

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CRAIG REED, <i>et al.</i> ,)	
)	
Plaintiffs,)	CASE NO. 1:08CV1761
)	
vs.)	JUDGE CHRISTOPHER A. BOYKO
)	
FREEBIRD FILM PRODUCTIONS, INC., <i>et al.</i> ,)	
)	<u>ITEMIZATION OF FEES AND COSTS</u>
)	
Defendants.)	

Pursuant to the Court’s January 23, 2009 Order (ECF 59), Plaintiffs provide the following itemization of the costs, expenses, and attorneys’ fees they incurred in prosecuting their breach of contract claim against Defendant Cabin Fever. A summary of those fees and expenses, as authenticated and verified by counsel’s signature below, are as follows:¹

Task	Date	Hours	Working Attorney
Analyze background details and information, including interviewing client, regarding claims against Cabin Fever	April 14-15, 2008	3.25	Earl LeVere
Drafting complaint allegations and claims relating to Cabin Fever	May 22-30, 2008	4.25	Earl LeVere
Continue drafting claims and allegations relating to Cabin Fever; research regarding Cabin Fever	June 5-10, 2008	5.25	Earl LeVere

¹ Specific details regarding the tasks performed by counsel have been omitted so as to preclude a waiver of attorney/client privilege and/or work product doctrine. Counsel can provide a more detailed summary of the retained tasks, if necessary, *in camera*.

Task	Date	Hours	Working Attorney
Conferences with Martha Weiss, counsel for UST (Cabin Fever's former owner), regarding corporate status of Cabin Fever, service on Cabin Fever, and sale of assets from UST to Hallmark; review documents received from UST regarding Cabin Fever's asset sale; research relating to Cabin Fever; prepare analysis regarding Cabin Fever; prepare correspondence to Martha Weiss regarding Cabin Fever	Aug. 5-12, 2008	2.25	H. Alan Rothenbuecher
Analyze documents relating to Cabin Fever produced by Hallmark (RHI); confer with attorney for RHI regarding agreements relating to Cabin Fever	Sept. 5-15, 2008	3.25	Earl LeVere
Phone calls with and correspondence to Martha Weiss regarding various issues relating to Cabin Fever	Oct. 1-7, 2008	.75	H. Alan Rothenbuecher
Confer with potential financial experts regarding claims against Cabin Fever	Oct. 14, 2008	.5	H. Alan Rothenbuecher
Prepare draft of subpoena duces tecum for UST, prior owner for Cabin Fever	Nov. 18, 2008	1.5	H. Alan Rothenbuecher
Phone calls and correspondence to Martha Weiss, counsel for UST, regarding various Cabin Fever issues including filing of default motion against Cabin Fever	Dec. 10-12, 2008	.5	H. Alan Rothenbuecher
Preparation of Entry of Default and Motion for Default Judgment against Defendant Cabin Fever	Dec. 15-17, 2008	1.5	H. Alan Rothenbuecher

Task	Date	Hours	Working Attorney
Review of Court's Order regarding default motion and correspondence to Martha Weiss (UST) regarding default motion; preparation of additional correspondence to Martha Weiss regarding Cabin Fever's insurance policy	Jan. 23, 2009	.5	H. Alan Rothenbuecher

Plaintiff's counsel's hourly rates are: \$320 for Earl LeVere and \$350 for H. Alan Rothenbuecher. The total attorney fees incurred in prosecuting and pursuing Plaintiff's breach of contract claim against Cabin Fever is \$7,745.00 (comprised of 16 hours x \$320 and 7.5 hours x \$350). Expenses total \$9.18, which is attributable to postage costs. Collectively, the amounts incurred in fees and costs total \$7,754.18.

Pursuant to the Court's Entry of Default Judgment, Plaintiff requests an order granting a recovery of \$7,754.18 in costs and expenses against Defendant Cabin Fever Entertainment, Inc.

Respectfully submitted,

/s/ H. Alan Rothenbuecher
H. Alan Rothenbuecher (0041883)
hrothenbuecher@szd.com
T. EARL LEVERE (0063515)
elevere@szd.com
SCHOTTENSTEIN, ZOX & DUNN Co., LPA
USBank Centre at Playhouse Square
1350 Euclid Avenue, Suite 1400
Cleveland, OH 44115
Phone: 216/621-6501
Fax: 216/621-6502

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Itemization of Fees and Costs was filed electronically this 6th day of February, 2009. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ H. Alan Rothenbuecher _____

H. Alan Rothenbuecher