN	E-mail from GC re: Stop and Frisk case	0.10
06/29/10	GMC	Email from JN re: Stop and Frisk case	0.10
06/29/10	JLN	E-mail to GC re: Stop and Frisk case	0.10
06/29/10	GMC	Email to JN re: Stop and Frisk case	0.10
07/26/10	GMC	Review of email from JN re: Del Pozo	0.10
07/26/10	JLN	Sent E-mail to GC re: Del Pozo	0.10
07/28/10	JPF	E-mail from JN re meeting with Polanco/Graham Raymond & Rocco P.	0.10
07/28/10	JLN	E-mail to JF re meeting with Polanco, Raymond & Rocco	0.10
07/31/10	JLN	E-mail from JF re edited complaint	0.10
07/31/10	GMC	E-mail from JF re edited Complaint	0.10
07/31/10	JPF	E-mail JN & GC re edited Complaint	0.10
08/06/10	JLN	E-mail from JF re: complaint revisions	0.10
08/06/10	JPF	E-mail to JN re Complaint revised	0.10
08/08/10	JPF	Email to JN re: revision of Schoolcraft complaint	0.10
08/08/10	GMC	Review of email re: revision of Schoolcraft complaint	0.10
08/08/10	JLN	Review of E-mail re: revision of Schoolcraft complaint	0.10
08/08/10	JLN	E-mail to JF with additional allegations for complaint	0.10
08/15/10	JPF	E-mail from GC re NYPD blog picking up case	0.10
08/15/10	GMC	E-mail to JF re NYPD blog picking up case	0.10
08/30/10	JLN	E-mail correspondence w/GC re: MG (PO in 81st precinct)	0.10
08/30/10	GMC	Email correspondence w/JN re: "MG" (PO in 81st precinct)	0.10
08/30/10	JLN	E-mail w/ GC re: ACC Donna Canfield	0.10
08/30/10	GMC	Email w/JN re: ACC Donna Cannfield (DC)	0.10
08/30/10	GMC	Review of Donna Canfield (DC) Notice of Appearance	0.10
08/30/10	JLN	Reviewed Notice of Appearance by Donna Canfield ("DC") on behalf of The City Of New York	0.10
09/15/10	GMC	Review of stip extending time for Benier answer	0.10
09/15/10	JLN	Reviewed defendant Bernier's endorsed stipulation extending time to answer	0.10
09/25/10	JLN	E-mail from JF re: upcoming fed meeting with AS	0.10
09/25/10	JPF	E-mail from JN re fed meeting	0.10
09/28/10	JLN	E-mail from JF re article in Russian news	0.10
09/28/10	JPF	E-mail from JN re article in Russian news	0.10
09/28/11	JLN	E-mail from JF re law enforcement privilege	0.10
10/02/10	JLN	E-mail from JF re whistleblower cop	0.10
10/02/10	JPF	E-mail from JN re whistleblower cop	0.10
10/02/10	JLN	E-mail re whistleblower cop from JF	0.10
10/02/10	JPF	E-mail re whistleblower cop from JN	0.10
10/11/10	JPF	E-mail from JN re Lewis whistleblower cop	0.10
10/13/10	JLN	Discussion with JF re agreement on briefing sched. w/ defendant Jamaica Hosp.	0.10
10/13/10	JPF	Discussion with JN re agreement on briefing sched. w/ defendant Jamaica Hosp	0.10
10/15/10	GMC	Review of order setting deadlines for Motion to Dismiss	0.10
10/15/10	JLN	Reviewed order re: defendant JHMC's motion to Dismiss	0.10
11/16/10	JLN	E-mailed GC re: changes to Schoolcraft Floyd affidavit	0.10
11/16/10	GMC	Emailed JN re: changes to Schoolcraft Floyd affidavit	0.10
12/10/10	JLN	E-mail w/ GC re: HIPAAs for AS meds	0.10
12/10/10	GMC	Email w/JN re: HIPAAs	0.10



12/17/10	JLN	E-mail from JF re AS benefits	0.10
12/17/10	JPF	E-mail to JN re AS benefits	0.10
01/01/11	JPF	E-mail from JN re Wall Street Journal article about case	0.10
01/01/11	JLN	E-mail to JF re WSJ article about case	0.10
01/25/11	JPF	Email from GC re statements from Jamaica Hospital to Village Voice	0.10
01/25/11	JPF	Email Response to GC re statements from Jamaica Hospital to Village Voice	0.10
02/19/11	JLN	E-mail correspondence w/ GC re: Seth Harris verdict finding quota in Carolyn Samuels case	0.10
02/19/11	GMC	Email correspondence w/JN re: Seth Harris verdict finding quota	0.10
05/19/11	JLN	E-mail from GC re: additional dep notices to be served	0.10
05/19/11	GMC	Email from JN re: dep notices to be served	0.10
07/09/11	JLN	E-mail from City on relevancy redaction issue	0.10
07/09/11	JLN	E-mail to City re: redaction issue	0.10
07/15/11	JLN	sent GC E-mail re: objections to discovery plan	0.10
07/15/11	GMC	Review of JN email re: objections to discovery plan	0.10
07/18/11	GMC	Review of email by JN to DC re changes	0.10
07/18/11	JLN	Sent draft E-mail to DC re changes for review	0.10
09/28/11	JLN	E-mail from JF re law enforcement privilege	0.10
12/07/11	GMC	Review of order re: pretrial conference	0.10
12/07/11	JPF	Review order adjourning conf.	0.10
02/07/12	JLN	Email from GC re: supplemental demands	0.10
02/07/12	GMC	Email from JN re: supplemental demands	0.10
02/07/12	JLN	Review Notice of Appearance for City Defendants	0.10
02/07/12	GMC	Review notice of appearance for City Defendants	0.10
02/07/12	JLN	Reviewed Notice of Appearance by Max Leighton on behalf of City	0.10
02/10/12	GMC	Email from JN re: Cancellation of Adrian and Larry trip to NYC	0.10
02/10/12	JLN	E-mail to GC re: Cancellation of Adrian and Larry trip to NYC	0.10
02/10/12	GMC	Review of email to Jeremy (Meridian Investigations) re: subpoena of Schoolcraft records	0.10
02/10/12	JLN	Review of E-mail to Jeremy Steven (investigator) re: subpoena of Schoolcraft records	0.10
02/10/12	GMC	Email from JN re: Cancellation of Adrian and Larry trip to NYC	0.10
02/10/12	JLN	E-mail to GC re: Cancellation of Adrian and Larry trip to NYC	0.10
03/07/12	JPF	Email from GC re: conversation with Larry and Adrian	0.10
03/07/12	GMC	Email to JN an JF re: conversation with Larry and Adrian	0.10
03/07/12	GMC	Review of NOA by Suzanna Publicker ("SP")	0.10
03/07/12	JLN	Reviewed Notice of Appearance by Suzanna Publicker on behalf of City	0.10
03/12/12	JPF	Email from JN re corrections	0.10
03/12/12	JLN	E-mail to JF re corrections to motion to reinstate	0.10
03/13/12	GMC	Email from PBS producer Weinrich on documentary of Schoolcraft	0.10
03/13/12	JPF	Email from PBS producer Weinrich on documentary of Schoolcraft	0.10

03/14/12	JLN	Review of NY Times article on Schoolcraft	0.10
03/14/12	GMC	Review of NY Times article on Schoolcraft	0.10
03/14/12	JPF	Email to JN with proposed Amended Complaint	0.10
03/14/12	JLN	E-mail from JF with proposed amended complaint	0.10
03/14/12	JPF	Email from Nic re doc in connection w/ Schoolcraft meeting	0.10
03/30/12	GMC	Emailed proposed AEO stip to the City	0.10
03/30/12	JLN	E-mailed proposed AEO stip to the City	0.10
03/30/12	JLN	E-mail from City re: IAB docs and extending time to produce	0.10
04/02/12	JPF	Email from Bernier consenting to amendment	0.10
04/02/12	JLN	E-mail from Bernier consenting to amendment	0.10
04/02/12	JPF	Email from Isacov consenting to amendment	0.10
04/02/12	JLN	E-mail from Isakov consenting to amendment	0.10
04/04/12	JPF	Email from JHMC	0.10
04/04/12	JPF	Email from JHMC	0.10
04/04/12	JPF	Email to JHMC	0.10
04/04/12	JPF	Email from JHMC re change in amended language	0.10
04/04/12	JLN	E-mail from JHMC regarding change in amended language	0.10
04/04/12	JPF	Email to City re updated version of proposed Amended Complaint	0.10
04/05/12	JLN	E-mail from City stating reasons why they oppose amendment to complaint	0.10
04/05/12	JLN	E-mail from City stating reasons why they oppose amendment to complaint	0.10
04/09/12	JLN	E-mail correspondence w/GC re: discovery responses	0.10
04/09/12	GMC	Email correspondence w/JN re: discovery responses	0.10
04/10/12	GMC	Email re: Schoolcraft arrival to NYC	0.10
04/10/12	JLN	E-mail re: Schoolcraft arrival to NYC	0.10
04/13/12	GMC	Email from plaintiff re 1st Amendment claim	0.10
04/13/12	JPF	Email from plaintiff re 1st Amendment claim	0.10
04/13/12	JLN	E-mail from plaintiff re 1st Amendment claim	0.10
04/19/12	JPF	Email correspondence to City correcting Lt. Gough for Amended complaint	0.10
04/24/12	GMC	Email correspondence to City correcting Lt. Gough for Amended Complaint	0.10
04/25/12	JPF	Email from City on Vallone subpoena extension	0.10
04/25/12	GMC	Email from City re: Vallone and Vans subpoenas	0.10
04/30/12	JLN	E-mail from JF to City re additions to protective order	0.10
04/30/12	JPF	Email from JN to City re additions to protective order	0.10
05/02/12	JPF	Email from JN to City re confidentiality and discovery issues	0.10
05/02/12	JLN	E-mail to JF to City re confidentiality and discovery issues	0.10
05/24/12	GMC	Review of NOA-Walter Kretz ("WK")	0.10
06/04/12	JPF	Letter from Kretz re discovery	0.10
06/04/12	GMC	Review of WK correspondence re: discovery	0.10
06/05/12	GMC	Review of email correspondence between SP and Times	0.10
06/05/12	JLN	Review of E-mail correspondence between SP and Times	0.10
06/06/12	JPF	Email from defendants re inventory	0.10
06/06/12	GMC	Review of email correspondence between SP and Times	0.10
06/06/12	JLN	Review of E-mail correspondence between SP and Times	0.10
06/08/12	JPF	Read and review of Times letter re inventory	0.10
06/08/12	JLN	Read ltr from NYT counsel re: inventory of confidential materials for	0.10
06/08/12	GMC	Review of correspondence with NY Times and SP re: Schoolcraft materials	0.10
07/09/12	JPF	Email from City on relevancy redaction issue	0.10

07/09/12	JPF	Email to City re redaction issue	0.10
07/13/12	JPF	Email from City regarding tax return authorizations	0.10
07/13/12	JLN	E-mail from City regarding tax return authorizations	0.10
07/17/12	JLN	E-mail w/GC re: upcoming meeting in Albany with Schoolcrafts	0.10
07/17/12	GMC	Email w/JN re: meeting in Albany with Schoolcrafts	0.10
07/24/12	JLN	E-mail from JF re Albany meeting w/ Schoolcrafts	0.10
07/24/12	JPF	Email to JN re Albany meeting w/ Schoolcrafts	0.10
08/10/12	JLN	E-mail from JF re extension of discovery	0.10
08/10/12	JPF	Email from JN re extension of discovery	0.10
08/10/12	JLN	E-mail to JF re extension of discovery	0.10
08/10/12	JPF	Email from JN re plaintiff's dep	0.10
08/10/12	JLN	E-mail to JF re plaintiff's dep	0.10
08/10/12	JLN	E-mail w/GC re Schoolcraft breach affidavit	0.10
08/10/12	GMC	Email w/JN re Schoolcraft breach affidavit	0.10
08/10/12	JPF	Response email re deposition from Greg R.	0.10
08/10/12	JLN	Response E-mail regarding deposition from Greg R.	0.10
08/13/12	JPF	Email from Brian Lee re deposition	0.10
08/13/12	JLN	E-mail from Brian Lee regarding deposition	0.10
08/13/12	GMC	Review of email from SP re: scheduling AS depo	0.10
08/13/12	JLN	Review of E-mail from SP re: scheduling AS depo	0.10
08/14/12	JPF	Email from Brady re depositions	0.10
08/14/12	JLN	E-mail from Brady re depositions	0.10
08/14/12	JLN	E-mail from JF re letter to City w/ tax authorizations	0.10
08/14/12	JPF	Email from JN re letter to City w/ tax authorizations	0.10
08/14/12	JPF	Email from JN re plaintiff's dep	0.10
08/14/12	JLN	E-mail to JF re plaintiff's dep	0.10
08/14/12	JLN	Review of correspondence re Tax returns	0.10
08/14/12	GMC	Review of correspondence re Tax returns	0.10
08/14/12	JLN	Drafted letter to defense counsel re: Schoolcraft tax returns	0.10
08/15/12	GMC	Email correspondence re: Schoolcraft deposition	0.10
08/15/12	JPF	Email from B Brady re plaintiff's dep	0.10
08/15/12	JLN	E-mail from B Brady re plaintiff's dep	0.10
08/15/12	JLN	E-mail from B. Lee re plaintiff's dep	0.10
08/15/12	JPF	Email from B: Lee re plaintiff's dep	0.10
08/15/12	JPF	Email from Brian Lee re subpoenaed docs	0.10
08/15/12	JLN	E-mail from Brian Lee re subpoenaed docs	0.10
08/16/12	JPF	Email from City re plaintiff's dep	0.10
08/16/12	JLN	E-mail from City re plaintiff's dep	0.10
08/16/12	JPF	Email from JN re plaintiff's dep	0.10
08/16/12	JLN	E-mail to JF re plaintiff's dep	0.10
08/20/12	JLN	Review of E-mail from JF to City re amendment adding Lt. Hanlon	0.10
08/20/12	JPF	Review of email from JN to City re amendment adding Hanlon	0.10
08/21/12	GMC	Email from Brady consenting to Amendment	0.10
08/21/12	JPF	Email from Brady consenting to Amendment	0.10
08/21/12	JLN	E-mail from Brady consenting to Amendment	0.10
08/21/12	GMC	Email from Brady re scheduling AS dep	0.10
08/21/12	JPF	Email from Brady re scheduling AS dep	0.10
08/21/12	JLN	E-mail from Brady re scheduling AS dep	0.10
08/21/12	GMC	Email from City requesting copy of complaint	0.10
08/21/12	JPF	Email from City requesting copy of complaint	0.10
08/21/12	JLN	E-mail from City requesting copy of complaint	0.10

08/21/12	GMC	Email from Lee consenting	0.10
08/21/12	JPF	Email from Lee consenting	0.10
08/21/12	GMC	Email from Lee re scheduling AS dep	0.10
08/21/12	JPF	Email from Lee re scheduling AS dep	0.10
08/21/12	GMC	Email to City w/ Amended Complaint	0.10
08/21/12	JPF	Email to City w/ Amended Complaint	0.10
08/22/12	GMC	Email from City re AS dep date	0.10
08/22/12	JPF	Email from City re AS dep date	0.10
08/22/12	JLN	E-mail from City re AS dep date	0.10
08/22/12	JLN	E-mail from GC re dep dates	0.10
08/22/12	GMC	Email from Greg Rad re AS dep	0.10
08/22/12	JPF	Email from Greg Rad re AS dep	0.10
08/22/12	GMC	Email from JN re dep dates	0.10
08/22/12	JPF	Email from JN re dep dates	0.10
08/22/12	GMC	Email from Kretz re AS dep date	0.10
08/22/12	JPF	Email from Kretz re AS dep date	0.10
08/22/12	GMC	Email from Lee re AS dep date	0.10
08/22/12	JPF	Email from Lee re AS dep date	0.10
08/23/12	GMC	Email from Brady re plaintiff's dep date	0.10
08/23/12	JPF	Email from Brady re plaintiff's dep date	0.10
08/23/12	GMC	Email from Lee on plaintiff's dep dates	0.10
08/23/12	JPF	Email from Lee on plaintiff's dep dates	0.10
08/23/12	GMC	Email from Lee re second day for AS dep	0.10
08/23/12	JPF	Email from Lee re second day for AS dep	0.10
08/28/12	JLN	E-mail from GC re Chief article	0.10
08/28/12	JPF	Email from GC re Chief article	0.10
08/28/12	GMC	Email JN and JF re Chief article	0.10
08/28/12	JLN	E-mail from JF to defendants enclosing responses to discovery	0.10
08/28/12	GMC	Email from JN to defendants enclosing responses to discovery	0.10
08/28/12	JPF	Email from JN to defendants enclosing responses to discovery	0.10
08/29/12	JPF	Email 2 & 3 from JN re discovery to defendants	0.10
08/29/12	GMC	Email 2 & 3 from JN re discovery to defendants	0.10
08/29/12	GMC	Email from JN to defendants enclosing discovery	0.10
08/29/12	JPF	Email from JN to defendants enclosing discovery	0.10
09/10/12	JLN	E-mail from GC re 120 day extension of discovery deadline	0.10
09/10/12	JLN	E-mail from JF re 120 extension of discovery deadline	0.10
09/10/12	GMC	Email from JN re 120 day extension of discovery	0.10
09/10/12	JPF	Email from JN re 120 extension of discovery	0.10
09/10/12	JLN	E-mail to JF re 120 extension of discovery deadline	0.10
09/10/12	GMC	Email response from Brady	0.10
09/10/12	JPF	Email response from Brady	0.10
09/10/12	GMC	Email response from City	0.10
09/10/12	JPF	Email response from City	0.10
09/10/12	GMC	Email response from Greg Rad	0.10
09/10/12	JPF	Email response from Greg Rad	0.10
09/10/12	GMC	Email response from Kretz	0.10
09/10/12	JPF	Email response from Kretz	0.10
09/10/12	GMC	Email response from Lee	0.10
09/10/12	JPF	Email response from Lee	0.10
09/10/12	GMC	Email to City re Hanlon amend	0.10
09/10/12	JPF	Email to City re Hanlon amend	0.10

09/10/12	GMC	Response from City on Hanlon amend	0.10
09/10/12	JPF	Response from City on Hanlon amend	0.10
09/10/12	JLN	Response from City on Hanlon amend; notes re: same	0.10
09/24/12	JPF	Email from City	0.10
09/24/12	JLN	E-mail from City re: amended complaint	0.10
09/24/12	JLN	E-mail response from Kretz	0.10
09/24/12	JPF	Email response to Kretz & City	0.10
09/24/12	JLN	E-mail response to Kretz & City	0.10
09/24/12	JPF	Email to defendants re service of amended complaint	0.10
09/24/12	JLN	E-mail to defendants re service of amended complaint	0.10
09/24/12	JPF	Response from B Lee	0.10
09/24/12	JPF	Response from Greg R	0.10
09/24/12	JPF	Response from Kretz	0.10
09/24/12	JPF	Response from Kretz	0.10
09/25/12	JPF	Email from Greg R re Lauderborn dep	0.10
09/25/12	JLN	E-mail from Greg R re Lauterborn dep	0.10
09/26/12	GMC	Brady email re: service of process	0.10
09/26/12	JLN	Brady E-mail re: service of process	0.10
09/26/12	JLN	E-mail from JF adjourning dep of AS	0.10
09/26/12	JPF	Email from JN adjourning dep of AS re: medical issues he was having	0.10
09/26/12	JPF	Email from Kretz re Lauderborn dep	0.10
09/26/12	JLN	E-mail from Kretz re Lauterborn dep	0.10
09/26/12	JPF	Response email from B Brady re service of amended complaint	0.10
09/26/12	JPF	Response from B Lee	0.10
09/26/12	JLN	Response from B Lee re: adj.	0.10
09/26/12	JPF	Response from Kretz	0.10
09/26/12	JLN	Response from Kretz re: adj.	0.10
09/26/12	JLN	Review of E-mail from GC adjourning AS dep	0.10
09/26/12	GMC	Review of email from JN adjourning AS dep	0.10
09/26/12	JLN	E-mail to JF adjourning dep of AS	0.10
09/27/12	JPF	Response from City	0.10
09/27/12	JPF	Response from Greg R	0.10
10/12/12	JPF	Email from JN re photos used @ AS dep	0.10
10/12/12	JLN	E-mail to JF re photos used at AS dep	0.10
10/12/12	JPF	Email from JN to City re allowing AS access to QAD report	0.10
10/12/12	JLN	Email to JF to City re allowing AS access to QAD report	0.10
10/18/12	GMC	Review of email from B Lee asking that plaintiff withdraw opp to extra day of dep for AS	0.10
10/18/12	JPF	Review of email from B Lee asking that plaintiff withdraw opp to extra day of dep for AS	0.10
11/02/12	GMC	Email from JN re: Schoolcraft phone numbers	0.10
11/02/12	JLN	E-mail to GC re: Schoolcraft phone numbers	0.10
11/07/12	JLN	E-mail w/ GC re: service of newly named defendants	0.10
11/07/12	GMC	Email w/JN re: service of newly named defendants	0.10
11/13/12	GMC	Correspondence from City re rep of AS	0.10
11/13/12	JPF	Correspondence from City re rep of AS	0.10
02/11/15	GMC	Review of email from AS	0.10
02/11/15	JLN	Review of E-mail from AS regarding trial	0.10
02/13/15	JLN	Review of letter by Ryan Shaffer requesting more time for reply and 2 week adjournment of trial	0.10
02/13/15	GMC	Review of letter by Ryan Shaffer requesting more time for	0.10

		reply and 2 week adjournment of trial	
02/13/15	JLN	Review of order setting trial date to April 20, 2015	0.10
02/13/15	GMC	Review of order setting trial date to April 20, 2015	0.10
03/04/15	JLN	E-mail exchange GC regarding Velez PBA transcript, copy of same	0.10
03/04/15	GMC	E-mail exchange JN regarding Velez PBA transcript, copy of same	0.10
03/04/15	JLN	E-mail exchange with GC regarding identity of other IAB investigator	0.10
03/04/15	GMC	E-mail exchange with JN regarding identity of other IAB investigator	0.10
03/04/15	GMC	E-mail from JN with revised witness list	0.10
03/04/15	JLN	E-mail to GC with revised witness list	0.10
03/11/15	JLN	E-mail w/NS and GC re: exhibits and meeting	0.10
03/11/15	GMC	Email w/NS and JN re: exhibits and meeting	0.10
03/23/15	GMC	Email from JN w/portion of Lauterborn cross re James	0.10
03/23/15	JLN	E-mail to GC portion ofLauterbom cross re: Sgt. James	0.10
03/26/15	GMC	Email correspondence w/AS re Kretz Jetter	0.10
03/26/15	JLN	E-mail correspondence w/AS re Kretz letter	0.10
03/26/15	GMC	Email from JN re: medical records	0.10
03/26/15	JLN	E-mail to GC re: medical records	0.10
03/26/15	JLN	Review of Kretz letter re film	0.10
03/26/15	GMC	Review of Kretz letter re film	0.10
03/27/15	JLN	E-mail correspondence between GC and Merry Soete re: AS Audio Clips	0.10
03/27/15	GMC	Email correspondence w/Merry Soetano re: AS audio clips	0.10
03/27/15	GMC	Phone call JN regarding preparing for conference call with NS today and using Veritext software	0.10
03/27/15	JLN	T/c GC regarding preparing for conference call with NS today and using Veritext software	0.10
03/30/15	JLN	E-mail from GC w/AB report	0.10
03/30/15	GMC	Email from JN w/IAB report	0.10
04/01/15	JLN	E-mail exchange regarding setting up meeting for tomorrow with trial team	0.10
04/01/15	JLN	E-mail re: meeting w/GC, and NS team	0.10
04/01/15	GMC	Email re: meeting w/JN, and NS team	0.10
04/02/15	JPF	Phone call with JN regarding area of expertise and scope of testimony for Eterno	0.10
04/02/15	JLN	T/c with JF regarding area of expertise and scope of testimony for Eterno	0.10
04/03/15	JLN	E-mail to GC including AS performance report	0.10
04/03/15	GMC	Review email from JN including AS performance report	0.10
04/05/15	JLN	E-mail to GC including AS W2's	0.10
04/05/15	GMC	Review email from JN including AS W2s	0.10
04/07/15	JLN	Review of SK comments on JF MIL draft	0.10
04/07/15	GMC	Review of SK comments on JF MIL draft	0.10
04/08/15	JLN	E-mail from GC to NS stressing need to ensure trial goes forward as planned & does not get delayed	0.10
04/08/15	JLN	E-mail from GC to NS stressing need to ensure trial goes forward as planned and does not get delayed	0.10
04/08/15	JLN	E-mail from NS re: proposing team meeting for this Friday	0.10
04/11/15	GMC	Email w/NS re Home Invasion Transcript	0.10
04/11/15	JLN	E-mail w/NS re Home Invasion Transcript	0.10
04/15/15	GMC	Emailed w/JN and NS re mediation offer from the City	0.10

04/15/15	JLN	E-mailed w/ GC and NS re mediation offer from the City	0.10
04/15/15	JLN	Phone call w/ GC re Boston unavailability	0.10
04/15/15	GMC	Phone call w/ JN re Boston unavailability	0.10
04/21/15	JLN	Review of letter from City requesting more time for MIL	0.10
05/13/15	GMC	Email correspondence w/ SK re conference	0.10
05/13/15	JLN	E-mail correspondence w/ SK re conference	0.10
05/14/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/15/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/18/15	JLN	Review of letter motion filed by City re: JPTO dates	0.10
05/18/15	GMC	Review of letter motion titled by City re JPTO dates	0.10
05/21/15	JLN	E-mail from NS re settlement offer from City	0.10
05/21/15	GMC	Email NS resettlement offer from City	0.10
05/28/15	JLN	E-mail GC re Veritext bill	0.10
05/28/15	GMC	Email JN re Veritext bill	0.10
05/29/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/29/15	JLN	E-mail exchange w/ all parties re: pretrial submissions schedule	0.10
06/23/15	GMC	Review of email correspondence re: opposition to reconsideration motions	0.10
06/23/15	GMC	Review of email correspondence re: opposition to reconsideration motions	0.10
06/24/15	GMC	Review of email correspondence re: opposition to reconsideration motions	0.10
06/24/15	GMC	Review of email correspondence w SK re: motion schedules	0.10
06/24/15	JLN	Review of E-mail correspondence w SK re: motion schedules	0.10
06/29/15	JLN	E-mail from JF to team adding case law to oppose bifurcation	0.10
06/29/15	JLN	E-mail to NS /JL adding case law for opposing bifurcation	0.10
07/02/15	JLN	E-mail from Scheiner to all counsel re: City's latest doc production	0.10
07/02/15	JLN	Letter from Scheiner to NS re: latest City productions	0.10
07/03/15	JLN	E-mail from NS forwarding City's latest production	0.10
07/07/15	GMC	Review of email correspondence between NS team re Eterno	0.10
07/07/15	JLN	Review of E-mail correspondence between NS team re Eterno & Silvennan	0.10
07/20/15	GMC	Review of Email correspondence between JN and NS re: John Eterno	0.10
07/20/15	JLN	Sent GC E-mail correspondence between Myself and NS re: John Eterno	0.10
07/27/15	GMC	Email w MS re: master exhibit list	0.10
07/27/15	GMC	Email JN re Polanco as witness	0.10
07/29/15	GMC	Emails with Schoolcraft team re: settlement	0.10
07/29/15	JLN	E-mails with Schoolcraft team re: settlement	0.10
07/30/15	GMC	Emails with Schoolcraft team re: settlement	0.10
08/09/15	JLN	E-mail correspondence re: JPTO and motion deadlines	0.10
08/10/15	JLN	E-mail correspondence re: JPTO and motion deadlines	0.10
08/09/15	GMC	Review of email correspondence re: JPTO and motion deadlines	0.10

08/10/15	GMC	Review of email correspondence re: JPTO and motion deadlines	0.10
08/13/15	JLN	Review of correspondence all parties re: JPTO	0.10
08/13/15	GMC	Review of correspondence all parties re: JPTO	0.10
08/14/15	GMC	Email re: City filing JPTO without our input	0.10
08/14/15	JLN	E-mail re: City filing JPTO without our input	0.10
08/21/15	GMC	Email all parties re MIL due date	0.10
08/21/15	JLN	E-mail all parties re MIL due date	0.10
09/11/15	JLN	E-mail to GC re Schoolcraft timeline	0.10
09/11/15	GMC	Email w/JN re Schoolcraft timeline	0.10
09/16/15	GMC	Review of NS email to Schoolcraft resettlement	0.10
09/16/15	JLN	Review of NS e-mail to Schoolcraft resettlement	0.10



## EXHIBIT 8

<b>Suckle</b>			
10/25/13	HS	reviewed Nat Smith email re: discovery	0.10
11/04/13	HS	emails to team	0.10
01/08/14	HS	email to John Lenoir	0.10
08/13/13	HS	emails to and/or from Nat Smith	0.20
09/04/13	HS	reviewed status report	0.20
10/15/13	HS	read John L status report	0.20
02/09/14	HS	call and email re: Deposition of hospital with deft counsel	0.20
08/01/13	HS	emails from and/or to Nat Smith	0.25
08/22/13	HS	reviewed availability, called and emailed Nat Smith re: my availability for depos	0.25
10/07/13	HS	read Kretz transcript	0.50
02/11/14	HS	reviewed client's deposition questions	0.50
08/02/13	HS	reviewed amended complaint	1.00
10/29/13	HS	emails to team re: motion for video dep/ research	1.00
11/13/13	HS	Appeared for SDNY motion: re video depositions	1.25
11/18/13	HS	telephone call with John Lenoir and emails re: Larry Schoolcraft deposition	1.25
03/25/15	HS	prepared request to charge	1.25
08/06/13	HS	reviewed Jamaica Hospital's doc exchange	1.50
08/07/13	HS	read Plaintiff's depo	1.50
10/15/13	HS	reviewed motion papers for motions of 10/16	1.50
08/10/14	HS	reviewed expert report and emailed team re: expert report	1.50
09/13/13	HS	reviewed departmental action affect on case by city and emailed to group	1.75
02/14/14	HS	researched statutory duty	2.10
07/31/13	HS	meeting with Nat Smith to review role and case	2.50
10/22/13	HS	meeting with Nat Smith to review case	2.50
10/28/13	HS	performed research on video tape depositions	2.50
04/22/14	HS	preparation Aldana-Bernier deposition	3.00
10/21/13	HS	reviewed Aldana-Bernier interrogatories and further prep for depo	3.25
10/28/13	HS	reviewed motion by medical deft re; video depo/6 emails	3.50
10/01/13	HS	prep for inspection of Schoolcraft home and Hosp: reviewed records & depo of pit	4.00
10/18/13	HS	prep for Aldana-Bernier depo	4.00
12/08/14	HS	researched statutory standard and emailed team with research	4.25
04/20/14	HS	preparation Aldana-Bernier deposition	4.50
10/25/13	HS	appeared for Aldana-Bernier depo and strategized with John Meg and Nat Smit	5.00
02/10/14	HS	deposition preparation	5.20
10/17/13	HS	started review of dots from drop box invasion tape	6.00
10/02/13	HS	home and hosp inspection and Scene inspection	6.25
02/12/14	HS	prep and conducted Isakov deposition	7.25
04/23/14	HS	prep and conducted Aldana-Bernier deposition	8.00
02/11/14	HS	prep Isakov deposition	9.00
10/24/13	HS	prep deposition binder for Aldana-Bernier depo	10.00
<b>Lenoir</b>			
07/14/15	JL	Review / research of JHMC Opposition Memo re: Halpren-	0.20

		Ruder.	
08/24/13	JL	Telephone conference with Smith re invest report on DCPI Brown	0.50
09/13/13	JL	Prepare status report for client	0.50
10/09/13	JL	Telephone conference with Smith and client re case status after Marino depo	0.50
10/10/13	JL	Telephone conference with Smith re depositions	0.50
12/07/13	JL	Telephone conference with Smith re Mauriello counterclaim	0.50
02/03/14	JL	Telephone conference with Smith re deposition schedules	0.50
02/26/14	JL	Prepare examination before trial materials for Duncan.	0.50
02/27/14	JL	Prepare examination before trial Marquez.	0.50
02/27/14	JL	Prepare for Sangianetti.	0.50
03/05/14	JL	Prepare examination before trial materials for Timothy Trainor.	0.50
04/15/14	JL	Review ECF filing by JHC defendant.	0.50
05/05/14	JL	Telephone conference with Smith re proposed mtn to compel	0.50
06/21/14	JL	Draft and review law enforcement expert retainer agreement.	0.50
03/10/15	JL	Telephone conference with Nat.	0.50
03/18/15	JL	Review of trial; prepare exhibits.	0.50
04/24/15	JL	Telephone conference with Nat Smith re possible settlement strategy	0.50
06/23/15	JL	Discussion with Nat Smith re: opposition to consideration motions.	0.50
02/19/13	JL	Telephone conference with EDNY Civil Rts Chief Pam Chen; document preparation.	0.75
05/16/13	JL	Telephone call with Nat Smith and Helena Melisi re: NYPD reinstatement options for AS.	0.75
08/06/13	JL	Confirm with Tom Litwack meeting re: Expert Witness participation	0.75
09/30/13	JL	Review of Mauriello examination before trial notes.	0.75
10/13/13	JL	Telephone conference with Smith and NYACLU re assistance in case	0.75
10/14/13	JL	Telephone conference with Smith re status of case and share of responsibilities	0.75
10/25/13	JL	Appearance in court re attorney video of deposition--Bernier	0.75
12/24/13	JL	Telephone conference with Smith and client re case status and possible settlement range	0.75
01/02/14	JL	Telephone conference with Smith re status and schedule of depositions	0.75
02/23/14	JL	Telephone conference. Smith re depositions	0.75
02/25/14	JL	Prepare examination before trial materials for Weiss.	0.75
02/28/14	JL	Prepare examination before trial docs for Sergeant James.	0.75
03/03/14	JL	Prepare examination before trial materials for Broschart.	0.75
03/07/14	JL	Research re: NYS CPL 190.25(4).	0.75
03/13/14	JL	Hearing and conference. SDNY Sweet, J., re discovery status	0.75
03/14/14	JL	Review scheduling for examination before trial.	0.75
03/21/14	JL	Review City Defendants' correspondence re: discovery demands.	0.75
03/25/14	JL	Review City Defendants' supplemental discovery demands.	0.75
07/30/14	JL	Telephone conference with Smith and LE experts re repost	0.75
10/20/14	JL	Meeting (conference call) with client and Smith re City settlement possibilities	0.75
11/03/14	JL	Telephone conference with Smith re: 3rd Amended Complaint.	0.75
05/01/15	JL	Telephone conference with Nat Smith re trial responsibilities, tactics and overall strategy	0.75

06/22/15	JL	Discussion re: opposition to city & summary motions to reconsideration (Nat Smith).	0.75
07/06/15	JL	Review draft of opposition memo for reconsideration.	0.75
07/27/15	JL	Review documentary film on client with Eterno.	0.75
04/01/13	JL	Meeting with Peter Gleason to prepare for client meeting April 7 and court appearance April 10	1.00
06/09/13	JL	Review and edit of Memorandum and proposed Order for filing with Court	1.00
02/06/14	JL	Conference call with client re: discovery.	1.00
02/13/14	JL	Review with Smith notes and exhibits of depositions of Bernier and Isakov.	1.00
03/09/14	JL	Review research re: response to City Defendants non-production.	1.00
03/30/14	JL	Review jury instructions with Magdalena.	1.00
04/04/14	JL	Review correspondence to Court re: referral to Magistrate; consult re: settlement strategy.	1.00
04/26/14	JL	Telephone conference with client and Smith re: settlement.	1.00
05/07/14	JL	Prepare and review response to City Motion re: 30(b)(6) EBT.	1.00
05/31/14	JL	Skype conference with client to review discovery, etc.	1.00
06/19/14	JL	Status update on discovery schedule for client and trial team.	1.00
06/25/14	JL	Telephone conference with party counsel and co-counsel re:discovery scheduling.	1.00
06/29/14	JL	Telephone conference with client; co-counsel and expert (Lubit) re: scheduling of evaluation meeting.	1.00
07/02/14	JL	Telephone conference with client re: deposition review and trial preparation; Adrian departs NYC via Amtrak	1.00
08/04/14	JL	Telephone conference with LE experts; Eterno and Silverman with Nat Smith.	1.00
08/16/14	JL	Telephone conference with Nat Smith re: expert report follow up and deposition.	1.00
10/10/14	JL	Tel Conference with Lubit and Silverman re: schedule and prepare for deposition.	1.00
10/14/14	JL	POV (Nat Smith) to and from Molloy College from NYC for meeting with LE expert Eterno; to discuss expert report and prepare for Dr. Eterno for examination before trial.	1.00
10/29/14	JL	Hearing before Judge Sweet.	1.00
11/18/14	JL	Review of legal assistant's work in summarizing deposition transcripts.	1.00
11/20/14	JL	Follow up re: Lubit deposition and prep materials for trial testimony.	1.00
02/04/15	JL	Meeting with Nat re: summary judgment motions.	1.00
02/19/15	JL	Review of examination before trial summaries.	1.00
08/14/15	JL	Meeting with Smith re JPTO	1.00
08/21/15	JL	Draft letter to court re experts at trial.	1.00
02/21/13	JL	Telephone conference with Peter Gleason and client Schoolcraft in reference to case preparation for trial (DOJ letter review).	1.25
04/25/13	JL	Meeting with Adrian Schoolcraft and Nat Smith to prepare client for depositions; review status of case	1.25
12/30/13	JL	Confer with John Curran re Stroz Friedberg analysis of recording device and audio enhancement	1.25
02/16/14	JL	Telephone conference with client and Smith re case status and way ahead	1.25
03/05/14	JL	Review discovery and depositions; update case status report	1.25

		for client	
03/07/14	JL	Draft, review and edit correspondence re: discovery.	1.25
03/18/14	JL	Review and consultation with Mauriello counsel re: scheduling of inspection in Johnstown, New York; related discovery review and research.	1.25
05/09/14	JL	Review hospital records; City production re: 081 lockers; prepare status report.	1.25
07/22/14	JL	Status conference with Smith and client.	1.25
08/22/14	JL	Confer with all expert witnesses re: schedule availability for depositions.	1.25
04/28/15	JL	Telephone conference with Nat Smith; call to Roy Lubit re: trial schedule.	1.25
07/17/15	JL	Discussion and review re: Compstat Records; PD expert disclosure.	1.25
02/20/13	JL	Prepare draft letters to DOJ--Main Justice and USAO, EDNY	1.50
03/20/13	JL	Final Draft, review and mail of letters to Main Justice and US Attorney	1.50
05/17/13	JL	Telephone call with Nat Smith 3:30-4:15 and draft email re: strategy for NYPD departmental hearing June 17-18, 2013.	1.50
09/04/13	JL	Prepare biweekly status report for client;; review motion status and prepare case report.	1.50
10/23/13	JL	Telephone conference with Smith re PD expert report and testimony; Tel Conf w/Eterno	1.50
12/02/13	JL	Telephone conference with Smith and client re case status of depositions	1.50
01/15/14	JL	Appearance in court, Sweet, J. re discovery; confer with Smith and Bauza re status	1.50
02/04/14	JL	Prepare and review discovery demands.	1.50
02/18/14	JL	Review of discovery demands with counsel and client.	1.50
02/24/14	JL	Review file to prepare examination before trial material for Gough.	1.50
03/04/14	JL	Counsel conference call. Smith re status and strategy. Needs for trial preparation.	1.50
03/17/14	JL	Review schedule of examination before trial w Smith and opposing counsel.	1.50
03/27/14	JL	Prepare, review, and edit correspondence re 30(b)(6) examination before trial.	1.50
03/31/14	JL	Consultation re: settlement context strategy and demands. (Smith and client)	1.50
04/02/14	JL	Prepare draft trial memorandum.	1.50
04/03/14	JL	Review terms and strategy re: settlement negotiations. Smith and client.	1.50
04/07/14	JL	Review filings (ECF posts) and correspondence.	1.50
04/14/14	JL	Telephone conference with client, Smith and MJ Freeman re: settlement demands and discovery issues.	1.50
04/27/14	JL	Telephone conference with client re: settlement and trial strategy re: medical defendants and PTS.	1.50
04/29/14	JL	Schoolcraft meeting (client and Smith) re: settlement strategy and discovery schedule.	1.50
05/13/14	JL	Drive (Lenoir's POV) from 111 Broadway, NY, NY to Long Island to meet with Lt Ferrara (ret)	1.50
05/30/14	JL	Review w/co-counsel EBT Jamaica Hospital 30(b)(6); Skype conference with client (:30).	1.50
07/21/14	JL	Review of discovery and depositions.	1.50

07/31/14	JL	Preparing letter to Court; tel conf w/Smith and LE experts	1.50
08/01/14	JL	Draft case status report; update Trial Memorandum.	1.50
08/14/14	JL	Research and review existing material re: expert depositions and dispositive motions.	1.50
08/15/14	JL	Prepare for depositions of plaintiff's experts.	1.50
08/29/14	JL	Review Court Order re: discovery; confer with Smith.	1.50
09/02/14	JL	Confer with co-counsel on expert discovery response, schedule of depositions.	1.50
09/07/14	JL	Review PD expert Silverman prior research.	1.50
09/24/14	JL	Expert deposition: Review Lubit deposition; review defendants' expert reports; prepare for LE experts.	1.50
10/06/14	JL	Review of discovery correspondence and scheduling of remaining depositions.	1.50
10/16/14	JL	Conference with client and Smith re: settlement options and trial strategy.	1.50
10/22/14	JL	Review of 2nd Amended Complaint; research for proposed 3rd Amendment.	1.50
12/04/14	JL	Review draft of 3rd Amended Complaint and motion v. Mauriello.	1.50
12/22/14	JL	Review plaintiff motion for summary judgment.	1.50
01/07/15	JL	Meeting with Nat Smith and James McCutcheon re: review of Compstat DVD's.	1.50
02/28/15	JL	Review of Mauriello Rule 56.1.	1.50
03/22/15	JL	Trial exhibits preparation.	1.50
03/28/15	JL	Update Trial Memo	1.50
04/15/15	JL	Review of additional discovery by City Defendants re: Lamstein.	1.50
04/17/15	JL	Review of City Proposal for settlement; telephone call to Schoolcraft re: City Settlement offer.	1.50
06/24/15	JL	Prepare opposition response re bifurcation.	1.50
06/05/13	JL	Appearance in court; Sweet, J. redpositions and discovery status; post hearing conf w/Smith	1.75
10/16/13	JL	co-counsel at deposition Dfnt Bernier - 111 Broadway- by H. Suckle	1.75
12/01/13	JL	Review of Marino and Lauterborn examinations before trial to identify areas for motion to compell and additional requests for production.	1.75
01/12/14	JL	Prepare for Hanlon deposition; review docs and audio files	1.75
02/05/14	JL	Conference with Smith re: discovery demands.	1.75
02/19/14	JL	Review of correspondence re: discovery demands. tel conf client and Smith re discovery	1.75
05/01/14	JL	Conference with Smith re: prior counsel fees/expenses; brief client on settlement issues; research re: use/abuse of psychiatry for poitical intimidation and retaliation.	1.75
05/02/14	JL	Review and conf (all counsel) with re: deposition schedules; review case law re: settlement (range of awards of involuntary confinement, false arrest..).	1.75
05/15/14	JL	Review of EBT; review case and settlement strategy with client and Smith	1.75
06/16/14	JL	Prepare status report for client; draft trial memo	1.75
07/09/14	JL	Negotiate expert agreements with Dr. Silverman and Dr. Eterno; draft retainer contracts; conference call to resolve issues, finalize expert agreement and schedule meetings and reports; and prepare for City 30(b)(6) examination before trial.	1.75

07/11/14	JL	Arrange and negotiate terms for ER MD expert witness; prepare for City examination before trial.	1.75
08/06/14	JL	Review and summarize depositions; confer w/Smith re: expert reports.	1.75
08/26/14	JL	Confer with experts re: additional information on reports; and schedule availability; review defendant Mauriello letter to dismiss charges.	1.75
11/16/14	JL	Review draft of 3rd Amended Complaint.	1.75
01/03/15	JL	Meeting with Nat Smith re: Summary Judgment motion.	1.75
05/12/15	JL	Meeting with full trial team re: hearing; status conference with Judge Sweet.	1.75
11/29/13	JL	Review of Marino and Lauterborn depositions re response City's Refusal to Allow Witness to Respond and otherwise interferes with the examination before trial.	2.00
12/26/13	JL	Meeting with Smith, Bauza and client to review Mauriello EBT; review settlement parameters	2.00
01/10/14	JL	Prepare case files and review audio records for future depositions	2.00
01/29/14	JL	Preparing for Lamstein deposition	2.00
03/16/14	JL	Update case status report; Prep plaintiff demands in discovery and re-schedule depositions.	2.00
05/11/14	JL	Consultation by telephone with Dr. Halpern-Ruder re: EMT and ER procedures as potential expert witness; review correspondence with client.	2.00
05/27/14	JL	Research and outreach re: potential Law Enforcement expert(s) research re: damages and settlement issues.	2.00
06/09/14	JL	Telephone conference with client; preparation and review discovery and settlement issues.	2.00
06/12/14	JL	Return drive POV (Lenoir's) to 111 Broadway NYC from Providence, RI for meeting with Dr. Dan Halpern proposed EMT and ER expert.	2.00
06/13/14	JL	Telephone conference with Eterno and Silverman re: law enforcement expert research and testimony; review and preparation of retainer agreements.	2.00
06/20/14	JL	Telephone conference with co-counsel re: law enforcement experts; draft retainer agreements.	2.00
06/26/14	JL	Telephone conference with client, co-counsel and psychiatric expert re: meeting with client; call with co-counsel re: examination before trial scheduling.	2.00
08/09/14	JL	Confer w/Smith re: expert reports; conference call with LE experts.	2.00
09/12/14	JL	POV from 111 Broadway NYC to 467 Bunker Hill Road, Mayfield, NY for trial planning session with client.	2.00
09/14/14	JL	POV (Smith) from 467 Bunker Hill Road, Mayfield, NY (trial planning session with client and trial team) to NYC.	2.00
09/25/14	JL	Discuss and prepare documentation for LE Expert depositions.	2.00
09/29/14	JL	Prepare (w/Smith) Dr. Halpern-Rudger for examination before trial at 330 East 42nd Street, NYC.	2.00
10/15/14	JL	Conference w/Smith re: City Defendants settlement proposal; prepare counter proposal.	2.00
12/09/14	JL	Research review for motion for summary judgment and opposition to Mauriello counterclaim.	2.00
12/21/14	JL	Draft and Review plaintiff motion summary judgment.	2.00
01/30/15	JL	Summary Judgment response, research, and draft.	2.00

02/13/15	JL	Review of defendant's motions in opposition to plaintiffs motion summary judgment; review of defendant's motions and prepare for plaintiffs reply re: Schoolcraft discovery.	2.00
02/25/15	JL	Draft and research for reply to Mauriello summary judgment response motion.	2.00
03/27/15	JL	Telephone conference with new trial team; assign witness; complete jury questions round up; compstat video by Wednesday.	2.00
04/04/15	JL	Trial memo preparation.	2.00
06/02/15	JL	Review of draft and additional research re: court motion to reconsider re: Dr HR; review draft of reconsideration letter and motion.	2.00
08/25/15	JL	Review and edit letter to court re: opposition to city defendants 2 letters; witness trial outlines: Eterno.	2.00
05/21/13	JL	Meeting with Nat Smith and telephone call with James McCutcheon re: NYPD departmental trial strategy	2.25
11/17/13	JL	Review of client Schoolcraft examination before trial.	2.25
04/09/14	JL	Review settlement strategy with client; Hearing .	2.25
05/19/14	JL	Prepare for meeting with client and full status review of discovery; settlement and trial strategy.	2.25
06/11/14	JL	Drive POV (Lenoir's) from 111 Broadway to Providence, RI to meet with Dr. Dan Halpern proposed EMT and ER expert	2.25
07/10/14	JL	Consultation and negotiation with psych and law enforcement experts; revise retainer agreements.	2.25
07/14/14	JL	Prepare for City 30(b)(6) examination before trial.	2.25
08/08/14	JL	Review depositions; index and summarize; plan expert report submission and prepare for depositions.	2.25
11/06/14	JL	Case conference with client and Smith; update re: strategy and outstanding discovery matters.	2.25
03/02/15	JL	Review and draft summary judgment motion; reply to defendant's motion.	2.25
07/24/15	JL	Meeting with trial team re JPTO etc. at 100 Wall Street.	2.25
04/09/13	JL	Meeting with Nat Smith to prepare for Hearing April 10, 2013	2.50
06/07/13	JL	Meeting with potential expert witnesses, Dr. Tom Litwack, Dr. Eli Silverman and Dr. John Eterno; introduction of Nat Smith to experts	2.50
11/18/13	JL	Consultation with non-party witnesses, audio recordings of IAB interviews and document review.	2.50
11/30/13	JL	Review of dfnt Marino and Lauterborn examination before trial research for motion to compel and additional requests for production.	2.50
12/29/13	JL	Meeting with client, Smith and Bauza re status and go-forward; review audio recordings	2.50
01/03/14	JL	Preparing docs and audio for Sgt Huffman and PAA Boston depositions	2.50
02/10/14	JL	Preparing depositions of Bernier and Isakof; review NYS 9.39	2.50
03/12/14	JL	Schoolcraft preparation for Hearing re: discovery.	2.50
03/13/14	JL	Schoolcraft preparation fr Hearing re: discovery.	2.50
05/10/14	JL	Consultation and correspondence with Nat Smith re: City defendants' discovery production re: 081 lockers; prepare EBT of Sgt James.	2.50
05/16/14	JL	Prepare EBT for Broschart - review City motion to strike 30(b)(6) issues.	2.50
06/27/14	JL	Meeting (telephone conference) with client; co-counsel and expert re: evaluation by psychiatric expert.	2.50

07/18/14	JL	Prepare, do, and review telephone call with MD expert; client and co-counsel.	2.50
08/05/14	JL	Discovery review; review letter to Court re: outstanding issues; finalize status report.	2.50
08/07/14	JL	Review depositions; prepare index and summaries; confer re: expert testimony and reports.	2.50
08/10/14	JL	Review expert reports; conference calls with psychiatric expert.	2.50
08/18/14	JL	Respond to City Defendant letter re: expert reports; review and index depositions.	2.50
08/19/14	JL	Review deposition summaries; draft correspondence re: discovery issues.	2.50
09/10/14	JL	Review with all counsel expert witness deposition schedule and outstanding discovery production; review research material for depositions.	2.50
09/15/14	JL	Review discovery materials produced by City Defendants; conferred with LE expert Eterno by telephone; and conference call with LE experts.	2.50
09/16/14	JL	Reivew and consult re: expert discovery.	2.50
09/18/14	JL	Prepare for City 30(b)(6) examination before trial on Friday; prepare for motion for summary judgment; defendants expert disclosure due.	2.50
10/14/14	JL	Meet Nat Smith for meeting with LE expert Eterno; drive to and from Molloy College from NYC to discuss expert report and prepare dor Dr. Eterno for examination before trial. [mtg:2:30] [travel: 2:00]	2.50
02/12/15	JL	Telephone conference with co-counsel; review of summary judgment motions by defendants.	2.50
02/17/15	JL	Review of defendant Mauriello's motion and prepare plaintiff reply.	2.50
02/24/15	JL	Review discovery to draft response to Mauriello motion opposition.	2.50
02/26/15	JL	Review of Rule 56.1 Mauriello.	2.50
03/09/15	JL	Research and draft letter to Court re: Matthews.	2.50
03/11/15	JL	Meeting with Nat Smith re: Matthews letter and response; trial strategy.	2.50
03/13/15	JL	Smith meeting at 111 Broadway for review of trial strategy and rewponsibilities with new team.	2.50
03/16/15	JL	Review motion response re: Lamstein Affidavit and reply to attorney motion.	2.50
03/25/15	JL	Review of of trial preparation - especially Lubit Direct Outline.	2.50
04/11/15	JL	Prepare Eterno direct, with exhibits	2.50
05/06/15	JL	Review and discuss with Smith plaintiff response re court's Opinion.	2.50
05/11/15	JL	Prepare for hearing re: Court's Opinion/Order re: dispositive motions.	2.50
07/08/15	JL	Research re: production of plaintiff PD expert to city defendants.	2.50
07/13/15	JL	Response to city defendants request for additional discovery re: PD experts.	2.50
09/16/15	JL	Confer with trial team re City R 68 offer of jmt;	2.50
04/11/13	JL	Meeting with R. Koshets; Nat Smith; Peter Gleason; Gilbert to review NYPD pending internal charges v. client	2.75
05/13/13	JL	Meet investigator Helena Melisi; review case re engagement as investigator	2.75
05/16/13	JL	Review of IAB reports of interviews with individual officers	2.75



10/04/13	JL	Preparing docs and audio recordings for Marino deposition; Tel Conf with Smith	2.75
11/01/13	JL	Review docs and audio for Lauterborn deposition	2.75
11/21/13	JL	Review and produce Marino and Lauterborn video depositions; reconcile Plaintiff depositions transcript with video.	2.75
11/22/13	JL	Mauriello terminated examination before trial preparation; review of Court's decision and additional City discovery documents provided.	2.75
11/27/13	JL	Review of examination before trial transcripts with video; prepare for Defendant Caughey examination.	2.75
12/19/13	JL	Prepare for Mauriello examination before trial.	2.75
04/01/14	JL	Prepare trial memorandum/ telephone call to City re: settlement/ and prepare for Trainor and Gough examination before trial.	2.75
04/13/14	JL	Meet possible Psychiatric expert Dr. Lubit; review case and discuss Dr. Lubit's participation.	2.75
06/06/14	JL	Telephone conference with law enforcement experts; call with John Eterno and Eli Silverman; review and discuss law enforcement expert report and testimony; prepare status report for client and trial team.	2.75
09/08/14	JL	Confer with co-counsel re: expert discovery; schedule and deposition strategy; review Monel law and facts..	2.75
09/19/14	JL	With Smith: City 30(b)(6) deposition with Sgt Purpi; and City 30(b)(6) witness on gun amnesty program.	2.75
09/21/14	JL	Prepare ER expert for examination before trial; confer w/Smith re med experts.	2.75
04/18/14	JL	Research on detention verdicts (.75), discussion and planning re: settlement (1.00); telephone call with defense counsel (.50). Tel conf with client and Smith (.75)	3.00
05/06/14	JL	Research and confer with Nat Smith re: settlement issues (1.00); discussion with client re: settlement (1.25); preparation of status report (.75).	3.00
09/17/14	JL	Prepare for Hearing; hearing with Judge Sweet courtroom at 500 Pearl Street, NYC.	3.00
10/01/14	JL	Prepare for hearing on defendants' motion (1.25); hearing on city and hospital defendants' motion (.75); review of rulings from hearing (.25); prep production of LE expert resource materials (.75).	3.00
12/03/14	JL	Review draft of 3rd Amended Complaint; review plaintiff motion for Summary Judgment and dismiss Mauriello counterclaim.	3.00
12/08/14	JL	Review deposition summaries; research on motions for summary judgment; confer with Smith re preparation for opposition.	3.00
01/23/15	JL	Review CompStat DVD's; prepare Summary Judgment Response Statement of motion and facts.	3.00
02/18/15	JL	Review and research on plaintiff reply memorandum to defendant Mauriello's response motion.	3.00
02/23/15	JL	Review of Mauriello summary judgment motion response; research and review documents for summary judgment reply.	3.00
04/08/15	JL	Review of trial exhibits for expert witnesses Eterno and Halpren-Ruder; prepare expert testimony for Halpren-Ruder.	3.00
05/05/15	JL	Review / discussion of court's 200 page Opinion re: Summary Judgment Motions.	3.00
02/17/13	JL	Review of case files and and audio recordings; document preparation to formally request DOJ intervention	3.25

04/10/13	JL	Court: Hearing re discovery before Judge Sweet - SDNY, 500 Pearl Street, NYC. Meeting w/Smith to review hearing and discovery plan.	3.25
05/09/13	JL	Meeting with Nat Smith to review and prepare discovery, engage investigator and prepare depositions	3.25
12/18/13	JL	Prepare for defendant Mauriello examination before trial; review of motion for reconsideration.	3.25
03/28/14	JL	Finalize Plaintiff 30(b)(6) notices. Prepare examination of City 30(b)(6) witnesses	3.25
04/17/14	JL	Schoolcraft settlement research (1.00); consultation with Smith (2.00); telephone conf with Schoolcraft re: settlement issues (1.25).	3.25
02/16/13	JL	Review of case history and complaint; document preparation for presentation to DOJ	3.50
05/18/13	JL	Review of IAB interviews; telephone call with Nat Smith and AS re: strategy for NYPD departmental hearing	3.50
06/26/13	JL	Travel for meeting with client and Nat Smith - Johnston New York Holiday Inn.	3.50
07/10/13	JL	Travel for meeting with client and Nat Smith--Albany	3.50
08/07/13	JL	Meeting with trial illustrator (11am-1pm). Meeting with potential expert witness, Dr. Tom Litwack - (3pm-5pm).	3.50
08/27/13	JL	Travel from NYC to Saugerties and return for client meeting	3.50
10/07/13	JL	Meeting with client and Smith re depositions of Mauriello and Marino	3.50
03/10/14	JL	Schoolcraft research for response to discovery and deposition issues and hearing.	3.50
03/26/14	JL	Appearance in court for hearing re discovery status and issues (.75); prep plaintiff discovery production (2.75).	3.50
04/30/14	JL	Schoolcraft hearing with Judge Sweet re: discovery (.75); post hearing consultation with Smith and Henry Steinglass re: trial strategy (2.75).	3.50
05/20/14	JL	POV (Lenoir) 111 Broadway; NYC to Johnston, N Y and return for consultation with client re: discovery; settlement and trial strategy; and settlement	3.50
06/04/14	JL	Meeting with Smith and Ferrara to prepare for examination before trial; review EBT materials: dcuments and audio.	3.50
07/03/14	JL	Prepare and review w/Smith re: Dr. Lwin's examination before trial.	3.50
09/05/14	JL	Confer with co-counsel re: expert reports and depositions; prepare response to defendants' letter motion re: expert reports and deposition schedules; organize further deposition summaries.	3.50
09/06/14	JL	Review process of summmarizing deposition transcripts; confidentiality agreement, billing procedures,	3.50
10/23/14	JL	Prepare and review summaries of deposition transcripts; schedule remaining depositions with counsel; prepare Silverman for deposition.	3.50
01/20/15	JL	Review defendants Order re: TAC; prepare Summary Judgment Response Mauriello.	3.50
01/24/15	JL	Research and draft Responses to defendant Mauriello Summary Judgment motion.	3.50
02/03/15	JL	Meeting with Nat re: summary judgment motion; summary judgment Mauriello research.	3.50
03/06/15	JL	Review and edit of summary judgment reply.	3.50
04/06/15	JL	Prepare expert trial testimony for Eterno; review examination	3.50

		before trial for Eterno.	
04/13/15	JL	Prepare for hearing before Judge Sweet re: trial schedule; meeting with trial team re: trial schedule and strategy.	3.50
08/07/15	JL	Review JPTO's filed by defendants; telephone conference with counsel team re: JPTO; conference with co-counsel re: Trial Draft.	3.50
08/26/15	JL	Prepare witness trial outlines.	3.50
11/13/13	JL	Motion hearing at Judge Sweet Courtroom; review of hearing outcome w/co-counsel; draft report to client.	3.75
03/24/14	JL	Prepare deposition schedules in consult with Smith and defendants counsel. Review discovery and prep motion draft.	3.75
07/04/14	JL	Prepare for 30(b)(6) depositions and other JHC witnesses.	3.75
10/03/14	JL	Case conference with client and Smith; preparation for summary judgment motions; prepare research for motion to amend complaint.	3.75
02/18/13	JL	Review of case timeline and document preparation for Main Justice and US Attorney presentation	4.00
11/24/13	JL	Review of Plaintiff's depositions (1.00); review defendant Mauriello and Lauterborn depositions and produce videos (2.25); prepare status report (.75).	4.00
06/11/14	JL	(with Smith) Prepare and meet with Dr. Dan Halpern-Ruder in Providence RI re proposed EMT and ER expert.	4.00
09/12/14	JL	Meeting with client and trial team in Mayfield NY (Smith, Bauza and legal asst) in preparation for trial.	4.00
09/14/14	JL	Meeting with client in Mayfield, NY. for trial prep with trial team.	4.00
11/10/14	JL	Defend with Smith Lubit examination before trial	4.00
01/25/15	JL	Research and Drafting in collab with Smith plaint SJ mtn	4.00
06/27/15	JL	Further research and draft of plaintiff opposition to bifurcation motion; finalize draft of opposition to bifurcation.	4.00
05/17/13	JL	Review of IAB interviews of individual defendants and others; prepare notes	4.25
12/11/13	JL	Amtrak NYC - Albany - NYC for Larry Schoolcraft deposition (w/Bauza)	4.25
08/11/14	JL	Plaintiff's expert disclosure due; prepare packages and send.	4.25
04/07/15	JL	Prepare trial testimony for Halpren-Ruder; review jury instructions and motion.	4.25
04/10/15	JL	Prepare expert trial testimony for Halpre-Ruder; expert witness preparation for Lubit.	4.25
07/22/15	JL	Prepare Response to JHMC Opposition to Plaintiff Medical Expert.	4.25
05/12/13	JL	Review of audio recordings made by client; sort and prepare summaries.	4.50
09/10/13	JL	Review of documents in preparation for client's examination before trial	4.50
03/19/14	JL	Review City Defendants production requests; research and prepare response and plaintiff production demands. Tel conf with client.	4.50
04/16/14	JL	Meeting with Smith (1.25); research on jury verdicts/awards (2.25); telephone conference with client to discuss settlement and trial issues (1.00).	4.50
05/08/14	JL	Prepare for settlement conference (1.25); conference call with Magistrate Freeman re: settlement (.75); review settlement negotiations (2.00); research and outreach to proposed ER Medicine expert (1:00).	4.50

05/13/14	JL	meet (w/Smith) with potential witness for plaintiff; NYPD Lt (Ret) Joseph Ferrara; telephone conference with Chris Dunne re: possible settlement issues; prepare EBTs of the EMTs. [POV travel to-from Holbrook NY--3:00]	4.50
06/02/14	JL	Telephone conference with client (1.25); prepare additional discovery requests (1.25); review status of discovery received from defendants (2.00).	4.50
06/04/14	JL	Represent (with Smith) Ferrara at City deposition, 100 Church St	4.50
07/07/14	JL	Prepare for and attend deposition as co-counsel; and review; 30(b)(6) witness to testify about JHMC's policy on involuntary hospitalization.	4.50
07/08/14	JL	Schedule and plan remaining depositions (2.00); review final discovery productions (2.50).	4.50
08/21/14	JL	Telephone conference with Smith re: case scheduling with Larry Schoolcraft (.75); draft response to medical defendants re: depositions of Dr. Patel and Dr. Lwin and City Defendants re: discovery issues (1.25); complete Adrian Schoolcraft 2nd deposition summary (2.50).	4.50
09/04/14	JL	Schedule of expert depositions (.75); review defendants letter motion re: expert reports and depositions (1.25); prepare for expert depositions (1.50).	4.50
09/22/14	JL	ER and Psych Expert deposition preparation (2.00); review defendants' expert reports (2.00).	4.50
01/05/15	JL	Review of summary judgment motion; prepare response.	4.50
01/09/15	JL	Review of Compstat DVD's (2.50); prep index. Meeting with Nat Smith re: summary judgment motion (2.00).	4.50
02/01/15	JL	Confer with Smith in final draft: Mauriello Summary Judgment Response and review.	4.50
02/02/15	JL	Telephone conference with Smith and client; meeting re: summary judgment motions and trial. Trial Memo review. [client to reinstate Norinsberg et al to trial team]	4.50
02/20/15	JL	Prepare for meeting with new trial team; meet with Norinsberg trial team; and review draft of trial memo.	4.50
03/12/15	JL	Review motions; prepare letter to court. re: Matthews and quantified immunity. Meeting with Norinsberg team at 225 Bway	4.50
03/23/15	JL	Meeting with Nat MSith at 100 Wall Street; prepare trial exhibits and witness list.	4.50
03/24/15	JL	Draft/prepare jury verdict sheet template. Research re jury instruction re elements of complaint.	4.50
04/03/15	JL	Research and prepare expert witness; direct and cross	4.50
04/09/15	JL	Expert trial preparation for Eterno; outline direct and prepare exhibits.	4.50
06/26/15	JL	Research and draft plaintiff opposition to bifurcation of Monell claim.	4.50
08/20/14	JL	Draft response to City Defendants letter re: 30(b)(6) witness; also renew demands for production of Marino and other discovery documents.	4.75
01/29/15	JL	Mauriello response and research, record, and draft.	4.75
03/29/15	JL	Prepare expert witness direct; draft jury instruction round up.	4.75
07/10/13	JL	Meeting with client and co-counsel Smith in Albany NY. Full review of discovery and trial posture. (7 hr travel)	5.00
03/11/14	JL	Schoolcraft research and draft letter to court re: discovery and deposition issues (4.00); confer w/co-counsel (1.00)	5.00

04/02/15	JL	Meeting with trial team; research expert testimony for direct testimony and prep for cross.	5.00
07/20/15	JL	Draft opposition to JHMC Memorandum re Medical Expert Halpren-Ruder.	5.00
10/16/13	JL	Prepare deposition of defendant Lauterborn (1.25). Hearing re: Discovery and Defendant Mauriello counterclaim - USDC, SDNY, Judge Sweet (.75). Review of hearing results (.50); prepare report for client (2.75)	5.25
05/15/14	JL	Preparation/conduct w/Smith EBT of Sangetti; EMT/JHC; preparation - conduct post depo-review with Smith.	5.25
06/30/14	JL	Meeting with client (2.00); arrange meeting with psychiatric expert (2.00); conference with Dr. Lubit; call with client re: evaluation (1.25).	5.25
04/27/13	JL	Meeting with Schoolcraft and Nat Smith to prepare for depositions.	5.50
06/26/13	JL	Meeting with client and Nat Smith - Johnston New York Holiday Inn. 7 hours are travel time billed separately	5.50
08/27/13	JL	Client meeting at, Saugerties, NY. with Nat Smith; Review case status and strategy with client. [7 hr travel]	5.50
11/14/13	JL	Review of hospital and NYPD files and audio recordings in preparation for examination before trial of Bernier and Mauriello.	5.50
11/26/13	JL	Review of depositions; prepare challenge to City Defendant obstructions; prepare for Lt. Caughey examination before trial.	5.50
05/20/14	JL	Consultation with client re: discovery; settlement and trial strategy; settlement conference call with Magistrate Freeman and client; Verizon "Hot Spot" internet connectivity device for client communication.	5.50
11/13/14	JL	Lubit deposition continued (defend plaintiff psych expert with Smith).	5.50
07/15/15	JL	Prepare response to defendant JHMC Memo in Opposition to motion for reconsideration re: expert Halpren-Ruder.	5.50
04/26/13	JL	Meeting with Adrian Schoolcraft and Nat Smith to prepare for depositions	5.75
06/01/15	JL	Research and draft letter motion re: reconsideration of order re: modified complaint.	5.75
07/09/15	JL	Confer with expert; Draft response to city re: plaintiff expert resource material; review police expert disclosure requirements.	5.75
01/13/15	JL	Review and index CompStat DVD's.	6.00
01/27/15	JL	Meeting / consult with Smith re: summary judgment responses (2.00); research re: summary judgment response Mauriello (4.00).	6.00
03/30/15	JL	Trial preparation; expect witness direct - Eterno, Lubit, Halpren-Ruder.	6.00
04/25/14	JL	Prepare/conduct w/Smith examination before trial for Sawyer.	6.25
10/02/14	JL	Prepare for summary judgment motion (1.25); summarize examination before trial (1.00); review LE expert resource materials for production (1.50); prepare and schedule legal assistants (Jeanette and Lysia) for examination before trial summaries (2.50).	6.25
09/25/13	JL	Prepare for hearing on discovery (1.0); Oral Argument re: discovery - USDC SDNY Sweet, J (.75).; consultation with client and Smith in preparation for depositions (4.75)	6.50
12/11/13	JL	Represent client (w/Bauza) at depo of Larry Schoolcraft--	6.50

		Albany [8:30 travel time]	
01/12/15	JL	CompStat DVD review.	6.50
01/14/15	JL	Meeting re: summary judgment motion (2.00); CompStat DVD review (4.50).	6.50
02/07/15	JL	Review and draft Summary Judgment Motions.	6.50
02/11/15	JL	Review and edit of opposition to defendant's summary judgment motion.	6.50
03/03/15	JL	Research and review of defendants motions and summary judgment statements re: re-preparation w/Smith of reply brief.	6.50
03/31/15	JL	Prepare trial examination - Eterno, Lubit, and Halpren-Ruder.	6.50
04/01/15	JL	Prepare expert witness testimony and trial notebook.	6.50
08/24/15	JL	Review of trial exhibits, expert rpts and EBTs; prepare expert trial witness outlines.	6.50
01/15/15	JL	Review and index CompStat DVD's.	6.75
05/12/14	JL	Preparation/conduct w/Smith EBT of Sgt Shantel James; EBT Sgt James 10am-3:30pm; review of EBT; follow up with Dr. Halpern-Ruder; EMT/ER expert.	7.00
07/16/14	JL	Conduct two City 30(b)(6) examination before trial.	7.00
07/17/14	JL	Conduct two City 30(b)(6) examination before trial.	7.00
01/21/15	JL	Research, review and drafting portions of plaintiff SJ mtn	7.00
03/04/15	JL	Review of case file and research for smmary judgment motion reply brief.	7.25
02/12/14	JL	co-counsel with Smith and Suckle at deposition of Defendant Dr. Isakov.	7.50
04/11/14	JL	Prepare/conduct as co-counsel w/ Smith examination before trial of Gough.	7.50
04/28/14	JL	Prepare/conduct w/Smith examination before trial: Duncan.	7.50
05/14/14	JL	EBT (w/Smith) of Marquez, EMT/JHC; prepare status report.	7.50
05/28/14	JL	Preparation for hearing (1.50); hearing re: EBT City 30(b)(6) issues (.75); review court holdings (.75); prepare Weiss EBT (4.50).	7.50
06/18/14	JL	Prepare for and conduct (with Smith) Broschart examination before trial; review notes.	7.50
06/23/14	JL	Prepare for, and conduct with Smith dfnt Duncan examination before trial; review Duncan examination before trial.	7.50
07/15/14	JL	Conduct two City 30(b)(6) examinations before trial.	7.50
09/13/14	JL	Meeting with client at Bunker Hill, Mayfield, NY.	7.50
09/23/14	JL	Expert deposition with Dr. Lubit at MCB 220 East 42nd Street, NYC.	7.50
09/30/14	JL	Expert deposition with Dr. Halpern-Ruder at MCB.	7.50
10/24/14	JL	Defend with Smith City's examination before trial of Silverman.	7.50
01/10/15	JL	Review CompStat DVD's; prep index.	7.50
01/22/15	JL	Draft and research for Responses to Mauriello Summary Judgment motion.	7.50
02/05/15	JL	Research and draft response to defendant Mauriello motion for summary judgment; Mauriello summary judgment motion reponse.	7.50
02/06/15	JL	Research and draft Summary judgment motion.	7.50
06/25/15	JL	Draft and research re: bifurcation issue.	7.50
07/23/15	JL	Research and draft Memo In Response to JHMC opposition memo;	7.50
12/09/13	JL	Prepare and 2d seat with Smith examination before trial for dfnt Caughey; meeting with Peter Kelley re potential assistance in trial prep.	7.75

01/19/15	JL	Draft Response to Mauriello summary judgment motion (4.50); telephone call (Smith and McCutcheon)re: CompStat DVD review (.75); research for Response to Mauriello (1.50); meeting for summary judgment (1.25).	8.00
04/10/14	JL	Prepare/conduct w co-counsel Smith examination before trial of Trainor.	8.25
01/11/15	JL	Review CompStat DVD's; telephone call re: CompStat DVD's; review CompStat DVD's.	8.25
01/13/14	JL	co-counsel w/Smith at Hanlon deposition	8.50
01/30/14	JL	conduct as co-counsel w/Smith Lamstein deposition	8.50
02/11/14	JL	Deposition of defendant Dr. Bernier.111 B'Way--co-counsel with Smith and Suckel	8.50
07/01/14	JL	Prepare and conduct w/Smith examination before trial for Mauriello. Review w/client and Smith.	8.50
10/17/14	JL	Examination before trial of Dr. Eterno (with Smith).	8.50
01/08/15	JL	Review and index CompStat DVD's (4.50); prepare response to summary judgment motion (4.00).	8.50
01/26/15	JL	Client conference call (1.50); research and drafting re: summary judgment defendant Mauriello (7.00).	8.50
01/31/15	JL	Prepare, research, write draft for response to Mauriello summary judgment.	8.50
02/08/15	JL	Preparation in opposition to defendants summary judgment motion.	8.50
02/10/15	JL	Prepare memorandum in opposition to defendant's motions for summary judgment and Rule 56.1 Statement.	8.50
03/05/15	JL	Draft, discuss and review summary judgment motion.	8.50
09/26/13	JL	Representation of client along with co-counsel Smith in examination before trial by defendant Mauriello and NYC - Walter Kretz law office 444 Madison Avenue, NY.	9.00
09/27/13	JL	Co-counsel with Smith in representation of client at deposition of client by defendant Mauriello and Jamaica Hospital defendants - Callan, Koster, Brady & Brennan, LLP - One Whitehall Street, 10th Floor New York, NY 10004.	9.00
10/08/13	JL	co-counsel w/Smith in deposition of Marino; post depo confer /Smith and client	9.00
11/07/13	JL	Prepare and take w/Smith examination before trial of defendant Lauterborn. Review documents and audio recordings; prepare exhibits.	9.50
12/20/13	JL	Represent client with Smith at Mauriello examination before trial at Scopetta Seiff Kretz & Abercrombie.	9.50
01/06/14	JL	co-counsel w/Smith depositions of Huffman and Boston; post EBT review w/Smith and Bauza	9.50
02/09/15	JL	Summary Judgment motions; confer w/Smith re prepare in opposition to motions and response to Rule 56.1 Statement.	9.50
01/28/15	JL	Research and draft; prepare for summary judgment response Mauriello.	10.50
04/28/13	NBS	Telephone conference with John Lenoir re: upcoming trial with NYPD.	0.20
09/10/13	NBS	Telephone conference with client.	0.20
01/08/14	NBS	Letter to Court; email re: scheduling	0.20
02/08/13	NBS	TElephone conference with Peter Gleason re taking on new case	0.30
07/24/13	NBS	Telephone conference with Magdalena re: status	0.30
04/15/14	NBS	Telephone conference with H. Suckle re: status and	0.30

		settlement.	
05/08/15	NBS	Telephone conference with trial team re: status.	0.30
06/15/15	NBS	Review of calendar; telephone call to John Lenoir re: status.	0.30
06/25/15	NBS	Emails with counsel re: status; letter to court re: schedule; review of trial exhibit folder.	0.30
09/02/15	NBS	Telephone conference with W. Kretz re status	0.30
05/24/13	NBS	Telephone conference with client re: status; review of emails from co-counsel re Eli Silverman.	0.40
07/23/13	NBS	Telephone conference with co-counsel re: status.	0.40
01/24/14	NBS	Produce documents	0.40
02/24/14	NBS	Review of examination before trial; email reference recording.	0.40
09/22/14	NBS	Email regarding schedule; telephone call with John Eterno.	0.40
02/11/13	NBS	Telephone conference with co-counsel; review of Floyd case.	0.50
02/13/13	NBS	Telephone conference with Peter Gleason; telephone to Richard Guilbert re status.	0.50
04/14/13	NBS	Telephone conference with Peter Gleason re: status.	0.50
05/01/13	NBS	Telephone conference with Peter Gleason re: status; emails with clients re: same.	0.50
05/30/13	NBS	Telephone conference with client; telephone call to Lisa Bland's office.	0.50
06/29/13	NBS	Review of stay decision on NYPD trial.	0.50
09/16/13	NBS	Email regarding status; telephone call to client.	0.50
09/18/13	NBS	Telephone call and emails reference 81 inspection	0.50
10/09/13	NBS	Telephone conference with John Lenoir re: status.	0.50
11/01/13	NBS	Telephone conference with client; telephone call to John Lenoir re: Stop and Frisk; status.	0.50
02/03/14	NBS	Telephone conference with co-counsel; email reference examination before trial.	0.50
03/03/14	NBS	Review of emails and letters	0.50
04/22/14	NBS	Telephone conference with Joe Ferrero.	0.50
06/26/14	NBS	Emails with opposing counsel re: schedule; conference with co-counsel re: same.	0.50
09/10/14	NBS	Telephone conference with all counsel.	0.50
03/20/15	NBS	Telephone conference with Walter Kretz re: Kickstarter movie; email with trial team re; inquiry.	0.50
05/22/15	NBS	Review of recent EDP decision.	0.50
05/28/15	NBS	Review of memo re: reconsideration; telephone call with John Lenoir and email with MG re: same.	0.50
06/26/15	NBS	Review of draft portion of opposition to bifurcation	0.50
07/07/15	NBS	Review of schedule; review of emails.	0.50
06/23/15	NBS	Email team re: schedule; telephone call to city counsel re: same; email all counsel re: same.	0.60
02/22/13	NBS	Review of emails; telephone call to co-counsel; telephone Graham Raymond (Village Voice).	0.70
03/14/13	NBS	Emails to opposing counsel; letter to Judge Sweet in reference to motion schedule.	0.70
05/03/13	NBS	Review of cases; email letter to opposing counsel re: collateral examination before trial issue.	0.70
07/18/13	NBS	Telephone conference with client re Judge Sweet and re: discovery status; email opposing counsel re: same and schedule of examination before trial.	0.70
09/04/13	NBS	Email to client re: status; review of status report; review of letter motion by city.	0.70
09/03/14	NBS	Email to all counsel re: schedule; telephone call with Eli	0.70



		Silverman.	
05/05/15	NBS	Review of review of decision on summary judgment motion.	0.70
05/13/15	NBS	Telephone conference with Dr. Lubit re: status and trial date; telephone call to Dr. Eterno re: status and trial date.	0.70
05/15/15	NBS	Emails re: schedule on motions in limine; review of recent EDP decision.	0.70
09/11/15	NBS	Telephone conference with A Schiener and JN re settlement and willing to increase offer of cash some	0.70
02/20/13	NBS	Meeting with co-counsel; prepare subpoenas	0.80
05/23/13	NBS	Telephone conference with client; call to co-counsel; review of decisions; email re: status.	0.80
07/27/13	NBS	Meeting with T. Skinner re: case.	0.80
08/06/13	NBS	Telephone conference with co-counsel; review of emails and press coverage; call from G. Rayman re: book out.	0.80
09/09/13	NBS	Revising letter motion; emails on same.	0.80
10/17/13	NBS	Telephone conference with client; emails re: status; email prior counsel re: discovery matters.	0.80
10/28/13	NBS	Telephone conference with client re: status; emails re: schedule and video objections.	0.80
02/05/14	NBS	Telephone conference with client; emails reference examination before trial; and letter to Judge Sweet.	0.80
05/02/14	NBS	Telephone conference with Gregory Radomsile reference examination before trial; emails to opposing counsel' re: same.	0.80
06/10/14	NBS	Drafting demands on Mauriello; drafting letter to court re: amended discovery schedules.	0.80
06/16/14	NBS	Review of city letter re: supplemental discovery; conference with co-counsel.	0.80
07/09/14	NBS	Telephone conference with police experts.	0.80
07/30/14	NBS	Telephone conference with John and Eli re: expert report.	0.80
11/19/14	NBS	Review of examination before trial of Lauterborn and Mauriello on questions about evaluations; email client re: same.	0.80
05/21/15	NBS	Telephone conference with A. Schiener; email team re: settlement.	0.80
07/11/13	NBS	Telephone conference with R. Gilbert; telephone conference with client re decision; telephone call to client; telephone Gilbert	0.90
07/26/13	NBS	Preparing documents for client.	0.90
11/26/13	NBS	Drafting notices for depositions ; review of email.	1.00
10/26/14	NBS	Revise letter re: rejection of Rule 68 offer.	1.00
11/16/14	NBS	Revise complaint; email re: same.	1.00
05/18/13	NBS	Telephone conference with client and co-counsel.	1.20
08/21/13	NBS	Telephone conference with co-counsel; emails with opposing counsel re: discovery schedule.	1.20
11/14/13	NBS	Email in reference to Daily News Article; telephone call to Mag Bauza re: interview with Carol Street.	1.20
01/27/14	NBS	Revising letter to website responders; sending Out same; letter to City Defendants re: examination before trial	1.20
03/08/14	NBS	Review of letters on discovery motions; email to team reference response.	1.20
06/08/14	NBS	Revising discovery demand for Mauriello counterclaim.	1.20
07/28/14	NBS	Review of Dr. Lwin examination before trial; review letter from Jamaica Hospital.	1.20
07/29/14	NBS	Emails and telephone conference with client and re: experts; review of letters to Court.	1.20

08/07/14	NBS	Review of report; telephone call to John Eterno re: same	1.20
04/17/15	NBS	Telephone conference with Alan Scheiner and team re: settlement demand email.	1.20
06/28/15	NBS	Review of draft memo; revise same.	1.20
07/17/15	NBS	Telephone conference with John Lenoir; review of CompStat clips; review of emails.	1.20
08/24/13	NBS	Meeting with investigator (1.0); telephone conference with Jon Lenoir re: Paul Brown (0.3).	1.30
05/07/15	NBS	Review of decision; telephone call with opposing counsel (Brian Lee) re: state medical malpractice sliding scale issues and status.	1.30
06/24/15	NBS	Telephone conference with John Lenoir; telephone S.K. re: opposition to bifurcation; emails to counsel re: schedule; letter to Judge Sweet re: schedule; review of motion on bifurcation.	1.30
08/24/15	NBS	Preparing focus sheets; email co-counsel re: mental patient gun rights.	1.30
08/31/15	NBS	Telephone conference with clerk and parties; telephone call with John Norinsberg re status; review of draft motion.	1.30
03/28/13	NBS	Draft supplemental memo of law.	1.50
04/10/13	NBS	Meeting with team after court appearance.	1.50
05/02/13	NBS	Draft letter to Publicker re: collateral estoppel issue; email all counsel re: discovery deadlines; email court re: same.	1.50
06/12/13	NBS	Review of Younger case law.	1.50
07/22/13	NBS	Telephone conference with client; re: status; review of to do list; memo to file.	1.50
08/20/13	NBS	Telephone conference with client; revised letter to court.	1.50
08/23/13	NBS	Meeting with Magdalena re legal research on state action; telephone call with Jon Lenoir re: status.	1.50
09/03/13	NBS	Telephone conference with client re: status.	1.50
09/29/13	NBS	Meeting with client re: case and next Steps.	1.50
12/04/13	NBS	Letter to opposing counsel; email to opposing counsel re numerous discovery disputes.	1.50
03/04/14	NBS	Prepare for and attend meeting to confer; emails reference status same.	1.50
04/01/14	NBS	<b>Telephone conference with City re: settlement;</b> telephone conference with client; conference with team re: same.	1.50
06/03/14	NBS	Email regarding plan for discovery; production of Aetna documents and docket photos; telephone call to J. Ferrara re: examination before trial for 6/5/14.	1.50
07/14/14	NBS	Prepare for examination before trial of City 30(b)(6) witnesses.	1.50
08/06/14	NBS	Telephone conference with Mag Bauza to do list; meeting with John Lenoir re: same; revise letter to Court re: video objection.	1.50
09/02/14	NBS	Meeting with co-counsel; review of decisions on discovery; emails re: scheduling with experts; telephone call with Roy Lubit re: same.	1.50
09/05/14	NBS	Review of time limitation issues for examination before trials.	1.50
11/11/14	NBS	Telephone conference with paralegal (JS) re: case; review of ebt summaries.	1.50
11/14/14	NBS	Review of examination before trial summaries and indexes.	1.50
11/20/14	NBS	Review of file in Azira case on Blue Wall.	1.50
01/09/15	NBS	Emails re: status; conference with team; conference call with client.	1.50
04/15/15	NBS	Telephone conference with Alan Scheiner re: settlement and trial date; emails re: discovery and Boston.	1.50

05/11/15	NBS	Review of decision on summary judgment; prepare for conference with court.	1.50
05/29/15	NBS	Prepare reconsideration letter.	1.50
06/19/15	NBS	Review of motion by City and authorities.	1.50
07/21/15	NBS	Preparing memo in reply on reconsideration.	1.50
08/18/15	NBS	Letter to court in reply on JPTO adjournment.	1.50
02/16/14	NBS	Telephone conference with John Lenoir and client reference status; review of privilege issues.	1.70
09/24/14	NBS	Telephone conference with Roy Lubit; telephone call with John Lenoir; review of emails; letter to court re: motion by city.	1.70
05/22/13	NBS	Telephone conference re: status; telephone call Lisa Bland re: possible deal (demand of back pay in consideration of resignation); review and revised responses to discovery demands.	1.80
06/05/13	NBS	Appearance in court at conference before Judge Sweet handled by John Lenoir; conference with John re: same.	1.80
06/06/13	NBS	Review of emails; review of proposed order; review of notes on defendant's examination before trial; email co-counsel; prepare for meeting with experts.	1.80
10/10/13	NBS	Review of email; conference with co-counsel; review of law on tortious interference claim; email opposing counsel re: emotion to amend Mauriello answer.	1.80
10/18/13	NBS	Telephone conference with client; review of medical documents responses; email opposing counsel re: status of production.	1.80
12/31/13	NBS	Review of production; research on compstat.	1.80
01/02/14	NBS	Meeting with client re: review of tapes; telephone conference with co-counsel; emails re: schedule; letter to Court re: schedule	1.80
03/31/14	NBS	Telephone conference with client; review of discovery; emails reference settlement.	1.80
04/14/14	NBS	Telephone conference with co-counsel re: status; conference with client; emails with opposing counsel re: new dates for settlement demands/offers/conference; draft letter to MJ Freeman re: same; email Hearn.	1.80
06/02/14	NBS	Telephone conference with client; emails with opposing counsel re: discovery; reviewing production for index.	1.80
09/16/14	NBS	Telephone conference with experts; conference with co-counsel; emails re: schedule with all counsel.	1.80
12/05/14	NBS	Review of letters; review of Duncan transcripts, emails with team re: status.	1.80
02/04/15	NBS	Email with client; review of cases on Monell liability; review of record (ebt's) on Monell issues.	1.80
04/29/15	NBS	Review of new recording from City on Lauterborn PG; email trial team restatus; telephone call G. Radomisli re: status of trial.	1.80
05/08/15	NBS	Review of decision; email team	1.80
07/01/15	NBS	Review of reconsideration motion.	1.80
01/23/14	NBS	Prepare documents for supplemental production; long status conference with client re: need for AEO production and status of case (1.3)	1.90
04/15/13	NBS	Review of production.	2.00
06/09/14	NBS	Telephone conference with client re: status of case.	2.00
02/15/13	NBS	Review of files from counsel; review of pleadings; telephone call to co-counsel twice; review of penal code.	2.20

05/15/13	NBS	Continued review of production; email opposing counsel re: status of IPP trial and Queens DA document.	2.20
11/19/13	NBS	Telephone conference with B. Shaffer re: Larry Schoolcraft examination before trial re: examination before trial of Larry Schoolcraft; prep for ebts of police defendants	2.20
05/05/14	NBS	Telephone conference with Sheri; telephone call to John Lenoir; prepare letter to Judge Sweet re: Plaintiff's motion to compel; telephone to John Cohen re: fees; review of Gleason fees.	2.20
09/20/14	NBS	Review of medical expert reports by Jamaica Hospital Medical Center; Bernier and Isakov.	2.20
09/26/14	NBS	Review of production for motion to compel; telephone call with co-counsel; message from Dr. Lubit.	2.20
11/07/14	NBS	Meeting with S. Korenbaum; emails re: status; telephone call with Dr. Lubit.	2.20
10/13/13	NBS	Telephone conference with client re: status re: NYCLU and Dunn and going forward; telephone call to John Lenoir re: same	2.30
01/15/14	NBS	Appearance in court; conference with co-counsel; email re: status	2.30
01/29/14	NBS	Prepare for Dr. Lamstein	2.30
03/11/14	NBS	Meeting with team John Lenoir and Mag Bauza; drafting letter to court.	2.30
02/03/13	NBS	Telephone conference with Peter Gleason; review of docket complaint and decision by J. Sweet.	2.50
02/07/13	NBS	Meeting with Adrian Schoolcraft; Peter Gleason and John Lenoir re possible representation.	2.50
02/17/13	NBS	Review of boxes from client and Gilbert.	2.50
03/03/13	NBS	Review of discovery; review of discovery plan; review of draft letter to Justice Department.	2.50
03/05/13	NBS	Telephone conference with client re Justice letter and Chris Dunn three times; review of discovery record.	2.50
03/09/13	NBS	Meeting with co-counsel and intern in reference to status.	2.50
03/20/13	NBS	Review of Magistrate Judge letter; telephone call to Peter Gleason; letter to court re two motions; review of discovery file.	2.50
03/30/13	NBS	Review of gag order cases (1.5); conference with team (1.0).	2.50
04/03/13	NBS	Appearance at Floyd trial to hear part of Dr. Fagan direct.	2.50
04/11/13	NBS	Meeting with team and Rae Kosheck re: NYPD re adm trial issues.	2.50
04/16/13	NBS	Review of production	2.50
04/25/13	NBS	Appearance at 1 Police Plaza for conference; telephone call to client re: status; review of interviews by QAD.	2.50
05/13/13	NBS	Meeting with John and Melissa re: NYPP; telephone call with client.	2.50
06/20/13	NBS	Telephone conference with co-counsel; review of Floyd submissions.	2.50
09/08/13	NBS	Drafting letter motion on AEO.	2.50
09/22/13	NBS	Review of motion letter re: AEO and personal property motion.	2.50
09/23/13	NBS	Draft reply letter on AEO and personal property motion telephone conference with client; telephone call with Mag; telephone call to John Lenoir re: status; review of 81 inspection photos; review of AEO designations.	2.50
09/30/13	NBS	Telephone conference with co-counsel; review of emails; review of productions.	2.50
10/22/2013	NBS	Meeting with H. Suckle re: medical examination before trial	2.50

		preparation.	
11/04/13	NBS	Prepare for examination before trial.	2.50
11/15/13	NBS	Prepare for Mauriello.	2.50
11/20/13	NBS	Prepare for Marino examination before trial.	2.50
11/21/13	NBS	Prepare for Marino examination before trial.	2.50
12/02/13	NBS	Telephone conference with W. Krétz re: Mauriello; telephone emails with counsel re: status and discovery deadline.	2.50
12/08/13	NBS	Prepare for Caughey examination before trial.	2.50
02/19/14	NBS	Telephone conference with co-counsel (HS) reference medical case; state action; pro and sub due process; review of emails reference discovery status; telephone call to John Lenoir reference same.	2.50
02/21/14	NBS	Review of cited psychiatric journals.	2.50
04/04/14	NBS	Review of medical expert decisions and affidavit; prepare for Trainor examination before trial.	2.50
04/07/14	NBS	Prepare motion to strike paragraph six of Mauriello's counterclaim (1.3); prepare outline of discovery issues; telephone call to D. Beekman (Daily News); telephone conference Graham Raymond; telephone MJ Freeman's chambers; email all counsel.	2.50
04/29/14	NBS	Review of state motion cases; meeting with co-counsel; call to client.	2.50
07/22/14	NBS	Telephone conference with client and team; prepare letter.	2.50
09/12/14	NBS	Prepare for meeting with client; outline summary judgment motions; causes of action.	2.50
11/06/14	NBS	Telephone conference with client re: amending complaint.	2.50
11/21/14	NBS	Emails re: Lubit; review of Azira files	2.50
12/01/14	NBS	Revising motion to amend	2.50
12/30/14	NBS	Researching motion for summary judgment.	2.50
02/17/15	NBS	Review of files on summary judgment papers.	2.50
02/23/15	NBS	Meeting with John Lenoir re: reply to Mauriello.	2.50
04/06/15	NBS	Email team; telephone call to Scott Korenbaum re: jury change; prepare Isakov cross.	2.50
07/06/15	NBS	Revising opposition papers; email co-counsel; emails to opposing counsel.	2.50
08/17/15	NBS	Review of JPTO; telephone call with Kretz; review of letter to court from city.	2.50
02/27/13	NBS	Review of file; prepare summons fo amended cmplt; file Summons with SDNY clerk; tc attempt service of same on Law Dept; telephone call to Peter Gleason re status of serving 5 remaining defendants.	2.80
04/29/13	NBS	Telephone conference with with client (1.0) re: trial; research on collateral estoppel issue.	2.80
04/30/13	NBS	Telephone conference with client; research on collateral estoppel issue.	2.80
06/25/13	NBS	Telephone conference with client; telephone co-counsel re: travel to upstate; review of issues regardig: litigation with indigent client; prepare for same.	2.80
08/01/13	NBS	Meeting with Magdalen re: status and case; review of case law in jury instructions.	2.80
12/01/13	NBS	Review of Caughey, Weiss and Hanlon recordings; prepare for Caughey examination before trial; telephone conference, re: status (left message).	2.80
12/07/13	NBS	Telephone conference with client and John Lenoir; prepare for Caughey examination before trial; prepare for opposition to	2.80

		Mauriello reconsideration.	
02/20/14	NBS	Email co-counsel; client review of examination before trial for motion.	2.80
04/08/14	NBS	Prepare for Trainor examination before trial.	2.80
04/09/14	NBS	Preparing for hearing on Raymond motion to compel; appearance in court on motion (2.2); prepare for Trainor and Gough examination before trial.	2.80
04/27/14	NBS	Preparing reply to Mauriello opposition	2.80
03/13/15	NBS	Meeting with team re: trial preparation; drafting letter to Court.	2.80
06/29/15	NBS	Review memo in opposition to bifurcation motion; telephone call to Scott Korenbaum; call to John Lenoir re: same.	2.80
08/13/15	NBS	Prepare letter motion to court re: JPTO deadlines; review of recent production and emails re: status with defense counsel.	2.80
08/16/15	NBS	Review of Plaintiff's Trial Exhibits; review of objections.	2.80
09/16/15	NBS	Telephone conference with A Scheiner; conf call with JN and GC re settlement; revised detailed memo to client re settlement; tc JL re same; email cleint re settlement	2.80
04/17/14	NBS	Telephone conference with team; review of decisions; telephone Mag; telephone Howard; telephone John; letter to all defendants counsel re: Norinsberg termination letter; telephone call to S. Mettham re: settlement.	2.90
04/22/13	NBS	Review of testimony in discovery	3.00
10/27/13	NBS	Research on dangerous assessment.	3.00
10/25/14	NBS	Research on criminal standard for exigent circumstances.	3.00
06/02/15	NBS	Revising and drafting reconsideration motion.	3.00
03/01/13	NBS	Telephone conference with potential medical expert (.5); review of discovery; file Affirmation of Service; review of medical and hospital records.	3.20
05/09/13	NBS	Meeting with J. Lenoir re: case and status; review of internal memos by IAB; review of recordings.	3.20
10/25/13	NBS	Appearance for Bernier examination before trial; wait for response from Court on video objection; meeting with team.	3.20
12/24/13	NBS	Meeting with client and John Lenoir re: status and possible settlement demand.	3.20
06/04/14	NBS	Prepare for Ferrara examination before trial; telephone conference with co-counsel re: same.	3.20
06/06/14	NBS	Prepare discovery demands re: Mauriello (1.5); conference call with John Eterno; Eli Silverman and team re: expert issues (compstat, blue wall, and digital recorder); review of New York City conflict of interest issue, law, decision (1.2)	3.20
07/15/14	NBS	Prepare for 30(b)(6) of witnesses on appeal; review and quatoa issues; prepare for City examination before trial on training; disciplines and crime reporting.	3.20
08/05/14	NBS	Revise letter to Court on 3 motions; draft second letter re: video objection.	3.20
04/13/15	NBS	Prepare for oral argument; appear in court for conference with court (2.0); conference with team thereafter; email opposing counsel re: Lauterborn CD and Boston illness.	3.20
06/22/15	NBS	Emails re: motions; review of City memo; telephone conference with City; call to W. Kretz; review of Mauriello memo; emails with team re: schedule.	3.20
08/07/15	NBS	Review of JPTO sections from defendants; telephone call with Brian Osterman; conference call with Plaintiff's team re: JPTO objections; letter to Judge Sweet oposing motion to strike reply.	3.20

9/9/2015	NBS	Telephone conference with A Schiener and with co-counsel re settlement (JN: PG; Harvey Levine; Rick Guilbert) re issues pertaining to additional pension benefits.; review of caselaw cited by the City on pension issues	3.20
7/21/2014	NBS	Drafting letter to Court; review of transcript of prior hearing; research on legal issues raised by objections and Purpi examination before trial.	3.40
2/14/2013	NBS	Telephone conference with client; review of Floyd decision; meeting with client and team.	3.50
2/18/2013	NBS	Review of decisions of file; review of production.	3.50
2/28/2013	NBS	Review of examination before trial; prepare subpoena; prepare Notice of Appearance.	3.50
3/6/2013	NBS	Review of discovery records; telephone call to Chris Dunn (NYCLU); meeting with City CM Williams; Peter Gleason and Adrian Schoolcraft (2.1).	3.50
3/23/2013	NBS	Review of motion and motion letter; research on taking high-level government employee's deposition.	3.50
3/31/2013	NBS	Review of cases on gag order.	3.50
4/1/2013	NBS	Review of discovery; email reference discovery plea.	3.50
4/2/2013	NBS	Appearance at Floyd trial to hear Mauriello testify.	3.50
4/24/2013	NBS	Review of AEO files.	3.50
5/10/2013	NBS	Continued review of discovery.	3.50
5/17/2013	NBS	Continued review of discovery; telephone call to client (2 times); call to John Lenoir; email re: same.	3.50
5/20/2013	NBS	Review of personal file on defendants; sick report and duty status at 10/31/09; research on Judge Sweet letter; telephone call to John Lenoir re: Jimmy McCutkin re: telephone to Lisa Bland.	3.50
6/3/2013	NBS	Telephone conference with co-counsel; letter to Judge Sweet on discovery; telephone call to Lisa Bland re: now want demand from us and will not agree to stay.	3.50
6/4/2013	NBS	Telephone conference with client; telephone call co-counsel; draft letters to Judge Sweet re: stay and re: alleged discovery deficiencies.	3.50
6/9/2013	NBS	Preparing proposed Order to Show Cause on stay of adm proceedings	3.50
6/13/2013	NBS	Review of Younger et al decisions on stay motion.	3.50
6/14/2013	NBS	Email regarding press contracts; telephone call to client; further research on Younger issue.	3.50
7/25/2013	NBS	Prepare for all counsel conference call; telephone co-counsel; telephone call client.	3.50
7/30/2013	NBS	Revising documents (sub of counsel; memo of understanding; discovery demands) (1.5); telephone call H. Suckle re: possible involvement; telephone co-counsel re: status; review of Section 1983 case law (1.5).	3.50
8/26/2013	NBS	Continued review of production.	3.50
8/28/2013	NBS	Review of decision on jury order; telephone Pete Gleason re: suits and apartment; review of counsel; review of conference orders; review of production.	3.50
8/30/2013	NBS	Continued review of production	3.50
9/6/2013	NBS	Review of correspondence on discovery; drafting AEO letter motion; telephone call to client re: status and AEO letter issues (1.0)	3.50
9/21/2013	NBS	Meeting with client.	3.50
10/1/2013	NBS	Meeting with client re: examination before trial and inspection	3.50

		preparation.	
10/11/2013	NBS	Drafting letter to Court; research on motion to amend.	3.50
10/15/2013	NBS	Revised motion and memo; emails re: same; letter to court; conference with client re: status.	3.50
10/23/2013	NBS	Telephone conference with court re: oral argument date; telephone call with Walter Kretz re: same; conference with co-counsel; telephone call and email to client; telephone J. Eterno re: status and Monell issues (alleged conflict of interest issue raised by Law Dept in the past); review of Jamaica Hospital records; email with prior counsel re: substitution and document search.	3.50
11/8/2013	NBS	Meeting with investigator (1.0); telephone call same and Mag (0.5); review of research and emails.	3.50
11/22/2013	NBS	Prepare for and appear at Mauriello examination before trial (busted by defendant).	3.50
12/6/2013	NBS	Emails re: status; prepare opposition to motion for reconsideration.	3.50
12/17/2013	NBS	Prepare for examination before trial of Mauriello; review of recent correspondence.	3.50
12/19/2013	NBS	Prepare for Mauriello.	3.50
1/12/2014	NBS	Prepare for Hanlon examination before trial	3.50
1/16/2014	NBS	Review of production; review of report on crime reporting; emails re: status of examination before trial	3.50
1/17/2014	NBS	Review of documents produced; review of report of crime reporting; review of prior discovery demands	3.50
1/28/2014	NBS	Prepare for Dr. Lamstein	3.50
2/7/2014	NBS	Email regarding status with client; meeting with Mag in reference to redaction issues; letter to Law Department reference redaction; drafting and revising discovery demands.	3.50
2/23/2014	NBS	Review of examination before trial; telephone co-counsel; telephone conference with client reference status.	3.50
2/27/2014	NBS	Drafting letters to court re outstanding discovery disputes by plaintiff and by defendants	3.50
3/24/2014	NBS	Meeting with team; telephone call with client.	3.50
3/27/2014	NBS	Telephone conference with client (twice) re subject matters of numerous 30(b)(6) notices; revising same.	3.50
4/18/2014	NBS	Various telephone calls with John Lenoir; telephone client; review of decisions on involuntary hospital and damages.	3.50
4/24/2014	NBS	Prepare for Sawyer examination before trial (3.0); revise opposition to Jamaica Hospital protective order motion.	3.50
5/11/2014	NBS	Prepare for James examination before trial.	3.50
6/17/2014	NBS	Prepare for Broschart.	3.50
6/27/2014	NBS	Review of Mauriello examination before trial; telephone call to Dr. Roy Lubit; and prepare for Mauriello examination before trial.	3.50
7/18/2014	NBS	Review of prior arguments and submissions discussions outstanding; conference with Dr. Halpern and team.	3.50
7/25/2014	NBS	Prepare and take examination of trial of Dr. Patel; draft letter to Court on application re: Dr. Patel.	3.50
8/8/2014	NBS	Review of reports of experts (police and ER); review of record from psychiatric experts.	3.50
9/11/2014	NBS	Reply to Defendants' letter motion on experts; letter to all counsel re: expert fees to be paid; review of cases on same.	3.50
9/17/2014	NBS	Prepare for and take Purpi examination before trial.	3.50
9/18/2014	NBS	Prepare for examination before trial; telephone call with Walter	3.50



		Kretz; telephone conference with Roy Lubit; review of expert reports served today and with co-counsel.	
9/21/2014	NBS	Meeting with John Lenoir and Mag Bauza; meeting with Lubit re: examination before trial preparation.	3.50
9/25/2014	NBS	Drafting opposition to discover motion.	3.50
10/18/2014	NBS	Research on Rule 68; draft and send memo to client re: Rule 68 offer; telephone client re: same; telephone call to John Lenoir re: same.	3.50
10/22/2014	NBS	Meeting with Eli Silverman to prepare for examination before trial.	3.50
10/30/2014	NBS	Prepare for Patel examination before trial; research warrantless entry and search.	3.50
11/1/2014	NBS	Research on exigent circumstances case law.	3.50
11/4/2014	NBS	Drafting motion to amend; letter to court re: page limit; email client re: status.	3.50
11/5/2014	NBS	Drafting motion to amend.	3.50
12/2/2014	NBS	Revise memo re: motion to amend.	3.50
12/3/2014	NBS	Revising 3rd Amended Complaint and Memo Of Law In Support Of Motion To Amend.	3.50
12/8/2014	NBS	Drafting letter to Court re: motion to amend; review of examinations before trial for motion for summary judgment.	3.50
12/12/2014	NBS	Review of record for summary judgment motion.	3.50
12/13/2014	NBS	Research on exig. cir. exception.	3.50
12/24/2014	NBS	Preparing motion papers	3.50
2/3/2015	NBS	Review of Monell case law for motion; review of supplemental papers filed by all defendants.	3.50
3/10/2015	NBS	Review of cases on s/i; review of reply submission.	3.50
3/21/2015	NBS	Drafting letter re: Lamstein; Q/F issue and adjournment request; review of exhibit lists for JPTO.	3.50
3/22/2015	NBS	Review of exhibits for JPTO; revise letter to Court.	3.50
3/25/2015	NBS	Emails re: status; conference with Scott Korenbaum re: instructions; telephone conference with John Lenoir and Mag Bauza re: instructions and to do.	3.50
5/12/2015	NBS	Prepare for conference meeting with team; conference with court on case re: schedule for trial and pre-trial.	3.50
6/1/2015	NBS	Drafting letter to court on reconsideration motion.	3.50
6/30/2015	NBS	Review of motions, memo, and case law on reconsideration motions by City and Mauriello.	3.50
7/3/2015	NBS	Review of recent production from City Defendants; review of reconsideration motions.	3.50
7/15/2015	NBS	Review of emails; telephone call to John Lenoir re: expert discovery; review of opposition to reconsideratio motions; review of prior record for reply; review of motion in limine and schedule for trial preparation.	3.50
8/9/2015	NBS	Review of JPTO submissions and interrogation of sections; email team; email opposing counsel re: schedule; review of trial assignments.	3.50
8/10/2015	NBS	Revised JPTO; letter to court re: schedule; emails with co-counsel; emails with opposing counsel re: JPTO.	3.50
8/11/2015	NBS	Revising JPTO; review defendant's depositions; objections to exhibits.	3.50
8/14/2015	NBS	Revising section of JPTO; review and inclusion in sections from defendants; emails with opposing counsel and co-counsel re: JPTO; conference with John Lenoir re: rifle issues for trial.	3.50
9/8/2015	NBS	Telephone conference with JN; tc A Schiener (several times)	3.50

		re settlement; email all counsel re JPTO and new exhibits added; tc B Osterman re request to discontinue against JHMC (less than 6 figures)	
1/5/2014	NBS	Prepare for Boston and Huffman examination before trial.	3.70
10/21/2014	NBS	Review of right to refuse medical treatment cases; emails re: schedule; telephone to Eli Silverman re: his examination before trial.	3.70
3/7/2013	NBS	Review of file; meeting with client and Peter Gleason; review of new matter.	3.80
4/5/2013	NBS	Revise memo of law on prior restraint.	3.80
5/14/2013	NBS	Telephone conference with client re: status; review of discovery files; outline of production.	3.80
7/1/2013	NBS	Telephone conference with client twice (1.5); review of various tapes; review of transcripts; prepare Response to the Court Order re: discovery.	3.80
8/29/2013	NBS	Review of productions; telephone call to client (0.5)	3.80
2/10/2014	NBS	Telephone conference with the court clerk reference submission on February 10, 2014; letter to court; prepare for doctor's examination before trial (2.8)	3.80
2/18/2014	NBS	Review of examination before trial for discovery letter; emails reference defendant's examination before trial and Norinsberg termination letter; request JHMC provide and produce the two EMT's.	3.80
3/26/2014	NBS	Review of drafts 30(b)(6); appear in court on discovery status (2.2); telephone call client; review of document demands; meet and confer with opposing counsel (1.0).	3.80
4/30/2014	NBS	Appearance in court on JHMC motion for protective order and Adrian's motion to strile Mauriello counterclaims reference (2.2); prepare for same; lunch meeting with team and colleague of John's re: case.	3.80
5/19/2014	NBS	Review of production; prepare for meeting with client; telephone call with co-counsel; research on discovery issues (law enforcement privilege).	3.80
7/3/2014	NBS	Prepare and take Dr. Lwin examination before trial; meeting with team re: expert report; lunch with team.	3.80
7/6/2014	NBS	Prepare for Jamaica Hospital ebt (Dhar) on policy issue.	3.80
10/20/2014	NBS	Telephone conference with with John Eterno (1.5) re: examination before trial and case; telephone call with chambers re: next conference; emails re: same; revising pleading for purpose of motion; review of case law on right to refuse, medical treatment (1.5).	3.80
11/3/2014	NBS	Research an existing cir. case law (3.0); telephone conference with Roy Lubit; emails with opposing counsel; revised 2nd Amended Complaint for motion to amend.	3.80
12/15/2014	NBS	Research on Mauriello counterclaims.	3.80
7/4/2015	NBS	Drafting opposition to reconsideration motions.	3.80
8/20/2015	NBS	Review of exhibits and serve photos on defendants by email and fax; letter to court re: filing JPTO; revise and file plaintiffs draft of pre-trial order.	3.80
9/6/2015	NBS	Review of caselaw and statutory provisions for obtaining disability pension; review of summary plan description for pension benefits	3.80
9/15/2015	NBS	Telephone conference with A Scheiner re no deal w/o pension benefit; tc JN re status; drafting detailed settlement memo to cleint on settlement	3.80

4/12/2015	NBS	Prepare for Harlon cross (3.0); review of Lauterborn transcript.	4.00
7/5/2015	NBS	Drafting opposition to reconsideration motions.	4.00
3/22/2013	NBS	Appearance in court on Floyd case to see Marino testify (2.5); telephone call to client (.3); call to Peter Gleason(.4); prepare Rule 34 demand for property.	4.20
8/22/2013	NBS	Telephone conference with Jon Lenoir re: status; telephone Greg Radomisle re: hospital inspection; review of emails re: schedule; conference with all counsel re: schedule; draft objections (2.5); conference with Adrian Schoolcraft re: same.	4.20
11/3/2013	NBS	Review of Lauterborn recordings and preparation for his examination before trial.	4.20
8/21/2015	NBS	Preparing witness focus sheets; email opposing counsel re status and moiton in limine deadline; and to do (Larry Schoolcraft very sick and in hospital).	4.30
4/23/2013	NBS	Review of PG on Marino, Mauriello, and Lauterborn; review of reports of PG by IAB.	4.50
6/7/2013	NBS	Review of Queens D.A. files (20); meeting with John Lenoir and potential experts on NYPD and dangerousness (2.0); telephone client re: motion for stay of NYPD	4.50
8/13/2013	NBS	Read recent book by G. Raymond called NYPD Tapes	4.50
10/9/2013	NBS	Meeting with co-counsel; review and revise status report; review of motions and filing on case re: discovery; telephone conference with G. Raymond re: Mauriello counterclaims (will comment in opposing papers).	4.50
10/16/2013	NBS	Prepare for court appearance; appear before Judge Sweet on various motions (3.2); conference with trial team; telephone call with Howard Suckle re: status and medical defendant's examination before trial; email to client.	4.50
10/30/2013	NBS	Telephone conference with client (1.0); email opposing counsel re: adjournment on Mauriello; review of emails; review of Mauriello testimony in Floyd case; review of AS personnel file records for examination before trial (2.0)	4.50
11/5/2013	NBS	Review of record; prepare for Lauterborn examination before trial	4.50
12/18/2013	NBS	Prepare for Mauriello; conference with co-counsel, telephone call to client re: status.	4.50
12/29/2013	NBS	Meeting with client to review various tape recording.	4.50
12/30/2013	NBS	Meeting with client and review various tape recordings (4.3); obtain tape recorder from NYPD and send to specialist for enhancement	4.50
1/1/2014	NBS	Review of Silverman and Eterno book	4.50
1/3/2014	NBS	Prepare for Boston and Huffman examination before trial	4.50
3/28/2014	NBS	Meeting with Mag reference jury instructions; telephone call with client reference 30(b)(6); revising same and serving same.	4.50
4/13/2014	NBS	Prepare for and meet with potential expert (Roy Lubit).	4.50
5/8/2014	NBS	Prepare for conference; attend tc conference with Magistrate Freeman re: settlement: hospital defendant have no pay status and City willing to continue discussions, email client re: status; revising letter to Judge; review of opinion on Mauriello counterclaim/motion to strike Plaintiff (0.5); research on law enforcement privileged (1.0).	4.50
5/13/2014	NBS	Travel to Holbrook and meet with Ferrara and his wife.	4.50
5/23/2014	NBS	Research on blue wall silence (2.5); telephone call to potential witness (Stephen Lerner); telephone to Lubit; email team; email client; review of document production; telephone	4.50

		conference with Jon Norinsberg re: 81 locker photos.	
5/30/2014	NBS	Prepare for and take examination before trial of Jamaica Hospital (Maffia)	4.50
6/13/2014	NBS	Telephone conference with Eli Silverman and John Eterno re: expert discovery schedule (1.0); review of conflict laws; telephone call to Mag Bauza; telephone to John Lenoir; memo to file on ER expert (.5)	4.50
6/19/2014	NBS	Review of scheduling order; email with team re: schedule; email Dr Lubit; review of Patrol Guide; prepare for Duncan examination before trial (3.0)	4.50
6/20/2014	NBS	Draft opposition to reconsider; review of Duncan examination before trial; prepare for Duncan.	4.50
6/28/2014	NBS	Review of Mauriello examination before trial; review of Lubit affirmation in Monaco.	4.50
7/23/2014	NBS	Prepare for examination before trial on Thursday; review of recent City production, emails with opposing counsel re: examination before trial.	4.50
9/12/2014	NBS	Travel to Upstate, NY to meet with client; meeting with clientc	4.50
10/2/2014	NBS	Email re: scheduling Silverman and Lubit; conference call with John Lenoir and Mag Bauza re: trial prep review of CompStat notes.	4.50
10/7/2014	NBS	Draft motion on discovery.	4.50
10/9/2014	NBS	Telephone conference with client; review of Eterno production; email re: same; review of Floyd trial.	4.50
10/10/2014	NBS	Review of Floyd transcripts and decision.	4.50
10/19/2014	NBS	Review of 2nd Amended Complaint for purpose of motion to amend; conference call with team re: Rule 68 offer; email exchange with Howard Suckle re: same.	4.50
10/29/2014	NBS	Prepare for court; appear in court; conference with client and John Lenoir re: status.	4.50
12/4/2014	NBS	Revising Amended Complaint and Memo on motion to amend; began review of depositions for summary judgment motion.	4.50
1/7/2015	NBS	Reviewing motions; meeting with John Lenoir; J. Mck; J.S re: Compstat videos.	4.50
1/15/2015	NBS	Review of Hanlon examination before trial; review of Marino examination before trial; review of cases in summary judgment motion discussion re: Compstat videos.	4.50
2/13/2015	NBS	Review of 5 oppositions to summary judgment motion & meeting with John Lenoir and Mag Bauza re: issues to address (3.5), telephone call to client (2 times); emails re: trial date; telephone to Jon Norinsberf re: meeting and status.	4.50
3/9/2015	NBS	Research on new evidence issue; telephone conference with team; revising letter to Court on Matthews.	4.50
3/15/2015	NBS	Research on motion to strike.	4.50
3/23/2015	NBS	Prepare witness and exhibit list; rewrite letter to Court.	4.50
4/5/2015	NBS	Prepare of Isakov cross; review of examination before trial and chart.	4.50
4/7/2015	NBS	Review of and revise motion in limine; review of and revise jury instructions (medical); draft leter to Court re: extension; continued preparation on Isakov cross.	4.50
8/4/2015	NBS	Preparing JPTO draft section.	4.50
9/4/2015	NBS	Review of and drafting JPTO; long tc with A Scheinder (3x) with J Norinsberg re settlement; tc JL re settlement; email team re same	4.50
9/7/2015	NBS	Preparing for trial; preparing cross examinaiton outlines and	4.50

		focus sheets for witnesses set to testify or likely to testify for various witness assignments fro trial team	
8/14/2013	NBS	Travel to Mayfield, NY (4.5); review of recent decision in Floyd case	4.75
2/20/2015	NBS	Meeting with John Lenoir and Mag Bauza; meeting with Jon Norinsberg and his group (Gerald Cohen and Joshua Fitch).	4.80
3/2/2013	NBS	Review of Section 1983 and 242 issues and jury instructions for various theories of the case.	5.00
2/25/2014	NBS	Review of examination before trial; transcripts for discovery issues; telephone call to Walter Kretz (two times) regarding possible work out.	5.00
5/15/2014	NBS	Prepare for and take examination before trial of Sangetti (4.5); emails with client re: status and settlement (0.5).	5.00
8/25/2015	NBS	Review of various recordings listed on JPTO; letter to court in opposition to motions.	5.00
2/24/2013	NBS	Travel with Peter Gleason to meet defendant and his father in Saugerties, NY.	5.20
11/10/2014	NBS	Telephone conference with Dr. Lubit; attend and defend examination before trial of Dr. Lubit at Martin Clearwater; review of draft Amended Complaint; research, on 4th Amendment warrantless entry (1.5)	5.20
2/12/2013	NBS	Appear for examination before trial of client in Floyd case and defend same (3.5) (before MJ Freeman); meeting with co-counsel and client in re going forward; review of emails re status.	5.50
5/8/2013	NBS	Review of recordings; prepare discovery responses.	5.50
5/16/2013	NBS	Review of files; telephone call to co-counsel; telephone client; call to Lisa Bland.	5.50
6/10/2013	NBS	Revised Order to Show Cause; filed same; emails with counsel; telephone call to co-counsel; telephone call to client re: status; 2nd appearance at court.	5.50
6/11/2013	NBS	Research on Younger abstention issues for stay motion.	5.50
6/19/2013	NBS	Drafting reply; telephone call to client re: reply transcript of 10/31/09; call from Village Voice; telephone G. Rayman re: status of case.	5.50
6/30/2013	NBS	Review of tapes and drafting response to Court Order re: complication of Plaintiff's deposition testimony and requests to admit.	5.50
8/25/2013	NBS	Review of production for AEO issue (5.0); telephone call to J. Smith (photography of inspection).	5.50
9/19/2013	NBS	Inspection at 81 with defendants, cleint, and Mag.	5.50
10/4/2013	NBS	Preparing for Marino and Mauriello examination before trial (5.0); telephone conference with co-counsel; emails with opposing counsel re: adjournment for Mauriello; review of PG & Floyd trial transcripts.	5.50

10/7/2013	NBS	Prepared for examination before trial; conference call with co-counsel; conference with client.	5.50
10/24/2013	NBS	Prepared for examination before trial of Dr. Bernier	5.50
6/12/2014	NBS	Continue meeting with Dr. Dan re: ER expert; review parts of PX69 and home invasion recording with expert; revised and drafted discovery demand; travel back to New York.	5.50
7/31/2014	NBS	Review of earlier Silverman book on NYPD (2.8); drafting letter to Judge Sweet; review of letter re: outstanding; telephone conference with trial team and Dr. Lubit and Dr. Halpern.	5.50
9/14/2014	NBS	Meeting with client; return travel to New York	5.50
9/19/2014	NBS	Prepare for and attend Carrasco ebt	5.50
10/6/2014	NBS	Drafting motion for discovery; drafting letter re: opposition to adjourn for trial date; emails with opposing counsel; scheduling Patel examination before trial; telephone call to the clerk for Patel's attorney.	5.50
10/15/2014	NBS	Telephone conference with Walter Kretz re: Mauriello; wants a small compensation from Adrian to settle (.3); telephone call to Suzanna Mettham and Ryan Shaffer re: Rule 68 offer (.4); drafting reply letter on discovery motion (3.8); briefing schedule and witness lists.	5.50
10/31/2014	NBS	Prepare for and take 2nd examination before trial of Dr. Patel (3.2); research on causes of action for motions to amend and summary judgment.	5.50
11/13/2014	NBS	Appear and defend Dr. Lubit; conference re: examination before trial with witness.	5.50
12/7/2014	NBS	Review of examination before trial record.	5.50
12/9/2014	NBS	Drafting letter to Court re: defendants' motion to adjourn trial and summary judgment; review of examinations before trial for summary judgment motion; review of Compstat video.	5.50
12/11/2014	NBS	Review of examination before trial for summary judgment motion; conference with M. Bauza re: JHMC claims; review of cases.	5.50
12/14/2014	NBS	Review of examination for summary judgment facts; review of exig. cir. cases; review of prima facie tort and tortious interference case.	5.50
12/29/2014	NBS	Drafting Reply Memo on motion to amend.	5.50
1/1/2015	NBS	Review of motions by defendants.	5.50
1/3/2015	NBS	Reading City motion and case law.	5.50
1/5/2015	NBS	Review of motions; review of recent production by City (videos and EIU file); conference with John Lenoir and Mag Bauza re: motions.	5.50

1/13/2015	NBS	Compstat vide review	5.50
1/20/2015	NBS	Review of decision on motion to amend; review of cases on conspiracy; review of examination before trial for motion.	5.50
2/1/2015	NBS	Drafting opposition to motions.	5.50
2/27/2015	NBS	Preparing reply papers.	5.50
3/17/2015	NBS	Drafting motion to strike Lamstein Declaration.	5.50
3/26/2015	NBS	Review of production (discs & cd's) for plaintiff's trial exhibit.	5.50
3/27/2015	NBS	Review of production for JPTO; emails to opposing counsel; emails to co-counsel re: status.	5.50
3/31/2015	NBS	Review of discovery for witness list, exhibit list, and JPTO; emails with opposing counsel re: service of subpoenas.	5.50
4/3/2015	NBS	Prepare for cross of Bernier; review of chart and examination before trial.	5.50
7/22/2015	NBS	Drafting reply on reconsideration; review of documentary on Schoolcraft; emails with team; review of tape and transcript of the home invasion; review of witness list and trial exhibits.	5.50
7/23/2015	NBS	Drafting reply; review of witness list and exhibit trial list for JPTO	5.50
8/5/2015	NBS	Preparing JPTO section; telephone call with team re: same.	5.50
9/12/2015	NBS	Preparing for trial; drafting cross outlines and witness focus sheets for trial witnesses and their key points	5.50
8/27/2013	NBS	Travel to Saugerties to meet client (4.5); meeting with client re: status (3.5).	5.75
3/27/2013	NBS	Revising Memo of Law in Opposition (4.5); telephone call to client; meeting with Peter Gleason; mag and artist re demonstratives.	5.80
5/21/2013	NBS	Meeting with Jon Lenoir; telephone conference with co-counsel and Jim McCutcheon; telephone conference office of Lisa Bland; review of civil commitment articles and decision on dangerousness predictions; review of discovery record; prepare responses to objections to City Defendants demands; listening to recording of IAB interview.	5.80
10/29/2013	NBS	Preparation for examination before trial of Mauriello; review of research on video use conference with 10-10.	5.80
4/16/2014	NBS	Telephone conference with team (1.0); conference with client re: settlement demands (1.2); research on commitment cases; state action and Section 1983; review of Plaintiffs demands.	5.80
8/3/2014	NBS	Review and revise letter to Court; research on deposition conduct re: definition of harassment.	5.80
9/29/2014	NBS	Meeting with Dr. Halpern Ruder and John Lenoir; prepare for examination before trial; review of CompSTAT notes.	5.80

10/27/2014	NBS	Meeting with John Lenoir re: amended complaint; review of emails; telephone call to Investigator Skinner; email with Silverman review of discovery record on complaint; review of tapes re: Amended Complaint.	5.80
4/8/2015	NBS	Drafting cross - outlines; letter to court; conference with trial team.	5.80
3/26/2013	NBS	Telephone conference with client (.5); call to Peter Gleason (.3); drafting memo of law in opposition to motion.	6.50
4/9/2013	NBS	Continued review of discovery)(4.0); MHL on emergency hospitalization; meeting with potential expert re: medical malpractice issues (1.5); meeting with John re: motion; telephone call to Walker re: same.	6.50
4/26/2013	NBS	Meeting with client re: background and chronological with John Lenoir.	6.50
7/31/2013	NBS	Meeting with H. Suckle re: hospital; draft memo to client; revise sub of counsel; memo of goals; document demand; emails re: discovery plan with co-counsel and opposing counsel; telephone call to client re: status.	6.50
8/15/2013	NBS	Meeting with client re: examination before trial preparation	6.50
2/28/2014	NBS	Letter motion regarding discovery issue.	6.50
4/25/2014	NBS	Prepare for and take deposition of Sawyer.	6.50
6/11/2014	NBS	Travel to Rhode Island and meet with Dr. Dan re: ER expert.	6.50
7/17/2014	NBS	Prepare for and take examination before trial of City 30(b)(6) witnesses on performance evaluation of supervisors and of police officers.	6.50
10/3/2014	NBS	Legal research on Monell issues (1.8) meeting with Mag and John Lenoir; emails re: trial date; conference with client re: status and trial date; review of Nelson discover records (1.5); review of Patrol Guide; review of CompStat notes (2.0); prep motion for discovery.	6.50
10/16/2014	NBS	Telephone conference with John Lenoir; drafting letter to court on discovery motions/issue (2.8); research on Rule 68 issues (2.5); email re: discovery schedule.	6.50
10/23/2014	NBS	Prepare for Silverman; telephone call to Silverman (2 times); review of report; draft letter rejecting Rule 68 offer.	6.50
1/24/2015	NBS	Review of record; research on cases cited by defendants summary judgment motion.	6.50
3/12/2015	NBS	Research on new evidence and new arguments on reply; meeting with team.	6.50



3/18/2015	NBS	Review of JPTO requirement; telephone to Walter Kretz re: status; drafting verdict sheet; prepare for trial; review of subpoenas; meeting with John Lenoir re: trial lists of witnesses and exhibits.	6.50
4/1/2015	NBS	Email team; telephone call Brown (Daily News) re: status; study of hospital chart; review of Bernier examination of trial and prepare cross.	6.50
4/4/2015	NBS	Prepare cross of Bernier; review of trial exhibits; review of draft jury instructions.	6.50
5/12/2014	NBS	Prepare for and take James examination before trial.	6.80
10/28/2014	NBS	Prepare revisions to 2nd Amended Complaint for motion to arrest; research on issues relating to motion to amend.	6.80
3/29/2013	NBS	Review of discovery; review of letter re gag order; telephone call to client; email team; call to Peter Gleason; telephone G. Rayma.	7.50
4/4/2013	NBS	Drafting memo of law on prior restraint.	7.50
4/8/2013	NBS	Meeting with client all day re prep for case and ebt	7.50
4/27/2013	NBS	Meeting with client re: background with John Lenoir.	7.50
6/27/2013	NBS	Review of tapes for the purpose of responding to discovery demands by the City for requests for admissions and providing additional information to the defendants about the recordings.	7.50
9/25/2013	NBS	Appearance in court on motions (2.0); meeting with team re: case and examination before trial (2.0); prepare for examinations before trial of plaintiff	7.50
10/2/2013	NBS	Inspection at Jamaica Hospital; visit Queen's location; Meeting with client; reviewing tapes re: examination before, trial.	7.50
12/9/2013	NBS	Take examination before trial of Caughey.	7.50
6/23/2014	NBS	Telephone conference with client (log) re: status; prepare for and take examination of Duncan; emails with opposing counsel re: schedule; telephone call to Dr. Patel.	7.50
6/29/2014	NBS	Review of Mauriello examination before trial; prepare for continued examination before trial of Mauriello (4.5); conference with client re: status; email Dr. Lubit; email John Lenoir.	7.50
7/7/2014	NBS	Take and prepare for Jamaica Hospital examination before trial.	7.50
7/24/2014	NBS	Prepare for and attend City 30(b)(6) (cooper); prepare for examination before trial for Dr. Patel; conference with client.	7.50
8/1/2014	NBS	Review of letters on numerous discovery disputes; review of videos of Dr. Patel's examination before trial; drafting letter on three motion letter.	7.50

8/4/2014	NBS	Drafting letter re: 3 discovery motions; long conference call with experts Silverman and Eterno (1.5); preparing letter for experts on police issues and transmitting documents to experts (2.5)	7.50
9/13/2014	NBS	Meeting all day with client, John Lenoir and Magdalena Bauza re summary judgment motions; motion to amend; wages/damages issues; trial plans; expert discovery and reports	7.50
10/8/2014	NBS	Review of Floyd record; research on witness list issues; telephone call with Dr. Dan Halpern; email correspondences Silverman and Eterno.	7.50
10/14/2014	NBS	Meeting with Eterno (2.5); travel to Hempstead (2.0); review of Rule 68 offer (.5); review of Floyd trial transcripts and decision	7.50
10/24/2014	NBS	Defend Silverman's examination before trial.	7.50
12/16/2014	NBS	Drafting summary judgment motion.	7.50
12/21/2014	NBS	Drafting summary judgment motion.	7.50
12/23/2014	NBS	Revising and filing paper; review of paper.	7.50
12/31/2014	NBS	Draft opposition to summary judgment.	7.50
1/10/2015	NBS	Review of examinations before trial and Compstat videos.	7.50
1/11/2015	NBS	Review of examination before trial and Compstat videos; conference with group on Commstat videos.	7.50
1/14/2015	NBS	Conference with client and John Lenoir; review of examination before trial and motions.	7.50
1/16/2015	NBS	Review of Hanlon examination before trial; review of cases; review of Compstat video.	7.50
1/17/2015	NBS	Review of examination before trial; prepare summary judgment oppositions.	7.50
1/19/2015	NBS	Review of Compstat videos; review of cases cited in various motions; research on standard of objective/subjective good faith and qualified immunity.	7.50
1/22/2015	NBS	Drafting memo in opposition; telephone call to Walter Kretz; emails re: schedule.	7.50
1/25/2015	NBS	Review of record for summary judgment motion opposition.	7.50
1/26/2015	NBS	Drafting opposition papers; research on probable cause.	7.50
2/5/2015	NBS	Drafting opposition brief.	7.50
2/12/2015	NBS	Telephone conference with client; call with Jon Norinsberg and John Lenoir; emails; telephone call with new city lawyer; review of files under seal; review of opposition motion.	7.50
3/3/2015	NBS	Drafting reply.	7.50
3/16/2015	NBS	Drafting motion to strike.	7.50
3/29/2015	NBS	Review of discovery record for JPTO and witness cross.	7.50

3/30/2015	NBS	Review of discovery record for JPTO - exhibits and witness; telephone call to John Lenoir re: witness responsibilities; telephone to Mag Bauza re: jury instructions and diagram.	7.50
4/9/2015	NBS	Prepare for trial - jury verdict sheets and cross examination outlines of witnesses	7.50
4/10/2015	NBS	Prepare for Harlon cross; emails re: status; telephone call to Mag Bauza re: to do; telephone conference with John Lenoir re: witnesses; review of witness list.	7.50
7/8/2015	NBS	Review of recent and prior productions by the City	7.50
4/11/2014	NBS	Prepare for and take Gough examination before trial	7.80
4/28/2014	NBS	Prepare for and take Duncan examination before trial and conference with all counsel and MJ Freeman re: settlement discussion.	7.80
6/18/2014	NBS	Prepare for and take Broschart re: examination before trial.	7.80
1/8/2015	NBS	Telephone conference with Howard Suckle (.3); meeting with Mag (.1.5); telephone call to Ryan Shaffer; Paul Callan; Gregory Radmosili re: summary judgment schedule; review of Lauterborn examination before trial (4:5)	7.80
2/2/2015	NBS	Telephone conference with Jon Norinsberg (.5); meeting with John Lenoir re to do list for trial(1.2); conference with client and John Lenoir re: trial team; drafting opposition to motion (5.0); telephone call to client re: same; letter to court re: schedule adjustment.	7.80
2/7/2015	NBS	Drafting opposition to Jamaica Hospital and doctor motion.	7.80
9/23/2014	NBS	Prep for and attend examination before trial of Roy Lubit; call to court re: schedule.	8.00
1/4/2015	NBS	Reading Mauriello and JHMC motions and case law.	8.20
5/20/2014	NBS	Travel to and from Johnstown, NY meeting with client; conference with Magistrate Freeman; ex-parte conference with Magistrate Freeman.	8.25
5/14/2014	NBS	Prepare and take examination before trial of Marquez.	8.40
3/25/2013	NBS	Working on opp to motions to quash and compel; telephone call with client and review of materials with client (1.5); telephone conference with Jon Norinsberg re Queens DA; suit and sharing information (0.5).	8.50
6/18/2013	NBS	Drafting reply on stay; research on issues re: same.	8.50
7/10/2013	NBS	Travel to Albany and meet with the client at John Garber's office (194 Washington Avenue); return to NYC { 8 hours travel time}	8.50

10/14/2013	NBS	Telephone conference with L. Dunn; telephone call to John Lenoir re: case; drafting and research on motion to strike Mauriello answer; discovery matters (AEO personal property) and opposing to motion to amend pleadings (7.5).	8.50
12/20/2013	NBS	Take examination before trial of Mauriello.	8.50
1/13/2014	NBS	Prepare for and take Hanlon examination before trial; conference with team re: examination before trial and case	8.50
2/11/2014	NBS	Prepare for and attend Dr. Bernier examination before trial.	8.50
4/23/2014	NBS	Drafting opposition to Jamaica Hospital motion for protective order; prepare for and attend examination before trial of Bernier	8.50
5/22/2014	NBS	Drafting opposition to City motion for protective order and cross-motion for documents, research on same.	8.50
5/28/2014	NBS	Prepare for conference of motion; appear on motion before Judge Sweet (2.8); telephone call to Dr. Lubit; telephone call to the office of Eterno; conference with all counsel re: schedule and need 30-45 days; prepare for Weiss examination before trial; conference with team re: Weiss; telephone Jon Norinsberg re: locker photos.	8.50
12/10/2014	NBS	Review of examination before trial for preparation of motions meeting with John Lenoir re: motions.	8.50
1/18/2015	NBS	Prepare summary judgment opposition; review of Hanlon, Sangianetti, and Marquez examination before trial; review of Compstat videos.	8.50
1/21/2015	NBS	Drafting summary judgment motion papers (memo of law; rule 56.1 statement); telephone Ryan Shaffer; call Norinsberg re: wants co-counsel to get access to Adrian Schoolcraft's records (medical) in IAB file.	8.50
4/2/2015	NBS	Meeting with team; review of trial exhibits; conference call with John Lenoir re: Compstat; call with Mag re: jury instruction; prepare for cross of Bernier.	8.50
8/19/2015	NBS	Preparing JPTO; review of emails; preparing witness focus sheets; review of all defendants exhibits for purposes of asserting objections.	8.50
4/7/2013	NBS	Meeting at upstate with team.	8.60
4/10/2014	NBS	Prepare for and take deposition of Trainor; prepare for Gough examination before trial.	8.90
9/30/2014	NBS	Appear for and defendant Ruder examination before trial; prepare for conference the following day; review of CompSTAT notes.	8.90
6/26/2013	NBS	Travel to Johnstown for meeting with client [8 hours of travel].	9.00

9/26/2013	NBS	Appearance for client; examination before trial and prepare for same.	9.00
9/27/2013	NBS	Appearance for examination before trial of defendant and prepare for same.	9.00
1/23/2015	NBS	Research and draft Response to Mauriello summary judgment motion.	9.00
5/7/2013	NBS	Listening to day-long recording of 10/31/09; taking notes thereof (7.0); review of discovery requests; prepare same.	9.50
10/8/2013	NBS	Preparing for and taking Marino's examination before trial; calls to Court on status of various motions.	9.50
11/7/2013	NBS	Prepare for and take examination before trial of Lauterborn; conference with team; telephone call with client re: status.	9.50
1/30/2014	NBS	Prep for and take Dr. Lamstein examination before trial	9.50
2/12/2014	NBS	Prepare for and attend Dr. Isakov examination before trial.	9.50
5/29/2014	NBS	Prepare for Weiss; take Weiss examination before trial; prepare for JHMC.	9.50
6/5/2014	NBS	Meeting with team and J. Ferrara; attend deposition of J. Ferrara at Law Department; drafting discovery demands for Mauriello.	9.50
7/1/2014	NBS	Prepare and take Mauriello examination before trial.	9.50
7/16/2014	NBS	Take deposition 30(b)(6) witnesses of City in the morning and afternoon; prepare for same; conference with co-counsel; conference with court clerk; prepare for examination before trial next day.	9.50
10/17/2014	NBS	Appear for and defend Eterno examination before trial; revise and file letter with court re: outstanding discovery issues.	9.50
12/20/2014	NBS	Drafting summary judgment memo.	9.50
12/30/2014	NBS	Telephone conference with John Lenoir; telephone call to client re: Norinsberg; drafting summary judgment; review of new material.	9.50
1/27/2015	NBS	Meeting with John and Mag re: summary judgment motion; draft opposition; research on St amendment issues.	9.50
2/6/2015	NBS	Drafting opposition papers.	9.50
2/8/2015	NBS	Drafting opposition to Dr. Bernier and Dr. Isakov's motions; conference with John Lenoir; telephone call with Mag Bauza.	9.50
3/6/2015	NBS	Drafting reply.	9.50
8/16/2013	NBS	Meeting with client to discuss case and deposition (7.5); travel back to NY (4.5).	9.75
1/6/2014	NBS	Prepare for and take examination before trial of Boston and Huffman; meeting with team re: status and going forward	10.50
12/17/2014	NBS	Drafting summary judgment motion.	10.50
12/19/2014	NBS	Drafting motion for summary judgment.	10.50

2/9/2015	NBS	Drafting opposition motion; conference with John Lenoir (.5) telephone call with Mag Bauza; drafting 56.1 opposition; telephone conference with Brian Lee re: Isakov claims (0.2).	10.50
3/4/2015	NBS	Drafting reply.	10.50
3/5/2015	NBS	Drafting reply.	10.50
12/18/2014	NBS	Drafting summary judgment motion.	12.00
12/22/2014	NBS	Draft motions; memo; Rule 56.1 Statement; conference with client re: sealing and objection to it; letters (2x) Court.	12.50
2/10/2015	NBS	Opposition motion ; telephone conference with Ryan Shaffer; telephone call with Jon Norinsberg, email client.	12.50

## EXHIBIT 9

<b>Norinsberg Group</b>			
06/25/10	JLN	Reviewed transcript of Polanco tapes; took notes re: same	0.40
06/26/10	GMC	Reviewed transcript of Polanco tapes	0.75
06/28/10	GMC	Online search of PBA Arbitration decision and phone call w/Bonnie Siber Weinstock (arbitrator)	2.10
06/29/10	JLN	E-mail exchange GC re: Schoolcraft matter	0.20
07/02/10	JLN	Reviewed media stories & news articles provided by AS; notes re: same	4.20
07/04/10	JLN	Read e-mails from A. Schoolcraft re: articles on Mauriello and Palestro	0.25
07/07/10	GMC	Listened to Schoolcraft recordings	1.80
07/07/10	GMC	Reviewed of Schoolcraft documents, evals, photos, memos, UF49s, letters to PBA, letters to Mauriello...	2.90
07/07/10	JLN	Reviewed Schoolcraft documents, evals, memos, letters to PBA, letters to Mauriello	2.70
07/08/10	JLN	Started review of CD Recordings (2008 roll calls) provided by AS; took notes re: same	3.70
07/12/10	JPF	Review of Schoolcraft tapes	4.40
07/13/10	NB	Continued review of Schoolcraft recordings; prepared digest of same	4.20
07/14/10	NB	Continued reviewing CD recordings (2008 roll calls) and prepared digest of same	3.60
07/15/10	JLN	Review of Schoolcraft recordings (2008 roll calls)	3.10
07/15/10	JPF	Review of Schoolcraft tapes	3.40
07/15/10	NB	Continued reviewing Schoolcraft roll calls (2009 roll calls); prepared digest of same	3.10
07/16/10	JLN	Continued review of Schoolcraft recordings (2008 roll calls)	3.40
07/16/10	JLN	Continued listening to recordings (appeal meeting; Mascol conversation; Lauterborn Duty Captain incident); took notes re same.	5.40
07/17/10	GMC	Reviewed of Schoolcraft documents, evals, photos, memos, UF49s, letters to PBA, letters to Mauriello...	2.10
07/17/10	JPF	Review of Schoolcraft tapes	4.25
07/18/10	JPF	Review of Schoolcraft tapes	3.90
07/19/10	JLN	Review of Schoolcraft roll calls (2009 roll calls); notes re: same	4.20
07/20/10	GMC	Researched case law for complaint and continued drafting complaint	2.10
07/20/10	JLN	Continued review of Schoolcraft roll calls (2009); took notes on same	3.90
07/21/10	JPF	Review of Schoolcraft documents & tapes	4.75
07/22/10	JLN	Continued review of Schoolcraft recordings (2009 roll calls)	3.10
07/22/10	JPF	Review of Schoolcraft documents & tapes	3.10
07/26/10	JLN	T/c Larry Schoolcraft re: Del Pozzo e-mail GR & PBA letter to Stuart London	0.60
07/30/10	GMC	Review and revise complaint, transcribed partial recordings, research case law	2.40
07/31/10	JLN	Cont'd review of Schoolcraft tapes and timeline chart	3.10
07/31/10	JPF	Review of Schoolcraft tapes & timeline	3.10
08/05/10	JLN	E-mail exchange with JF re: clarification of some factual issues in the complaint	0.20
08/06/10	JLN	Continued review transcriptions of August 2009 logs	1.40
08/06/10	JLN	Reviewed June 2009 roll calls, Halloween night and visits to	3.80

		Johnstown recording transcripts and discussed same with JF	
08/06/10	JLN	E-mail exchange with JF re community visits	0.20
08/06/10	JPF	Review of transcripts from Legal Language re June 2009 roll calls, Halloween Night, & visits to Johnston	2.75
08/07/10	JLN	Continued review transcriptions of March 2009 logs	1.80
08/07/10	JLN	E-mail exchange JF re explanation of community visits	0.25
08/08/10	JLN	Reviewed transcription of December 2008 logs of roll calls; notes re: same	3.60
08/10/10	GMC	Phone and email correspondence with Off the Page Creations to discuss deign of Schoolcraft Justice website	1.25
08/22/10	JLN	E-mail exchange with AS re: Internet search results on Dr. Lamstein and previous Cheroff case	0.20
08/24/10	JLN	Reviewed AS videos & audio recordings & photos re: "Harassment & Stalking" by NYPD & Johnstown PD in upstate NY; took notes re: same	2.40
08/31/10	GMC	Interview with JF of "DH" and "EB" former NYPD, reviewed materials, recordings re: quotas, downgrading	3.25
08/31/10	JPF	Interview with GC of "DH" and "EB" former NYPD, reviewed materials, recordings re: quotas, downgrading	3.25
09/06/10	JLN	E-mail exchanges with Joseph Ferrara (former Lt. 81 pct)	0.20
09/16/10	JLN	Reviewed Floyd depts from Floyd Proceedings, including Mauriello Dep., Donald McHugh Dep.; Angel Herran Dep, and Paul Browne dep.; took notes re same.	4.25
10/02/10	JLN	E-mail exchanges w/ GC re: whistleblower cops	0.30
10/12/10	GMC	Phone call and email w/ CUNY professor who has info re: Schoolcraft	0.25
10/12/10	JLN	Reviewed memo of law in Support of defendants JHMC motion to Dismiss; ; took notes re: same; researched case law cited	2.80
10/12/10	NB	Printed JHMC MTD for JLN: bound same	0.15
11/01/10	GMC	Reviewed Schoolcraftjustice posts made calls, returned emails and set up appointments	1.75
11/02/10	GMC	Email and phone correspondence with web designer re: updates to Schoolcraftjustice.com	0.75
11/14/10	JLN	Reviewed AS recordings w/ Kings County DA and Queens County Michelle Cort	0.40
12/01/10	GMC	Email and phone correspondence w/Charney re Floyd affidavit	0.80
02/19/11	JLN	E-mail exchange the trial in Kings County involving quota allegations and testimony from Captain Perez (81)	0.20
03/01/11	JLN	Reviewed recordings of Sgt. Hans, and Lt. Williams provided by PO "Angel" Rosa	0.30
05/06/11	JLN	E-mail exchange w/ GC and JF re: motion to dismiss decision	0.20
05/20/11	JLN	E-mail exchange AS re: 1st Set of Interrogatories	0.20
05/20/11	JLN	E-mail exchange re: Plaintiffs' First Request for Admissions	0.20
05/24/11	GMC	Review of email and correspondence w/JN re anonymous PO from 81st precinct	0.40
05/24/11	JLN	Review of E-mail and correspondence w/ GC re anonymous P.O. from 81st precinct	0.30
06/16/11	JLN	E-mail exchange upcoming meeting with Queens DA & plaintiff desire to postpone meeting until we have discovery responses	0.20
06/27/11	JLN	E-mail exchanges with all counsel re: setting up R. 26 Conf. for scheduling of discovery	0.20
07/05/11	GMC	Review of Discovery plan and correspondence regarding same	0.75
08/14/11	GMC	Drafted responses to all discovery demands for medical defendants and emailed to JN for his review	4.75



08/18/11	GMC	Drafted letters accompanying responses to Discovery Demands and prepared thumb drives that included responsive documents	1.10
09/01/11	JLN	Review of E-mail from Darius Charney enclosing <u>Floyd</u> decision; read SJ decision; took notes re: same	0.50
11/18/11	JLN	Reviewed mise recordings re: "4 collars" Jones, Guillermo and Kamper	0.40
11/18/11	JLN	Listened to Polanco recordings, including Heran, McHugh, Sgt. Bennett; took notes re: same.	1.40
12/05/11	JLN	Reviewed City's first set of doc demands, City's response to Plaintiffs request for admissions, & City's Rule 26 disclosures	0.60
12/05/11	JLN	Started review disclosures from D. Canfield, including BNIU file and multiple CD Recordings	1.80
12/06/11	JLN	Con'td review of BNIU file and recordings; took notes re same	3.75
12/23/11	JLN	Reviewed recordings and documents from Frank Palestro	2.40
02/10/12	GMC	Drafted proposed supplemental demands for the City and emailed to JN for review	1.80
02/10/12	JLN	Revised, edited and finalized Second Set of Document Demands for City. Also drafted list of items needed for subpoenas and for supplemental disclosure from City.	2.20
02/10/12	NB	E-mail exchange to Jeremy Stephens regarding serving subpoenas on Johnstown PD, FCSD and FCDSS	0.20
02/28/12	JLN	E-mail exchange re: number of actual visits by Johnstown PD & dates times (vs. their dates/times)	0.20
03/14/12	NB	Pulled and email GC various documents from Schoolcraft file	0.20
03/25/12	JLN	Finished responses to City's document demands; forward same to GC & JF for review	2.40
03/28/12	JPF	Conf. re confidentiality stip & Village Voice article	0.80
04/05/12	GMC	Review & discuss w/ JN & JF plaintiff's responses to City demands	0.80
04/05/12	JLN	Review & discuss w/ JF & GC plaintiff's responses to City demands	0.80
04/05/12	JPF	Review and discuss w/ JN & GC plaintiff's responses to City demands	0.80
04/08/12	JLN	T/c w/Kevin Rodriguez (PBA Delegate & PO in 52) re quotas in his precinct; sending materials for our review	0.70
04/16/12	NB	E-mail exchange to Jeremy Stephens (investigator) regarding serving subpoenas on Vallone and Kelly	0.20
04/25/12	JPF	Response emails	0.25
04/30/12	GMC	Review NY Times proposed language to protective order and email sent to City Defendants	0.40
05/09/12	JPF	Review of cases & letter in prep of argument	1.80
05/11/12	GMC	Read and review of defendant's letter to quash and discussion w/ JF & JN	2.10
05/11/12	JLN	Read defendant's motion to quash and discussion w/ GC & JF re: same	2.10
05/11/12	JPF	Read and review of defendant's letter to quash and discussion w/ GC & JN	2.10
05/11/12	NB	Prepared follow up letter to Gilbo subpoenaing records for JPD; sent same via regular mail	0.25
05/13/12	JLN	Reviewed docs from another quota case (Robinson v. City, 05cv9545) Reviewed dep transcripts from Robinson, Including Emmanuel Bowser, Michael Ryan J. Robinson); took notes re: same	3.40
05/24/12	JLN	Notice of Appearance by Walter Kretz, behalf of Mauriello; Google search re: Kretz	0.20
05/30/12	JLN	E-mail exchange w/GC and JF re City stips and revisions	0.30
06/07/12	GMC	Revised AEO and Conf stips to send back to the City and emailed to	1.40

		JN for final review	
06/14/12	GMC	Review of Judge Sweet re: motion to amend and motion quash subpoena	0.60
06/14/12	JLN	Read Judge Sweet's Opinion on Plaintiff's motion to amend Councilman Vallone's motion to quash	0.20
06/14/12	JLN	Reviewed background search by Warren Investigators of Marino, Lauterborn and Mauriello	0.30
06/19/12	JLN	Meeting with Schoolcraft in Johnstown	4.80
07/12/12	JLN	Review of Schoolcraft's recordings; prepared comprehensive timeline; sent to JF	3.80
07/23/12	JPF	Research on prior restrain, retaliation, and protected speech/law enforcement under Tachler	3.25
08/14/12	NB	Prepared letter and authorization for the release of tax records to Publicker; sent same via mail and e-mail	0.25
08/28/12	NB	Copied, sorted and catalogued various non party subpoenas (County of Fulton, Johnstown PD for each defendant); drafted and sent letter to all counsel enclosing same via mail	0.45
09/01/12	JLN	Multiple e-mails and attachments from PO Kevin Rodriguez re: quota activity at the 52 pct.	0.30
09/07/12	JLN	E-mail exchange w/K.Rodriguez re: monthly performance evaluations & evidence of quotas/pressure	0.20
09/10/12	JLN	Response from City on Hanlon amend; notes re: same	0.10
09/11/12	NB	Formatted and made edits to JLN letter to Court requesting 120 day extension of time; filed same with Court	0.60
09/12/12	JLN	Reviewed ltr and enclosures from ACC Publicker, including multiple CD's with recorded interviews made by IAB (non-confidential); began listening to CD interviews (3742-3748)	3.40
09/13/12	JLN	Cont'd listening to CD interviews from IAB (non-confidential) investigation	3.70
09/14/12	JLN	Cont'd listening to CD interviews from IAB (non-confidential) investigation	4.60
09/15/12	GMC	Reviewed IAB recordings provided by the City	3.80
09/15/12	JLN	Listened to recordings of Capt. Thoms J. Kemper at Transit District 4; recording of Deputy Insp. Donna Jones (Employee Management Division); took notes re same.	1.20
09/15/12	JPF	Reviewed/listened to IAB recordings provided by the City re: investigation into Schoolcraft matter	4.75
10/04/12	GMC	Phone call and email correspondence w/Darius Charney	0.75
10/11/12	GMC	Attended AS deposition and meeting afterwards	8.90
10/12/12	NB	email exchange with S. Publicker regarding City's consent	0.20
10/13/12	JLN	Began listening to IAB interviews (Sgt. Duncan/Lt. Gough); took notes re same; created summary of most important points re: Halloween nt.	3.80
10/18/12	JLN	Listened to interviews of Det. Yeager, Lt. Delafuente & Sgt. James; took notes re same.	3.20
10/19/12	JLN	Listened to IAB interviews of P.O. Reyes, P.O. Visconi; notes re same	1.80
10/19/12	JLN	Listened to IAB interviews for PO Mohabir, P.O. Gaspari, and P.O. Nowacki; took notes re same	2.90
10/21/12	JLN	listened to IAB interviews for Sgt. Scanlar, Lt. Crawford & Det. Barbara; took notes re same	1.80
10/22/12	JLN	Listend to IAB interviews of DI Green (CO 104) & P.O. Deck; took notes re same.	1.60
10/22/12	JLN	Listened to IAB CD of EMT Villaverde, Sgt. Conwell & P.O. Hurly; took notes re same	1.80

10/22/12	JLN	Listened to IAB interview of Sgt. Glaudino (ESU), P.O. Sadowski and PAA Thomspen; took notes re same	2.80
10/23/12	GMC	Drafted responses and compiled responsive docs for City defendants second request for discovery sent to JN for review	3.40
10/23/12	JLN	Listened to IAB interviews of P.O.'s Astor & Santana; took notes re:	1.70
10/23/12	JLN	Listened to IAB CD interviews of Sgt Weber, P.O. Lewis and P.O. Reyes	2.30
10/24/12	JLN	Listened to IAB interview of E. Marshall, P.O. Louis, P.O. Miller and P.O. Itwaru; took notes re same	2.60
10/27/12	JLN	E-mail & follow up T/c w/ Eli Silverman re: case status and specific items for discovery	0.40
11/13/12	GMC	Various correspondence confirming termination of representation with the parties	0.25
11/13/12	NB	newly identified defendants; emailed JLN regarding same	0.20
01/27/15	JLN	Researched case law cited in City's Memo re: Unlawful entry section, 1st Amendment section and conspiracy section.	3.40
01/31/15	JLN	Reviewed City's Revised Memo of Law for Partial SJ; reviewed City's Local R. 56.1 Statement	1.10
02/07/15	JLN	Reviewed all remaining Rule 56.1 Statements and Declarations; took notes re: same and prepared list of all potential exhibits all witnesses, all possible motions in limine based on said review	3.40
02/08/15	JLN	Cont'd review of 56.1 statements and supporting docs	3.70
02/11/15	GMC	Review of witness/exhibit list from JN and discuss with JF	1.30
02/11/15	GMC	Review of summary judgment motions and exhibits	2.50
02/11/15	JLN	Review of witness/exhibit list from JF and discuss with GC	1.30
02/11/15	JPF	Review of witness/exhibit list from JN and discuss with GC	1.30
02/11/15	JPF	Review of declarations from City, Berniers, Isacov, & JHMC w/ accompanying exhibits	1.40
02/12/15	JPF	Review of 56.1 counter statements from JHMC, City, Mauriello, & Isacov	2.30
02/14/15	JLN	Reviewed exhibit books volumes 1-3; read and highlight Dept. Adv. Interviews of Marino and Mauriello	4.90
02/16/15	GMC	Review of summary judgment motions and exhibits	3.10
02/16/15	JPF	Review of deposition exhibits & depositions	4.80
02/17/15	JPF	Review of deposition exhibits & depositions - Mauriello	3.75
02/19/15	GMC	Reviewed Mauriello's motion for SMJ and opposition to plaintiff's motion for SMJ	1.40
02/19/15	JLN	Reviewed IAB summary of witness statements; took notes regarding same	1.80
02/20/15	JLN	Further revised and edited proposed list of exhibits and witnesses; E-mailed same to NS for today's meeting	1.60
02/21/15	JLN	Started outline of crosses for Lauterborn, Marino and Mauriello; moved relevant case facts into each cross outline; started adding relevant facts from recordings of home invasion and IAB interviews.	3.60
02/21/15	JPF	Review of Schoolcraft discovery/deps - Caughey	5.60
02/22/15	JLN	E-mail exchange AS regarding clients request for indemnification from city for Mauriello's counterclaim	0.20
02/22/15	JPF	Review of Schoolcraft discovery/deps - Gough	4.80
02/23/15	JLN	Reviewed second set of filings by all defendants (responses); took notes re: same	1.30
02/23/15	JPF	Review of Schoolcraft discovery/deps - Larry Schoolcraft	3.80
02/24/15	JPF	Review of Schoolcraft discovery/deps - Huffman	4.25
02/25/15	JPF	Review of Schoolcraft discovery/deps - Valenti	3.25

02/25/15	JPF	Review of Schoolcraft discovery/deps - Lamstein/Sanganetti/Marquez	4.30
02/26/15	JLN	Read e-mail from NS regarding new 2d Cir. 1st Amend. Decision (Matthews); read & highlighted decision	0.60
02/26/15	JLN	T/c with Meny (NS office) and follow up E-mail exchange regarding obtaining cd's from Sgt. Scott's IAB interview	0.20
02/26/15	JPF	Review of Schoolcraft discovery/deps - James	3.40
02/27/15	GMC	Review of deposition summaries by NS team	3.80
02/27/15	GMC	Email and phone correspondence w/Veritext re: transcribing IAB recordings	1.25
02/27/15	JLN	E-mail exchange to NS requesting review of our exhibit list (as compiled by JN & GC) re global "universe" of all exhibits needed for trial, and made additional requests for items that will facilitate trial prep.	0.20
02/28/15	JPF	Review of Schoolcraft discovery/deps - Boston	3.75
03/01/15	JPF	Review of Schoolcraft discovery/deps - Broschart/Sawyer	5.50
03/02/15	GMC	Review of deposition summaries by NS team	1.40
03/02/15	JPF	Review of Schoolcraft discovery/deps - Sawyer/Duncan	3.75
03/04/15	GMC	Phone and email call w/JN re: witness list	0.30
03/04/15	JLN	Phone and E-mail w/GC re: witness list	0.30
03/04/15	JPF	Review of Schoolcraft discovery/deps - Duncan	4.75
03/09/15	JLN	Compiled List of NYPD witnesses for trial and assigned all witnesses to team for trial; e-mailed copy of same to team	0.30
03/09/15	JLN	E-mails to NS regarding missing IAB tapes, Marino confidentiality section of deposition; adding exhibits to global trial list, and revising list of trial assignments for each member of team	0.40
03/09/15	JPF	Review of reply memo & supporting docs filed by all defendants	3.60
03/10/15	GMC	Email and phone correspondence w/NS team re Schoolcraft recordings of 10/31	0.60
03/11/15	JPF	Review of Discovery and Depositions - Weiss	4.10
03/13/15	JLN	Reviewed Marino Disc. file, Comp stat docs regarding Mauriello and Marino, amnesty program docs, crime reporting handbook	3.75
03/16/15	GMC	Draft AS direct examination, spoke to AS on phone, developed ideas re points to cover	3.40
03/17/15	JLN	Reviewed appeal meeting and also IAB interview of Gough, Sawyer and Dunch	1.90
03/18/15	GMC	Drafted and emailed subpoenas of City defendants to NS	0.75
03/19/15	JLN	Started review of NYPD Psychological Evaluation Section ("PES") file for AS; notes on same.	2.10
03/19/15	JLN	E-mail exchange with GC regarding Jamaica	0.10
03/20/15	JLN	E-mail exchange with rest of team regarding city's proposed adjournment of trial and other misc issues	0.20
03/22/15	GMC	Review of NS letter re Lamstein and emailed comments	0.40
03/22/15	JLN	Review of NS letter re Lamstein and E-mailed comments	0.40
03/23/15	GMC	Various email correspondence w/NS re: verdict sheet, Lamstein letter and exhibit list/chart	0.50
03/23/15	JLN	E-mail exchange with NS regarding trial exhibit list and verdict sheet (including JL's marshalling of facts)	0.20
03/24/15	GMC	Email and phone correspondence w/JN re: Huffman QAD connection	0.30
03/24/15	JLN	E-mail exchange with rest of team regarding exhibit list and concerns over IAB file and impeachment documents	0.20
03/24/15	JLN	E-mail exchange with SK regarding issues requiring special jury charges	0.20

03/27/15	GMC	Review of emails w/City re subpoenas	0.25
03/27/15	GMC	Various email correspondence JN and NS re: Meeting missing IAB Lauterborn recording	0.40
03/27/15	JLN	Various E-mail correspondence GC and NS re: meeting and missing IAB Lauterborn recording	0.40
03/29/15	JLN	Reviewed Veritext transcripts and recordings from Home Invasion, began creating audio clips for trial	1.75
03/29/15	JLN	Reviewed narrative reports of defense experts Dr. Levy, Dr. Tancredi, Dr. Dolger, & Dr. Dowling; prepared bullet point summary of key points from each report; cross-referenced with plaintiff expert, Dr. Lubit's report.	4.20
03/31/15	JLN	E-mail exchanges with GC and NS regarding list of trial exhibits, list of trial assignments, verdict sheet from Marshall and handling Valenti	0.20
04/02/15	GMC	Review of SK jury instructions along with email re: same	0.30
04/02/15	GMC	Email and phone correspondence with veritext re: Lauterborn audio	0.25
04/02/15	GMC	Drafted and sent follow up emails w/NS team and JN after meeting re: exhibits	0.50
04/02/15	JLN	Drafted and sent follow up E-mails w/NS team and GC after meeting re: exhibits	0.50
04/03/15	GMC	Review of revised Scott Korenbaum ("SK") jury instructions along with email re: same	0.25
04/03/15	JLN	E-mail rough draft from JF and reviewed	4.40
04/06/15	GMC	Review of revised SK jury instructions along with email re: same	0.25
04/06/15	GMC	Phone call with NS & JN regarding exhibit list, verdict sheet, important points for opening regarding Bernier and Isakov and failure of med departments to speak with IAB	1.00
04/06/15	JLN	T/c with NS & GC regarding exhibit list, verdict sheet, important points for opening regarding Bernier and Isakov and failure of med departments to speak with IAB	1.00
04/07/15	GMC	Review and discuss NS letter to court re: delay of trial and announcing our rehiring w/JN	0.30
04/07/15	JLN	Reviewed letter to Court opposing City application; t/c with GC regarding same	0.10
04/07/15	JLN	Review and discuss NS's letter to court re: delay of trial and announcing our rehiring w/GC	0.30
04/08/15	GMC	Email and phone correspondence re: pushing trial back a week to avoid delay of trial post summer	0.60
04/09/15	JLN	Reviewed Dep. of Joe Ferrara; cross-referenced w/e mail exchanges b/w JLN and JF.	0.90
04/10/15	JLN	Reviewed Schoolcraft Graham Raymond materials made summary of most important points from clients' e-mail correspondence and chronological summary	1.40
04/14/15	JLN	Reviewed e-mails and attachments from SK regarding latest versions of jury charges	0.20
04/20/15	JLN	E-mail exchange with team regarding City's settlement position and request for mediation with out any counter offer	0.30
05/15/15	JLN	Further e-mail w/all parties re: pretrial submissions schedule	0.10
06/22/15	JLN	Another e-mail from NS re: responding to City's Motion for Reconsideration	0.10
06/29/15	JLN	E-mail & draft memo of law on bifurcation	0.20
07/06/15	JLN	Review of opposition to defendants' reconsideration motions	0.70
07/18/15	JLN	Reviewed NS prior letter motion re: Weiss EIU file, Sgt. Purpi and cont'd dep of Dr. Patel	0.20
07/23/15	JLN	Cont'd reading NYPD Tapes; took notes re: same	3.25

07/26/15	JLN	Cont'd reading NYPD Tapes; took notes re: same	2.10
08/01/15	JLN	Finished NYPD Tapes; incorporated notes of additional facts & salient themes into case summary	1.80
08/05/15	JLN	Preliminary review of City's JPTO and hospital JPTO	0.30
08/10/15	JLN	Reviewed cross-x outlines of Captain Lauterborn, DI Mauriello and Marino to make sure all documents on JPTO are accounted for	2.80
08/13/15	JLN	Reviewed NS letter to Court seeking 1 extra week for JPTO; also reviewed opposition e-mails by defense counsel to same; reviewed Mauriello's response to plaintiffs JPTO	0.40
08/13/15	JLN	Reviewed portion of opening outline regarding MHL 9.39 and Bernier decision to involuntary commit; reviewed section relating to QAD; reviewed section regarding harrassment upstate	1.40
08/14/15	GMC	Review of Lauterborn transcribed audio interview and emailed to team	0.60
08/14/15	GMC	Review and update cross examination drafts to date and emailed all to team	4.80
08/14/15	JLN	Reviewed multiple E-mail exchanges between NS and counsel regarding JPTO and best way to proceed	0.30
08/15/15	JLN	Reviewed City's latest disclosures, incl. certified docs from Hertzell Sure, M.D., multiple photos and info relating to rifle found in Schoolcraft's apartment; LS's prior lawsuit against Montgom. Cty; QAD investigations that resulted in discipline for officers; additional PG guidelines and IAB Guidelines; forensic manual for Mental Hygiene Law	3.40
08/18/15	GMC	Phone call and email w/JN re Huffman	0.30
08/18/15	JLN	Phone call and e-mail w/ GC re Huffman	0.30
08/21/15	JLN	T/c with NS regarding Larry's serious medical condition, discussion w/ Alan Sheiner & CS regarding City's latest settlement and regarding status of cross-x outlines and JPTO issues	0.80
08/24/15	GMC	Reviewed JN cross outlines and updated witness examinations	1.75
08/26/15	GMC	Reviewed JN cross outlines and updated my own witness examinations	3.30
08/27/15	GMC	Reviewed JN cross outlines and updated my own witness examinations	2.50
09/04/15	JLN	T/c w/ NS regarding his conversation with Alan Scheiner regarding City's latest settlement offer; spoke to GC regarding same	0.60
09/08/15	JLN	Flu conversation with NS to discuss last conversation with defense counsel regarding City's 3/4 disability analysis	0.20
09/10/15	JLN	Reviewed Court's endorsement of plaintiffs letters dated August 18, 2015 and August 21, 2015	0.10
09/16/15	GMC	Review of NS cross examination outlines	3.60
09/16/15	JLN	Review of NS cross examination outlines; notes re: same	1.40
<b>Norinsberg Group</b>			
06/25/213	NBS	Telephone conference with client; telephone co-counsel re: travel to upstate; review of issues regardig: litigation with indigent client; prepare for same.	2.80
02/03/13	NBS	Telephone conference with Peter Gleason; review of docket complaint and decision by J. Sweet.	2.50
02/11/13	NBS	Telephone conference with co-counsel; review of Floyd case.	0.50
02/12/13	NBS	Appear for examination before trial of client in Floyd case and defend same (3.5) (before MJ Freeman); meeting with co-counsel and client in re going forward; review of emails re status.	5.50
02/13/13	NBS	Telephone conference with Peter Gleason; telephone to Richard Guilbert re status.	0.50

02/14/13	NBS	Telephone conference with client; review of Floyd decision; meeting with client and team.	3.50
02/15/13	NBS	Review of files from counsel; review of pleadings; telephone call to co-counsel twice; review of penal code.	2.20
02/16/13	JL	Review of case history and complaint; document preparation for presentation to DOJ	3.50
02/17/13	JL	Review of case files and audio recordings; document preparation to formally request DOJ intervention	3.25
02/17/13	NBS	Review of boxes from client and Guilbert.	2.50
02/18/13	JL	Review of case timeline and document preparation for Main Justice and US Attorney presentation	4.00
02/18/13	NBS	Review of decisions of file; review of production.	3.50
02/19/13	JL	Telephone conference with EDNY Civil Rts Chief Pam Chen; document preparation.	0.75
02/20/13	JL	Prepare draft letters to DOJ--Main Justice and USAO, EDNY	1.50
02/20/13	NBS	Meeting with co-counsel; prepare subpoenas	0.80
02/22/13	NBS	Review of emails; telephone call to co-counsel; telephone Graham Raymond (Village Voice).	0.70
02/24/13	NBS	Travel with Peter Gleason to meet defendant and his father in Saugerties, NY.	5.20
02/27/13	NBS	Review of file; prepare summons fo amended cmplt; file Summons with SDNY clerk; tc attempt service of same on Law Dept; telephone call to Peter Gleason re status of serving 5 remaining defendants.	2.80
02/28/13	NBS	Review of examination before trial; prepare subpoena; prepare Notice of Appearance.	3.50
03/01/13	NBS	Telephone conference with potential medical expert (.5); review of discovery; file Affirmation of Service; review of medical and hospital records.	3.20
03/02/13	NBS	Review of Section 1983 and 242 issues and jury instructions for various theories of the case.	5.00
03/03/13	NBS	Review of discovery; review of discovery plan; review of draft letter to Justice Department.	2.50
03/05/13	NBS	Telephone conference with client re Justice letter and Chris Dunn three times; review of discovery record.	2.50
03/06/13	NBS	Review of discovery records; telephone call to Chris Dunn (NYCLU); meeting with City CM Williams; Peter Gleason and Adrian Schoolcraft (2.1).	3.50
03/07/13	NBS	Review of file; meeting with client and Peter Gleason; review of new matter.	3.80
03/14/13	NBS	Emails to opposing counsel; letter to Judge Sweet in reference to motion schedule.	0.70
03/20/13	JL	Final Draft, review and mail of letters to Main Justice and US Attorney	1.50
03/20/13	NBS	Review of Magistrate Judge letter; telephone call to Peter Gleason; letter to court re two motions; review of discovery file.	2.50
03/23/13	NBS	Review of motion and motion letter; research on taking high-level government employee's deposition.	3.50
03/25/13	NBS	Working on opp to motions to quash and compel; telephone call with client and review of materials with client (1.5); telephone conference with Jon Norinsberg re Queens DA; suit and sharing information (0.5).	8.50
03/29/13	NBS	Review of discovery; review of letter re gag order; telephone call to client; email team; call to Peter Gleason; telephone G. Rayma.	7.50
04/01/13	NBS	Review of discovery; email reference discovery plea.	3.50

04/07/13	NBS	Meeting at upstate with' team.	6.60
04/09/13	NBS	Continued review of discovery(4.0); MHL on emergency hospitalization; meeting with potential expert re: medical malpractice issues (1.5); meeting with John re: motion; telephone call to Walker re: same.	6.50
04/10/13	JL	Court: Hearing re discovery before Judge Sweet - SDNY, 500 Pearl Street, NYC. Meeting w/Smith to review hearing and discovery plan.	3.25
04/23/13	NBS	Review of PG on Marino, Mauriello,and Lauterborn; review of reports of PG by IAB.	4.50
04/25/13	JL	Meeting with Adrian Schoolcraft and Nat Smith to prepare client for depositions; review status of case	1.25
04/25/13	NBS	Appearance at 1 Police Plaza for conference; telephone call to client re: status; review of interviews by QAD.	2.50
04/30/13	NBS	Telephone conference with client; research on collateral estoppel issue.	2.80
05/1/13	NBS	Telephone conference with Peter Gleason re: status; emails with clients re: same.	0.50
05/02/13	NBS	Draft letter to Publicker re: collateral estoppel issue; email all counsel re: discovery deadlines; email court re: same.	1.50
05/03/13	NBS	Review of cases; email letter to opposing counsel re: collateral examination before trial issue.	0.70
05/08/13	NBS	Review of recordings; prepare discovery responses.	5.50
05/09/13	NBS	Meeting with J. Lenoir re: case and status; review of internal memos by IAB; review of recordings.	3.20
05/12/13	JL	Review of audio recordings made by client; sort and prepare summaries.	4.50
05/14/13	NBS	Telephone conference with client re: status; review of discovery files; outline of production.	3.80
05/15/13	NBS	Continued review of production; email opposing counsel re: status of IPP trial and Queens DA document.	2.20
05/16/13	NBS	Review of files; telephone call to co-counsel; telephone client; call to Lisa Bland.	5.50
05/17/13	JL	Telephone call with Nat Smith 3:30-4:15 and draft email re: strategy for NYPD departmental hearing June 17-18, 2013.	1.50
05/17/13	NBS	Continued review of discovery; telephone call to client (2 times); call to John Lenoir; email re: same.	3.50
05/18/13	JL	Review of IAB interviews; telephone call with Nat Smith and AS re: strategy for NYPD departmental hearing	3.50
05/20/13	NBS	Review of personal file on defendants; sick report and duty status at 10/31/09; research on Judge Sweet letter; telephone call to John Lenoir re: Jimmy McCutkin re: telephone to Lisa Bland.	3.50
05/21/13	JL	Meeting with Nat Smith and telephone call with James McCutcheon re: NYPD departmental trial strategy	2.25
05/21/13	NBS	Meeting with Jon Lenoir; telephone conference with co-counsel and Jim McCutcheon; telephone conference office of Lisa Bland; review of civil commitment articles and decision on dangerousness predictions; review of discovery record; prepare responses to objections to City Defendants demands; listening to recording of IAB interview.	5.80
05/22/13	NBS	Telephone conference re: status; telephone call Lisa Bland re: possible deal (demand of back pay in consideration of resignation); review and revised responses to discovery demands.	1.80
05/23/13	NBS	Telephone conference with client; call to co-counsel; review of decisions; email re: status.	0.80
05/24/13	NBS	Telephone conference with client re: status; review of emails from	0.4



		co-counsel re Eli Silverman.	0
05/30/13	NBS	Telephone conference with client; telephone call to Lisa Bland's office.	0.50
06/03/13	NBS	Telephone conference with co-counsel; letter to Judge Sweet on discovery; telephone call to Lisa Bland re: now want demand from us and will not agree to stay.	3.50
06/04/13	NBS	Telephone conference with client; telephone call co-counsel; draft letters to Judge Sweet re: stay and re: alleged discovery deficiencies.	3.50
06/05/13	JL	Appearance in court; Sweet, J. redpositions and discovery status; post hearing conf w/Smith	1.75
06/05/13	NBS	Appearance in court at conference before Judge Sweet handled by John Lenoir; conference with John re: same.	1.80
06/06/13	NBS	Review of emails; review of proposed order; review of notes on defendant's examination before trial; email co-counsel; prepare for meeting with experts.	1.80
06/10/13	NBS	Revised Order to Show Cause; filed same; emails with counsel; telephone call to co-counsel; telephone call to client re: status; 2nd appearance at court.	5.50
06/14/13	NBS	Email regarding press contracts; telephone call to client; further research on Younger issue.	3.50
06/18/13	NBS	Drafting reply on stay; research on issues re: same.	8.50
06/19/13	NBS	Drafting reply; telephone call to client re: reply transcript of 10/31/09; call from Village Voice; telephone G. Rayman re: status of case.	5.50
06/20/13	NBS	Telephone conference with co-counsel; review of Floyd submissions.	2.50
06/26/13	NBS	Travel to Johnstown for meeting with client [8 hours of travel].	9.00
06/27/13	NBS	Review of tapes for the purpose of responding to discovery demands by the City for requests for admissions and providing additional information to the defendants about the recordings.	7.50
06/30/13	NBS	Review of tapes and drafting response to Court Order re: complication of Plaintiff's deposition testimony and requests to admit.	5.50
07/01/13	NBS	Telephone conference with client twice (1.5); review of various tapes; review of transcripts; prepare Response to the Court Order re: discovery.	3.80
07/11/13	NBS	Telephone conference with R. Gilbert; telephone conference with client re decision; telephone call to client; telephone Gilbert	0.90
07/18/13	NBS	Telephone conference with client re Judge Sweet and re: discovery status; email opposing counsel re: same and schedule of examination before trial.	0.70
07/22/13	NBS	Telephone conference with client; re: status; review of to do list; memo to file.	1.50
07/25/13	NBS	Prepare for all counsel conference call; telephone co-counsel; telephone call client.	3.50
07/30/13	NBS	Revising documents (sub of counsel; memo of understanding; discovery demands) (1.5); telephone call H. Suckle re: possible involvement; telephone co-counsel re: status; review of Section 1983 case law (1.5).	3.50
07/31/13	NBS	Meeting with H. Suckle re: hospital; draft memo to client; revise sub of counsel; memo of goals; document demand; emails re: discovery plan with co-counsel and opposing counsel; telephone call to client re: status.	6.50
08/01/13	NBS	Meeting with Magdalen re: status and case; review of case law in jury instructions.	2.80

08/05/13	MB	Jury instructions project: research fundamentals of 1983 litigation and federal causes of action; review commentary Bender and Schwartz; causation by multiple defendants; collect cases for authority.	5.00
08/06/13	NBS	Telephone conference with co-counsel; review of emails and press coverage; call from G. Rayman re: book out.	0.80
08/07/13	JL	Meeting with trial illustrator (11am-1pm). Meeting with potential expert witness, Dr. Tom Litwack - (3pm-5pm).	3.50
08/07/13	MB	Prep for meeting with illustrator re demonstrative project; meeting with potential "dangerousness expert," Tom Litwack.	7.00
08/20/13	NBS	Telephone conference with client; revised letter to court.	1.50
08/21/13	NBS	Telephone conference with co-counsel; emails with opposing counsel re: discovery schedule.	1.20
08/22/13	HS	reviewed availability, called and emailed Nat Smith re: my availability for depositions	0.25
08/22/13	NBS	Telephone conference with Jon Lenoir re: status; telephone Greg Radomisle re: hospital inspection; review of emails re: schedule; conference with all counsel re: schedule; draft objections (2.5);	2.50
08/23/13	NBS	Meeting with Magdalena re legal research on state action; telephone call with Jon Lenoir re: status.	1.50
08/28/13	NBS	Review of decision on jury order; telephone Pete Gleason re: suits and apartment; review of counsel; review of conference orders; review of production.	3.50
09/01/13	MB	Nat's office, listen to audios and review production.	3.00
09/04/13	NBS	Email to client re: status; review of status report; review of letter motion by city.	0.70
09/06/13	NBS	Review of correspondence on discovery; drafting AEO letter motion; telephone call to client re: status and AEO letter issues (1.0)	3.50
09/09/13	NBS	Revising letter motion; emails on same.	0.80
09/13/13	HS	reviewed departmental action affect on case by city and emailed to group	1.75
09/16/13	NBS	Email regarding status; telephone call to client.	0.50
09/18/13	NBS	Telephone call and emails reference 81 inspection	0.50
09/23/13	NBS	Draft reply letter on AEO and personal property motion telephone conference with client; telephone call with Mag; telephone call to John Lenoir re: status; review of 81 inspection photos; review of AEO designations.	2.50
09/25/13	MB	Oral Argument; team meeting	4.00
09/26/13	NBS	Appearance for client; examination before trial and prepare for same.	9.00
09/30/13	NBS	Telephone conference with co-counsel; review of emails; review of productions.	2.50
10/01/13	HS	prep for inspection of Schoolcraft home and Hosp: reviewed records & depo of pit	4.00
10/02/13	NBS	Inspection at Jamaica Hospital; visit Queen's location; Meeting with client; reviewing tapes re: examination before, trial.	7.50
10/03/13	MB	Prepare Marino examination before trial; compile relevant discovery docs into searchable PDF; review record and prepare questions	5.00
10/04/13	JL	Preparing docs and audio recordings for Marino deposition; Tel Conf with Smith	2.75
10/04/13	NBS	Preparing for Marino and Mauriello examination before trial (5.0); telephone conference with co-counsel; emails with opposing counsel re: adjournment for Mauriello; review of PG & Floyd trial transcripts.	5.50
10/08/13	NBS	Preparing for and taking Marino's examination before trial; calls to	9.50

		Court on status of various motions.	
10/09/13	NBS	Meeting with co-counsel; review and revise status report; review of motions and filing on case re: discovery; telephone conference with G. Raymond re: Mauriello counterclaims (will comment in opposing papers).	4.50
10/10/13	NBS	Review of email; conference with co-counsel; review of law on tortious interference claim; email opposing counsel re: motion to amend Mauriello answer.	1.80
10/11/13	NBS	Drafting letter to Court; research on motion to amend.	3.50
10/13/13	NBS	Telephone conference with client re: status re: NYCLU and Dunn and going forward; telephone call to John Lenoir re: same	2.30
10/14/13	MB	Prepare medical defendants examination before trial; review medical chart and record; review depositions of City defendants; review hospital policy and procedure; review MHL 9.39; draft deposition questions.	5.00
10/14/13	NBS	Telephone conference with L. Dunn; telephone call to John Lenoir re: case; drafting and research on motion to strike Mauriello answer; discovery matters (AEO personal property) and opposing to motion to amend pleadings (7.5).	8.50
10/15/13	HS	reviewed motion papers for motions of 10/16	1.50
10/15/13	MB	Prepare medical defendants examination before trial.	5.00
10/15/13	NBS	Revised motion and memo; emails re: same; letter to court; conference with client re: status.	3.50
10/16/13	NBS	Prepare for court appearance; appear before Judge Sweet on various motions (3.2); conference with trial team; telephone call with Howard Suckle re: status and medical defendant's examination before trial; email to client.	4.50
10/17/13	MB	Prepare medical defendants examination before trial	3.00
10/17/13	NBS	Telephone conference with client; emails re: status; email prior counsel re: discovery matters.	0.80
10/18/13	NBS	Telephone conference with client; review of medical documents responses; email opposing counsel re: status of production.	1.80
10/21/13	MB	Prepare medical defendants examination before trial	6.00
10/22/13	MB	Prepare medical defendants examination before trial	5.00
10/23/13	JL	Telephone conference with Smith re PD expert report and testimony; Tel Conf w/Eterno	1.50
10/23/13	MB	Prepare medical defendants examination before trial.	5.00
10/23/13	NBS	Telephone conference with court re: oral argument date; telephone call with Walter Kretz re: same; conference with co-counsel; telephone call and email to client; telephone J. Eterno re: status and Monell issues (alleged conflict of interest issue raised by Law Dept in the past); review of Jamaica Hospital records; email with prior counsel re: substitution and document search.	3.50
10/25/13	HS	appeared for Aldana-Bernier depo and strategized with John Meg and Nat Smit	5.00
10/25/13	NBS	Appearance for Bernier examination before trial; wait for response from Court on video objection; meeting with team.	3.20
10/28/13	NBS	Telephone conference with client re: status; emails re: schedule and video objections.	0.80
10/29/13	NBS	Preparation for examination before trial of Mauriello; review of research on video use conference with 10-10.	5.80
10/30/13	NBS	email opposing counsel re: adjournment on Mauriello; review of emails; review of Mauriello testimony in Floyd case; review of AS personnel file records for examination before trial (2.0)	2.00

11/01/13	NBS	Telephone conference with client; telephone call to John Lenoir re: Stop and Frisk; status.	0.50
11/04/13	HS	emails to team	0.10
11/07/13	JL	Prepare and take w/Smith examination before trial of defendant Lauterborn. Review documents and audio recordings; prepare exhibits.	9.50
11/07/13	NBS	Prepare for and take examination before trial of Lauterborn; conference with team; telephone call with client re: status.	9.50
11/08/13	MB	Review discovery, catalog, and convert to searchable PDF files.	5.00
11/08/13	NBS	Meeting with investigator (1.0); telephone call same and Mag (0.5); review of research and emails.	3.50
11/09/13	MB	Review discovery, organize, and convert to searchable files.	5.00
11/11/13	MB	Review discovery, catalog, and convert to searchable PDF files.	5.00
11/13/13	JL	Motion hearing at Judge Sweet Courtroom; review of hearing outcome w/co-counsel; draft report to client.	3.75
11/14/13	JL	Review of hospital and NYPD files and audio recordings in preparation for examination before trial of Bernier and Mauriello.	5.50
11/14/13	MB	Prepare Mauriello exination before trial; review record; listen to audios; compile discovery docs into searchable PDF; draft deposition questions.	5.00
11/14/13	NBS	Email in reference to Daily News Article; telephone call to Mag Bauza re: interview with Carol Street.	1.20
11/18/13	HS	telephone call with John Lenoir and emails re: Larry Schoolcraft deposition	1.25
11/18/13	JL	Consultation with non-party witnesses, audio recordings of IAB interviews and document review.	2.50
11/19/13	NBS	Telephone conference with B. Shaffer re: Larry Schoolcraft examination before trial re: examination before trial of Larry Schoolcraft; prep for ebts of polce defendants	2.20
11/21/13	JL	Review and produce Marino and Lauterborn video depositions; reconcile Plaintiff depositions transcript with video.	2.75
11/22/13	JL	Mauriello terminated examination before trial preparation; review of Court's decision and additional City discovery documents provided.	2.75
11/22/13	MB	Mauriello deposition cancelled; begin Prof Rule 4.2 no contact research.	4.50
11/22/13	NBS	Prepare for and appear at Mauriello examination before trial (busted by defendant).	3.50
11/24/13	JL	Review of Plaintiff's depositions (1.00); review defendant Mauriello and Lauterborn depositions and produce videos (2.25);	3.25
11/26/13	JL	Review of depositions; prepare challenge to City Defendant obstructions; prepare for Lt. Caughey examination before trial.	5.50
11/26/13	NBS	Drafting notices for depositions ; review of email.	1.00
11/30/13	JL	Review of dfnt Marino and Lauterborn examination before trial research for motion to compel and additional requests for production.	2.50
12/01/13	JL	Review of Marino and Lauterborn examinations before trial to identify areas for motion to compell and additional requests for production.	1.75
12/01/13	NBS	Review of Caughey, Weiss and Hanlon recordings; prepare for Caughey examination before trial; telephone conference, re: status (left message).	2.80
12/04/13	NBS	Letter to opposing counsel; email to opposing counsel re numerous discovery disputes.	1.50
12/06/13	NBS	Emails re: status; prepare opposition to motion for reconsideration.	3.50

12/09/13	JL	Prepare and 2d seat with Smith examination before trial for dfnt Caughey; meeting with Peter Kelley re potential assistance in trial prep.	7.75
12/11/13	JL	Represent client (w/Bauza) at depo of Larry Schoolcraft--Albany [8:30 travel time]	6.50
12/12/13	MB	Review discovery, organize, and convert to searchable files.	5.00
12/13/13	MB	Review discovery, organize, and convert to searchable files; listen to audio.	5.00
12/16/13	MB	Prepare Mauriello examination before trial; review documents; create searchable PDF; review depositions and record; listen to audio.	5.00
12/17/13	NBS	Prepare for examination before trial of Mauriello; review of recent correspondence.	3.50
12/18/13	JL	Prepare for defendant Mauriello examination before trial; review of motion for reconsideration.	3.25
12/18/13	NBS	Prepare for Mauriello; conference with co-counsel, telephone call to client re: status.	4.50
12/30/13	NBS	Meeting with client and review various tape recordings (4.3); obtain tape recorder from NYPD and send to specialist for enhancement	4.50
12/31/13	NBS	Review of production; research on compstat.	1.80
01/02/14	NBS	Meeting with client re: review of tapes; telephone conference with co-counsel; emails re: schedule; letter to Court re: schedule	1.80
01/03/14	JL	Preparing docs and audio for Sgt Huffman and PAA Boston depositions	2.50
01/03/14	MB	Prepare for Huffman and Boston Deposition; review discovery docs; draft questions.	4.50
01/03/14	NBS	Prepare for Boston and Huffman examination before trial	4.50
01/05/14	MB	Prepare for Boston and Huffman Deposition.	6.02
01/05/14	NBS	Prepare for Boston and Huffman examination before trial.	3.70
01/06/14	JL	co-counsel w/Smith depositions of Huffman and Boston; post EBT review w/Smith and Bauza	9.50
01/06/14	NBS	Prepare for and take examination before trial of Boston and Huffman; meeting with team re: status and going forward	10.50
01/08/14	NBS	Letter to Court; email re: scheduling	0.20
01/10/14	JL	Prepare case files and review audio records for future depositions	2.00
01/10/14	MB	Review and catalog discovery production at Nat's office; listen to Hanlon audio.	7.00
01/13/14	NBS	Prepare for and take Hanlon examination before trial; conference with team re: examination before trial and case	8.50
01/15/14	JL	Appearance in court, Sweet, J. re discovery; confer with Smith and Bauza re status	1.50
01/15/14	MB	Hearing with Judge Sweet re discovery issues; team meeting re status of case.	2.00
01/15/14	NBS	Appearance in court; conference with co-counsel; email re: status	2.30
01/16/14	NBS	Review of production; review of report on crime reporting; emails re: status of examination before trial	3.50
01/17/14	NBS	Review of documents produced; review of report of crime reporting; review of prior discovery demands	3.50
01/23/14	NBS	Prepare documents for supplemental production; long status conference with client re: need for AEO production and status of case (1.3)	1.90
01/27/14	NBS	Revising letter to website responders; sending Out same; letter to City Defendants re: examination before trial	1.20
01/30/14	NBS	Prep for and take Dr. Lamstein examination before trial	9.50

02/03/14	NBS	Telephone conference with co-counsel; email reference examination before trial.	0.50
02/05/14	NBS	Telephone conference with client; emails reference examination before trial; and letter to Judge Sweet.	0.80
02/07/14	MB	Meeting with Nat re: inadvertent production redaction issues; begin prep for Medical Defendants EBTs.	5.00
02/07/14	NBS	Email regarding status with client; meeting with Mag in reference to redaction issues; letter to Law Department reference redaction; drafting and revising discovery demands.	3.50
02/08/14	MB	Prepare for Medical Defendant's EBTs; review medical chart, record, and deposition summaries; review Beiner's prior litigation testimony.	5.75
02/09/14	HS	call and email re: Deposition of hospital with deft counsel	0.20
02/10/14	HS	deposition preparation	5.20
02/10/14	JL	Preparing depositions of Bernier and Isakov; review NYS 9.39	2.50
02/10/14	MB	Conference with Howard Suckle re deposition prep; prep for Medical Defendants depositions.	6.25
02/10/14	NBS	Telephone conference with the court clerk reference submission on February 10, 2014; letter to court; prepare for doctor's examination before trial (2.8)	3.80
02/11/14	HS	reviewed client's deposition questions	0.50
02/11/14	NBS	Prepare for and attend Dr. Bernier examination before trial.	8.50
02/12/14	HS	prep and conducted Isakov deposition	7.25
02/12/14	JL	co-counsel with Smith and Suckle at deposition of Defendant Dr. Isakov.	7.50
02/12/14	NBS	Prepare for and attend Dr. Isakov examination before trial.	9.50
02/13/14	JL	Review with Smith notes and exhibits of depositions of Bernier and Isakov.	1.00
02/16/14	NBS	Telephone conference with John Lenoir and client reference status; review of privilege issues.	1.70
02/18/14	JL	Review of discovery demands with counsel and client.	1.50
02/18/14	NBS	Review of examination before trial for discovery letter; emails reference defendant's examination before trial and Norinsberg termination letter; request JHMC provide and produce the two EMT's.	3.80
02/19/14	JL	Review of correspondence re: discovery demands. tel conf client and Smith re discovery	1.75
02/19/14	NBS	Telephone conference with co-counsel (HS) reference medical case; state action; pro and sub due process; review of emails reference discovery status; telephone call to John Lenoir reference same.	2.50
02/20/14	NBS	Email co-counsel; client review of examination before trial for motion.	2.80
02/23/14	NBS	Review of examination before trial; telephone co-counsel; telephone conference with client reference status.	3.50
02/24/14	NBS	Review of examination before trial; email reference recording.	0.40
02/25/14	NBS	Review of examination before trial; transcripts for discovery issues; telephone call to Walter Kretz (two times) regarding possible work out.	5.00
02/27/14	NBS	Drafting letters to court re outstanding discovery disputes by plaintiff and by defendants	3.50
03/03/14	NBS	Review of emails and letters	0.50
03/04/14	JL	Counsel conference call. Smith re status and strategy. Needs for trial preparation.	1.50
03/04/14	MB	Conference call with City defendants; team conference re trial prep	1.50

		status.	
03/04/14	NBS	Prepare for and attend meeting to confer; emails reference status same.	1.50
03/05/14	JL	Review discovery and depositions; update case status report for client	1.25
03/08/14	NBS	Review of letters on discovery motions; email to team reference response.	1.20
03/11/14	JL	Schoolcraft research and draft letter to court re: discovery and deposition issues (4.00)	4.00
03/11/14	MB	Review and comment Letter to Judge Sweet; team meeting re discovery issues.	3.36
03/11/14	NBS	Meeting with team John Lenoir and Mag Bauza; drafting letter to court.	2.30
03/14/14	MB	Revise proposed jury instructions for City defendants; research Monell custom and policy municipal liability; analyze Monell jury instructions from other jurisdictions; draft alternate instructions; review and collect cases for authority.	5.47
03/15/14	MB	Continue with research and drafting NYPD proposed jury instructions; draft charges for supervisor liability, First Amendment retaliation and prior restraint.	6.00
03/16/14	JL	Update case status report; Prep plaintiff demands in discovery and re-schedule depositions.	2.00
03/18/14	JL	Review and consultation with Mauriello counsel re: scheduling of inspection in Johnstown, New York; related discovery review and research.	1.25
03/19/14	JL	Review City Defendants production requests; research and prepare response and plaintiff production demands. Tel conf with client.	4.50
03/19/14	MB	Draft NYPD proposed jury instructions; continue state action research re: Medical Defendants.	6.43
03/24/14	JL	Prepare deposition schedules in consult with Smith and defendants counsel. Review discovery and prep motion draft.	3.75
03/26/14	NBS	Review of drafts 30(b)(6); appear in court on discovery status (2.2); telephone call client; review of document demands; meet and confer with opposing counsel (1.0).	3.80
03/28/14	JL	Finalize Plaintiff 30(b)(6) notices. Prepare examination of City 30(b)(6) witnesses	3.25
03/28/14	NBS	Meeting with Mag reference jury instructions; telephone call with client reference 30(b)(6); revising same and serving same.	4.50
04/01/14	JL	Prepare trial memorandum/ <b>telephone call to City re: settlement/</b> and prepare for Trainor and Gough examination before trial.	2.75
04/01/14	NBS	Telephone conference with City re: settlement; telephone conference with client; conference with team re: same.	1.50
04/04/14	JL	Review correspondence to Court re: referral to Magistrate; consult re: settlement strategy.	1.00
04/04/14	MB	Research medical experts; review Roy Lubit's filings.	6.85
04/04/14	NBS	Review of medical expert decisions and affidavit; prepare for Trainor examination before trial.	2.50
04/07/14	JL	Review filings (ECF posts) and correspondence.	1.50
04/07/14	NBS	Prepare motion to strike paragraph six of Mauriello's counterclaim (1.3); prepare outline of discovery issues; telephone call to D. Beekman (Daily News); telephone conference Graham Raymond; telephone MJ Freeman's chambers; email all counsel.	2.50
04/09/14	JL	Review settlement strategy with client; Hearing .	2.25
04/09/14	NBS	Preparing for hearing on Raymond motion to compel; appearance in	2.80

		court on motion (2.2); prepare for Trainor and Gough examination before trial.	
04/10/14	JL	Prepare/conduct w co-counsel Smith examination before trial of Trainor.	8.25
04/10/14	NBS	Prepare for and take deposition of Trainor; prepare for Gough examination before trial.	8.90
04/11/14	JL	Prepare/conduct as co-counsel w/ Smith examination before trial of Gough.	7.50
04/11/14	MB	Draft proposed Jury Instructions Medical Defendants; research due process causes of action; dangerousness standard re: emergency civil commitment; statutory and common law procedural protections re: restraints; legal privilege under MHL 9.39.	3.65
04/11/14	NBS	Prepare for and take Gough examination before trial	7.80
04/13/14	JL	Meet possible Psychiatric expert Dr. Lubit; review case and discuss Dr. Lubit's participation.	2.75
04/13/14	NBS	Prepare for and meet with potential expert (Roy Lubit).	4.50
04/14/14	MB	Continue drafting proposed jury instructions Medical Defendants; draft medical malpractice and other state claims.	4.55
04/14/14	NBS	Telephone conference with co-counsel re: status; conference with client; emails with opposing counsel re: new dates for settlement demands/offers/conference; draft letter to MJ Freeman re: same; email Hearn.	1.80
04/16/14	MB	Conference call with Adrian re trial issues and settlement; team conference to confer.	2.50
04/16/14	NBS	Telephone conference with team (1.0); conference with client re: settlement demands (1.2); research on commitment cases; state action and Section 1983; review of Plaintiffs demands.	5.80
04/17/14	NBS	Telephone conference with team; review of decisions; telephone Mag; telephone Howard; telephone John; letter to all defendants counsel re: Norinsberg termination letter; telephone call to S. Mettham re: settlement.	2.90
04/18/14	JL	discussion and planning re: settlement (1.00);	1.00
04/18/14	NBS	Various telephone calls with John Lenoir; telephone client; review of decisions on involuntary hospital and damages.	3.50
04/23/14	HS	prep and conducted Aldana-Bernier deposition	8.00
04/23/14	NBS	Drafting opposition to Jamaica Hospital motion for protective order; prepare for and attend examination before trial of Bernier	8.50
04/24/14	NBS	Prepare for Sawyer examination before trial (3.0); revise opposition to Jamaica Hospital protective order motion.	3.50
04/25/14	JL	Prepare/conduct w/Smith examination before trial for Sawyer.	6.25
04/25/14	NBS	Prepare for and take deposition of Sawyer.	6.50
04/28/14	JL	Prepare/conduct w/Smith examination before trial: Duncan.	7.50
04/28/14	NBS	Prepare for and take Duncan examination before trial and conference with all counsel and MJ Freeman re: settlement discussion.	7.80
04/29/14	NBS	Review of state motion cases; meeting with co-counsel; call to client.	2.50
04/30/14	NBS	Appearance in court on JHMC motion for protective order and Adrian's motion to strile Mauriello counterclaims reference (2.2); prepare for same; lunch meeting with team and colleague of John's re: case.	3.80
05/01/14	JL	Conference with Smith re: prior counsel fees/expenses; brief client on settlement issues; research re: use/abuse of psychiatry for political intimidation and retaliation.	1.75



05/02/14	JL	Review and conf (all counsel) with re: deposition schedules; review case law re: settlement (range of awards of involuntary confinement, false arrest..).	1.75
05/05/14	NBS	Telephone conference with Sheri; telephone call to John Lenoir; prepare letter to Judge Sweet re: Plaintiff's motion to compel; telephone to John Cohen re: fees; review of Gleason fees.	2.20
05/06/14	JL	Research and confer with Nat Smith re: settlement issues (1.00);	1.00
05/08/14	JL	; research and outreach to proposed ER Medicine expert (1:00).	1.00
05/08/14	NBS	Prepare for conference; attend to conference with Magistrate Freeman re: settlement: hospital defendant have no pay status and City willing to continue discussions, email client re: status; revising letter to Judge; review of opinion on Mauriello counterclaim/motion to strike Plaintiff (0.5); research on law enforcement privileged (1.0).	4.50
05/09/14	JL	Review hospital records; City production re: 081 lockers; prepare status report.	1.25
05/10/14	JL	Consultation and correspondence with Nat Smith re: City defendants' discovery production re: 081 lockers; prepare EBT of Sgt James.	2.50
05/11/14	JL	Consultation by telephone with Dr. Halpern-Ruder re: EMT and ER procedures as potential expert witness; review correspondence with client.	2.00
05/12/14	JL	Preparation/conduct w/Smith EBT of Sgt Shantel James; EBT Sgt James 10am-3:30pm; review of EBT; follow up with Dr. Halpern-Ruder; EMT/ER expert.	7.00
05/12/14	NBS	Prepare for and take James examination before trial.	6.80
05/13/14	JL	meet (w/Smith) with potential witness for plaintiff; NYPD Lt (Ret) Joseph Ferrara; telephone conference with Chris Dunne re: possible settlement issues; prepare EBTs of the EMTs. [POV travel to-from Holbrook NY--3:00]	4.50
05/13/14	MB	Prepare EMT Jessica Marquez's deposition; research right to refuse medical attention; right to choice of hospital.	4.00
05/14/14	JL	EBT (w/Smith) of Marquez, EMT/JHC; prepare status report.	7.50
05/14/14	NBS	Prepare and take examination before trial of Marquez.	8.40
05/15/14	JL	Review of EBT; review case and settlement strategy with client and Smith	1.75
05/15/14	JL	Preparation/conduct w/Smith EBT of Sangetti; EMT/JHC; preparation - conduct post depo-review with Smith.	5.25
05/15/14	NBS	Prepare for and take examination before trial of Sangetti (4.5); emails with client re: status and settlement (0.5).	5.00
05/16/14	JL	Prepare EBT for Broschart - review City motion to strike 30(b)(6) issues.	2.50
05/19/14	JL	Prepare for meeting with client and full status review of discovery; settlement and trial strategy.	2.25
05/19/14	NBS	Review of production; prepare for meeting with client; telephone call with co-counsel; research on discovery issues (law enforcement privilege).	3.80
05/21/14	MB	Research re: blue wall of silence police retaliation cases; the deliberative process privilege; the law enforcement privilege.	5.27
05/22/14	NBS	Drafting opposition to City motion for protective order and cross-motion for documents, research on same.	8.50
05/23/14	MB	Blue wall of silence research; analyze and review prior testimony of possible police procedures expert, Dr. Leinen.	6.61
05/23/14	NBS	telephone call to potential witness (Stephen Lerner); telephone to Lubit; email team; email client; review of document production;	2.00

		telephone conference with Jon Norinsberg re: 81 locker photos.	
05/27/14	JL	Research and outreach re: potential Law Enforcement expert(s) research re: damages and settlement issues.	2.00
05/28/14	MB	Prepare Weiss deposition; team conference call re Weiss deposition.	4.10
05/28/14	NBS	Prepare for conference of motion; appear on motion before Judge Sweet (2.8); telephone call to Dr. Lubit; telephone call to the office of Eterno; conference with all counsel re: schedule and need 30-45 days; prepare for Weiss examination before trial; conference with team re: Weiss; telephone Jon Norinsberg re: locker photos.	8.50
05/29/14	MB	Draft summary of Weiss deposition send to counsel; prepare for JHMC 30(b)6 depositions on policy; review Beiner's depo transcript; draft questions.	6.70
05/29/14	NBS	Prepare for Weiss; take Weiss examination before trial; prepare for JHMC.	9.50
05/30/14	NBS	Prepare for and take examination before trial of Jamaica Hospital (Maffia)	4.50
06/02/14	NBS	Telephone conference with client; emails with opposing counsel re: discovery; reviewing production for index.	1.80
06/03/14	NBS	Email regarding plan for discovery; production of Aetna documents and docket photos; telephone call to J. Ferrara re: examination before trial for 6/5/14.	1.50
06/04/14	JL	Meeting with Smith and Ferrara to prepare for examination before trial; review EBT materials: documents and audio.	3.50
06/04/14	NBS	Prepare for Ferrara examination before trial; telephone conference with co-counsel re: same.	3.20
06/05/14	NBS	Meeting with team and J. Ferrara; attend deposition of J. Ferrara at Law Department; drafting discovery demands for Mauriello.	9.50
06/06/14	JL	Telephone conference with law enforcement experts; call with John Eterno and Eli Silverman; review and discuss law enforcement expert report and testimony; prepare status report for client and trial team.	2.75
06/06/14	MB	Draft summary of notes from Ferrara deposition send to counsel; team conference call with police practices experts, Eterno and Silverman re: expert report and testimony.	2.50
06/06/14	NBS	Prepare discovery demands re: Mauriello (1.5); conference call with John Eterno; Eli Silverman and team re: expert issues (compstat, blue wall, and digital recorder); review of New York City conflict of interest issue, law, decision (1.2)	3.20
06/09/14	JL	Telephone conference with client; preparation and review discovery and settlement issues.	2.00
06/10/14	NBS	Drafting demands on Mauriello; drafting letter to court re: amended discovery schedules.	0.80
06/11/14	JL	(with Smith) Prepare and meet with Dr. Dan Halpern-Ruder in Providence RI re proposed EMT and ER expert.	4.00
06/11/14	NBS	Travel to Rhode Island and meet with Dr. Dan re: ER expert.	6.50
06/12/14	NBS	Continue meeting with Dr. Dan re: ER expert; review parts of PX69 and home invasion recording with expert; revised and drafted discovery demand; travel back to New York.	5.50
06/13/14	JL	Telephone conference with Eterno and Silverman re: law enforcement expert research and testimony; review and preparation of retainer agreements.	2.00
06/13/14	MB	Team conference call w/ Silverman and Eterno re expert testimony; conference with Nat re conflict of interest issue.	2.50
06/13/14	NBS	Telephone conference with Eli Silverman and John Eterno re: expert	4.50

		discovery schedule (1.0); review of conflict laws; telephone call to Mag Bauza; telephone to John Lenoir; memo to file on ER expert (.5)	
06/16/14	JL	Prepare status report for client; draft trial memo	1.75
06/16/14	NBS	Review of city letter re: supplemental discovery; conference with co-counsel.	0.80
06/18/14	JL	Prepare for and conduct (with Smith) Broschart examination before trial; review notes.	7.50
06/18/14	NBS	Prepare for and take Broschart re: examination before trial.	7.80
06/19/14	NBS	Review of scheduling order; email with team re: schedule; email Dr Lubit; review of Patrol Guide; prepare for Duncan examination before trial (3.0)	4.50
06/20/14	JL	Telephone conference with co-counsel re: law enforcement experts; draft retainer agreements.	2.00
06/20/14	NBS	Draft opposition to reconsider; review of Duncan examination before trial; prepare for Duncan.	4.50
06/23/14	JL	Prepare for, and conduct with Smith dfnt Duncan examination before trial; review Duncan examination before trial.	7.50
06/23/14	NBS	Telephone conference with client (log) re: status; prepare for and take examination of Duncan; emails with opposing counsel re: schedule; telephone call to'Dr, Patel.	7.50
06/26/14	JL	Telephone conference with client, co-counsel and psychiatric expert re: meeting with client; call with co-counsel re: examination before trial scheduling.	2.00
06/26/14	NBS	Emails with opposing counsel re: schedule; conference with co-counsel re: same.	0.50
06/27/14	JL	Meeting (telephone conference) with client; co-counsel and expert re: evaluation by psychiatric expert.	2.50
06/27/14	NBS	Review of Mauriello examination before trial; telephone call to Dr. Roy Lubit; and prepare for Mauriello examination before trial.	3.50
06/28/14	NBS	Review of Mauriello examination before trial; review of Lubit affirmation in Monaco.	4.50
06/29/14	NBS	Review of Mauriello examination before trial; prepare for continued examination before trial of Mauriello (4.5); conference with client re: status; email Dr. Lubit; email John Lenoir.	7.50
06/30/14	JL	conference with Dr. Lubit; call with client re: evaluation (1.25).	1.25
07/01/14	JL	Prepare and conduct w/Smith examination before trial for Mauriello. Review w/client and Smith.	8.50
07/01/14	NBS	Prepare and take Mauriello examination before trial.	9.50
07/03/14	NBS	Prepare and take Dr. Lwin examination before trial; meeting with team re: expert report; lunch with team.	3.80
07/04/14	JL	Prepare for 30(b)(6) depositions and other JHC witnesses.	3.75
07/07/14	JL	Prepare for and attend deposition as co-counsel; and review; 30(b)(6) witness to testify about JHMC's policy on involuntary hospitalization.	4.50
07/07/14	NBS	Take and prepare for Jamaica Hospital examination before trial.	7.50
07/08/14	JL	Schedule and plan remaining depositions (2.00); review final discovery productions (2.50).	4.50
07/09/14	JL	Negotiate expert agreements with Dr. Silverman and Dr. Eterno; draft retainer contracts; conference call to resolve issues, finalize expert agreement and schedule meetings and reports; and prepare for City 30(b)(6) examination before trial.	1.75
07/10/14	JL	Consultation and negotiation with psych and law enforcement experts; revise retainer agreements.	2.25

07/11/14	JL	Arrange and negotiate terms for ER MD expert witness; prepare for City examination before trial.	1.75
07/13/14	MB	Prep for City 30(b)(6) deposition topics; research anti-quota law, New York Labor Law § 215-a, and Operations Order No. 52.	6.00
07/14/14	JL	Prepare for City 30(b)(6) examination before trial.	2.25
07/14/14	NBS	Prepare for examination before trial of City 30(b)(6) witnesses.	1.50
07/15/14	JL	Conduct two City 30(b)(6) examinations before trial.	7.50
07/16/14	JL	Conduct two City 30(b)(6) examination before trial.	7.00
07/16/14	NBS	Take deposition 30(b)(6) witnesses of City in the morning and afternoon; prepare for same; conference with co-counsel; conference with court clerk; prepare for examination before trial next day.	9.50
07/17/14	JL	Conduct two City 30(b)(6) examination before trial.	7.00
07/17/14	NBS	Prepare for and take examination before trial of City 30(b)(6) witnesses on performance evaluation of supervisors and of police officers.	6.50
07/18/14	JL	Prepare, do, and review telephone call with MD expert; client and co-counsel.	2.50
07/18/14	NBS	Review of prior arguments and submissions discussions outstanding; conference with Dr. Halpern and team.	3.50
07/21/14	JL	Review of discovery and depositions.	1.50
07/21/14	NBS	Drafting letter to Court; review of transcript of prior hearing; research on legal issues raised by objections and Purpi examination before trial.	3.40
07/22/14	MB	Research re City's application of subsequent remedial measure; team conference call re status.	3.65
07/22/14	NBS	Telephone conference with client and team; prepare letter.	2.50
07/23/14	NBS	Prepare for examination before trial on Thursday; review of recent City production, emails with opposing counsel re: examination before trial.	4.50
07/24/14	NBS	Prepare for and attend City 30(b)(6) (cooper); prepare for examination before trial for Dr. Patel; conference with client.	7.50
07/25/14	MB	Patel deposition.	0.00
07/25/14	NBS	Prepare and take examination of trial of Dr. Patel; draft letter to Court on application re: Dr. Patel.	3.50
07/28/14	NBS	Review of Dr. Lwin examination before trial; review letter from Jamaica Hospital.	1.20
07/29/14	NBS	Emails and telephone conference with client and re: experts; review of letters to Court.	1.20
07/31/14	JL	Preparing letter to Court; tel conf w/Smith and LE experts	1.50
07/31/14	NBS	drafting letter to Judge Sweet; review of letter re: outstanding; telephone conference with trial team and Dr. Lubit and Dr. Halpern.	2.70
08/01/14	JL	Draft case status report; update Trial Memorandum.	1.50
08/01/14	NBS	Review of letters on numerous discovery disputes; review of videos of Dr. Patel's examination before trial; drafting letter on three motion letter.	7.50
08/03/14	NBS	Review and revise letter to Court; research on deposition conduct re: definition of harassment.	5.80
08/04/14	NBS	Drafting letter re: 3 discovery motions; long conference call with experts Silverman and Eterno (1.5); preparing letter for experts on police issues and transmitting documents to experts (2.5)	7.50
08/05/14	JL	Discovery review; review letter to Court re: outstanding issues; finalize status report.	2.50
08/05/14	NBS	Revise letter to Court on 3 motions; draft second letter re: video objection.	3.20

08/06/14	NBS	Telephone conference with Mag Bauza to do list; meeting with John Lenoir re: same; revise letter to Court re: video objection.	1.50
08/07/14	JL	Review depositions; prepare index and summaries; confer re: expert testimony and reports.	2.50
08/07/14	NBS	Review of report; telephone call to John Eterno re: same	1.20
08/08/14	JL	Review depositions; index and summarize; plan expert report submission and prepare for depositions.	2.25
08/08/14	NBS	Review of reports of experts (police and ER); review of record from psychiatric experts.	3.50
08/09/14	JL	Confer w/Smith re: expert reports; conference call with LE experts.	2.00
08/10/14	HS	reviewed expert report and emailed team re: expert report	1.50
08/10/14	JL	Review expert reports; conference calls with psychiatric expert.	2.50
08/11/14	JL	Plaintiff's expert disclosure due; prepare packages and send.	4.25
08/14/14	JL	Research and review existing material re: expert depositions and dispositive motions.	1.50
08/18/14	JL	Respond to City Defendant letter re: expert reports; review and index depositions.	2.50
08/19/14	JL	Review deposition summaries; draft correspondence re: discovery issues.	2.50
08/20/14	JL	Draft response to City Defendants letter re: 30(b)(6) witness; also renew demands for production of Marino and other discovery documents.	4.75
08/22/14	JL	Confer with all expert witnesses re: schedule availability for depositions.	1.25
08/26/14	JL	Confer with experts re: additional information on reports; and schedule availability; review defendant Mauriello letter to dismiss charges.	1.75
08/29/14	JL	Review Court Order re: discovery; confer with Smith.	1.50
09/02/14	NBS	Meeting with co-counsel; review of decisions on discovery; emails re: scheduling with experts; telephone call with Roy Lubit re: same.	1.50
09/03/14	NBS	Email to all counsel re: schedule; telephone call with Eli Silverman.	0.70
09/04/14	JL	Schedule of expert depositions (.75)prepare for expert depositions (1.50).	2.25
09/05/14	JL	Confer with co-counsel re: expert reports and depositions; prepare response to defendants' letter motion re: expert reports and deposition schedules; organize further deposition summaries.	3.50
09/06/14	JL	<b>Review process of summarizing deposition transcripts;</b> confidentiality agreement, billing procedures,	3.50
09/08/14	JL	Confer with co-counsel re: expert discovery; schedule and deposition strategy; review Monel law and facts..	2.75
09/10/14	JL	Review with all counsel expert witness deposition schedule and outstanding discovery production; review research material for depositions.	2.50
09/11/14	NBS	Reply to Defendants' letter motion on experts; letter to all counsel re: expert fees to be paid; review of cases on same.	3.50
09/12/14	MB	Team Meeting weekend in Mayfield, NY (including travel time of 4 hours).	6.00
09/14/14	MB	Team Meeting weekend in Mayfield, NY (including travel time of 4 hours).	6.00
09/14/14	NBS	Meeting with client; return travel to New York	5.50
09/15/14	JL	Review discovery materials produced by City Defendants; conferred with LE expert Eterno by telephone; and conference call with LE experts.	2.50
09/16/14	JL	Review and consult re: expert discovery.	2.50

09/16/14	NBS	Telephone conference with experts; conference with co-counsel; emails re: schedule with all counsel.	1.80
09/17/14	JL	Prepare for Hearing; hearing with Judge Sweet courtroom at 500 Pearl Street, NYC.	3.00
09/17/14	NBS	Prepare for and take Purpi examination before trial.	3.50
09/18/14	JL	Prepare for City 30(b)(6) examination before trial on Friday; prepare for motion for summary judgment; defendants expert disclosure due.	2.50
09/18/14	NBS	Prepare for examination before trial; telephone call with Walter Kretz; telephone conference with Roy Lubit; review of expert reports served today and with co-counsel.	3.50
09/19/14	JL	With Smith: City 30(b)(6) deposition with Sgt Purpi; and City 30(b)(6) witness on gun amnesty program.	2.75
09/19/14	NBS	Prepare for and attend Carrasco ebt	5.50
09/20/14	MB	Review Medical defendants expert reports; review expert Tancredo's deposition transcripts.	4.62
09/21/14	JL	Prepare ER expert for examination before trial; confer w/Smith re med experts.	2.75
09/22/14	NBS	Email regarding schedule; telephone call with John Eterno.	0.40
09/23/14	NBS	Prep for and attend examination before trial of Roy Lubit; call to court re: schedule.	8.00
09/24/14	JL	Expert deposition: Review Lubit deposition; review defendants' expert reports; prepare for LE experts.	1.50
09/24/14	JLL	Ferrara and Broschart summary deposition.	8.00
09/24/14	NBS	Telephone conference with Roy Lubit; telephone call with John Lenoir; review of emails; letter to court re: motion by city.	1.70
09/26/14	NBS	Review of production for motion to compel; telephone call with co-counsel; message from Dr. Lubit.	2.20
09/29/14	NBS	Meeting with Dr. Halpern Ruder and John Lenoir; prepare for examination before trial; review of CompSTAT notes.	5.80
10/02/14	JL	prepare and schedule legal assistants (Jeanette and Lysia) for examination before trial summaries (2.50).	2.50
10/02/14	JS	Reading and taking notes on Schoolcraft Depositions; listening to and discussing Schoolcraft tapes from October 31, 2009.	4.43
10/02/14	JS	Reading and taking notes on the Schoolcraft depositions; listening to and discussing the Schoolcraft tapes from October 31, 2009.	5.00
10/02/14	NBS	Email re: scheduling Silverman and Lubit; conference call with John Lenoir and Mag Bauza re: trial prep review of CompStat notes.	4.50
10/03/14	NBS	Legal research on Monell issues (1.8) meeting with Mag and John Lenoir; emails re: trial date; conference with client re: status and trial date; review of Nelson discover records (1.5); review of Patrol Guide; review of CompStat notes (2.0); prep motion for discovery.	6.50
10/06/14	JL	Review of discovery correspondence and scheduling of remaining depositions.	1.50
10/06/14	JS	Reading, taking notes, and discussing the Schoolcraft depositions.	1.00
10/06/14	NBS	Drafting motion for discovery; drafting letter re: opposition to adjourn for trial date; emails with opposing counsel; scheduling Patel examination before trial; telephone call to the clerk for Patel's attorney.	5.50
10/07/14	JS	Reading and taking notes and discussing the Schoolcraft depositions.	2.50
10/08/14	NBS	Review of Floyd record; research on witness list issues; telephone call with Dr. Dan Halpern; email correspondences Silverman and Eterno.	7.50
10/09/14	JS	Reading, taking notes, and discussing the Schoolcraft depositions	1.75
10/09/14	JS	Reading, taking notes and discussing the Schoolcraft depositions.	2.00

10/09/14	NBS	Telephone conference with client; review of Eterno production; email re: same; review of Floyd trial.	4.50
10/10/14	JS	Reading, taking notes and discussing the Schoolcraft depositions	1.00
10/10/14	NBS	Review of Floyd transcripts and decision.	4.50
10/14/14	JS	Reading and taking notes.	3.00
10/14/14	JS	Reading and taking notes on the Schoolcraft depositions.	3.00
10/15/14	JL	Conference w/Smith re: City Defendants settlement proposal; prepare counter proposal.	2.00
10/15/14	JS	Reading and discussing the Schoolcraft depositions.	2.00
10/16/14	NBS	Telephone conference with John Lenoir; drafting letter to court on discovery motions/issue (2.8);	2.80
10/17/14	NBS	Appear for and defend Eterno examination before trial; revise and file letter with court re: outstanding discovery issues.	9.50
10/18/14	MB	Research Rule 68; review letter to Adrian re settlement offer.	4.00
10/18/14	NBS	Research on Rule 68; draft and send memo to client re: Rule 68 offer; telephone client re: same; telephone call to John Lenoir re: same.	3.50
10/19/14	NBS	Review of 2nd Amended Complaint for purpose of motion to amend; conference call with team re: Rule 68 offer; email exchange with Howard Suckle re: same.	4.50
10/20/14	NBS	Telephone conference with with John Eterno (1.5) re: examination before trial and case; telephone call with chambers re: next conference; emails re: same; revising pleading for purpose of motion; review of case law on right to refuse, medical treatment (1.5).	3.80
10/21/14	NBS	Review of right to refuse medical treatment cases; emails re: schedule; telephone to Eli Silverman re: his examination before trial.	3.70
10/23/14	JL	Prepare and review summaries of deposition transcripts; schedule remaining depositions with counsel; prepare Silverman for deposition.	3.50
10/23/14	NBS	Prepare for Silverman; telephone call to Silverman (2 times); review of report; draft letter rejecting Rule 68 offer.	6.50
10/27/14	NBS	Meeting with John Lenoir re: amended complaint; review of emails; telephone call to Investigator Skinner; email with Silverman review of discovery record on complaint; review of tapes re: Amended Complaint.	5.80
10/28/14	JS	Review discovery issues outstanding and preparation for hearing 10/29/2014.	2.00
10/28/14	NBS	Prepare revisions to 2nd Amended Complaint for motion to arrest; research on issues relating to motion to amend.	6.80
10/29/14	JS	Reviewing surveillance videos of Adrian's house and writing summaries of these videos along with other documents on the CD's from the Schoolcraft file.	2.00
10/29/14	NBS	Prepare for court; appear in court; conference with client and John Lenoir re: status.	4.50
10/30/14	NBS	Prepare for Patel examination before trial; research warrantless entry and search.	3.50
10/31/14	NBS	Prepare for and take 2nd examination before trial of Dr. Patel (3.2); research on causes of action for motions to amend and summary judgment.	5.50
11/03/14	NBS	Research an existing cir. case law (3.0); telephone conference with Roy Lubit; emails with opposing counsel; revised 2nd Amended Complaint for motion to amend.	3.80
11/04/14	NBS	Drafting motion to amend; letter to court re: page limit; email client re: status.	3.50

11/07/14	NBS	Meeting with S. Korenbaum; emails re: status; telephone call with Dr. Lubit.	2.20
11/10/14	NBS	Telephone conference with Dr. Lubit; attend and defend examination before trial of Dr. Lubit at Martin Clearwater; review of draft Amended Complaint; research, on 4th Amendment warrantless entry (1.5)	5.20
11/11/14	NBS	Telephone conference with paralegal (JS) re: case; review of ebt summaries.	1.50
11/13/14	NBS	Appear and defend Dr. Lubit; conference re: examination before trial with witness.	5.50
11/16/14	NBS	Revise complaint; email re: same.	1.00
11/19/14	NBS	Review of examination before trial of Lauterborn and Mauriello on questions about evaluations; email client re: same.	0.80
11/20/14	JL	Follow up re: Lubit deposition and prep materials for trial testimony.	1.00
11/21/14	NBS	Emails re: Lubit; review of Azira files	2.50
12/02/14	MB	Memo of law in support of Motion to Amend; examine and analyze developing caselaw re: respondent superior liability for private corporations under § 1983 (Shields).	7.92
12/03/14	JL	Review draft of 3rd Amended Complaint; review plaintiff motion for Summary Judgment and dismiss Mauriello counterclaim.	3.00
12/03/14	MB	Review final draft Third Amended Complaint; review final draft Memo in Support.	5.25
12/03/14	MB	Review final draft memo of law in support of Motion to Amend; Begin research for summary judgment arguments; analyze Second Circuit summary judgment decisions re due process and dangerousness in context of civil commitment; false imprisonment claims.	6.50
12/03/14	NBS	Revising 3rd Amended Complaint and Memo Of Law In Support Of Motion To Amend.	3.50
12/04/14	NBS	Revising Amended Complaint and Memo on motion to amend; began review of depositions for summary judgment motion.	4.50
12/05/14	NBS	Review of letters; review of Duncan transcripts, emails with team re: status.	1.80
12/07/14	NBS	Review of examination before trial record.	5.50
12/08/14	JL	Review deposition summaries; research on motions for summary judgment; confer with Smith re preparation for opposition.	3.00
12/08/14	NBS	Drafting letter to Court re: motion to amend; review of examinations before trial for motion for summary judgment.	3.50
12/09/14	JL	Research review for motion for summary judgment and opposition to Mauriello counterclaim.	2.00
12/09/14	NBS	Drafting letter to Court re: defendants' motion to adjourn trial and summary judgment; review of examinations before trial for summary judgment motion; review of Compstat video.	5.50
12/10/14	NBS	Review of examination before trial for preparation of motions meeting with John Lenoir re: motions.	8.50
12/11/14	NBS	Review of examination before trial for summary judgment motion; conference with M. Bauza re: JHMC claims; review of cases.	5.50
12/13/14	NBS	Research on exig. cir. exception.	3.50
12/14/14	NBS	Review of examination for summary judgment facts; review of exig. cir. cases; review of prima facie tort and tortious interference case.	5.50
12/16/14	MB	Draft summary judgment issues; analyze Fourth Amendment search and seizure Second Circuit summary judgment decisions.	7.60
12/19/14	MB	Summary judgment Memo in Support; research and analyze Second Circuit decisions determining exigent circumstances; review	5.20



		NYPD Patrol Guide emergency protocol.	
12/21/14	MB	Summary judgment memo in support draft; track comments and caselaw support.	7.40
12/22/14	NBS	Draft motions; memo; Rule 56.1 Statement; conference with client re: sealing and objection to it; letters (2x) Court.	12.50
12/24/14	NBS	Preparing motion papers	3.50
12/30/14	NBS	Telephone conference with John Lenoir; telephone call to client re: Norinsberg; drafting summary judgment; review of new material.	9.50
01/03/15	NBS	Reading City motion and case law.	5.50
01/04/15	MB	Review City defendants summary judgment motions; research caselaw cited.	4.00
01/04/15	NBS	Reading Mauriello and JHMC motions and case law.	8.20
01/05/15	MB	Review Medical defendants summary judgment motions; research cited caselaw; conference with Nat re: motions.	6.00
01/05/15	NBS	Review of motions; review of recent production by City (videos and EIU file); conference with John Lenoir and Mag Bauza re: motions.	5.50
01/07/15	MB	Prepare for opposition papers; draft Medical Defendants' summary judgment issues; analyze cited caselaw.	6.50
01/07/15	NBS	Reviewing motions; meeting with John Lenoir; J. Mck; J.S re: Compstat videos.	4.50
01/08/15	MB	Meeting with Nat re: Medical Defendants summary judgment issues; conduct research on issues.	5.50
01/08/15	NBS	telephone call to Ryan Shaffer; Paul Callan; Gregory Radmosili re: summary judgment schedule; review of Lauterborn examination before trial (4:5)	4.50
01/09/15	MB	Research City Defendants summary judgment issues; 4th amendment unlawful search and seizure; legal standard for exigent circumstances; objective reasonableness doctrine; research caselaw deciding summary judgment on qualified immunity grounds; team conference re motions.	6.10
01/09/15	NBS	Emails re: status; conference with team; conference call with client.	1.50
01/10/15	JL	Review CompStat DVD's; prep index.	7.50
01/10/15	NBS	Review of examinations before trial and Compstat videos.	7.50
01/11/15	JL	Review CompStat DVD's; telephone call re: CompStat DVD's; review CompStat DVD's.	8.25
01/11/15	MB	Research City Defendants summary judgment issues; probable cause; exculpatory evidence; review EMT emergency protocol ; review caselaw and statutory right to refuse medical treatment; right to hospital preference.	4.00
01/11/15	NBS	Review of examination before trial and Compstat videos; conference with group on Compstat videos.	7.50
01/12/15	JL	CompStat DVD review.	6.50
01/12/15	MB	Research Medical Defendants summary judgment issues; draft the state action issue; analyze McGugan v. Aldana-Bernier and Doe.	5.55
01/13/15	JL	Review and index CompStat DVD's.	6.00
01/14/15	MB	Research Medical Defendant's summary judgment motion issues; respondeat superior, vicarious liability; apparent authority.	5.40
01/14/15	NBS	Conference with client and John Lenoir; review of examination before trial and motions.	7.50
01/15/15	JL	Review and index CompStat DVD's.	6.75
01/15/15	MB	Research Medical Defendant's summary judgment issues; review	7.10

		Dr. Lubit's Report for establishing the standard of care.	
01/15/15	NBS	Review of Hanlon examination before trial; review of Marino examination before trial; review of cases in summary judgment motion discussion re: Compstat videos.	4.50
01/16/15	MB	Continue research on Medical Defendants summary judgment issues; research applicable standard of care; analyze "substantially below" legal standard; review defendants deposition summaries.	6.70
01/16/15	NBS	Review of Hanlon examination before trial; review of cases; review of Compstat video.	7.50
01/17/15	NBS	Review of examination before trial; prepare summary judgment oppositions.	7.50
01/18/15	NBS	Prepare summary judgment opposition; review of Hanlon, Sangianetti, and Marquez examination before trial; review of Compstat videos.	8.50
01/19/15	NBS	Review of Compstat videos; review of cases cited in various motions; research on standard of objective/subjective good faith and qualified immunity.	7.50
01/20/15	JL	Review defendants Order re: TAC; prepare Summary Judgment Response Mauriello.	3.50
01/20/15	NBS	Review of decision on motion to amend; review of cases on conspiracy; review of examination before trial for motion.	5.50
01/21/15	NBS	Drafting summary judgment motion papers (memo of law; rule 56.1 statement); telephone Ryan Shaffer; call Norinsberg re: wants co-counsel to get access to Adrian Schoolcraft's records (medical) in IAB file.	8.50
01/22/15	JL	Draft and research for Responses to Mauriello Summary Judgment motion.	7.50
01/22/15	NBS	Drafting memo in opposition; telephone call to Walter Kretz; emails re: schedule.	7.50
01/23/15	JL	Review CompStat DVD's; prepare Summary Judgment Response Statement of motion and facts.	3.00
01/24/15	JL	Research and draft Responses to defendant Mauriello Summary Judgment motion.	3.50
01/24/15	NBS	Review of record; research on cases cited by defendants summary judgment motion.	6.50
01/25/15	JL	Research and Drafting in collab with Smith plaint SJ mtn	4.00
01/26/15	JL	research and drafting re: summary judgment defendant Mauriello (7.00).	7.00
01/26/15	NBS	Drafting opposition papers; research on probable cause.	7.50
01/27/15	NBS	Meeting with John and Mag re: summary judgment motion; draft opposition; research on St amendment issues.	9.50
01/28/15	JL	Research and draft; prepare for summary judgment response Mauriello.	10.50
01/29/15	JL	Mauriello response and research, record, and draft.	4.75
01/30/15	JL	Summary Judgment response, research, and draft.	2.00
01/31/15	JL	Prepare, research, write draft for response to Mauriello summary judgment.	8.50
02/01/15	JL	Confer with Smith in final draft: Mauriello Summary Judgment Response and review.	4.50
02/01/15	NBS	Drafting opposition to motions.	5.50
02/02/15	MB	Research First Amendment issues; Monell research.	8.00
02/03/15	JL	Meeting with Nat re: summary judgment motion; summary judgment Mauriello research.	3.50
02/03/15	MB	Monell research; review and brief cases on police retaliation to establish policy under Monell; review and brief case law re	6.00

		establishing deliberate indifference under Monell.	
02/03/15	NBS	Review of Monell case law for motion; review of supplemental papers filed by all defendants.	3.50
02/04/15	JS	Reviewing and taking notes on CompStat meeting videos	2.00
02/04/15	NBS	Email with client; review of cases on Monell liability; review of record (ebt's) on Monell issues.	1.80
02/05/15	JL	Research and draft response to defendant Mauriello motion for summary judgment; Mauriello summary judgment motion reponse.	7.50
02/05/15	JS	Reviewing and taking notes on CompStat meeting videos	6.00
02/05/15	MB	Continue to research Medical Defendants Memo in Opposition issues; research defendant's argument of legal justification to confine plaintiff under EMTALA.	6.50
02/06/15	JL	Research and draft Summary judgment motion.	7.50
02/07/15	JL	Review and draft Summary Judgment Motions.	6.50
02/08/15	NBS	Drafting opposition to Dr. Bernier and Dr. Isakov's motions; conference with John Lenoir; telephone call with Mag Bauza.	9.50
02/09/15	JL	Summary Judgment motions; confer w/Smith re prepare in opposition to motions and response to Rule 56.1 Statement.	9.50
02/09/15	NBS	Drafting opposition motion; conference with John Lenoir (.5) telephone call with Mag Bauza; drafting 56.1 opposition; telephone conference with Brian Lee re: Isakov claims (0.2).	10.50
02/10/15	NBS	Opposition motion ; telephone conference with Ryan Shaffer; telephone call with Jon Norinsberg, email client.	12.50
02/12/15	JL	Telephone conference with co-counsel; review of summary judgment motions by defendants.	2.50
02/12/15	NBS	Telephone conference with client; call with Jon Norinsberg and John Lenoir; emails; telephone call with new city lawyer; review of files under seal; review of opposition motion.	7.50
02/13/15	JL	Review of defendant's motions in opposition to plaintiffs motion summary judgment; review of defendant's motions and prepare for plaintiffs reply re: Schoolcraft discovery.	2.00
02/13/15	MB	Review all defendants motions in opposition submissions; Meeting with Nat to discuss submissions.	6.00
02/13/15	NBS	Review of 5 oppositions to summary judgment motion & meeting with John Lenoir and Mag Bauza re: issues to address (3.5), telephone call to client (2 times); emails re: trial date; telephone to Jon Norinsberf re: meeting and status.	4.50
02/15/15	MB	Reply to Mauriello opp; research tortious interference with prospective relations claim; wrongful means constituting tortious conduct; malice intent as the "sole motivation" for plaintiffs alleged interference.	6.00
02/16/15	MB	Reply to Mauriello opposition motion; research defamation and damages.	4.30
02/17/15	NBS	Review of files on summary judgment papers.	2.50
02/18/15	JL	Review and research on plaintiff reply memorandum to defendant Mauriello's response motion.	3.00
02/19/15	JL	Review of examination before trial summaries.	1.00
02/20/15	JL	Prepare for meeting with new trial team; meet with Norinsberg trial team; and review draft of trial memo.	4.50
02/23/15	JL	Review of Mauriello summary judgment motion response; research and review documents for summary judgment reply.	3.00
02/25/15	JL	Draft and research for reply to Mauriello summary judgment response motion.	2.00
02/27/15	NBS	Preparing reply papers.	5.50

03/03/15	JL	Research and review of defendants motions and summary judgment statements re: re-preparation w/Smith of reply brief.	6.50
03/04/15	JL	Review of case file and research for smmary judgment motion reply brief.	7.25
03/05/15	JL	Draft, discuss and review summary judgment motion.	8.50
03/09/15	JL	Research and draft letter to Court re: Matthews.	2.50
03/09/15	MB	Draft Eterno Deposition Summary; team conference call.	6.90
03/09/15	NBS	Research on new evidence issue; telephone conference with team; revising letter to Court on Matthews.	4.50
03/11/15	JL	Meeting with Nat Smith re: Matthews letter and response; trial strategy.	2.50
03/12/15	JL	Review motions; prepare letter to court. re; Matthews and quantified immunity. Meeting with Norinsberg team at 225 Bway	4.50
03/12/15	NBS	Research on new evidece and new arguments on reply; meeting with team.	6.50
03/16/15	JL	Review motion response re: Lamstein Affidavit and reply to attorney motion.	2.50
03/16/15	MB	Review Defendants Reply memos.	3.00
03/18/15	NBS	Review of JPTO requirement; telephone to Walter Kretz re: status; drafting verdict sheet; prepare for trial; review of subpoenas; meeting witj John Lenoir re: trial lists of witnesses and exhibits.	6.50
03/20/15	NBS	Telephone conference with Walter Kretz re: Kickstarter movie; email with trial team re; inquiry.	0.50
03/21/15	NBS	Drafting letter re: Lamstein; Q/F issue and adjournment request; review of exhibit lists for JPTO.	3.50
03/22/15	NBS	Review of exhibits for JPTO; revise letter to Court.	3.50
03/23/15	JL	Meeting with Nat MSith at 100 Wall Street; prepare trial exhibits and witness list.	4.50
03/23/15	NBS	Prepare witness and exhibit list; rewrite letter to Court.	4.50
03/24/15	JL	Draft/prepare jury verdict sheet template. Research re jury instruction re elements of complaint.	4.50
03/25/15	JL	Review of of trial preparation - especially Lubit Direct Outline.	2.50
03/25/15	NBS	Emails re: status; conference with Scott Korenbaum re: instructions; telephone conference with John Lenoir and Mag Bauza re: instructions and to do.	3.50
03/26/15	MB	Team meeting at Nat's new office; review Prof. Eterno's direct examination outline.	5.00
03/26/15	NBS	Review of production (discs & cd's) for plaintiff's trial exhibit.	5.50
03/27/15	JL	Telephone conference with new trial team; assign witness; complete jury questions round up; compstat video by Wednesday.	2.00
03/27/15	NBS	Review of production for JPTO; emails to opposing counsel; emails to co-counsel re: status.	5.50
03/28/15	MB	Draft proposed jury instructions for claims against Medical Defendants; draft charges for medical malpractice and other state claims.	6.60
03/29/15	JL	Prepare expert witness direct; draft jury instruction round up.	4.75
03/29/15	MB	Draft proposed jury instructions for Medical Defendants; draft state false imprisonment charge.	5.70
03/29/15	NBS	Review of discovery record for JPTO and witness cross.	7.50
03/30/15	JL	Trial preparation; expect witness direct - Eterno, Lubit, Halpren-Ruder.	6.00
03/30/15	NBS	Review of discovery record for JPTO - exhibits and witness; telephone call to John Lenoir re: witness responsibilities; telephone	7.50

		to Mag Bauza re: jury instructions and diagram.	
03/31/15	JL	Prepare trial examination - Eterno, Lubit, and Halpren-Ruder.	6.50
03/31/15	MB	Draft proposed jury instructions Medical Defendants; draft corporate negligence charge.	5.50
03/31/15	NBS	Review of discovery for witness list, exhibit list, and JPTO; emails with opposing counsel re: service of subpoenas.	5.50
04/01/15	JL	Prepare expert witness testimony and trial notebook.	6.50
04/01/15	MB	Draft proposed jury instructions for claims against Medical Defendants; draft charge re: the stigma of an involuntary commitment; charge instructing requirement of a sufficient investigation of dangerousness; damages	5.70
04/01/15	NBS	Email team; telephone call Brown (Daily News) re: status; study of hospital chart; review of Bernier examination of trial and prepare cross.	6.50
04/02/15	JL	Meeting with trial team; research expert testimony for direct testimony and prep for cross.	5.00
04/02/15	NBS	Meeting with team; review of trial exhibits; conference call with John Lenoir re: Compstat; call with Mag re: jury instruction; prepare for cross of Bernier.	8.50
04/03/15	JL	Research and prepare expert witness; direct and cross	4.50
04/03/15	MB	Combine NYPD and Medical Defendants Jury Instructions.	3.95
04/04/15	NBS	Prepare cross of Bernier; review of trial exhibits; review of draft jury instructions.	6.50
04/06/15	MB	Combine NYPD and Medical Defendants Jury Instructions.	6.33
04/06/15	NBS	Email team; telephone call to Scott Korenbaum re: jury change; prepare Isakov cross.	2.50
04/07/15	JL	Prepare trial testimony for Halpren-Ruder; review jury instructions and motion.	4.25
04/07/15	NBS	Review of and revise motion in limine; review of and revise jury instructions (medical); draft letter to Court re: extension; continued preparation on Isakov cross.	4.50
04/08/15	JL	Review of trial exhibits for expert witnesses Eterno and Halpren-Ruder; prepare expert testimony for Halpren-Ruder.	3.00
04/08/15	MB	Revise jury instructions Medical Defendants incorporating Nat's edits; conference w/ team.	5.80
04/08/15	NBS	Drafting cross - outlines; letter to court; conference with trial team.	5.80
04/09/15	NBS	Prepare for trial - jury verdict sheets and cross examination outlines of witnesses	7.50
04/10/15	JL	Prepare expert trial testimony for Halpre-Ruder; expert witness preparation for Lubit.	4.25
04/10/15	NBS	Prepare for Harlon cross; emails re: status; telephone call to Mag Bauza re: to do; telephone conference with John Lenoir re: witnesses; review of witness list.	7.50
04/13/15	JL	Prepare for hearing before Judge Sweet re: trial schedule; meeting with trial team re: trial schedule and strategy.	3.50
04/13/15	MB	Conference with Judge Sweet; team conference.	2.50
04/13/15	NBS	Prepare for oral argument; appear in court for conference with court (2.0); conference with team thereafter; email opposing counsel re: Lauterborn CD and Boston illness.	3.20
04/15/15	NBS	Telephone conference with Alan Scheiner re: settlement and trial date; emails re: discovery and Boston.	1.50
04/17/15	JL	Review of City Proposal for settlement; telephone call to Schoolcraft re: City Settlement offer.	1.50

04/28/15	JL	Telephone conference with Nat Smith; call to Roy Lubit re: trial schedule.	1.25
04/29/15	NBS	Review of new recording from City on Lauterborn PG; email trial team restatus; telephone call G. Radomisli re: status of trial.	1.80
05/05/15	JL	Review / discussion of court's 200 page Opinion re: Summary Judgment Motions.	3.00
05/06/15	JL	Review and discuss with Smith plaintiff response re court's Opinion.	2.50
05/07/15	NBS	Review of decision; telephone call with opposing counsel (Brian Lee) re: state medical malpractice sliding scale issues and status.	1.30
05/08/15	NBS	Review of decision; email team	1.80
05/11/15	NBS	Review of decision on summary judgment; prepare for conference with court.	1.50
05/12/15	JL	Meeting with full trial team re: hearing; status conference with Judge Sweet.	1.75
05/12/15	MB	Conference with Judge Sweet; Trial team meeting re status.	3.50
05/12/15	NBS	Prepare for conference meeting with team; conference with court on case re: schedule for trial and pre-trial.	3.50
05/13/15	NBS	Telephone conference with Dr. Lubit re: status and trial date; telephone call to Dr. Eterno re: status and trial date.	0.70
05/21/15	NBS	Telephone conference with A. Schiener; email team re: settlement.	0.80
5/28/15	NBS	Review of memo re: reconsideration; telephone call with John Lenoir and email with MG re: same.	0.50
06/01/15	JL	Research and draft letter motion re: reconsideration of order re: modified complaint.	5.75
06/01/15	MB	Review letter to Judge for reconsideration draft; track changes; research issue of qualified immunity in a First Amendment retaliation case.	6.90
06/02/15	JL	Review of draft and additional research re: court motion to reconsider re: Dr HR; review draft of reconsideration letter and motion.	2.00
06/19/15	NBS	Review of motion by City and authorities.	1.50
06/22/15	NBS	Emails re: motions; review of City memo; telephone conference with City; call to W. Kretz; review of Mauriello memo; emails with team re: schedule.	3.20
06/23/15	NBS	Email team re: schedule; telephone call to city counsel re: same; email all counsel re: same.	0.60
06/24/15	NBS	Telephone conference with John Lenoir; telephone S.K. re: opposition to bifurcation; emails to counsel re: schedule; letter to Judge Sweet re: schedule; review of motion on bifurcation.	1.30
06/25/15	JL	Draft and research re: bifurcation issue.	7.50
06/25/15	NBS	Emails with counsel re: status; letter to court re: schedule; review of trial exhibit folder.	0.30
06/26/15	JL	Research and draft plaintiff opposition to bifurcation of Monell claim.	4.50
06/27/15	JL	Further research and draft of plaintiff opposition to bifurcation motion; finalize draft of opposition to bifurcation.	4.00
06/29/15	NBS	Review memo in opposition to bifurcation motion; telephone call to Scott Korenbaum; call to John Lenoir re: same.	2.80
06/30/15	NBS	Review of motions, memo, and case law on reconsideration motions by City and Mauriello.	3.50
07/03/15	NBS	Review of recent production from City Defendants; review of reconsideration motions.	3.50
07/6/15	NBS	Revising opposition papers; email co-counsel; emails to opposing counsel.	2.50
07/07/15	NBS	Review of schedule; review of emails.	0.50

07/09/15	JL	Confer with expert; Draft response to city re: plaintiff expert resource material; review police expert disclosure requirements.	5.75
07/15/15	NBS	Review of emails; telephone call to John Lenoir re: expert discovery; review of opposition to reconsideration motions; review of prior record for reply; review of motion in limine and schedule for trial preparation.	3.50
07/17/15	JL	Discussion and review re: Compstat Records; PD expert disclosure.	1.25
07/17/15	NBS	Telephone conference with John Lenoir; review of CompStat clips; review of emails.	1.20
07/22/15	NBS	Drafting reply on reconsideration; review of documentary on Schoolcraft; emails with team; review of tape and transcript of the home invasion; review of witness list and trial exhibits.	5.50
07/23/15	JL	Research and draft Memo In Response to JHMC opposition memo;	7.50
07/23/15	NBS	Drafting reply; review of witness list and exhibit trial list for JPTO	5.50
08/05/15	NBS	Preparing JPTO section; telephone call with team re: same.	5.50
08/07/15	JL	Review JPTO's filed by defendants; telephone conference with counsel team re: JPTO; conference with co-counsel re: Trial Draft.	3.50
08/07/15	NBS	Review of JPTO sections from defendants; telephone call with Brian Osterman; conference call with Plaintiff's team re: JPTO objections; letter to Judge Sweet opposing motion to strike reply.	3.20
08/09/15	NBS	Review of JPTO submissions and interrogation of sections; email team; email opposing counsel re: schedule; review of trial assignments.	3.50
08/10/15	NBS	Revised JPTO; letter to court re: schedule; emails with co-counsel; emails with opposing counsel re: JPTO.	3.50
08/13/15	NBS	Prepare letter motion to court re: JPTO deadlines; review of recent production and emails re: status with defense counsel.	2.80
08/14/15	NBS	Revising section of JPTO; review and inclusion in sections from defendants; emails with opposing counsel and co-counsel re: JPTO; conference with John Lenoir re: rifle issues for trial.	3.50
08/17/15	NBS	Review of JPTO; telephone call with Kretz; review of letter to court from city.	2.50
08/19/15	NBS	Preparing JPTO; review of emails; preparing witness focus sheets; review of all defendants exhibits for purposes of asserting objections.	8.50
08/20/15	NBS	Review of exhibits and serve photos on defendants by email and fax; letter to court re: filing JPTO; revise and file plaintiffs draft of pre-trial order.	3.80
08/21/15	NBS	Preparing witness focus sheets; email opposing counsel re status and motion in limine deadline; and to do (Larry Schoolcraft very sick and in hospital).	4.30
08/24/15	JL	Review of trial exhibits, expert reports and EBTs; prepare expert trial witness outlines.	6.50
08/24/15	NBS	Preparing focus sheets; email co-counsel re: mental patient gun rights.	1.30
08/25/15	JL	Review and edit letter to court re: opposition to city defendants 2 letters; witness trial outlines: Eterno.	2.00
08/25/15	NBS	Review of various recordings listed on JPTO; letter to court in opposition to motions.	5.00
08/31/15	NBS	Telephone conference with clerk and parties; telephone call with John Norinsberg re status; review of draft motion.	1.30
09/04/15	NBS	Review of and drafting JPTO; long tc with A Scheinder (3x) with J Norinsberg re settlement; tc JL re settlement; email team re same	4.50
09/06/15	NBS	Review of caselaw and statutory provisions for obtaining disability	3.80

		pension; review of summary plan description for pension benefits	
09/07/15	NBS	Preparing for trial; preparing cross examination outlines and focus sheets for witnesses set to testify or likely to testify for various witness assignments for trial team	4.50
09/09/15	NBS	Telephone conference with A Schiener and with co-counsel re settlement (JN: PG; Harvey Levine; Rick Guilbert) re issues pertaining to additional pension benefits.; review of caselaw cited by the City on pension issues	3.20
09/12/15	NBS	Preparing for trial; drafting cross outlines and witness focus sheets for trial witnesses and their key points	5.50
09/15/15	MB	Review cross examination of defendants outlines; review/comment on client memo.	4.50
09/15/15	NBS	Telephone conference with A Scheiner re no deal w/o pension benefit; tc JN re status; drafting detailed settlement memo to client on settlement	3.80
09/16/15	NBS	Telephone conference with A Scheiner; conf call with JN and GC re settlement; revised detailed memo to client re settlement; tc JL re same; email client re settlement	2.80
<b>Gleason Group</b>			
01/11/12	Gilbert	Meeting with PG, re: Union's failure to represent Confer with HL on failure/strategy	1.00
01/14/12	Gilbert	Meeting with PG, re: Queens DA. Research Discovery of D.A.'s investigative file: email PG Confer with HL regarding research outcome & strategy with regard to same	4.75
01/19/12	Gilbert	Multiple e-mails to /from PG, re: draft letter to NYPD & redrafts	1.50
01/21/12	Levine	Review of PG correspondence Confer with RG letter	0.20
01/21/12	Gilbert	Review of PG, re: NYPD letter. Confer with HL regarding letter	0.20
01/22/12	Gilbert	Multiple emails to PG re: 1 PP letter Meeting with PG, Re: NYPD letter; review letter	1.80
01/30/12	Gilbert	Confer with HL re: dinner meeting; multiple TC's with PG.	0.70
02/01/12	Gilbert	E-mail to PG, re: e-mail from CCR. Final draft cease & desist to PC re: website	0.13
11/16/12	Gilbert	Meeting with my Peter Gleason, Esq. (PG), Retired NYPD 2 <sup>nd</sup> grade Detective (D2) and Larry Schoolcraft (LS) to confer on merits of claim Filed by Adrian Schoolcraft (AS) against NYC, Jamaica Hospital & other medical defendants Review of documents provided by LS.	14.00
11/18/12	Levine	Review of Larry Schoolcraft (LS) documents re: son's case; confer with RG re: evaluation potential strategies for Adrian Schoolcraft (AS) litigation	3.50
11/18/12	Gilbert	Further review of documents provided and tc's with PG relating to AS. Conferred with Harvey Levine (HL) re: merits of claim and potential strategies for litigation	5.50
11/19/12	Levine	Further review of LS documents, ECF filings including pleadings & internet materials Meeting with RG to discuss case & strategy relative to further AS and LS contact	4.50
11/19/12	Gleason	Meeting with RG, and follow phone conversation with AS to discuss strategy of case, drafting of the retainer and setting up next meeting with AS.	1.50
11/19/12	Gilbert	Meeting with PG to discuss case parameters & strategy relative to further AS and LS contact. & impact of LS documents provided. Confer with Confer with HL re: PG discussion & strategy	2.50



11/22/12	Gleason	Multiple phone conversation with RG, AS, and LS regarding setting up a meeting the following day.	0.75
11/22/12	Gilbert	Multiple phone conversation with PG regarding a meeting the following day with AS/LS. Confer with HL regarding potential strategies.	1.50
11/23/12	Levine	TC's with RG re: issues arising during meeting with Adrian Schoolcraft (AS).	0.50
11/23/12	Gilbert	Meeting with PG, AS, LS, in Albany to meet client Discussed scope of work, strategy, investigation.	10.50
11/26/12	Levine	Conf with RG re: meeting with AS; review of documents from AS smart drive, ECF entries & documents; discuss discharge of outgoing counsel	4.50
11/26/12	Gilbert	Confer with HL re: first AS meeting; Meeting with PG regarding obtaining Schoolcraft file from prior counsel (PC); review of client's smart drive, court notes and documents filed in USDC; TC with outgoing counsel; draft of correspondence to PC	3.40
11/27/12	Gleason	E-mail from RG and follow up phone conversation with RG regarding the Schoolcraft file.	0.25
11/27/12	Gilbert	Obtained phone for client; further review of smart drive and filed documents; follow up phone conversation with PG on PC file with PG regarding the Schoolcraft file. TC with PC & follow up correspondence Forwarding Consent	2.45
11/28/12	Gilbert	Review of PC case disbursements claimed as prereq. for transfer of file; research on atty. discharge for cause and excessive disbursements	4.20
11/29/12	Gilbert	Research on "cause" continued; TC & email with AS re: facts underlying "cause" forward. TC with PG on "cause"	3.00
11/30/12	Gilbert	TC with PC re: transfer of file vs. allowable disb. Multiple TCs with PG on strategy and focus of investigation, discharge of PC "for cause" & Review of AS email and attachments; confer with HL regarding course of action	1.50
12/02/12	Gilbert	TC's. with PG regarding correspondence to and conversation with PC.	0.50
12/03/12	Levine	Conf. with RG re: discharge/email from outgoing attorney & TC from PG and TC with AS	0.50
12/03/12	Gilbert	Review of email from PC; confer with HL re: same TC with PG regarding e-mail from PC.	0.50
12/05/12	Gleason	E-mail and phone conversation with AS regarding Frank Serpico (FS) and his assistance through support and institutional knowledge of the NYPD.	0.75
12/05/12	Gleason	E-mail from AS regarding previous counsel, phone conv. with RG and AS	1.25
12/05/12	Gilbert	Review of e-mail from AS & TC with PG re: transfer of file from PC	0.80
12/06/12	Gleason	Phone conv. with RG with update regarding VP investigation, memo to file.	1.25
12/07/12	Gilbert	Meeting with PG, re: NYPD disciplinary charges NYPD employment issues: confer with HL re: legal position on disciplinary charges & return to duty potential v. retirement	1.50
12/10/12	Gleason	E-mail and follow up phone conv. with RG, re: follow up with AS's prior counsel.	0.50
12/10/12	Gilbert	E-mail and TC with PG, re: file transfer/termination for cuase of PC.	0.50
12/11/12	Gilbert	TC with PG regarding Albany meeting with AS & others; confer with HL re: same	0.50
12/13/12	Gleason	E-mail from AS containing review/discussion of 12/4/12 Press Release from QCDA with the conclusion that there was no	4.50

		criminality in the manner that Plaintiff was taken from his home and placed in a psychiatric facility. Extensive Follow up phone conv. with AS and RG.	
12/13/12	Gilbert	review of E-mail from AS with Queens D.A. Press Release re: no criminality: multiple TC's with PG and AS & confer with HL re: same	3.00
12/14/12	Levine	Conf. with RG; review Queens D.A. press release Multiple, TC's with PG and AS; alternate responses discussed.	1.50
12/14/12	Gilbert	Confer with HL re: press release; TC with PG, re: 1PP's position on AS.	1.00
12/14/12	Gilbert	review of PG E-mail to NYPD Asst. Comm. Kearns, re: Schoolcraft; confer with HL re: same	0.13
12/17/12	Levine	Conf. RG & PG re: discharge for cause. vs. alternatives; review of correspondence to outgoing attorney	1.50
12/17/12	Gilbert	Review of E-mail to Kearns (NYPD) re: Schoolcraft NYPD employment issues; confer with HL	0.20
12/17/12	Gilbert	Additional research on discharge for cause. Conferred with HL re: merits of moving v. merits of negotiated transfer; conferred with PC reaching agreement on file transfer; draft letter	2.25
12/18/12	Gleason	Meeting with RG to facilitate picking up file from previous counsel, picked up file (6+ banker boxes) from previous counsel with RG and initial cursory review of once secured in office.	6.00
12/18/12	Gilbert	Confer with PG prior to file transfer; travel to PC Office to effectuate transfer of 6 banker boxes of files; brief review of files at PC office.	6.00
12/20/12	Gleason	E-mail and phone conv. with Professor from John Jay College.	1.25
12/21/12	Gleason	Organize and review case files.	2.50
12/22/12	Levine	Cont. inventory of contents of file conf. w/ RG re: amended complaint	2.50
12/22/12	Gilbert	Review of PG E-mail re, amended complaint Discuss with HL	.20
12/23/12	Gleason	E-mail correspondence and phone conv. with JL Re: Queens DA's investigation of the Schoolcraft matter.	0.75
12/23/12	Gleason	Review of amended complaint, memo to file.	1.50
12/24/12	Gleason	Draft and hand deliver a notice of appearance that NYPD Asst. Comm. Kearns demanded before she would communicate with my office regarding AS.	2.00
12/26/12	Levine	Begin comprehensive review of transferred files & notes; pleadings & discovery	6.00
12/26/12	Gleason	E-mail and follow up phone conversation with Prof. from John Jay College.	0.50
12/26/12	Gleason	E-mail to and from NYPD Asst. Comm. Kearns.	0.25
12/27/12	Levine	Continued review of AS files w/notes discovery materials	5.00
12/27/12	Gleason	Review of part of Schoolcraft file: Partial review of "Attorney's eyes only" File.	3.50
12/28/12	Levine	Continued review of AS files w/notes discvoery materials	6.00
12/31/12	Gleason	E-mail from and follow up conversation with JL, Re: his potential involvement in the Schoolcraft matter, Queens DA's investigation, scheduling a time we can meet.	1.50
01/02/13	Levine	Continued review of AS files w/notes Conf. with PG & RG at office re: update on file review & discussion of "eyes only" file. continued review of file.	6.25
01/02/13	Gleason	Meeting at law office of Levine & Gilbert and continued review of "Attorney's eyes Only," file.	3.25
01/02/13	Gleason	E-mails back and forth to JL re: meeting.	0.25
01/02/13	Gilbert	Meeting with HL & PG at office re: update on file review & discussion of "eyes only" file. continued review of file.	4.50
01/03/13	Gleason	Several phone calls with LS, Re: update	0.75

01/04/13	Levine	Continued review of file; meeting with PG	6.00
01/04/13	Gleason	E-mail and phone conv. with PBA counsel, Re: Union's position on Schoolcraft matter.	0.50
01/04/13	Gleason	Meeting with RG and continued review of File.	4.25
01/04/13	Gilbert	Continued review of file; meeting with PG	6.00
01/05/13	Gleason	Continued review of the file	4.50
01/05/13	Gilbert	Continued review of file Memo to file.	3.50
01/06/13	Gleason	Completion of review of file from previous counsel, Memo to file.	6.50
01/10/13	Gleason	Multiple phone conv. and e-mails back and forth with AS, re: PBA and AS's recordings.	2.50
01/10/13	Gleason	E-mail, fax and phone conv. with PBA legal counsel.	1.25
01/13/13	Gleason	Multiple e-mails from AS and follow up phone conv. with AS. Re: PBA, NYPD, employment status and investigation.	3.25
01/19/13	Gleason	Several e-mails back and forth with RG, re: draft letter to NYPD.	0.50
01/21/13	Gleason	E-mail to and from RG, re: NYPD letter.	0.25
01/28/13	Gleason	Edit and hand deliver letter to NYPD Asst. Comm. Kearns.	2.00
02/01/13	Gleason	E-mail from RG, re: e-mail from CCR. scheduling a phone conv. this date.	0.13
02/02/13	Gleason	E-mail from AS and review of documents attached, re: NYPD mediation.	0.75
02/02/13	Gilbert	Draft memo on warrantless search by NYPD TC's with AS & LS re: progress / strategy	2.50
02/04/13	Gleason	Phone conv. with AS, re: travel to NYC on 2/7/13, e-mail AS, round trip Amtrak tickets for AS & LS.	0.50
02/05/13	Gleason	E-mail from AS re: Authorization, print out and distribute same.	0.25
02/05/13	Gilbert	Research memo & draft subpoena to Queens D.A.	2.50
02/06/13	Levine	Conf. RG re: expansion of legal team; and transfer of banker boxes & files to PG & Nat Smith (NS) for scanning; organizing files	1.00
02/09/13	Gleason	E-mail and phone conv. with AS re: upcoming deposition on 2/12/13, purchase train ticket	1.00
02/11/13	Gleason	Meeting with AS, review of case, discussion of strategy and updated AS in investigation, Purchase of business attire for AS.	4.50
02/11/13	Gleason	Conf. call with Elisha B. Barron Law Clerk to the Hon. Shira A. Scheindlin re: ground-rules for tomorrow's deposition and follow up call with NS, & RG	2.00
02/11/13	Gilbert	Emails to/from PG, re: deposition.	0.20
02/11/13	Gilbert	Conf. call Chambers of Judge Scheindlin and conferred with AS, PG & NS NS, AS & RG.	2.00
02/12/13	Gleason	Meetings throughout day with AS in NYC, brought him up to speed regarding aspects of his claims. Defended his deposition in the Floyd matter before MJ Freeman. Attended public meeting, to discuss matter with Public Advocate DeBlasio. Follow up meeting with AS. Review amended discovery plan.	12.00
02/12/13	Gilbert	Prep and defense of deposition of AS	6.00
02/13/13	Gleason	Meetings with AS, meeting with RG and NS. Meeting with VP, review of file with AS.	7.50
02/14/13	Gleason	Transport file from Levin & Gilbert to Law office of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	3.50
02/14/13	Gilbert	Meeting with PG & NS at office & file transfer of Nat Smith. Meeting with NS to discuss how file is formatted. Meeting with AS and legal team.	0.50

02/22/13	Gleason	Review of e-mails from JL & NS, re: DOJ. E-mail to NS & JL re: Agenda for Sunday's meeting.	0.75
02/23/13	Gleason	E-mails to JL & NS, re: update from JL.	0.125
02/27/13	Gleason	Phone conv. with NS, re: service upon 5 defendants. Travel to 1PP to serve summonses after law dept. refuses to accept.	2.25
02/27/13	Gleason	Review of e-mail from Corp. Counsel containing additional "Attorney's eyes only" documents and discussion with RG & NS.	1.25
02/27/13	Gilbert	Review of e-mail from Corp. Counsel containing additional "Attorney's eyes only" documents and discussion with PG & NS.	1.25
03/04/13	Gleason	E-mails back and forth with MB, to set up meeting later that day.	0.25
03/04/13	Gleason	E-mail with enclosed letter from Suzanna Publicker, Esq., review of same.	0.25
03/05/13	Gleason	E-mails to and from AS re: trip to city, purchase train ticket.	0.50
03/05/13	Gilbert	TC's with PG updating status	0.20
03/14/13	Gleason	(3) ECF notices and review of same. (Defendant's motion to Quash) and follow up discussion with NS	1.25
03/21/13	Gilbert	TC's with PG updating status	0.30
03/25/13	Gleason	E-mail from JL, re: Schoolcraft Google alert, review of links.	0.75
03/25/13	Gilbert	TC's with PG updating status	0.20
03/29/13	Gleason	E-mail from NS, re: enclosed letter from Hosp. Defendant to Judge concerning press, review of same	0.50
04/01/13	Gleason	E-mail from sound engineer containing filtered home invasion tape, review of same.	0.75
04/01/13	Gleason	E-mails between City, Hosp. & Plaintiff, re: discovery issues.	0.50
04/02/13	Gilbert	TC's with PG updating status	0.20
04/04/13	Gleason	E-mail to and from Rae Koshetz, Esq., re: NYPD employment issues.	0.25
04/05/13	Gleason	Review Plaintiff's Opposition to City's motion to Quash, e-mails between NS. JL re, edits.	0.75
04/10/13	Gleason	Court Appearance, and subseq. Meeting with legal team.	3.50
04/11/13	Gleason	Consultation with AS, Meeting with legal team and Rae Kosheck, Esq., Follow up e-mail to Rae Kosheck, Esq., re: issues discussed at meeting. Draft response letter to NYPD re: letter received on 4/10/13. Discussed strategy with AS.	8.00
04/12/13	Gleason	Consultation with AS discussing matter purchased return ticket to Albany, meeting with VP.	4.50
05/05/13	Gleason	E-mail to and from Rae Koshetz, Esq. re: scheduling meeting.	0.13

## EXHIBIT 10

6/18/2010	JLN	Meeting w/ Gerald Cohen ("GC") and JF re: Schoolcraft coming to our office for interview	0.8
6/18/2010	JPF	Meeting w/JN and Gerald Cohen ("GC") re: Schoolcraft coming to our office and retaining for lawsuit	0.8
6/18/2010	GMC	Meeting w/Jon Norinsberg (JN) and Joshua Fitch (JF) re: Schoolcraft coming to our office and retaining for lawsuit	0.8
06/20/10	JLN	Read Voice articles on Schoolcraft	2.10
06/20/10	JPF	Reading Village Voice articles on; Schoolcraft and Halloween night	2.10
06/21/10	JPF	Review of articles sent by Schoolcraft on Gerald Nelson	0.60
06/21/10	JLN	Read articles sent by Schoolcraft on Gerald Nelson	0.80
06/22/10	JLN	Discussion with GC and JF re Schoolcraft case & causes of action	0.80
06/22/10	JPF	Discussion with Gerald Cohen (GC) and JN re Schoolcraft case & causes of action	0.80
6/23/2010	JLN	Meeting w/ GC and JF re: GC's upcoming meeting w/ Schoolcraft	0.75
6/23/2010	JPF	Meeting w/JN and GC re: JN's upcoming meeting w/ Schoolcrafts	0.75
6/23/2010	GMC	Meeting w/JN and JF re: JN's upcoming meeting w/ Schoolcrafts	0.75
6/24/2010	JLN	TC with GC re: meeting w/Schoolcraft	0.4
6/24/2010	GMC	PC with JN re: meeting w/Schoolcraft	0.4
6/25/2010	JLN	Meeting w/ GC and JF re: scope of Schoolcraft materials that need to be reviewed for complaint, overall strategy & next steps for moving forward	3.25
6/25/2010	JPF	Meeting w/JN and GC re: scope of Schoolcraft materials that need to be reviewed for complaint	3.25
6/25/2010	GMC	Meeting w/JN and JF re: scope of Schoolcraft materials that need to be reviewed for complaint	3.25
6/25/2010	JLN	Meeting with GC & JF re: possible discovery demands after suit is filed and general strategy	1.4
6/25/2010	JPF	Meeting with GC & JN re: possible discovery demands after suit is filed	1.4
6/25/2010	GMC	Meeting with JF & JN re: possible discovery demands after suit is filed	1.4
06/25/10	JLN	Read Schoolcraft's PBA contract; took notes re: same	2.50
06/25/10	JPF	Review of Schoolcraft 's Patrolmens Benevolent Association ("PBA") contract	2.50
6/28/2010	JLN	Discussion with JF and GC re retainer & meeting with Schoolcrafts	1.25
6/28/2010	JPF	Discussion with JN and GC re retainer & meeting with Schoolcrafts	1.25
6/28/2010	GMC	Discussion with JN and JF re retainer & meeting with Schoolcrafts	1.25

6/28/2010	JPF	Discussion with JN re meeting with P.O. Velasquez re policy of quotas	0.9
6/28/2010	JLN	Discussion with JF re meeting with P.O. Velasquez re policy of quotas	0.9
6/28/2010	JPF	Discussion with JN, GC & Adrian Schoolcraft ("AS") re: prior counsel Jonathan Moore	0.3
6/28/2010	GMC	Discussion with JN, JF & Adrian Schoolcraft (AS) re: prior counsel Jonathan Moore	0.3
06/28/10	JLN	Review of correspondence w/Jonathan Moore re: AS	0.10
06/28/10	GMC	Review of correspondence w/Jonathan Moore re: AS	0.10
06/29/10	JLN	E-mail from GC re: Stop and Frisk case	0.10
06/29/10	GMC	Email from JN re: Stop and Frisk case	0.10
06/29/10	JLN	E-mail to GC re: Stop and Frisk case	0.10
06/29/10	GMC	Email to JN re: Stop and Frisk case	0.10
6/29/2010	JLN	Discussion with JF & GC re decision on PBA arbitration case	0.4
6/29/2010	GMC	Discussion with JN & JF re decision on PBA arbitration case	0.4
6/29/2010	JPF	Discussion with JN & GC re decision on PBA arbitration case	0.4
6/29/2010	JLN	Discussion with JF & GC re substitution of counsel Moore	0.2
6/29/2010	JPF	Discussion with JN & GC re substitution of counsel Moore	0.25
6/29/2010	GMC	Discussion with JN & JF re substitution of counsel Moore	0.25
06/29/10	JLN	Meeting w/ GC and JF re: PBA materials for use in Schoolcraft	1.25
06/29/10	GMC	Meeting w/JN and JF re: PBA matters and how they can be used in Schoolcraft	1.25
6/30/2010	JLN	Discussion with JF & GC re FOIL requests for 911 calls & how to proceed	0.5
6/30/2010	GMC	Discussion with JN & JF re FOIL requests for 911's & how to proceed	0.5
7/2/2010	JLN	Discussion with JF re AS' ability to pursue claim under Labor Law 215-a	0.6
7/2/2010	JPF	Discussion with JN re AS' ability to pursue claim under Labor Law 215-a	0.6
7/6/2010	JLN	Meeting w/ GC and JF re: new whistleblower who contacted GC re: Schoolcraft	1.3
7/6/2010	JPF	Meeting w/JN and GC re: new whistleblower contacted JN re: Schoolcraft	1.3
7/6/2010	GMC	Meeting w/JN and JF re: new whistleblower contacted JN re: Schoolcraft	1.3
7/6/2010	JLN	Meeting with JF/GC re: progress/developments on the case, meeting in NYC on Wednesday and filing of lawsuit;	1.75
7/6/2010	GMC	Meeting with JN/GC re: progress/developments on the case, meeting in NYC on Wednesday and filing of lawsuit	1.75
7/6/2010	JPF	Meeting with JN/JF re: progress/developments on the case, meeting in NYC on Wednesday and filing of lawsuit	1.75
7/7/2010	JLN	Discussion with JF re Labor Law research	0.8

7/7/2010	JPF	Discussion with JN re Labor Law research	0.8
7/7/2010	GMC	Meeting w/only Schoolcraft	1.5
7/7/2010	JPF	Meeting w/ only with AS	1.5
07/07/10	GMC	Meeting with AS, Larry Schoolcraft (LS), JF & JN	0.75
07/07/10	JPF	Meeting with AS, LS, GC & JN	0.75
07/07/10	JLN	Meeting with AS, LS, JF & GC	0.75
7/9/2010	JLN	Discussion with JF re timeline	1.1
7/9/2010	JPF	Discussion with JN re timeline	1.1
7/14/2010	JLN	Meeting w/ GC and JF re: Schoolcraft complaint & next steps for moving forward	1.25
7/14/2010	JPF	Meeting w/JN and GC re: Schoolcraft complaint	1.25
7/14/2010	GMC	Meeting w/JN and JF re: Schoolcraft complaint	1.25
7/15/2010	JLN	Discussion with GC and JF re tapes	1.1
7/15/2010	JPF	Discussion with GC and JN re tapes	1.1
7/15/2010	GMC	Discussion with JF and JN re tapes	1.1
7/22/2010	GMC	Discussed causes of action w/JF	1.4
7/22/2010	JPF	Discussed causes of action w/GC	1.4
07/22/10	JLN	Continued review of Schoolcraft recordings (2009 roll calls)	3.10
07/22/10	JPF	Review of Schoolcraft documents & tapes	3.10
7/26/2010	JLN	Discussion with GC & JF re complaint draft next steps moving forward	0.6
7/26/2010	JPF	Discussion with GC & JN re Complaint & drafts going forward	0.6
7/26/2010	GMC	Discussion with JF & JN re Complaint & drafts going forward	0.6
7/26/2010	JPF	Meeting GC and JN re issues for Schoolcraft complaint	1
7/26/2010	GMC	Meeting JF and JN re issues for Schoolcraft complaint	1
7/26/2010	JLN	Meeting JF/GC reissues for Schoolcraft complaint	1
7/26/2010	JLN	Meeting with JF & GC re case & updates on Brendan Del Pozo	2.1
7/26/2010	JPF	Meeting with JN & GC re case & updates on Brendan Delpozo	2.1
7/26/2010	GMC	Meeting with JN & JF re case & updates on Brendan Delpozo	2.1
07/26/10	GMC	Review of email from JN re: Del Pozo	0.10
07/26/10	JLN	Sent E-mail to GC re: Del Pozo	0.10
7/26/2010	JLN	Discussion w/ GC re Brandon del Pozo	0.3
7/26/2010	GMC	Discussion w/JN re Brandon del Pozo	0.3
7/27/2010	JLN	Meeting w GC and JF to discuss complaint	1.25
7/27/2010	JPF	Meeting w/JN and GC to discuss Complaint	1.25
7/27/2010	GMC	Meeting w/JN and JF to discuss Complaint	1.25
7/27/2010	JLN	Mtg GC re draft of complaint and proposed revisions	0.75
7/27/2010	GMC	Mtg JN re draft of complaint and proposed revisions	0.75

7/28/2010	JPF	Discussion with GC and JN re: Adhyl Polanco and other whistl blowers	0.5
7/28/2010	JLN	Discussion with JF and GC re: Adhyl Polanco and other whistleblowers	0.5
7/28/2010	GMC	Discussion with JF and JN re: Adhyl Polanco and other whistleblowers	0.5
07/28/10	JLN	Discussion with JF re complaint (proposed areas for improvement)	0.40
07/28/10	JPF	Discussion with JN re Complaint	0.40
07/28/10	JPF	E-mail from JN re meeting with Polanco/Graham Raymond & Rocco P.	0.10
07/28/10	JLN	E-mail to JF re meeting with Polanco, Raymond & Rocco	0.10
7/29/2010	JLN	Meeting with JF and Rocco P - Daily News re Schoolcraft and evidence of quotas for Monell claim	1.5
7/29/2010	JPF	Meeting with JN and Rocco P - Daily News re Schoolcraft and evidence of quotas for Monell claim	1.5
7/30/2010	JPF	Meet with GC and JN re: changes and additions to complaint	1.25
7/30/2010	GMC	Meet with JF and JN re: changes and additions to complaint	1.25
7/30/2010	JLN	Meeting with JF and GC re: changes & additions to complaint	1.2
7/30/2010	JLN	Meeting with JF, GC, Polanco & Raymond re: Schoolcraft & Monell claim	3.25
7/30/2010	GMC	Meeting with JN, JF, Polanco & Graham Raymond (GR) re: Schoolcraft & Monell claim	3.25
7/30/2010	JPF	Meeting with JN, GC, Polanco & Raymond re: Schoolcraft & Monell claim	3.25
7/31/2010	GMC	Meeting with Polanco + GR, JN, JF re: quotas and Monell Claim	3.2
7/31/2010	JPF	Meeting with Polanco, Raymond, JN, GC re: quotas and Monell Claim	3.2
07/31/10	JLN	E-mail from JF re edited complaint	0.10
07/31/10	GMC	E-mail from JF re edited Complaint	0.10
07/31/10	JPF	E-mail JN & GC re edited Complaint	0.10
07/31/10	JLN	Continued edits/revisions of complaint	2.80
07/31/10	JPF	Revision of Complaint	2.80
8/3/2010	JLN	Meeting w/ GC re: Schoolcraft complaint and other whistleblower police officers to possibly include in complaint	0.5
8/3/2010	GMC	Meeting w/JN re: Schoolcraft complaint and other whistleblower police officers	0.5
08/03/10	JLN	Discussion with JF re corrections to complaint	0.25
08/03/10	JPF	Discussion with JN re corrections	0.25
08/06/10	JLN	E-mail from JF re: complaint revisions	0.10
08/06/10	JPF	E-mail to JN re Complaint revised	0.10
08/06/10	JPF	E-mail to JN & from JN re community visits	0.25
08/07/10	JLN	E-mail exchange JF re explanation of community visits	0.25



08/07/10	JPF	E-mail to JN & from re explanation of community visits	0.25
08/08/10	JPF	Email to JN re: revision of Schoolcraft complaint	0.10
08/08/10	GMC	Review of email re: revision of Schoolcraft complaint	0.10
08/08/10	JLN	Review of E-mail re: revision of Schoolcraft complaint	0.10
8/8/2010	JLN	Discussion with JF re: edits to complaint	0.4
8/8/2010	JPF	Discussion with JN re edits to Complaint	0.4
08/08/10	JPF	E-mail from JN with additional allegations for Complaint	0.30
08/08/10	JLN	E-mail to JF with additional allegations for complaint	0.10
8/9/2010	JLN	Discussion with GC and JF re Adrian interview	0.3
8/9/2010	GMC	Discussion with JF and JN re Adrian interview	0.3
8/9/2010	JLN	Meeting w/GC and JF re: Schoolcraft website to support Monell theory	1.5
8/9/2010	JPF	Meeting w/JN and GC re: Schoolcraft website to support Monell theory	1.5
8/9/2010	GMC	Meeting w/JN and JF re: Schoolcraft website to support Monell theory	1.5
8/9/2010	JLN	Review of final draft of AS complaint to be filed	0.5
8/9/2010	GMC	Review of final draft of AS complaint to be filed	0.5
8/9/2010	JLN	Review of legal issues re: Negligent hiring claim	0.3
8/9/2010	GMC	Review of legal issues re: Negligent hiring claim	0.3
8/9/2010	GMC	Discussion with JF re website content	0.4
8/9/2010	JPF	Discussion with GC re website content	0.4
08/09/10	JPF	E-mail from JN re negligent ret. claim	0.30
08/09/10	JLN	E-mail to JF re negligent ret. claim	0.30
8/10/2010	JLN	Discussion with JF & GC re articles and possible typo in complaint	0.2
8/10/2010	JPF	Discussion with JN & GC re articles and possible typo in Complaint	0.25
8/10/2010	GMC	Discussion with JN & JF re articles and possible typo in Complaint	0.25
8/11/2010	JLN	Discussion with GC re anonymous P.O. re: quota/retaliation	0.3
8/11/2010	GMC	Discussion with JF re JN re anonymous P.O.	0.3
8/11/2010	JPF	Discussion with GC re JN re anonymous P.O.	0.3
8/12/2010	JLN	Meeting w/GC and JF re: legal strategies & next steps for moving forward	0.5
8/12/2010	JPF	Meeting w/GC and JN re: legal strategies + next steps for moving forward	0.5
8/12/2010	GMC	Meeting w/JF and JN re: legal strategies + next steps for moving forward	0.5
8/12/2010	JLN	Meeting w/JF and GC re: legal strategies on Monell and whistleblower cop contacts	0.8
8/12/2010	JPF	Meeting w/JN and GC re: legal strategies on Monell and whistleblower cop contacts	0.8

8/12/2010	GMC	Meeting w/JN and JF re: legal strategies on Monell and whistleblower cop contacts	0.8
8/13/2010	JLN	Discussion with GC & JF re Jonathan Moore Cease & Desist letter	0.4
8/13/2010	JPF	Discussion with GC & JN re Jonathan Moore issue - cease & desist letter	0.4
8/13/2010	GMC	Discussion with JF & JN re Jonathan Moore issue - cease & desist letter	0.4
8/15/2010	JLN	Meeting with JF and GC re NY Times story about quotas & Schoolcraft	0.6
8/15/2010	JPF	Meeting with JN and GC re NYTimes story about quotas & Schoolcraft	0.6
8/15/2010	GMC	Meeting with JN and JF re NYTimes story about quotas & Schoolcraft	0.6
08/15/10	JPF	E-mail from GC re NYPD blog picking up case	0.10
08/15/10	GMC	E-mail to JF re NYPD blog picking up case	0.10
8/17/2010	JLN	Discussion with GC and JF re anonymous e-mails that we got as a result of the website	0.4
8/17/2010	JPF	Discussion with GC and JN re anonymous e-mails that we got as a result of the email	0.4
8/17/2010	GMC	Discussion with JF and JN re anonymous e-mails that we got as a result of the e-mail	0.4
8/18/2010	JLN	Discussion with JF re Rocco's story in Daily News	0.25
8/18/2010	JPF	Discussion with JN re Rocco's story in Daily News	0.25
8/19/2010	JPF	Discussion with GC and JN re: new recordings and documents provided by AS	1.25
8/19/2010	JLN	Discussion with JF and GC re: new recordings and documents provided by AS	1.25
8/19/2010	GMC	Discussion with JF and JN re: new recordings and documents provided by AS	1.25
8/22/2010	JLN	Meeting with JF & GC re whistleblowers reaching out through the website	0.8
8/22/2010	JPF	Meeting with JN & GC re whistleblowers reaching out through the website	0.8
8/22/2010	GMC	Meeting with JN & JF re whistleblowers reaching out through the website	0.8
8/25/2010	JLN	Meeting w/GC and JF re: ACC assigned, Schoolcraft Initial Disclosures	1.75
8/25/2010	JPF	Meeting w/JN and GC re: ACC assigned, Schoolcraft initial disclosures	1.75
8/25/2010	GMC	Meeting w/JN and JF re: ACC assigned, Schoolcraft initial disclosures	1.75
8/25/2010	JLN	Meeting with JF & GC re: Whitehead mtg.	0.75
8/25/2010	JPF	Meeting with JN & GC re: Whitehead Meeting.	0.75
8/25/2010	GMC	Meeting with JN & JF re: Whitehead	0.75
8/25/2010	JPF	Meeting with JN & GC re more whistleblower email & meeting with P.O Fioranelli	0.9

8/25/2010	JLN	Meeting with JF & GC re more whistleblower email & meeting with P.O. Fioranelli	0.9
8/25/2010	GMC	Meeting with JN & JF re more whistleblower email & meeting with P.O. "PF"	0.9
8/25/2010	GMC	Meeting with JF, PO from 81st precinct "PF" re: corruption	2.75
8/25/2010	JPF	Meeting with GC, PO from 81st precinct "PF" re: corruption	2.75
8/26/2010	JPF	Meeting with GC and JN re: interview of PO from 81st precinct "PF" re: corruption	1.5
8/26/2010	JLN	Meeting with JF and GC re: interview of PO from 81st precinct "PF" re: corruption	1.5
8/26/2010	GMC	Meeting with JF and JN re: interview of PO from 81st precinct "PF" re: corruption	1.5
8/27/2010	JLN	Discussion with GC & JF re having Eterno & Silverman as experts	0.6
8/27/2010	JPF	Discussion with GC & JN re having Eterno & Silverman as experts	0.6
8/27/2010	GMC	Discussion with JF & JN re having Eterno & Silverman as experts	0.6
8/27/2010	GMC	Interview with JF of Walter Lipscomb, former PO confirms quotas - wants to help Schoolcraft	3.25
8/27/2010	JPF	Interview with GC of Walter Cipscomb, former PO confirms quotas - wants to help Schoolcraft	3.25
8/29/2010	JLN	Discussion with GC re: Walter Lipscomb interview	0.5
8/29/2010	GMC	Discussion with JN re: Lipscomb interview	0.5
8/30/2010	JLN	Meeting with JF & GC re Garcia (cop from 81 who knows Schoolcraft & has info on quotas)	1.25
8/30/2010	JPF	Meeting with JN & GC re Garcia cop from 81 who knows Schoolcraft & has info on quotas	1.25
8/30/2010	GMC	Meeting with JN & JF re "MG" cop from 81 who knows Schoolcraft & has info on quotas	1.25
8/30/2010	JLN	Meeting with JF & GC re Labor & Employment case & 12(b)(6) motion	0.5
8/30/2010	JPF	Meeting with JN & GC re Labor & Employment case & 12(b)(6) motion	0.4
8/30/2010	GMC	Meeting with JN & JF re IAB Labor & Employment case & 12(b)(6) motion	0.4
08/30/10	JLN	E-mail correspondence w/GC re: MG (PO in 81st precinct)	0.10
08/30/10	GMC	Email correspondence w/JN re: "MG" (PO in 81st precinct)	0.10
08/30/10	JLN	E-mail w/ GC re: ACC Donna Canfield	0.10
08/30/10	GMC	Email w/JN re: ACC Donna Cannfield (DC)	0.10
08/30/10	GMC	Review of Donna Canfield (DC) Notice of Appearance	0.10
08/30/10	JLN	Reviewed Notice of Appearance by Donna Canfield ("DC") on behalf of The City Of New York	0.10
8/31/2010	JLN	Conversation with GC and JF re: topics to be discussed/disclosed with Mark Toor in Chief article	0.25
8/31/2010	JPF	Conversation with JN and GC re: topics to be discussed/disclosed with Mark Toor in Chief article	0.25

8/31/2010	GMC	Conversation with JN and JF re: topics to be discussed/disclosed with Mark Toor in Chief article	0.25
8/31/2010	GMC	Interview with JF of "DH" and "EB" former NYPD, reviewed materials, recordings re: quotas, downgrading	3.25
8/31/2010	JPF	Interview with GC of "DH" and "EB" former NYPD, reviewed materials, recordings re: quotas, downgrading	3.25
9/1/2010	JLN	Meeting w/GC and JF re: discuss anonymous POs contacting us and how they can help Schoolcraft w/ <u>Monell</u> claim	1.8
9/1/2010	JPF	Meeting w/JN and GC re: discuss anonymous POs contacting and how they can help Schoolcraft	1.8
9/1/2010	GMC	Meeting w/JN and JF re: discuss anonymous POs contacting and how they can help Schoolcraft	1.8
9/3/2010	JLN	Meeting with JF and GC to discuss information provided by DH, MG, EB (whistleblower cops) in furtherance of the Monell claim	1.4
9/3/2010	JPF	Meeting with JN and GC to discuss information provided by DH, MG, EB whistleblower cops in furtherance of the Monell claim	1.4
9/3/2010	GMC	Meeting with JN and JF to discuss information provided by DH, MG, EB whistleblower cops in furtherance of the Monell claim	1.4
9/3/2010	GMC	Meeting with PO from 81st precinct "MG" re: corruption	2.75
9/3/2010	JPF	Meeting with GC with PO from 81st precinct "MG" re: corruption	2.75
09/03/10	JLN	Discussion with JF re AS interview with This American Life	0.40
09/03/10	JPF	Discussion with JN re AS interview with This American Life	0.40
09/03/10	GMC	Email correspondence w/JN re: THEE RANT post	0.25
09/03/10	JLN	E-mail w/GC re: THEE RANT post	0.20
9/6/2010	JLN	Discussion with JF re amended complaint	0.4
9/6/2010	JPF	Discussion with JN re Amended Complaint	0.4
09/07/10	JPF	Review of Chief article on AS	0.25
09/07/10	GMC	Review of Media coverage NYTimes	0.25
9/10/2010	JPF	Review of Times article points with GC	0.25
9/10/2010	GMC	Review of Times article points with JF	0.25
09/15/10	GMC	Review of stip extending time for Benier answer	0.10
09/15/10	JLN	Reviewed defendant Bernier's endorsed stipulation extending time to answer	0.10
9/17/2010	JLN	Meeting with JF and GC regarding information obtained from Floyd litigation and its impact on Schoolcrafts Monell and Retaliation claims	1.3
9/17/2010	JPF	Meeting with JN and GC regarding information obtained from Floyd litigation and its impact on Schoolcrafts Monell and Retaliation claims	1.3
9/17/2010	GMC	Meeting with JN and JF regarding information obtained from Floyd litigation and its impact on Schoolcrafts Monell and Retaliation claims	1.3
9/18/2010	JLN	Conversation with GC & JF re new whistleblower cop	0.3

9/18/2010	JPF	Conversation with GC & JN re new whistleblower cop	0.3
9/18/2010	GMC	Conversation with JF & JN re new whistleblower cop	0.3
9/20/2010	JPF	Discussion & review with GC & JN re media to upload to website	0.25
9/20/2010	GMC	Discussion & review with JF & JN re media to upload to website	0.25
9/20/2010	GMC	Meeting with JF with PO "JB" re: NYPD quotas and downgrading	2.5
9/20/2010	JPF	Meeting with GC with PO "JB" re: NYPD quotas and downgrading	2.5
9/21/2010	JLN	Meeting with DOJ EDNY regarding potential civil rights enforcement action and setting up meeting w/ AS	3.1
9/22/2010	JPF	Meeting with DOJ EDNY	3.1
9/22/2010	JLN	Meeting with JF to prepare for EDNY DOJ	1.1
9/22/2010	JPF	Meeting with JN to prepare for EDNY DOJ	1.1
9/23/2010	JLN	Discussion with JF re new post for THEE Ranrt for more whistleblower Pos to support Monell claim	0.3
9/23/2010	JPF	Discussion with JN re new post for RANT for more whistleblower Pos	0.3
9/23/2010	JLN	Meeting with GC, JF and Center for Constitutional Rights (CCR) re Schoolcraft	2.25
9/23/2010	GMC	Meeting with JF, JN and Center for Constitutional Rights (CCR) re Schoolcraft	2.25
9/23/2010	JPF	Meeting with GC, JN and Center for Constitutional Rights (CCR) re Schoolcraft	2.25
9/24/2010	JLN	Discussion with JF and GC re: first meeting with the DOJ and upcoming meeting with the DOJ and AS	1.75
9/24/2010	JPF	Discussion with JN and GC re: first meeting with the DOJ and upcoming meeting with the DOJ and AS	1.75
9/24/2010	GMC	Discussion with JN and JF re: first meeting with the DOJ and upcoming meeting with the DOJ and AS	1.75
9/25/2010	JLN	Meeting with GC & JF re: upcoming AS interview with feds	0.5
9/25/2010	JPF	Meeting with GC & JN re AS interview with feds	0.5
9/25/2010	GMC	Meeting with JF & JN re AS interview with feds	0.5
09/25/10	JLN	E-mail from JF re: upcoming fed meeting with AS	0.10
09/25/10	JPF	E-mail from JN re fed meeting	0.10
9/27/2010	JLN	Discussion with JF re: location of witnesses from This American Life interview	0.5
9/27/2010	JPF	Discussion with JN re location & witnesses from This American Life interview	0.5
9/27/2010	GMC	Meeting w/AS with JN, JF to prep for discussion with US attorneys office EDNY	3.25
9/27/2010	JPF	Meeting w/AS with JN, GC to prep for discussion with US attorneys office EDNY	3.25
9/28/2010	GMC	"Rich" anonymous cop discussion with JF	0.6
9/28/2010	JPF	"Rich" anonymous cop discussion with GC	0.6
09/28/10	JLN	E-mail from JF re article in Russian news	0.10

09/28/10	JPF	E-mail from JN re article in Russian news	0.10
9/30/2010	JLN	Meeting with GC and JF re: anonymous cop interviews (VM and EF)	1.1
9/30/2010	JPF	Meeting with GC and JN re: anonymous cop interviews VM and EF	1.1
9/30/2010	GMC	Meeting with JF and JN re: anonymous cop interviews VM and EF	1.1
10/02/10	JLN	E-mail from JF re whistleblower cop	0.10
10/02/10	JPF	E-mail from JN re whistleblower cop	0.10
10/02/10	JLN	E-mail re whistleblower cop from JF	0.10
10/02/10	JPF	E-mail re whistleblower cop from JN	0.10
10/4/2010	JPF	Meeting w GC and JN to discuss infromation from "JR" retired police officer re: quotas, downgrading, NYPD corruption	0.75
10/4/2010	JLN	Meeting w/ GC and JF to discuss information from "JR" retired police officer re: quotas, downgrading, NYPD corruption	0.75
10/4/2010	GMC	Meeting w/ JF and JN to discuss infromation from "JR" retired police officer re: quotas, downgrading, NYPD corruption	0.75
10/4/2010	GMC	Meeting w/ JF and "JR" retired police officer re: quotas, downgrading, NYPD corruption	1.8
10/4/2010	JPF	Meeting w/ GC and "JR" retired police officer re: quotas, downgrading, NYPD corruption	1.8
10/7/2010	GMC	Meeting with JF and "EB" retired police officer re: quotas, downgrading, NYPD corruption	1.8
10/7/2010	JPF	Meeting with GC and "EB" retired police officer re: quotas, downgrading, NYPD corruption	1.8
10/10/2010	JLN	Meeting with GC and JF re: infromatoin provided by MV, NB, EB whistleblower cops	1.4
10/10/2010	JPF	Meeting with JN and GC re: infromatoin provided by MV, NB, EB whistleblower cops	1.4
10/10/2010	GMC	Meeting with JN and JF re: information provided by MV, NB, EB whistleblower cops	1.4
10/11/10	JLN	E-mail correspondence w/ GC re: Posts	0.20
10/11/10	GMC	Email correspondence w/JN re: Posts	0.25
10/11/10	JLN	E-mail from JF re Lewis whistleblower cop	0.90
10/11/10	JPF	E-mail from JN re Lewis whistleblower cop	0.10
10/12/2010	JPF	Meeting w/ GC and JN re: Schoolcraftjustice.com calls from Pos	1
10/12/2010	GMC	Meeting w/ JF and JN re: Schoolcraftjustice.com calls from POs	1
10/12/2010	JLN	Meeting w/GC re: Schoolcraftjustice.com calls from Pos	1
10/12/2010	JLN	Discussion with JF re motion to Dismiss sched.	0.3
10/12/2010	JPF	Discussion with JN re Motion to Dismiss schedule	0.3
10/13/10	JLN	Discussion with JF re agreement on briefing sched. w/ defendant Jamaica Hosp.	0.10

10/13/10	JPF	Discussion with JN re agreement on briefing sched. w/ defendant Jamaica Hosp	0.10
10/13/2010	JLN	Discussion with JF re: arguments to make in response to JHMC motion	1.25
10/13/2010	JPF	Discussion with JN re: arguments to make in response to JHMC motion	1.25
10/14/2010	JLN	Meeting with GC re: information provided by PL and RL (whistleblower cops) to support Monell claim	0.75
10/14/2010	GMC	Meeting with JN re: information provided by PL and RL whistleblower cops to support Monell claim	0.75
10/15/10	GMC	Review of order setting deadlines for Motion to Dismiss	0.10
10/15/10	JLN	Reviewed order re: defendant JHMC's motion to Dismiss	0.10
10/26/2010	GMC	Meeting with JF and "RC" to discuss experience with quotas in a Brooklyn North precinct	3.1
10/26/2010	JPF	Meeting with GC and "RC" to discuss experience with quotas in a Brooklyn North precinct	3.1
10/27/2010	GMC	Meeting with JF and David Velez re: arbitration, quotas, Michael Marino	1.4
10/27/2010	JPF	Meeting with GC and David Velez re: arbitration, quotas, Michael Marino	1.4
10/30/2010	JLN	Meeting with GC & JF re: information provided by MR, MG RC (whistleblower cops) and movie and book publicist contacting AS for information	2.25
10/30/2010	JPF	Meeting with GC & JN re: information provided by MR, MG RC whistleblower cops and movie and book publicist contacting AS for information	2.25
10/30/2010	GMC	Meeting with JF & JN re: information provided by MR, MG RC whistleblower cops and movie and book publicist contacting AS for information	2.25
11/1/2010	JLN	Meeting with GC and JF re: updating Schoolcraft website	0.3
11/1/2010	JPF	Meeting with JN and GC re: updating Schoolcraft website	0.3
11/1/2010	GMC	Meeting with JN and JF re: updating Schoolcraft website	0.3
11/4/2010	GMC	Meeting with JF and police officer "BP" re: quotas, downgrading, and NYPD corruption	2.3
11/4/2010	JPF	Meeting with GC and police officer "BP" re: quotas, downgrading, and NYPD corruption	2.3
11/8/2010	GMC	Met with JF and police officer "MC" re: quotas	0.8
11/8/2010	JPF	Met with GC and police officer "MC" re: quotas	0.8
11/9/2010	JLN	Meeting with GC about interviews with CW and MC whistleblower cops regarding Monell claim	0.6
11/9/2010	GMC	Meeting with JN about interviews with CW and MC whistleblower cops regarding Monell claim	0.6
11/11/2010	GMC	Meeting with JF and "JW" cop to discuss quotas/retaliation	1.6
11/11/2010	JPF	Meeting with GC and "JW" cop to discuss quotas/retaliation	1.6
11/12/2010	JLN	Meeting with JF and GC re: issues on our opposition and GC's meeting with JW anonymous cop	0.3

11/12/2010	JPF	Meeting with JN and GC re: issues on our motion opposition and GC's meeting with JW anonymous cop	1
11/12/2010	GMC	Meeting with JN and JF re: issues on our motion opposition and about information provided by JW anonymous cop	1
11/16/2010	JLN	Review of affidavit Darius Charney wants Schoolcraft to sign Aff for Floyd	0.4
11/16/2010	GMC	Review of affidavit Darius Charney wants Schoolcraft to sign for Floyd case	0.4
11/16/10	JLN	E-mailed GC re: changes to Schoolcraft <u>Floyd</u> affidavit	0.10
11/16/10	GMC	Emailed JN re: changes to Schoolcraft Floyd affidavit	0.10
12/1/2010	JLN	Discussion with GC & JF re affidavit from Schoolcraft	0.4
12/1/2010	JPF	Discussion with GC & JN re affidavit from Schoolcraft	0.4
12/1/2010	GMC	Discussion with JF & JN re affidavit from Schoolcraft	0.4
12/6/2010	JLN	Discussion with GC & JF re final corrections	0.8
12/6/2010	JPF	Discussion with GC & JN re final corrections	0.8
12/6/2010	GMC	Discussion with JF & JN re final corrections	0.8
12/08/10	JLN	Reviewed NYPD memos regarding anti quota legislation	1.20
12/08/10	JPF	Review of NYPD Memos re anti quota legislation	1.30
12/9/2010	JLN	Discussion w/ JF & GC re discovery responses & timing	0.5
12/9/2010	GMC	Discussion w/ JN & JF re discovery responses & timing	0.5
12/9/2010	JPF	Discussion wi JN & GC re discovery responses & timing	0.5
12/10/10	JLN	E-mail w/ GC re: HIPAAs for AS meds	0.10
12/10/10	GMC	Email w/JN re: HIPAAs	0.10
12/17/10	JLN	E-mail from JF re AS benefits	0.10
12/17/10	JPF	E-mail to JN re AS benefits	0.10
01/01/11	JPF	E-mail from JN re Wall Street Journal article about case	0.10
01/01/11	JLN	E-mail to JF re WSJ article about case	0.10
1/10/2011	JLN	Meeting with GC & JF re interrogatories and demands & misc. discovery & strategy issues	1.5
1/10/2011	JPF	Meeting with GC & JN re interrogatories and demands	1.5
1/10/2011	GMC	Meeting with JF & JN re interrogatories and demands	1.5
1/20/2011	JLN	Meeting with GC, JF to discuss JHMC's reply memo of law	0.4
1/20/2011	JPF	Meeting with JN, GC to discuss JHMC's reply memo of law	0.4
1/20/2011	GMC	Meeting with JN, JF to discuss JHMC's reply memo of law	0.4
01/25/11	JPF	Email from GC re statements from Jamaica Hospital to Village Voice	0.10
01/25/11	JPF	Email Response to GC re statements from Jamaica Hospital to Village Voice	0.10
1/26/2011	JLN	Discussion with GC & JF re oral arguments on MTP	0.6
1/26/2011	JPF	Discussion with GC & JN re oral arguments	0.6
1/26/2011	GMC	Discussion with JF & JN re oral arguments	0.6



1/26/2011	GMC	Appearance for motion to dismiss in Schoolcraft	1
1/26/2011	JPF	Appearance for motion to dismiss in Schoolcraft	1
1/26/2011	GMC	Travel from SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
1/26/2011	GMC	Travel to SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
1/26/2011	JPF	Travel from SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
1/26/2011	JPF	Travel to SDNY for appearance for motion to dismiss in Schoolcraft (.5)	0.25
1/31/2011	JLN	Meeting with JF & GC re sending documents & authorizations to Queens DA office	0.4
1/31/2011	JPF	Meeting with JN & GC re send documents & authorizations to Queens DA office	0.4
1/31/2011	GMC	Meeting with JN & JF re send documents & authorizations to Queens DA office	0.4
1/31/2011	JLN	Discussion w/ GC re: requesting Queens DA to investigate Halloween night	0.4
1/31/2011	GMC	Discussion w/JN re: requesting Queens DA to investigate Halloween night	0.4
2/8/2011	JLN	Discussion w/ JF & GC re letter to court to schedule discovery	0.3
2/8/2011	JPF	Discussion w/ JN & GC re letter to court to schedule discovery	0.3
2/8/2011	GMC	Discussion w/ JN & JF re letter to court to schedule discovery	0.3
2/12/2011	JLN	Discussion with JF re; motion to stay and arguments in opposition	0.9
2/12/2011	JPF	Discussion with JN re; motion to stay and arguments in opposition	0.9
2/19/2011	GMC	Meeting with JF re: getting transcript for Bryant v. City verdict finding quotas existed	0.6
2/19/2011	JPF	Meeting with GC re: getting transcript for Bryant v. City verdict finding quotas existed	0.6
02/19/11	JLN	E-mail correspondence w/ GC re: Seth Harris verdict finding quota in Carolyn Samuels case	0.10
02/19/11	GMC	Email correspondence w/JN re: Seth Harris verdict finding quota	0.10
2/19/2011	GMC	Meeting with JF re: getting transcript for Bryant v. City verdict finding quotas existed	0.6
2/19/2011	JPF	Meeting with GC re: getting transcript for Bryant v. City verdict finding quotas existed	0.6
3/1/2011	GMC	Meeting with anonymous cops from T34 w/ JF and JN - provided recordings of Lt. Janice Williams	1.25
3/1/2011	JLN	Meeting with anonymous cops from T34 w/ GC and JF- recordings of Lt. Janice Williams	1.25
3/1/2011	JPF	Meeting with anonymous cops from T34 w/ GC and JN - provided recordings of Lt. Janice Williams	1.25

4/12/2011	JLN	Conv w/ JF re AS suspension & our position with NYPD on same	0.3
4/12/2011	JPF	Phone convo w/JN re suspension issue & our response to the NYPD	0.3
4/18/2011	JLN	Discussion w/ JF & GC re prep of letter re NYPD hearing & PBA representation	0.3
4/18/2011	JPF	Discussion w/ JN & GC re prep of letter re NYPD hearing & PBA representation	0.3
4/18/2011	GMC	Discussion w/ JN & JF re prep of letter re NYPD hearing & PBA representation	0.3
05/06/11	JPF	Read & review the decision & order written disposing of the motion to dismiss	0.60
05/06/11	GMC	Review of Judge Sweet's opinion re: JHMC motion to dismiss	0.60
05/09/11	JLN	Meeting with GC and JF re: necessary disclosures under Rule 26 for plaintiff	1.75
05/09/11	JPF	Meeting with JN and GC re: necessary disclosures under Rule 26 for plaintiff	1.75
05/09/11	GMC	Meeting with JN and JF re: necessary disclosures under Rule 26 for plaintiff	1.75
5/10/2011	JLN	Meeting with GC and JF re: edits to Initial disclosures and discussion regarding requests to admit	1.4
5/10/2011	JPF	Meeting with JN and GC re: edits to Initial disclosures and discussion regarding requests to admit	1.4
5/10/2011	GMC	Meeting with JN and JF re: edits to initial disclosures and discussion regarding requests to admit	1.4
5/10/2011	GMC	Review of Initial disclosures and discussion with JF	0.75
5/10/2011	JPF	Review of Initial disclosures and discussion with GC	0.75
5/12/2011	JLN	Discussion w/ GC & JF re agency agreement	0.4
5/12/2011	JPF	Discussion w/ GC & JN re agency agreement	0.4
5/12/2011	GMC	Discussion w/ JF & JN re agency agreement	0.4
5/14/2011	GMC	Meeting with JF reviewing RFA's	2.75
5/14/2011	JPF	Meeting with GC reviewing Requests For Admission's (RFA's)	2.75
5/15/2011	JLN	Meeting with GC and JF re: edits to RFA's	1
5/15/2011	JPF	Meeting with JN and GC re: edits to RFA's	1
5/15/2011	GMC	Meeting with JN and JF re: edits to RFA's	1
5/18/2011	GMC	Meeting with JF to discuss documents that must be requested in our demands	1.1
5/18/2011	JPF	Meeting with GC to discuss documents that must be requested in our demands	1.1
5/19/2011	JLN	Discuss w/ JF & GC edits & topic areas that should be explored on interrogatories	1.25
5/19/2011	JPF	Discuss w/ JN & GC edits & topic areas that should be explored on interrogatories	1.25

5/19/2011	GMC	Discuss w/ JN & JF edits & topic areas that should be explored on interrogatories	1.25
05/19/11	JLN	E-mail from GC re: additional dep notices to be served	0.10
05/19/11	GMC	Email from JN re: dep notices to be served	0.10
5/20/2011	JLN	Discussion w/ GC & JF re request to admit corrections/additions .	1.5
5/20/2011	JPF	Discussion w/ GC & JN re request to admit corrections/additions	1.5
5/20/2011	GMC	Discussion w/ JF & JN re request to admit corrections/additions	1.5
5/20/2011	GMC	Discuss interrogatories & discuss EBTs w/ JN & JF	1.3
5/20/2011	JLN	Finalize interrogatories & discuss EBTs w/ JF & GC	1.3
5/20/2011	JPF	Finalize interrogatories & discuss EBTs w/ JN & GC	1.3
6/23/2011	JLN	Discussion with GC & JF re responses & requests from Isakov	0.6
6/23/2011	JPF	Discussion with GC & JN re responses & requests from Isacov	0.6
6/23/2011	GMC	Discussion with JF & JN re responses & requests from Isacov	0.6
6/27/2011	JLN	Discussion with JF and GC re City's failure to respond to discovery requests	0.3
6/27/2011	JPF	Discussion with JN and GC re City's failure to response to discovery requests	0.3
6/27/2011	GMC	Discussion with JN and JF re City's failure to response to discovery requests	0.3
7/5/2011	JLN	Review discovery plan w/ JF & GC	0.3
7/5/2011	JPF	Review discovery plan w/ JN & GC	0.3
7/6/2011	JLN	Discussion w/ JF & GC re changing case management plan	0.4
7/6/2011	JPF	Discussion w/ JN & GC re changing to case management plan	0.4
7/6/2011	GMC	Discussion w/ JN & JF re changing to case management plan	0.4
7/8/2011	JLN	Discussion with GC and JF re: meeting with Jim Leander and AS about investigation	1.75
7/8/2011	JPF	Discussion with GC and JN re: meeting with Jim Leander and AS about investigation	1.75
7/8/2011	GMC	Discussion with JF and JN re: meeting with Jim Leander and AS about investigation	1.75
07/09/11	JLN	E-mail from City on relevancy redaction issue	0.10
07/09/11	JLN	E-mail to City re: redaction issue	0.10
7/11/2011	JLN	Final review of discovery plan w/ JF & GC	0.25
7/11/2011	JPF	Final review of discovery plan w/ JN & GC	0.25
7/11/2011	GMC	Final review of discovery plan w/ JN & JF	0.25
7/15/2011	JPF	Meeting with GC an JN re: discovery plan and issues to raise	0.5
7/15/2011	JLN	Meeting with JF an GC re: discovery plan and issues to raise with defense counsel	0.5
7/15/2011	GMC	Meeting with JF an JN re: discovery plan and issues to raise	0.5

07/15/11	JLN	sent GC E-mail re: objections to discovery plan	0.10
07/15/11	GMC	Review of JN email re: objections to discovery plan	0.10
07/18/11	GMC	Review of email by JN to DC re changes	0.10
07/18/11	JLN	Sent draft E-mail to DC re changes for review	0.10
08/10/11	JLN	Review of GC comments to JHMC discovery responses	0.20
08/10/11	GMC	Review of JN comments to JHMC responses	0.25
08/11/11	GMC	Review of Isakov demands	0.25
08/11/11	JLN	Review of responses to Isakov discovery demands	0.40
08/11/11	JPF	Review of responses to Isacov discovery demands	0.90
8/17/2011	JLN	Discuss confidentiality stip w/ GC & JF b/c of plaintiff's objections	1.25
8/17/2011	JPF	Discuss confidentiality stip w/ GC & JN b/c of plaintiff's objections	1.25
8/17/2011	GMC	Discuss confidentiality stip w/ JF & JN b/c of plaintiff's objections	1.25
9/28/2011	JPF	Discussion w/ JN and GC re law enforcement privilege & motion to compel	1.25
9/28/2011	GMC	Discussion w/ JN and TF re law enforcement privilege & motion to compel	1.25
9/28/2011	JLN	Discussion w/ JF re law enforcement privilege & motion to compel	1.25
9/28/2011	JLN	Attend oral argument on motion to compel	1
9/28/2011	GMC	Attend oral argument on motion to compel	1
9/28/2011	JPF	Attend oral argumqnt on motion to compel	1
9/28/2011	JLN	Travel to SDNY- motion to compel (.5)	0.25
9/28/2011	GMC	Travel from SDNY- motion to compel (.5)	0.25
9/28/2011	GMC	Travel to SDNY- motion to compel (.5)	0.25
9/28/2011	JPF	Travel from SDNY - motion to compel (.5)	0.25
9/28/2011	JPF	Travel to SDNY - motion to compel (.5)	0.25
09/28/11	JLN	E-mail from JF re law enforcement privilege	0.10
09/28/11	JPF	Email to JN re law enforcement privilege	0.25
09/30/11	JLN	E-mail from all parties re: executed amended discovery plan	0.20
09/30/11	GMC	Email from all parties re: executed amended discovery plan	0.25
12/07/11	GMC	Review of order re: pretrial conference	0.10
12/07/11	JPF	Review order adjourning conf.	0.10
12/19/2011	JLN	Discussion w/ GC & JF re plaintiffs thoughts on discovery & next steps for moving forward	0.5
12/19/2011	JPF	Discussion w/ GC & JN re plaintiff's thoughts on discovery	0.5
12/19/2011	GMC	Discussion w/ JF & JN re plaintiff's thoughts on discovery	0.5
1/10/2012	JLN	Meeting with AS, JF and GC re: multiples issues in use & general strategy for moving forward	4.9
1/10/2012	GMC	Meeting with AS, JN and JF	4.9
1/10/2012	JPF	Meeting with AS, JN and GC	4.9

01/20/12	JLN	Phone call with Adrian and Larry	0.70
01/20/12	GMC	Phone call with Adrian and Larry	0.75
1/24/2012	JLN	Spoke to GC re: AS salary	0.2
1/24/2012	GMC	Spoke to JN re: AS salary	0.25
02/07/12	JLN	Email from GC re: supplemental demands	0.10
02/07/12	GMC	Email from JN re: supplemental demands	0.10
02/07/12	JLN	Review Notice of Appearance for City Defendants	0.10
02/07/12	GMC	Review notice of appearance for City Defendants	0.10
02/07/12	JLN	Reviewed Notice of Apperance by Max Leighton on behalf of City	0.10
2/8/2012	JPF	Discussion with GC and JN re: conference and discovery and stratgedy moving forward	0.75
2/8/2012	JLN	Discussion with JF and GC re: conference and discovery and strategy for moving forward	0.75
2/8/2012	GMC	Discussion with JF and JN re: conference and discovery and strategy moving forward	0.75
2/8/2012	JLN	Pre-trial conference before Judge Sweet	1
2/8/2012	GMC	Pre-trial conference before Judge Sweet	1
2/8/2012	JPF	Pre-trial conference before Judge Sweet	1
2/8/2012	GMC	Travel from SDNY- motion to compel (.5)	0.25
2/8/2012	GMC	Travel to SONY- motion to compel (.5)	0.25
2/8/2012	JPF	Travel from SDNY - motion to compel (.5)	0.25
2/8/2012	JPF	Travel to SDNY - motion to compel (.5)	0.25
02/10/12	GMC	Email from JN re: Cancellation of Adrian and Larry trip to NYC	0.10
02/10/12	JLN	E-mail to GC re: Cancellation of Adrian and Larry trip to NYC	0.10
02/10/12	GMC	Review of email to Jeremy (Meridian Investigations) re: subpoena of Schoolcraft records	0.10
02/10/12	JLN	Review of E-mail to Jeremy Steven (investigator) re: subpoena of Schoolcraft records	0.10
2/10/2012	JLN	Discussion w/ JF & GC re additional items of discovery	1.6
2/10/2012	JPF	Discussion w/ JN & GC re additional items of discovery	1.6
2/10/2012	GMC	Discussion w/ JN & JF re additional items of discovery	1.6
02/10/12	JLN	E-mail to GC re discovery we need to follow up with city	0.20
02/10/12	GMC	Review of email from JN re discovery we need to follow up with city	0.25
02/10/12	JLN	E-mail to JF re additional items of discovery from City & subpoenas for Johnstown records	0.20
02/10/12	JPF	E-mail from JN re additional items of discovery from City & subpoenas for Johnstown records	0.25

02/10/12	GMC	Email from JN re: Cancellation of Adrian and Larry trip to NYC	0.10
02/10/12	JLN	E-mail to GC re: Cancellation of Adrian and Larry trip to NYC	0.10
2/13/2012	JLN	Review of final supplemental discovery demands for NYC	0.3
2/13/2012	GMC	Review of final supplemental discovery demands for NYC	0.3
02/24/12	JLN	Review of E-mail correspondence w/Chris Dunn (NYCLU)	0.20
02/24/12	GMC	Review of email correspondence w/Chris Dunn	0.25
2/27/2012	JPF	Meeting with GC and JN re: documents received from Johnstown PD for plaintiff's subpoena	0.75
2/27/2012	JLN	Meeting with JF and GC re: documents received from Johnstown PD for plaintiff's subpoena	0.75
2/27/2012	GMC	Meeting with JF and JN re: documents received from Johnstown PD for plaintiff's subpoena	0.75
02/27/12	GMC	Review of subpoena response from Johstown PD	0.75
02/27/12	JLN	Review of subpoena response from Johstown PD	1.00
03/07/12	JPF	Email from GC re: conversation with Larry and Adrian	0.10
03/07/12	GMC	Email to JN an JF re: conversation with Larry and Adrian	0.10
03/07/12	GMC	Review of NOA by Suzanna Publicker ("SP")	0.10
03/07/12	JLN	Reviewed Notice of Appearance by Suzanna Publicker on behalf of City	0.10
3/7/2012	JLN	Discussed adding 1st Amendment claim with JF and GC	0.25
3/7/2012	JPF	Discussed adding 1st amendment claim with JN and GC	0.25
3/7/2012	GMC	Discussed adding 1st amendment claim with JN and JF	0.25
3/8/2012	JLN	Discussion with JF & GC re Voice article and the confidential report	0.75
3/8/2012	JPF	Discussion with JN & GC re VV article and the confidential report	0.75
3/8/2012	GMC	Discussion with JN & JF re VV article and the confidential report	0.75
3/9/2012	JLN	Discussion with JF & GC re reinstating 1st Amendment claims in this case based on Garcetti & actions after the fact	1.25
3/9/2012	JPF	Discussion with JN & GC re reinstating 1st Amendment claims in this case based on Carcetti & actions after the fact	1.25
3/9/2012	GMC	Discussion with JF & JN re reinstating 1st Amendment claims in this case based on Garcetti & actions after the fact	1.25
03/12/12	JPF	Email from JN re corrections	0.10
03/12/12	JLN	E-mail to JF re corrections to motion to reinstate	0.10
3/12/2012	JLN	Meeting with JF & GC re letter from City	0.6
3/12/2012	JPF	Meeting with JN & GC re letter from City	0.6
3/12/2012	GMC	Meeting with JN & JF re letter from City	0.6
03/12/12	JLN	Read/review of letter from defendant City on breach of confidentiality stip	0.20
03/12/12	JPF	Read/review of letter from defendant City on breach of confidentiality stip	0.40

03/12/12	GMC	Review & edit response to City's letter re protective order	0.25
03/12/12	JLN	Revised & edited response to City's letter re protective order	0.25
03/12/12	JPF	Review & edit response to City's letter re protective order	0.40
03/13/12	GMC	Email from PBS producer Weinrich on documentary of Schoolcraft	0.10
03/13/12	JPF	Email from PBS producer Weinrich on documentary of Schoolcraft	0.10
03/14/12	JLN	Review of NY Times article on Schoolcraft	0.10
03/14/12	GMC	Review of NY Times article on Schoolcraft	0.10
03/14/12	JPF	Email to JN with proposed Amended Complaint	0.10
03/14/12	JLN	E-mail from JF with proposed amended complaint	0.10
03/14/12	GMC	Email correspondence w/Nic re docs in connection w/ Schoolcraft meeting	0.25
03/14/12	JPF	Email from Nic re doc in connection w/ Schoolcraft meeting	0.10
3/15/2012	JLN	Meeting with JF and GC re proposed amended complaint	0.6
3/15/2012	JPF	Meeting with JN and GC re proposed Amended Complaint	0.6
3/15/2012	GMC	Meeting with JN and JF re proposed Amended Complaint	0.6
3/19/2012	JLN	Discussions w/ JF re amended complaint	0.5
3/19/2012	JPF	Discussion w/ JN re corrections Amended Complaint	0.5
03/21/12	JPF	Review of NY Times letter to court re confidentiality	0.40
03/21/12	GMC	Review of NY Times motion to unseal Schoolcraft records	0.40
3/22/2012	JLN	Final edits on amended complaint w/ JF	0.25
3/22/2012	JPF	Final edits on Amended Complaint w/ JN	0.25
3/28/2012	JLN	Discussion with JF and GC re: court's order on City's motion for breach of confidentiality agreement	0.5
3/28/2012	JPF	Discussion with JN and GC re: court's order on City's motion for breach of confidentiality agreement	0.5
3/28/2012	GMC	Discussion with JN and JF re: court's order on City's motion for breach of confidentiality agreement	0.5
3/28/2012	JLN	Meeting w/ JF & GC prior to upcoming conference to prep	0.4
3/28/2012	JPF	Meeting w/ JN & GC prior to conference to prep	0.4
3/28/2012	GMC	Meeting w/ JN & JF prior to conference to prep	0.4
3/28/2012	JPF	Attend oral Argument on City motion	1
3/28/2012	JLN	Oral Argument on City motion	1
3/28/2012	GMC	Oral Argument on City motion	1
3/28/2012	GMC	Travel from SDNY for Oral Argument on City motion (.5)	0.25
3/28/2012	GMC	Travel to SDNY for Oral Argument on City motion (.5)	0.25
3/28/2012	JPF	Travel from SDNY for Oral Argument on City motion (.5)	0.25
3/28/2012	JPF	Travel to SDNY for Oral Argument on City motion (.5)	0.25
3/29/2012	JLN	Revised and help draft proposed AEO stip w/ GC and JF for City	0.8
3/29/2012	GMC	Revised and help draft proposed AEO stip w/JN and JF for City	0.8

3/29/2012	JPF	Revised and help draft proposed AEO stip w/JN and GC for City	0.8
03/30/12	GMC	Emailed proposed AEO stip to the City	0.10
03/30/12	JLN	E-mailed proposed AEO stip to the City	0.10
3/30/2012	JLN	Discussion with GC and JF re: filing motion to amend and discovery issues	0.6
3/30/2012	JPF	Discussion with JN and GC re: filing motion to amend and discovery issues	0.5
3/30/2012	GMC	Discussion with JN and JF re: filing motion to amend and discovery issues	0.5
3/30/2012	JLN	Meeting w/ JF & GC re AEO changes	0.6
3/30/2012	JPF	Meeting w/ JN & GC re AEO changes	0.6
3/30/2012	GMC	Meeting w/ JN & JF re AEO changes	0.6
3/30/2012	GMC	Final review of proposed AEO stip	0.3
3/30/2012	JLN	Final review of proposed AEO stip	0.3
03/30/12	JPF	Email from City re IAB docs & extending time to produce	0.25
03/30/12	JLN	E-mail from City re: IAB docs and extending time to produce	0.10
04/02/12	JPF	Email from Bernier consenting to amendment	0.10
04/02/12	JLN	E-mail from Bernier consenting to amendment	0.10
04/02/12	JPF	Email from Isacov consenting to amendment	0.10
04/02/12	JLN	E-mail from Isakov consenting to amendment	0.10
04/04/12	JPF	Email from JHMC	0.10
04/04/12	JPF	Email from JHMC	0.10
04/04/12	JPF	Email to JHMC	0.10
04/04/12	JPF	Email from JHMC re change in amended language	0.10
04/04/12	JLN	E-mail from JHMC regarding change in amended language	0.10
04/04/12	JPF	Email to City re updated version of proposed Amended Complaint	0.10
04/05/12	JLN	E-mail from City stating reasons why they oppose amendment to complaint	0.10
4/5/2012	JLN	Review & discuss w/ JF & GC plaintiff's responses to City demands	0.8
4/5/2012	GMC	Review & discuss w/ JN & JF plaintiff's responses to City demands	0.8
4/5/2012	JPF	Review and discuss w/ JN & GC plaintiff's responses to City demands	0.8
04/05/12	JPF	Email from City stating reasons why they oppose amendment to Complaint	0.25
04/05/12	JLN	E-mail from City stating reasons why they oppose amendment to complaint	0.10
04/09/12	JLN	E-mail correspondence w/GC re: discovery responses	0.10
04/09/12	GMC	Email correspondence w/JN re: discovery responses	0.10
04/10/12	GMC	Email re: Schoolcraft arrival to NYC	0.10
04/10/12	JLN	E-mail re: Schoolcraft arrival to NYC	0.10



4/10/2012	JLN	Meeting w/ AS re: case status general strategy next steps for moving forward	4.6
4/10/2012	GMC	Meeting w/ AS	4.6
4/10/2012	JPF	Meeting w/ AS	4.6
04/13/12	GMC	Email from plaintiff re 1st Amendment claim	0.10
04/13/12	JPF	Email from plaintiff re 1st Amendment claim	0.10
04/13/12	JLN	E-mail from plaintiff re 1st Amendment claim	0.10
4/13/2012	JLN	Discussion with GC and JF re: Matthews decision	0.6
4/13/2012	JPF	Discussion with JN and GC re: Matthews decision	0.6
4/13/2012	GMC	Discussion with JN and JF re: Matthews decision	0.6
04/13/12	JPF	Review of Decision in Matthews 1st Amendment case from Judge Jones	0.60
04/13/12	GMC	Review of Matthews decision	0.60
04/19/12	JPF	Email correspondence to City correcting Lt. Gough for Amended complaint	0.10
04/24/12	GMC	Email correspondence to City correcting Lt. Gough for Amended Complaint	0.10
04/25/12	JPF	Email from City on Vallone subpoena extension	0.10
04/25/12	GMC	Email from City re: Vallone and Vans subpoenas	0.10
4/25/2012	JLN	Discussion with re: edits/changes to 1st Amendment letter	0.75
4/25/2012	JPF	Discussion with JN re: edits/changes to 1st Amendment letter	0.75
04/30/12	JLN	E-mail from JF to City re additions to protective order	0.10
04/30/12	JPF	Email from JN to City re additions to protective order	0.10
4/30/2012	JLN	Discussion w/ JF re NY Times alteration to protective order	0.3
4/30/2012	JPF	Discussion w/ JN and GC re NY Times alteration to protective order	0.3
4/30/2012	GMC	Discussion w/ JN and JF re NY Times alteration to protective order	0.3
5/1/2012	JLN	Discussions w/ JF re City's request for affidavits & deposition for confidentiality breach	0.4
5/1/2012	JPF	Discussions w/ JN and GC re City's request for affidavits & deposition for confidentiality breach	0.4
5/1/2012	GMC	Discussions w/ JN and JF re City's request for affidavits & deposition for confidentiality breach	0.4
05/02/12	JPF	Email from JN to City re confidentiality and discovery issues	0.10
05/02/12	JLN	E-mail to JF to City re confidentiality and discovery issues	0.10
5/3/2012	JLN	Discussion w/ GC & JF re Affidavits and Conf. Stip AEO	0.75
5/3/2012	JPF	Discussion w/ GC & JN re Affidavits and conf. stip AEO	0.75
5/3/2012	GMC	Discussion w/ JF & JN re Affidavits and conf. stip AEO	0.75
5/8/2012	JLN	Discussion w/ JF and GC re argument on 1st Amendment claim	0.6
5/8/2012	JPF	Discussion w/ JN and GC re argument on 1st Amendment claim	0.6
5/8/2012	GMC	Discussion w/ JN and JF re argument on 1st Amendment claim	0.6

5/9/2012	JLN	Attended Argument on 1st Amendment claim	1
5/9/2012	JPF	Attended Argument on 1st Amendment claim	1
5/9/2012	GMC	Attended Oral Argument on 1st Amendment claim	1
5/9/2012	GMC	Travel from SDNY for Argument on 1st Amendment claim (.5)	0.25
5/9/2012	GMC	Travel to SDNY for Argument on 1st Amendment claim (.5)	0.25
5/9/2012	JPF	Travel from SDNY for Argument on 1st Amendment claim (.5)	0.25
5/9/2012	JPF	Travel to SDNY for Argument on 1st Amendment claim (.5)	0.25
05/11/12	JPF	Read and review of defendant's letter to quash and discussion w/ GC & JN	2.10
05/11/12	GMC	Read and review of defendant's letter to quash and discussion w/ JF & JN	2.10
05/11/12	JLN	Read defendant's motion to quash and discussion w/ GC & JF re: same	2.10
5/16/2012	JLN	Discussion w/ JF and GC re opp to defendant's motion to quash	0.6
5/16/2012	JPF	Discussion w/ JN and GC re opp to defendant's motion to quash	0.6
5/16/2012	GMC	Discussion w/ JN and JF re opp to defendant's motion to quash	0.6
05/17/12	GMC	Review and discuss City New York Times opp Jetter w/ JN & JF	0.40
05/17/12	JLN	Review and discuss City New York Times opp letter w/ JF & GC	0.40
05/17/12	JPF	Review and discuss City New York Times opp letter w/ JN & GC	0.40
05/17/12	JLN	Discussion w/GC and JF re: AS breach affidavit	0.70
05/17/12	JPF	Discussion w/JN and GC re: AS breach affidavit	0.75
05/17/12	GMC	Discussion w/JN and JF re: AS breach affidavit	0.75
5/22/2012	JLN	Discussion w/ JF & GC re defendant's letter re Vallone subpoena	0.6
5/22/2012	JPF	Discussion w/ JN & GC re defendant's letter re Vallone subpoena	0.6
5/22/2012	GMC	Discussion w/ JN & JF re defendant's letter re Vallone subpoena	0.6
5/23/2012	JPF	Discussion w/ JN & GC re: defendant's letter re subpoena	0.6
5/23/2012	GMC	Discussion w/ JN & JF re defendant's letter re subpoena	0.6
5/23/2012	JPF	Prep for argument w/ GC & JN	1
5/23/2012	JLN	Prep for argument w/ JF & GC	1
5/23/2012	GMC	Prep for argument w/ JF & JN	1
5/23/2012	GMC	Travel from SDNY for motion to quash (.5)	0.25
5/23/2012	GMC	Travel to SDNY for motion to quash (.5)	0.25
05/24/12	GMC	Review of NOA-Walter Kretz ("WK")	0.10

05/24/12	JLN	Notice of Appearance by Walter Kretz, behalf of Mauriello; Google search re: Kretz	0.20
5/25/2012	JPF	Read and review NY Times response to Pubichas letter	0.25
5/25/2012	GMC	Read and review NY Times response to SP letter	0.25
5/31/2012	JPF	Meeting w/JN and GC re: City conf. Stips	0.9
5/31/2012	GMC	Meeting w/JN and JF re: City conf. Stips	0.9
06/04/12	JPF	Letter from Kretz re discovery	0.10
06/04/12	GMC	Review of WK correspondence re: discovery	0.10
06/05/12	GMC	Review of email correspondence between SP and Times	0.10
06/05/12	JLN	Review of E-mail correspondence between SP and Times	0.10
06/06/12	JPF	Email from defendants re inventory	0.10
06/06/12	GMC	Review of email correspondence between SP and Times	0.10
06/06/12	JLN	Review of E-mail correspondence between SP and Times	0.10
06/07/12	GMC	Review of email correspondence between SP and Times	0.10
06/07/12	JLN	E-mail exchange w/GC re: changes to AEO stip	0.10
06/07/12	JPF	Email from NY Times re inventory	0.10
06/08/12	JLN	E-mail from GC to SP re: redlined changes to proposed Stip.	0.10
06/08/12	JPF	Email from Lee re docs in response to subpoenas outstanding	0.10
06/08/12	GMC	Email re: subpoenaed docs	0.10
06/08/12	GMC	Emailed stip to SP with revisions in track changes	0.10
06/08/12	JPF	Read and review of Times letter re inventory	0.10
06/08/12	JLN	Read ltr from NYT counsel re: inventory of confidential materials for	0.10
06/08/12	GMC	Review of correspondence with NY Times and SP re: Schoolcraft materials	0.10
6/14/2012	JLN	Meet with GC and JF to discuss motion for reconsideration on 1st amendment claim	0.75
6/14/2012	JPF	Meet with JN and GC to discuss motion for reconsideration on 1st amendment claim	0.75
6/14/2012	GMC	Meet with JN and JF to discuss motion for reconsideration on 1st amendment claim	0.75
6/19/2012	GMC	Meeting w/ Schoolcraft in Johnstown	4.8
6/19/2012	JLN	Meeting with Schoolcraft in Johnstown	4.8
6/19/2012	JPF	Meeting w/ Schoolcraft in Johnstown	4.8
6/19/2012	GMC	Travel to Johnstown (3.5)	1.75
6/19/2012	JLN	Travel to Johnstown (3.5)	1.75
6/19/2012	JPF	Travel to Johnstown (3.5)	1.75
6/19/2012	JLN	Travel back to NYC from Johnstown (3.5)	1.75
6/19/2012	JPF	Travel back to NYC from Johnstown (3.5)	1.75
6/19/2012	GMC	Travel back to NYC from Johnstown (3.5)	1.75
06/21/12	GMC	Email correspondence w/JN and JF re Schoolcraft issues	0.25

06/21/12	JLN	E-mail correspondence w/GC and JF re Schoolcraft	0.20
07/09/12	JPF	Email from City on relevancy redaction issue	0.10
07/09/12	JPF	Email to City re redaction issue	0.10
07/13/12	JPF	Email from City regarding tax return authorizations	0.10
07/13/12	JLN	E-mail from City regarding tax return authorizations	0.10
07/17/12	JLN	E-mail w/GC re: upcoming meeting in Albany with Schoolcrafts	0.10
07/17/12	GMC	Email w/JN re: meeting in Albany with Schoolcrafts	0.10
7/23/2012	JLN	Discussion w/ GC & JF re: upcoming meeting w/ Schoolcrafts in Albany	0.3
7/23/2012	JPF	Discussion w/ GC & JN re meeting w/ Schoolcrafts in Albany	0.3
7/23/2012	GMC	Discussion w/ JF & JN re meeting w/ Schoolcrafts in Albany	0.3
07/24/12	JLN	E-mail from JF re Albany meeting w/ Schoolcrafts	0.10
07/24/12	JPF	Email to JN re Albany meeting w/ Schoolcrafts	0.10
7/28/2012	JLN	Discussion w/ JF & GC re motion to amend to add prior restraint	0.6
7/28/2012	JPF	Discussion w/ JN & GC re motion to amend to add prior restraint	0.6
7/28/2012	GMC	Discussion w/ JN & JF re motion to amend to add prior restraint	0.6
8/8/2012	JLN	Meeting w/ JF & GC re: upcoming meeting w/ AS in Albany for prep	1.3
8/8/2012	JPF	Meeting w/ JN & GC re meeting w/ AS in Albany for prep	1.3
8/8/2012	GMC	Meeting w/ JN & JF re meeting w/ AS in Albany for prep	1.3
8/8/2012	JLN	Review of final stips	0.5
8/8/2012	GMC	Review of final stips	0.5
08/08/12	JLN	Printed out docs to go over with Adrian	0.20
08/08/12	GMC	Printed out docs to go over with Adrian	0.25
8/9/2012	GMC	Meeting w/AS in Albany	5.75
8/9/2012	JLN	Meeting w/AS in Albany	5.75
8/9/2012	JPF	Meeting w/ AS in Albany	5.75
08/09/12	JLN	Meeting with Client in Albany with GC & JF	5.50
8/9/2012	JLN	Traveled from Albany back to NYC (3.0)	1.5
8/9/2012	GMC	Traveled from Albany back to NYC (3.0)	1.5
8/9/2012	JPF	Traveled from Albany back to NYC (3.0)	1.5
8/9/2012	JLN	Traveled to Albany to meet Client (3.0)	1.5
8/9/2012	GMC	Traveled to Albany to meet Client (3.0)	1.5
8/9/2012	JPF	Traveled to Albany to meet Client (3.0)	1.5
08/10/12	JLN	E-mail from JF re extension of discovery	0.10
08/10/12	JPF	Email from JN re extension of discovery	0.10
08/10/12	JLN	E-mail to JF re extension of discovery	0.10
08/10/12	JPF	Email from JN re plaintiff's dep	0.10
08/10/12	JLN	E-mail to JF re plaintiff's dep	0.10

08/10/12	JLN	E-mail w/GC re Schoolcraft breach affidavit	0.10
08/10/12	GMC	Email w/JN re Schoolcraft breach affidavit	0.10
08/10/12	JPF	Response email re deposition from Greg R.	0.10
08/10/12	JLN	Response E-mail regarding deposition from Greg R.	0.10
08/10/12	JLN	E-mail correspondence re: extension of discovery	0.20
08/10/12	GMC	Email correspondence re: extension of disco	0.25
08/13/12	JPF	Email from Brian Lee re deposition	0.10
08/13/12	JLN	E-mail from Brian Lee regarding deposition	0.10
08/13/12	GMC	Review of email from SP re: scheduling AS depo	0.10
08/13/12	JLN	Review of E-mail from SP re: scheduling AS depo	0.10
08/14/12	JPF	Email from Brady re depositions	0.10
08/14/12	JLN	E-mail from Brady re depositions	0.10
08/14/12	JLN	E-mail from JF re letter to City w/ tax authorizations	0.10
08/14/12	JPF	Email from JN re letter to City w/ tax authorizations	0.10
08/14/12	JPF	Email from JN re plaintiff's dep	0.10
08/14/12	JLN	E-mail to JF re plaintiff's dep	0.10
08/14/12	JLN	Review of correspondence re Tax returns	0.10
08/14/12	GMC	Review of correspondence re Tax returns	0.10
08/14/12	JLN	Drafted letter to defense counsel re: Schoolcraft tax returns	0.10
08/15/12	GMC	Email correspondence re: Schoolcraft deposition	0.10
08/15/12	JPF	Email from B Brady re plaintiff's dep	0.10
08/15/12	JLN	E-mail from B Brady re plaintiff's dep	0.10
08/15/12	JLN	E-mail from B. Lee re plaintiff's dep	0.10
08/15/12	JPF	Email from B: Lee re plaintiff's dep	0.10
08/15/12	JPF	Email from Brian Lee re subpoenaed docs	0.10
08/15/12	JLN	E-mail from Brian Lee re subpoenaed docs	0.10
08/16/12	JPF	Email from City re plaintiff's dep	0.10
08/16/12	JLN	E-mail from City re plaintiff's dep	0.10
08/16/12	JPF	Email from JN re plaintiff's dep	0.10
08/16/12	JLN	E-mail to JF re plaintiff's dep	0.10
8/16/2012	JLN	Discussion w/ JF & GC re City's suggestion on multiple depositions of AS & best way to oppose same.	0.7
8/16/2012	JPF	Discussion w/ JN & GC re City's suggestion on multiple dates for depositions	0.75
8/16/2012	GMC	Discussion w/ JN & JF re City's suggestion on multiple dates for depositions	0.75
08/20/12	JLN	Review of E-mail from JF to City re amendment adding Lt. Hanlon	0.10
08/20/12	JPF	Review of email from JN to City re amendment adding Hanlon	0.10
8/20/2012	JLN	Discussion w/ JF & GC re amendment of the complaint to add Lt. Hanlon	0.6

8/20/2012	JPF	Discussion w/ JN & GC re additional amendment of the complaint to add Hanlon	0.6
8/20/2012	GMC	Discussion w/ JN & JF re additional amendment of the complaint to add Hanlon	0.6
8/20/2012	JLN	Discussion w/ JF re AS dep prep	0.4
8/20/2012	JPF	Discussion w/ JN re AS dep prep	0.4
08/21/12	GMC	Email from Brady consenting to Amendment	0.10
08/21/12	JPF	Email from Brady consenting to Amendment	0.10
08/21/12	JLN	E-mail from Brady consenting to Amendment	0.10
08/21/12	GMC	Email from Brady re scheduling AS dep	0.10
08/21/12	JPF	Email from Brady re scheduling AS dep	0.10
08/21/12	JLN	E-mail from Brady re scheduling AS dep	0.10
08/21/12	GMC	Email from City requesting copy of complaint	0.10
08/21/12	JPF	Email from City requesting copy of complaint	0.10
08/21/12	JLN	E-mail from City requesting copy of complaint	0.10
08/21/12	GMC	Email from Lee consenting	0.10
08/21/12	JPF	Email from Lee consenting	0.10
08/21/12	GMC	Email from Lee re scheduling AS dep	0.10
08/21/12	JPF	Email from Lee re scheduling AS dep	0.10
08/21/12	GMC	Email to City w/ Amended Complaint	0.10
08/21/12	JPF	Email to City w/ Amended Complaint	0.10
08/22/12	GMC	Email from City re AS dep date	0.10
08/22/12	JPF	Email from City re AS dep date	0.10
08/22/12	JLN	E-mail from City re AS dep date	0.10
08/22/12	JLN	E-mail from GC re dep dates	0.10
08/22/12	GMC	Email from Greg Rad re AS dep	0.10
08/22/12	JPF	Email from Greg Rad re AS dep	0.10
08/22/12	GMC	Email from JN re dep dates	0.10
08/22/12	JPF	Email from JN re dep dates	0.10
08/22/12	GMC	Email from Kretz re AS dep date	0.10
08/22/12	JPF	Email from Kretz re AS dep date	0.10
08/22/12	GMC	Email from Lee re AS dep date	0.10
08/22/12	JPF	Email from Lee re AS dep date	0.10
8/22/2012	JLN	Meeting w/ GC & JF re Kretz's request to have an additional day to depose plaintiff	0.4
8/22/2012	JPF	Meeting w/ GC & JN re Kretz's request to have an additional day to depose plaintiff	0.4
8/22/2012	GMC	Meeting w/ JF & JN re Kretz's request to have an additional day to depose plaintiff	0.4
08/23/12	GMC	Email from Brady re plaintiff's dep date	0.10
08/23/12	JPF	Email from Brady re plaintiff's dep date	0.10
08/23/12	GMC	Email from Lee on plaintiff's dep dates	0.10

08/23/12	JPF	Email from Lee on plaintiff's dep dates	0.10
08/23/12	GMC	Email from Lee re second day for AS dep	0.10
08/23/12	JPF	Email from Lee re second day for AS dep	0.10
08/28/12	JLN	E-mail from GC re Chief article	0.10
08/28/12	JPF	Email from GC re Chief article	0.10
08/28/12	GMC	Email JN and JF re Chief article	0.10
08/28/12	JLN	E-mail from JF to defendants enclosing responses to discovery	0.10
08/28/12	GMC	Email from JN to defendants enclosing responses to discovery	0.10
08/28/12	JPF	Email from JN to defendants enclosing responses to discovery	0.10
08/29/12	JPF	Email 2 & 3 from JN re discovery to defendants	0.10
08/29/12	GMC	Email 2 & 3 from JN re discovery to defendants	0.10
08/29/12	GMC	Email from JN to defendants enclosing discovery	0.10
08/29/12	JPF	Email from JN to defendants enclosing discovery	0.10
8/29/2012	GMC	Meeting w/ JF & JN re: City's Suppl. Disclosure & the need for us to depose at least 5 of the 9 new witnesses identified by City & other gen. strategy issues for advancing discovery	0.8
8/29/2012	JPF	Meeting. w/ JN & GC re: City's Suppl. Disclosure & the need for us to depose at least 5 of the 9 new witnesses identified by City & other gen.strategy issues for advancing discovery	0.8
8/29/2012	JLN	Mtg. w/ JF & GC re: City's Suppl. Disclosure & the need for us to depose at least 5 of the 9 new witnesses identified by City & other gen.strategy issues for advancing discovery	0.8
09/10/12	JLN	E-mail from GC re 120 day extension of discovery deadline	0.10
09/10/12	JLN	E-mail from JF re 120 extension of discovery deadline	0.10
09/10/12	GMC	Email from JN re 120 day extension of discovery	0.10
09/10/12	JPF	Email from JN re 120 extension of discovery	0.10
09/10/12	JLN	E-mail to JF re 120 extension of discovery deadline	0.10
09/10/12	GMC	Email response from Brady	0.10
09/10/12	JPF	Email response from Brady	0.10
09/10/12	GMC	Email response from City	0.10
09/10/12	JPF	Email response from City	0.10
09/10/12	GMC	Email response from Greg Rad	0.10
09/10/12	JPF	Email response from Greg Rad	0.10
09/10/12	GMC	Email response from Kretz	0.10
09/10/12	JPF	Email response from Kretz	0.10
09/10/12	GMC	Email response from Lee	0.10
09/10/12	JPF	Email response from Lee	0.10
09/10/12	GMC	Email to City re Hanlon amend	0.10
09/10/12	JPF	Email to City re Hanlon amend	0.10

09/10/12	GMC	Response from City on Hanlon amend	0.10
09/10/12	JPF	Response from City on Hanlon amend	0.10
09/10/12	JLN	Response from City on Hanlon amend; notes re: same	0.10
09/10/12	GMC	Read and review Opinion & Order from Sweet on plaintiff's motion to amend	0.75
09/10/12	JPF	Read and review Opinion & Order from Sweet on plaintiff's motion to amend	1.25
09/24/12	JPF	Email from City	0.10
09/24/12	JLN	E-mail from City re: amended complaint	0.10
09/24/12	JLN	E-mail response from Kretz	0.10
09/24/12	JPF	Email response to Kretz & City	0.10
09/24/12	JLN	E-mail response to Kretz & City	0.10
09/24/12	JPF	Email to defendants re service of amended complaint	0.10
09/24/12	JLN	E-mail to defendants re service of amended complaint	0.10
09/24/12	JPF	Response from B Lee	0.10
09/24/12	JPF	Response from Greg R	0.10
09/24/12	JPF	Response from Kretz	0.10
09/24/12	JPF	Response from Kretz	0.10
9/24/2012	JLN	Meeting w/GC and JF to discuss City deficiency letter and AS dep prep	1.75
9/24/2012	JPF	Meeting w/JN and GC to discuss City deficiency letter and AS dep prep	1.75
9/24/2012	GMC	Meeting w/JN and JF to discuss City deficiency letter and AS dep prep	1.75
09/24/12	GMC	Email from City re service of amended complaint, Lauderborn dep, & discovery deficiencies	0.50
09/24/12	JPF	Email from City re service of amended complaint, Lauderborn dep, & discovery deficiencies	0.50
09/25/12	JPF	Email from Greg R re Lauderborn dep	0.10
09/25/12	JLN	E-mail from Greg R re Lauderborn dep	0.10
9/25/2012	JLN	Meeting w/ AS & GC & JF re dep prep	2.9
9/25/2012	JPF	Meeting w/ AS & GC & JN re dep prep	2.9
9/25/2012	GMC	Meeting w/ AS & JF & JN re dep prep	2.9
9/25/2012	JLN	Prep AS for his dep	3.5
9/25/2012	GMC	Prep AS for his dep	3.5
09/26/12	GMC	Brady email re: service of process	0.10
09/26/12	JLN	Brady E-mail re: service of process	0.10
09/26/12	JLN	E-mail from JF adjourning dep of AS	0.10
09/26/12	JPF	Email from JN adjourning dep of AS re: medical issues he was having	0.10
09/26/12	JPF	Email from Kretz re Lauderborn dep	0.10
09/26/12	JLN	E-mail from Kretz re Lauderborn dep	0.10



09/26/12	JPF	Response email from B Brady re service of amended complaint	0.10
09/26/12	JPF	Response from B Lee	0.10
09/26/12	JLN	Response from B Lee re: adj.	0.10
09/26/12	JPF	Response from Kretz	0.10
09/26/12	JLN	Response from Kretz re: adj.	0.10
09/26/12	JLN	Review of E-mail from GC adjourning AS dep	0.10
09/26/12	GMC	Review of email from JN adjourning AS dep	0.10
09/26/12	JLN	E-mail to JF adjourning dep of AS	0.10
9/26/2012	JLN	Meeting w/ JF & GC & AS re adjorning dep due to father's medical emergency	0.6
9/26/2012	JPF	Meeting w/ JN & GC & AS re adjorning dep due to father's medical emergency	0.6
9/26/2012	GMC	Meeting w/ JN & JF & AS re adjorning dep due to father's medical emergency	0.6
09/27/12	JPF	Response from City	0.10
09/27/12	JPF	Response from Greg R	0.10
10/11/2012	JLN	Meeting with JF, GC, AS before depo	0.5
10/11/2012	GMC	Meeting with JN, JF, AS before depo	0.5
10/11/2012	JPF	Meeting with JN, GC, AS before depo	0.5
10/12/12	JPF	Email from JN re photos used @ AS dep	0.10
10/12/12	JLN	E-mail to JF re photos used at AS dep	0.10
10/12/12	JPF	Email from JN to City re allowing AS access to QAD report	0.10
10/12/12	JLN	Email to JF to City re allowing AS access to QAD report	0.10
10/15/2012	JPF	Meeting w/JN & GC re: Marino's IAB interview & inconsistencies w/claims in UF 49 & Halloween Night recording	1.2
10/15/2012	GMC	Meeting w/JN & JF re: Marino's IAB interview & inconsistencies w/claims in UF 49 & Halloween Night recording	1.2
10/15/2012	JLN	Mtg w/GC & JF re: Marino's IAB interview & inconsistencies w/claims in UF 49 & Halloween Night recording	1.2
10/17/2012	JLN	Dicussion w/ GC & JF re City's refusal to allow AS to see QAD file	0.4
10/17/2012	JPF	Dicussion w/ GC & JN re City's refusal to allow AS to see QAD file	0.4
10/17/2012	GMC	Dicussion w/ JF & JN re City's refusal to allow AS to see QAD file	0.4
10/17/2012	JPF	Meeting w/JN & GC re: City's privilege claims and possible arguments/motions to defeat such claims highlights of Lauterborn interview & inconsistencies w/ Marino & home invasion recording	3.3
10/17/2012	GMC	Meeting w/JN & JF re: City's privilege claims and possible arguments/motions to defeat such claims highlights of Lauterborn interview & inconsistencies w/Marino & home invasion recording	3.3

10/17/2012	JLN	Mtg w/JF & GC re: City's privilege claims and possible arguments/motions to defeat such claims highlights of Lauterbom interview & inconsistencies w/Marino & home invasion recording	3.3
10/18/12	GMC	Review of email from B Lee asking that plaintiff withdraw opp to extra day of dep for AS	0.10
10/18/12	JPF	Review of email from B Lee asking that plaintiff withdraw opp to extra day of dep for AS	0.10
10/18/2012	GMC	Meeting w/JF & JN re: City's Deliberative Process and Grand Jury privilege claims and best strategy for defeating same.	1.2
10/18/2012	JPF	Meeting w/JN & GC re: City's Deliberative Process and Grand Jury privilege claims and best strategy for defeating same.	1.2
10/18/2012	JLN	Mtg w/JF & GC re: City's Deliberative Process and Grand Jury privilege claims and best strategy for defeating same.	1.2
10/20/2012	GMC	Phone call w/JN & JF re: P.O. Nowacki acknowledging quota (15 c's per month) at 81 & possibly serving non-party subpoena on her for dep and discovering other possible w's at 81 re summons quota	0.9
10/20/2012	JLN	T/c w/GC & JF re: P.O. Nowacki acknowledging quota (15 c's per month) at 81 & possibly serving non-party subpoena on her for dep and discovering other possible w's at 81 re summons quota	0.9
10/24/2012	GMC	Travel from SDNY for conference re: trial date (.5)	0.25
10/24/2012	GMC	Travel from SDNY for conference re: trial date (.5)	0.25
11/02/12	GMC	Email from JN re: Schoolcraft phone numbers	0.10
11/02/12	JLN	E-mail to GC re: Schoolcraft phone numbers	0.10
11/2/2012	GMC	Review of case law sent by Lee re: medical defendants liability	0.4
11/2/2012	JLN	Review of case law sent by Lee re: medical defendants' liability	0.4
11/07/12	JLN	E-mail w/GC re: service of newly named defendants	0.10
11/07/12	GMC	Email w/JN re: service of newly named defendants	0.10
11/7/2012	GMC	Travel from SDNY for conference re: trial date (.5)	0.25
11/7/2012	GMC	Travel from SDNY for conference re: trial date (.5)	0.25
11/13/12	GMC	Correspondence from City re rep of AS	0.10
11/13/12	JPF	Correspondence from City re rep of AS	0.10
01/23/15	JPF	Call w/GC and JN about taking over case again	0.80
01/23/15	GMC	Call w/JN and JF about taking over case again	0.80
01/23/15	JLN	F/u call w/GC and JF about taking over case again	0.80
02/02/15	JPF	Discussion w/ GC & JN re representing AS again for trial	1.30
02/02/15	GMC	Discussion w/ JF & JN re representing AS again for trial	1.30
02/02/15	JLN	Further discussion w/ GC & JF rejoining team to represent AS for trial	1.30
02/04/15	JLN	Discussion w/ JF & GC re scheduling a meeting w/ Nat Smith ("NS") to discuss case status and trial prep	0.25

02/04/15	JPF	Discussion w/ JN & GC re scheduling a meeting w/ Nat Smith ("NS") to discuss case status and trial prep	0.25
02/04/15	GMC	Discussion w/ JN & JF re scheduling a meeting w/ NS to discuss case status and trial prep	0.25
02/04/15	GMC	Review of email from AS re: QAD memo from Sgt. Scott	0.40
02/04/15	JLN	Review of E-mail from AS re: QAD memo from Sgt. Scott	0.40
02/04/15	JPF	Phone call w JN and GC re: pending trial strategy and misc. evidentiary issues, and setting up meetng to discuss same in greater detail	0.90
02/04/15	GMC	Phone call w JN and JF re: pending trial strategy and misc.evidentiary issues, and setting up meetng to discuss same in greater detail	0.90
02/04/15	JLN	T/c GC & JF re: pending trial strategy and misc.evidentiary issues, and setting up meetng to discuss same in greater detail	0.90
2/5/2015	JLN	T/c w. GC re: updates on discussion with Nat Smith, records and transcripts provided by Adrian and goal to streamline case for trial	0.5
2/5/2015	GMC	Phone call w. JN re: updates on discussion with Nat Smith, records and transcripts provided by Adrian and goal to streamline case for trial	0.5
2/9/2015	JLN	T/c GC re: issues that came up in Adrian's Dep and Larry's Dep and possible motions in limine	0.4
2/9/2015	GMC	Phone call JN re: issues that came up in Adrian's Dep and Larry's Dep and possible Miotions in Limine	0.4
02/10/15	JLN	E-mail correspondence w/AS, GC re: Defendants request to adjourn trial	0.20
02/10/15	JLN	E-mail correspondence w/AS, GC re: Defendants request to adjourn trial	0.20
02/10/15	GMC	Email correspondence w/AS, JN re: Defendants request to adjourn trial	0.25
02/10/15	JLN	Meeting w/ GC & JF regarding global trial strategy, witnesses to be called (or not called), exhibits to use, Rule 68 offer and next steps for moving forward.	3.50
02/10/15	JPF	Meeting w/ GC & JN regarding global trial strategy, witnesses to be called (or not called), exhibits to use, Rule 68 offer and next steps for moving forward.	3.50
02/10/15	GMC	Meeting w/ JN & JF regarding global trial strategy, witnesses to be called (or not called), exhibits to use, Rule 68 offer and next steps for moving forward.	3.50
02/11/15	GMC	Review of email from AS	0.10
02/11/15	JLN	Review of E-mail from AS regarding trial	0.10
2/11/2015	JLN	Review of witness/exhibit list from JF and discuss with GC	1.3
2/11/2015	JPF	Review of witness/exhibit list from JN and discuss with GC	1.3

2/11/2015	GMC	Review of witness/exhibit list from JN and discuss with JF	1.3
02/13/15	JLN	Review of letter by Ryan Shaffer requesting more time for reply and 2 week adjournment of trial	0.10
02/13/15	GMC	Review of letter by Ryan Shaffer requesting more time for reply and 2 week adjournment of trial	0.10
02/13/15	JLN	Review of order setting trial date to April 20, 2015	0.10
02/13/15	GMC	Review of order setting trial date to April 20, 2015	0.10
2/13/2015	JLN	Meeting w/GC to discuss which witnesses I would be responsible for at trial; general trial strategy	1.3
2/13/2015	GMC	Meeting w/JN to discuss which witnesses I would be responsible for at trial	1.3
02/17/15	GMC	Review of deposition exhibits	3.75
02/17/15	JPF	Review of deposition exhibits & depositions - Mauriello	3.75
2/18/2015	JLN	T/c GC regarding meeting for Friday, important testimony from PAA Boston and issues to cover in the plaintiffs direct (re: downgrading and MIL regarding Johnstown Social Services)	0.6
2/18/2015	GMC	Phone call JN regarding meeting for Friday, important testimony from PAA Boston and issues to cover in the plaintiffs direct (re: downgrading and MIL regarding Johnstown Social Services)	0.6
2/19/2015	JLN	T/c GC regarding best and worst pts from Huffman, Adrian's handling of downgrading issue at his deposition, fit for duty reports, and general issues that might come up at tomorrow's meeting	0.5
2/19/2015	GMC	Phone call JN regarding best and worst PTS from Huffman, Adrian's handling of downgrading issue at his deposition, fit for duty reports, and general issues that might come up at tomorrows meeting	0.5
02/19/15	JLN	E-mailed GC summary of deposition section and noted it for prep of AS at trial	0.30
02/19/15	GMC	Emailed JN summary of deposition section and noted it for prep of AS at trial	0.30
02/19/15	GMC	Phone call JN regarding best and worst PTS from Huffman, Adrian's handling of downgrading issue at his deposition, fit for duty reports, and general issues that might come up at tomorrows meeting	0.50
02/19/15	JLN	T/c GC regarding best and worst pts from Huffman, Adrian's handling of downgrading issue at his deposition, fit for duty reports, and general issues that might come up at tomorrow's meeting	0.50
02/20/15	GMC	Phone call JN regarding summary of today's meeting	0.20
02/20/15	JLN	T/c GC regarding summary of today's meeting	0.20
02/20/15	JPF	Meeting w/ JN and GC before meeting with Nat Smith to discuss how we are going to proceed at meeting	1.00
02/20/15	GMC	Meeting w/ JN and JF before meeting with Nat Smith to discuss how we are going to proceed at meeting	1.00

02/20/15	JLN	Meeting with GC & JF prior to today's meeting with NS to go over legal issues to discuss	1.00
02/20/15	JLN	Meeting w/ NS and JL regarding overall trial strategy and specific evidentiary issues and motions <i>in limine</i> , verdict sheet and <u>Monell</u> theories against JHMC and the City and allocation of trial responsibilities	3.50
02/20/15	GMC	Meeting w/ TEAM to discuss trial strategy, division of Labor, motions	3.50
02/20/15	JPF	Meeting w/ TEAM to discuss trial strategy, division of labor, motions	3.50
2/24/2015	GMC	Discussion with JF re: Huffman cross	0.75
2/24/2015	JPF	Discussion with GC re: Huffman cross	0.75
02/24/15	JLN	E-mail to JF re motion <i>in limine</i> issues to be covered	0.20
02/24/15	JPF	Email from JN re motion in lim issues to be covered	0.25
02/24/15	JPF	Discussion with GC re: Huffman cross	0.75
02/24/15	GMC	Discussion with JF re: Huffman cross	0.75
02/25/15	JLN	E-mail correspondence re: major points for Valenti w/GC	0.30
02/25/15	GMC	Email correspondence re: major points to hit with Valenti	0.30
2/26/2015	JLN	T/c GC regarding plaintiff's conversation with Huffman, recording of same and making transcripts of other recordings.	0.4
2/26/2015	GMC	Phone call with JN regarding plaintiff's conversation with Huffman, recording of same and making transcripts of other recordings.	0.4
2/26/2015	GMC	Discussion with JF re: Valenti exmanination	0.5
2/26/2015	JPF	Discussion with GC re: Valenti examination	0.5
02/26/15	JLN	Phone call w/GC and Merry Soeto re: IAB and DAO recording	0.30
02/26/15	GMC	Phone call w/JN and Merry Soeto re: IAB and DAO recording	0.30
02/26/15	JLN	Meeting w/GC and JF re: outstanding items we need from trial from NS	1.10
02/26/15	JPF	Meeting w/JN and GC re: outstanding items we need from trial from NS	1.10
02/26/15	GMC	Meeting w/JN and JF re: outstanding items we need from trial from NS	1.10
02/26/15	JLN	E-mail conespodence w/NS and GC re: IAB recorded interviews	0.20
02/26/15	GMC	Email correspondence w/NS and JN re: IAB recorded interviews	0.25
2/27/2015	JLN	T/c with JF regarding following up with NS, IAB v. DAT transcripts, calling additional witnesses like Nelson and Valenti and Yeager	0.6

2/27/2015	JPF	Phone call with JN regarding following up with Smith, IAB v. DAT transcripts, calling additional witness's like Nelson and Valenti and Yeager	0.6
02/27/15	JLN	E-mail conespondence with NS and GC re: dep summaries, index of all exhibits, potential trial exhibits	0.40
02/27/15	GMC	Email correspondence with NS and JN re: dep summaries, index of all exhibits, potential trial exhibits	0.40
03/03/15	GMC	Phone call JN regarding IAB tapes, strategy for plaintiff direct and for use of home invasion audio in opening	0.50
03/03/15	JLN	T/c GC regarding IAB tapes, strategy for plaintiff direct and for use of home invasion audio in opening	0.50
03/04/15	JLN	E-mail exchange GC regarding Velez PBA transcript, copy of same	0.10
03/04/15	GMC	E-mail exchange JN regarding Velez PBA transcript, copy of same	0.10
03/04/15	JLN	E-mail exchange with GC regarding identity of other IAB investigator	0.10
03/04/15	GMC	E-mail exchange with JN regarding identity of other IAB investigator	0.10
03/04/15	GMC	E-mail froim JN with revised witness list	0.10
03/04/15	JLN	E-mail to GC with revised witness list	0.10
3/4/2015	JLN	T/c with GC regarding Huffman cross-x points, and using Valenti deposition testimony to refute same and reassigning Sgt. James cross and obtaining a draft of direct for plaintiff from NS	0.5
3/4/2015	GMC	Phone call with JN regarding Huffman cross-x points, and using Valenti deposition testimony to refute same and reassigning Sgt. James cross and obtaining a draft of direct for plaintiff from NS	0.5
03/04/15	GMC	Phone and email call w/JN re: witness list	0.30
03/04/15	JLN	Phone and E-mail w/GC re: witness list	0.30
03/06/15	JLN	Discussion w/ JF & GC re proposed witnesses	0.60
03/06/15	JPF	Discussion w/ JN & GC re proposed witnesses	0.60
03/06/15	GMC	Discussion w/JN & JF re proposed witnesses	0.60
3/9/2015	JLN	Review of plaintiffs consolidated 56.1	1
3/9/2015	GMC	Review of plaintiff's consolidated 56.1	1
3/9/2015	JLN	T/c w. GC regarding E-mails sent to Smith and setting up meeting with him and his trial team	0.3
3/9/2015	GMC	Phone call w. JN regarding E-mails sent to Smith and setting up meeting with him and his trial team	0.3
3/10/2015	GMC	Discussion with JF to help outline AS direct examination	1.5
3/10/2015	JPF	Discussion with GC to help outline AS direct exmaination	1.5
03/11/15	JLN	E-mail w/NS and GC re: exhibits and meeting	0.10
03/11/15	GMC	Email w/NS and JN re: exhibits and meeting	0.10

3/12/2015	JLN	Meeting w/ GC to follow up with specific issues discussed at today's meeting	0.75
03/12/15	JLN	Meeting w/ GC, JF, NS, and JL re trial, motions	2.40
03/12/15	GMC	Meeting w/ JF, JN, NS, and Jon L re trial, motions	2.40
03/12/15	JPF	Meeting w/ GC, JN, NS, and Jon Lenoir ("JL") re trial, motions	2.40
03/16/15	JPF	Discussion with GC re: AS direct examination and points to cover, strategy	1.30
03/16/15	GMC	Discussion with JF re: AS direct examination and points to cover, strategy	1.30
03/17/15	JLN	Review of interview memo of Stretmoyers	0.20
03/17/15	GMC	Review of interview memo of Stretmoyers	0.30
03/18/15	JLN	E-mail w/GC re Schoolcraft direct	0.20
03/18/15	GMC	Email w/JN re Schoolcraft direct	0.25
3/19/2015	GMC	Discussion with JF re: James cross examinaiton	0.75
3/19/2015	JPF	Discussion with GC re: James cross examinaiton	0.75
03/22/15	GMC	Review of NS letter re Lamstein and emailed comments	0.40
03/22/15	JLN	Review of NS letter re Lamstein and E-mailed comments	0.40
3/23/2015	JLN	Meeting with GC regarding important points of Sgt/ James and Sgt. Sawyer's testimony	0.4
3/23/2015	GMC	Meeting with JN regarding important points of Sgt/ James and Sgt. Sawyer's testimony	0.4
3/23/2015	GMC	Discussion with JF re: Sawyer points for cross examination	0.6
3/23/2015	JPF	Discussion with GC re: Sawyer points for cross examination	0.6
03/23/15	JLN	Phone correspondence w/ GC re: AS discussion of Home Invasion	0.30
03/23/15	GMC	Phone correspondence w/ JN re: AS discussion of Home Invasion	0.30
03/23/15	JLN	Phone call w/GC re: James call to Lauterborn from hospital	0.40
03/23/15	GMC	Phone call w/JN re: James call to Lauterborn	0.40
03/23/15	JLN	E-mail correspondence re: Schoolcraft film	0.20
03/23/15	GMC	Email correspondence re: Schoolcraft short film	0.25
03/23/15	GMC	Email from JN w/portion of Lauterborn cross re James	0.10
03/23/15	JLN	E-mail to GC portion ofLauterborn cross re: Sgt. James	0.10
3/24/2015	JLN	Meeting w/ GC discussing role of Sadowsky, Miller and Sawyer; Also, QAD Huffman interview and relation to Mauriello and general trial strategy	0.6
3/24/2015	GMC	Meeting w/JN discussing role of Sadowsky, Miller and Sawyer; Also, QAD Huffman interview and relation to Mauriello and general trial strategy	0.6
03/25/15	GMC	Email correspondence w/JN and NS regarding regular meetings	0.25

03/25/15	JLN	E-mail correspondence w/GC and NS regarding regular meetings	0.20
03/26/15	GMC	Email correspondence w/AS re Kretz Jetter	0.10
03/26/15	JLN	E-mail correspondence w/AS re Kretz letter	0.10
03/26/15	GMC	Email from JN re: medical records	0.10
03/26/15	JLN	E-mail to GC re: medical records	0.10
03/26/15	JLN	Review of Kretz letter re film	0.10
03/26/15	GMC	Review of Kretz letter re film	0.10
03/27/15	JLN	E-mail correspondence between GC and Merry Soete re: AS Audio Clips	0.10
03/27/15	GMC	Email correspondence w/Merry Soetano re: AS audio clips	0.10
03/27/15	GMC	Phone call JN regarding preparing for conference call with NS today and using Veritext software	0.10
03/27/15	JLN	T/c GC regarding preparing for conference call with NS today and using Veritext software	0.10
3/27/2015	JLN	Review of Sgt. Chu and Scott memo	0.3
3/27/2015	GMC	Review of Sgt. Chu and Scott memo	0.3
03/27/15	JLN	Various E-mail correspondence GC and NS re: meeting and missing IAB Lauterborn recording	0.40
03/27/15	GMC	Various email correspondence JN and NS re: Meeting missing IAB Lauterborn recording	0.40
03/27/15	JLN	Phone conference with GC, NS, JL	1.00
03/27/15	JPF	Phone conference with JN, GC, NS, JL	1.00
03/27/15	GMC	Phone conference with JN, NS, JF, John Lenoir ("JL")	1.00
03/27/15	GMC	Phone call with NS, JL and JN regarding multiple issues related to prepping for trial, including exhibits, experts, jury charges, voir dire, speaking to landlord, prepping client and comp stat clips	1.90
03/27/15	JLN	T/c with NS, JL and GC regarding multiple issues related to prepping for trial, including exhibits, experts, jury charges, voir dire, speaking to landlord, prepping client and comp stat clips	1.90
03/30/15	JLN	E-mail from GC w/AB report	0.10
03/30/15	GMC	Email from JN w/IAB report	0.10
03/30/15	JLN	Phone call w/GC re: Citys request to adjourn	0.30
03/30/15	GMC	Phone call w/JN re: Citys request to adjourn	0.30
03/30/15	JPF	Phone call with JN & GC regarding admissibility of tape recorded statements of persons interviewed by IAB	0.30
03/30/15	JLN	T/c GC & JF regarding admissibility of tape recorded statements of persons interviewed by IAB	0.30



03/30/15	JPF	Phone call with JN regarding motion <u>in limine</u> issues and recent filings by NS regarding striking affidavit and request for conference	0.30
03/30/15	JLN	T/c JF regarding motion <u>in limine</u> issues and recent filings by NS regarding striking affidavit and request for conference	0.30
03/31/15	GMC	Email correspondence w/NS and JN re trial witnesses and exhibits	0.25
03/31/15	JLN	E-mail correspondence w/NS and GC re trial witnesses and exhibits	0.20
04/01/15	JLN	E-mail exchange regarding setting up meeting for tomorrow with trial team	0.10
04/01/15	JLN	E-mail re: meeting w/GC, and NS team	0.10
04/01/15	GMC	Email re: meeting w/JN, and NS team	0.10
4/1/2015	JLN	T/c with GC regarding important points from Valenti and Broschart and additional grounds for impeaching Huffman and difference between "administrative leave" and "lost time"	0.5
4/1/2015	GMC	Phone Call with JN regarding important points from Valenti and Broschart and additional grounds for impeaching Huffman and difference between Administrative leave and lost time	0.5
04/02/15	JPF	Phone call with JN regarding area of expertise and scope of testimony for Eterno	0.10
04/02/15	JLN	T/c with JF regarding area of expertise and scope of testimony for Eterno	0.10
04/02/15	JPF	Follow up phone call with JN locating does relevant for motion in <u>Limine</u> , including plaintiff IAB/CCRB transcripts, Affidavits for spoliation, and Eterno deposition testimony	0.30
04/02/15	JLN	Follow up t/c with JF locating does relevant for motion <u>in limine</u> , including plaintiff IAB/CCRB transcripts, Affidavits for spoliation, and Eterno deposition testimony	0.30
04/02/15	JLN	Drafted and sent follow up E-mails w/NS team and GC after meeting re: exhibits	0.50
04/02/15	GMC	Drafted and sent follow up emails w/NS team and JN after meeting re: exhibits	0.50
04/02/15	JPF	Phone call with JN regarding several issues in motion in <u>limine</u> and admissibility of Marino's steroid investigation under R. 608 (b)	0.50
04/02/15	JLN	T/c with JF regarding several issues in motion <u>in limine</u> and admissibility of Marino's steroid investigation under R. 608 (b)	0.50
04/02/15	JLN	Meeting with GC and NS team	1.90
04/02/15	GMC	Meeting with JN and NS team	1.90
04/02/15	JPF	Meeting with JN and NS team	1.90

4/3/2015	JLN	T/c with JF regarding progress on motion in limine and clarification of certain factual issues	0.2
4/3/2015	JPF	Phone call with JN regarding progress on motion in limine and clarification of certain factual issues	0.2
04/03/15	GMC	Phone call JN regarding important point from Broschart testimony and defendants' of obsession to suspend and real reason for entering apartment (illegal search and destroy evidence)	0.30
04/03/15	JLN	T/c GC regarding important point from Broschart testimony and real reason for entering apartment (illegal search and destroy evidence)	0.30
04/03/15	JLN	E-mail to GC including AS performance report	0.10
04/03/15	GMC	Review email from JN including AS performance report	0.10
04/05/15	JLN	E-mail to GC including AS W2's	0.10
04/05/15	GMC	Review email from JN including AS W2s	0.10
04/05/15	JLN	E-mail to JF re edits to motion	0.20
04/05/15	JPF	Email from JN re edits to motion	0.25
04/05/15	JLN	E-mail correspondence w/GC and NS re revised exhibit list	0.20
04/05/15	GMC	Email correspondence w/JN and NS re revised exhibit list	0.25
4/6/2015	JLN	T/c with NS & GC regarding exhibit list, verdict sheet, important points for opening regarding Bernier and Isakov and failure of med departments to speak with IAB	1
4/6/2015	GMC	Phone call with NS & JN regarding exhibit list, verdict sheet, important points for opening regarding Bernier and Isakov and failure of med departments to speak with IAB	1
04/06/15	JLN	Phone call w/GC and NS re: trial exhibits	0.50
04/06/15	GMC	Phone call w/JN and NS re: trial exhibits	0.50
04/07/15	JLN	Review of SK comments on JF MIL draft	0.10
04/07/15	GMC	Review of SK comments on JF MIL draft	0.10
04/07/15	GMC	Phone call JN & NS regarding best strategy for handling City's request for adjournment	0.20
04/07/15	JLN	T/c GC & NS regarding best strategy for handling City's request for adjournment	0.20
04/07/15	GMC	Review and discuss NS letter to court re: delay of trial and announcing our rehiring w/JN	0.30
04/07/15	JLN	Review and discuss NS's letter to court re: delay of trial and announcing our rehiring w/GC	0.30
04/08/15	JLN	E-mail from GC to NS stressing need to ensure trial goes forward as planned & does not get delayed	0.10
04/08/15	JLN	E-mail from GC to NS stressing need to ensure trial goes forward as planned and does not get delayed	0.10
04/08/15	JLN	E-mail from NS re: proposing team meeting for this Friday	0.10
4/8/2015	JLN	T/c GC regarding points from Duncan deposition regarding ESU, meat cleaver and travelling to Johnstown	0.2

4/8/2015	GMC	Phone call JN regarding points from Duncan deposition regarding ESU, meat cleaver and travelling to Johnstown	0.2
04/08/15	JPF	Phone call with GC and JN regarding trial adjournment, proposed filings, various strategies for trying to make sure trial goes on April 20	0.75
04/08/15	GMC	Phone call with JN and JF regarding trial adjournment, proposed filings, various strategies for trying to make sure trial goes on April 20	0.75
04/08/15	JLN	T/c with GC and JF regarding trial adjournment, proposed filings, various strategies for trying to make sure trial goes on April 20	0.75
04/11/15	GMC	Email w/NS re Home Invasion Transcript	0.10
04/11/15	JLN	E-mail w/NS re Home Invasion Transcript	0.10
04/11/15	JLN	E-mail correspondence w/ GC and NS re: trial date and schedule	0.20
04/11/15	GMC	Email correspondence w/JN and NS re: trial date and schedule	0.25
4/13/2015	JPF	Conf. on trial date - case adjourned	1
4/13/2015	GMC	Conf. on trial date- case adjourned	1
4/13/2015	JLN	Conference before Judge Sweet regarding adjournment of trial and next steps for moving forward	1
4/13/2015	GMC	Travel from SDNY for conference re: trial date (.5)	0.25
4/13/2015	GMC	Travel to SDNY for conference re: trial date (.5)	0.25
4/13/2015	JPF	Travel from SDNY for conference re: trial date (.5)	0.25
4/13/2015	JPF	Travel to SDNY for conference re: trial date (.5)	0.25
04/13/15	JLN	E-mail w/ veritext re: changes to Home Invasion transcript	0.20
04/13/15	GMC	Email w/veritext re: changes to Home Invasion transcript	0.25
04/13/15	JPF	Meeting w/JN and GC re new trial date	0.50
04/13/15	GMC	Meeting w/JN and JF re new trial date	0.50
04/13/15	JLN	Meeting w/ GC and JF re new trial date	0.50
04/15/15	GMC	Emailed w/JN and NS re mediation offer from the City	0.10
04/15/15	JLN	E-mailed w/GC and NS re mediation offer from the City	0.10
04/15/15	JLN	Phone call w/ GC re Boston unavailability	0.10
04/15/15	GMC	Phone call w/JN re Boston unavailability	0.10
04/15/15	JLN	Review of newly produced Lamstein notes	0.20
04/15/15	GMC	Review of newly produced Lamstein notes	0.25
04/17/15	JPF	Phone call with GC & JN following up on phone call and discussing settlement position vs. going to trial	0.40
04/17/15	GMC	Phone call with JN & JF following up on phone call and discussing settlement position vs. going to trial	0.40
04/17/15	JLN	T/c with GC & JF following up on telecon and discussing settlement position vs. going to trial	0.40
04/17/15	JLN	Conference call with team re: best strategy for responding to City latest "offer"	0.50

04/17/15	GMC	Conference call with team re: best strategy for responding to City latest "offer"	0.50
04/17/15	JPF	Conference call with team re: best strategy for responding to City latest "offer"	0.50
04/17/15	GMC	Phone call w/ rest of trial team regarding City' proposal for mediation and best strategy for responding	0.60
04/17/15	JPF	Phone call w/ rest of trial team regarding City' proposal for mediation and best strategy for responding	0.60
04/17/15	JLN	Telecon w/ rest of trial team regarding City's proposal for mediation and best strategy for responding to same	0.60
05/05/15	JLN	Discussion w/GC and JF re SJ decision	0.50
05/05/15	GMC	Discussion w/JN and JF re SMJ	0.50
05/05/15	JPF	Discussion WJN and GC re SMJ	0.50
05/08/15	JLN	Discussion w/ GC & JF re SJ decision and impact on trial and motion in limine	0.80
05/08/15	JPF	Discussion w/ GC & JN re decision and impact on trial and motion in lim	0.80
05/08/15	GMC	Discussion w/ JF & JN re decision and impact on trial and motion in lim	0.80
5/12/2015	JLN	Conference before Judge Sweet regarding setting new trial date and schedule for pre-trial filings	1
5/12/2015	GMC	Conf. trial adjourned to Oct. 19	1
5/12/2015	JPF	Conf. trial adjourned to Oct. 19	1
5/12/2015	GMC	Travel from SDNY for conf. (.5)	0.25
5/12/2015	GMC	Travel to SDNY for conf. (.5)	0.25
5/12/2015	JPF	Travel to SDNY for conf. (.5)	0.25
05/12/15	JLN	Team meeting following conf.	1.25
05/12/15	GMC	Team meeting following conf.	1.25
05/12/15	JPF	Team meeting following conf.	1.25
05/12/15	JLN	Meeting w/NS team GC and JF pre-conf	1.50
05/12/15	JPF	Meeting w/NS team JN and GC pre-conf	1.50
05/12/15	GMC	Meeting w/NS team JN and JF pre-conf	1.50
05/13/15	GMC	Email correspondence w/SK re conference	0.10
05/13/15	JLN	E-mail correspondence w/SK re conference	0.10
05/14/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/15/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/18/15	JLN	Review of letter motion filed by City re: JPTO dates	0.10
05/18/15	GMC	Review of letter motion titled by City re JPTO dates	0.10
05/21/15	JLN	E-mail from NS re settlement offer from City	0.10

05/21/15	GMC	Email NS resettlement offer from City	0.10
05/28/15	JLN	E-mail GC re Veritext bill	0.10
05/28/15	GMC	Email JN re Veritext bill	0.10
05/29/15	GMC	Email correspondence all parties re: pretrial submissions schedule	0.10
05/29/15	JLN	E-mail exchange w/ all parties re: pretrial submissions schedule	0.10
05/29/15	JLN	E-mail w/GC and NS re: City bifurcation request	0.20
05/29/15	GMC	Email w/JN and NS re: City bifurcation request	0.25
06/01/15	GMC	Review and comment on NS draft reconsideration	0.40
06/01/15	JLN	Reviewed NS draft reconsideration	0.40
06/02/15	JLN	Review of citys motion to bifurcate	0.20
06/02/15	GMC	Review of citys motion to bifurcate	0.25
06/03/15	GMC	Review of email correspondence w/court re motions	0.25
06/03/15	JLN	Review of E-mail correspondence w/court re motions	0.20
6/4/2015	GMC	Review of Mauriello's motion for reconsideration	0.5
6/4/2015	JLN	Reviewed Mauriello's motion for reconsideration	0.5
06/10/15	JLN	Phone call with Schoolcrafts and GC re: Mauriello recon. and bifurcation	0.80
06/10/15	GMC	Phone call with Schoolcrafts and JN	0.80
06/23/15	GMC	Review of email correspondence re: opposition to reconsideration motions	0.10
06/23/15	GMC	Review of email correspondence re: opposition to reconsideration motions	0.10
06/24/15	GMC	Review of email correspondcnce re: opposition to reconsideration motions	0.10
06/24/15	GMC	Review of email correspondence w SK re: motion schedules	0.10
06/24/15	JLN	Review of E-mail correspondence w SK re: motion schedules	0.10
06/29/15	JLN	E-mail from JF to team adding case law to oppose bifurcation	0.10
06/29/15	JLN	E-mail to NS /JL adding case law for opposing bifurcation	0.10
07/02/15	JLN	E-mail from Scheiner to all counsel re: City's latest doc production	0.10
07/02/15	JLN	Letter from Scheiner to NS re: latest City productions	0.10
07/03/15	JLN	E-mail from NS forwarding City's latest production	0.10
07/07/15	GMC	Review of email correspondence between NS team re Eterno	0.10
07/07/15	JLN	Review of E-mail correspondence between NS team re Eterno & Silvennan	0.10
07/13/15	JLN	Review of JHMC to NS motion for recon	0.30

07/13/15	GMC	Review of JHMC to NS motion for recon	0.30
07/20/15	GMC	Review of Email correspondence between JN and NS re: John Eterno	0.10
07/20/15	JLN	Sent GC E-mail correspondence between Myself and NS re: John Eterno	0.10
7/23/2015	GMC	Review of City Defendants reply affirmations recon motions	0.5
7/23/2015	JLN	Review of City Defendants' reply affirmations recon motions	0.5
07/23/15	GMC	Review of City Defendants reply affirmations recon motions	0.50
07/23/15	JLN	Review of City Defendants' reply affirmations recon motions	0.50
07/23/15	JLN	Review of reply memo for AS	0.70
07/23/15	GMC	Review of reply memo for AS	0.75
07/24/15	GMC	Follow up email Schoolcraft team re trial docs	0.30
07/24/15	JLN	Follow up e-mail to trial team retrial docs	0.30
07/24/15	JPF	Phone call with JN & GC regarding issues to discuss at meeting today with rest of trial team	0.50
07/24/15	GMC	Phone call with JN & JF regarding issues to discuss at meeting today with rest of trial team	0.50
07/24/15	JLN	T/c with JF & GC regarding issues to discuss at meeting today with rest of trial team	0.50
07/24/15	JLN	Meeting with rest of trial team regarding various strategic issues and timeline for pre-trial filings	2.90
07/24/15	GMC	Schoolcraft team meeting	2.90
07/24/15	JPF	Schoolcraft team meeting	2.90
07/24/15	GMC	Follow up email Schoolcraft team re trial docs	0.30
07/24/15	JLN	Follow up e-mail to trial team retrial docs	0.30
07/27/15	GMC	Email w MS re: master exhibit list	0.10
07/27/15	JLN	E-mail w/ MS re: master exhibit list	1.75
07/27/15	JLN	E-mail GC re Polanco as witness	1.70
07/27/15	GMC	Email JN re Polanco as witness	0.10
07/29/15	GMC	Emails with Schoolcraft team re: settlement	0.10
07/29/15	JLN	E-mails with Schoolcraft team re: settlement	0.10
07/30/15	GMC	Emails with Schoolcraft team re: settlement	0.10
07/30/15	GMC	Phone call JN regarding settlement position & response to City's settlement position and response to City's settlement overtures	0.40
07/30/15	JLN	T/c GC regarding settlement position & response to City's settlement overtures	0.40
07/30/15	JLN	Phone call w/GC and NS re settlement	0.40
07/30/15	GMC	Phone call w/JN and NS re settlement	0.40
08/04/15	JLN	Review of NS revised witness and exhibit list	0.30
08/04/15	GMC	Review of NS revised witness and exhibit list	0.30
08/04/15	JLN	Phone call w/GC re: witness list and exhibit list	0.40

08/04/15	GMC	Phone call w/JN re: witness list and exhibit list	0.40
08/05/15	JLN	Continued conversations with NS regarding exhibits & witnesses	1.00
08/05/15	GMC	Phone calls with JN and NS re: exhibit and witness list	1.00
08/07/15	GMC	Phone call with JN, JL & NS regarding multiple issues in defendants' respective JPTO's	1.00
08/07/15	JLN	T/c with GC, JL & NS regarding multiple issues in defendants' respective JPTO's	1.00
08/09/15	JLN	E-mail correspondence re: JPTO and motion deadlines	0.10
08/10/15	JLN	E-mail correspondence re: JPTO and motion deadlines	0.10
08/09/15	GMC	Review of email correspondence re: JPTO and motion deadlines	0.10
08/10/15	GMC	Review of email correspondence re: JPTO and motion deadlines	0.10
08/11/15	JLN	Review of new discovery served by City	0.20
08/11/15	GMC	Review of new discovery served by City	0.25
08/11/15	JLN	Review of City defendants JPTO	0.60
08/11/15	GMC	Review of City defendants JPTO	0.75
08/13/15	JLN	Review of correspondence all parties re: JPTO	0.10
08/13/15	GMC	Review of correspondence all parties re: JPTO	0.10
08/14/15	GMC	Email re: City filing JPTO without our input	0.10
08/14/15	JLN	E-mail re: City filing JPTO without our input	0.10
08/14/15	GMC	Review of Lauterborn transcribed audio interview and emailed to team	0.60
08/14/15	JLN	Review of Lauterborn's transcribed audio interview; 2nd IAB interview took notes re: same	0.60
08/18/15	JLN	Phone call and e-mail w/ GC re Huffman	0.30
08/18/15	GMC	Phone call and email w/JN re Huffman	0.30
08/21/15	GMC	Email all parties re MIL due date	0.10
08/21/15	JLN	E-mail all parties re MIL due date	0.10
08/24/15	JLN	Review of NS e-mail re upstate visits to AS	0.20
08/24/15	GMC	Review of NS email re upstate visits to AS	0.25
09/08/15	JLN	Phone call w/GC re Schoolcrafts	0.30
09/08/15	GMC	Phone call w/JN re Schoolcrafts	0.30
09/08/15	JPF	Phone call with JN & GC recapping discussion with defense counsel and clients over the weekend	0.60
09/08/15	GMC	Phone call with JN & JF recapping discussion with defense counsel and clients over the weekend	0.60
09/08/15	JPF	Phone call with NS, GC and JN regarding best strategy for handling settlement discussions with the City	0.60
09/08/15	GMC	Phone call with NS, JF and JN regarding best strategy for handling settlement discussions with the City	0.60

09/11/15	JLN	E-mail to GC re Schoolcraft timeline	0.10
09/11/15	GMC	Email w/JN re Schoolcraft timeline	0.10
09/11/15	JLN	Phone calls with NS and GC re City settlement offer	0.80
09/11/15	GMC	Phone calls with NS and JN re City settlement offer	0.80
09/16/15	GMC	Review of NS email to Schoolcraft resettlement	0.10
09/16/15	JLN	Review of NS e-mail to Schoolcraft resettlement	0.10
9/16/2015	JLN	Review of new Rule 68 offer	0.5
9/16/2015	GMC	Review of new Rule 68 offer	0.5
9/16/2015	JLN	Review of NS memo to Schoolcraft re settlement	0.3
9/16/2015	GMC	Review of NS memo to Schoolcraft re settlement	0.3
09/16/15	JLN	E-mail w/ NS re memo and settlement	0.20
09/16/15	GMC	Email w NS re memo and settlement	0.25