

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

10-cv-6005 (RWS)

Plaintiff,

**AFFIRMATION OF
NATHANIEL B. SMITH IN
SUPPORT OF PLAINTIFF'S
APPLICATION FOR
RECONSIDERATION**

-v-

CITY OF NEW YORK, et al.,

Defendants.
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Nathaniel B. Smith, being an attorney admitted to practice law in this State and before this Court, hereby states and declares under the penalties of perjury that the foregoing is true and correct.

1. As one of the attorneys for the plaintiff in the above-referenced action, I am submitting this affirmation in support of the plaintiff's application for reconsideration.

2. For the two-year period from February 1, 2013 through January 31, 2015, I billed 1,775.60 hours, and from February 1, 2015 through September 16, 2015, I billed 470.40 hours in this action. John Lenoir billed 937 hours for that same two-year period and 324 hours for the second period. Magdalena Bauza billed 1,011.22 hours for the two-year period and 294.42 for the second period. Howard

Suckle billed 107.65 hours during the two-year period and 1.25 hours for the second. James McCutcheon billed all of his 23.38 hours within the two-year period. These calculations are based on the time records we previously submitted to the Court and these calculations reflect the period of time when the Smith Team was working exclusively on this action and the period of time when we were working with the Norinsberg Team. *See* Dkt. Nos. 560-9, 560-12, 560-13 & 560-14 (Smith Team time records).

3. Attached hereto as Exhibit 1 is a chart reflecting the hours spent by each Smith Team attorney for the two periods of time from February 1, 2013 through January 31, 2015 and from February 1, 2015 through September 16, 2016.

4. Attached as Exhibit 2 are excerpts of the expert report submitted by the City in opposition to the fee motion.

5. Attached as Exhibit 3 is City Opposition Exhibit DD, which was also submitted by the City in opposing the fee motion.

Dated: September 16, 2016

s/NBS

NATHANIEL B. SMITH
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