

The Honorable James L. Robart

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SOARING HELMET CORPORATION, a
Washington corporation,

Plaintiff,

v.

NANAL, INC., d/b/a LEATHERUP.COM, a
Nevada corporation,

Defendant.

No. C09-789-JLR

DECLARATION OF KATHERINE
HENDRICKS IN SUPPORT OF
DEFENDANT NANAL, INC.'S
OPPOSITION TO PLAINTIFF'S
MOTION FOR LEAVE TO FILE A
THIRD AMENDED COMPLAINT

NOTE ON MOTION CALENDAR:
December 31, 2010

I, Katherine Hendricks, on oath declare and state as follows:

1. I am a partner with the law firm Hendricks & Lewis, PLLC. I represent Defendant Nanal, Inc. ("Nanal") in this action. I am over the age of 18 and, if called upon to testify, could testify competently to the matters stated herein.

2. Attached hereto as **Exhibit 1** is a true and correct copy of a statement reflecting the attorneys' fees incurred by Nanal in connection with its opposition to Plaintiff Soaring Helmet Corporation's ("Plaintiff") Motion for Leave to File Third Amended Complaint, Docket No. 74 ("Motion to Amend"). The value of the time expended computed at Hendricks & Lewis' applicable rates for this matter is \$6,720.00.

3. The statement was prepared in the same general manner as other billing statements in connection with Hendricks & Lewis' representation of Nanal in this matter, with

1 timekeepers keeping track of their hours daily and all time for this matter being batched at the
2 end of the timekeeping period. The fees calculated are for preparing and filing Nanal's
3 opposition papers to Plaintiff's Motion to Amend and the hours claimed have been limited to
4 hours reasonably spent on those papers. I believe that the services performed were necessary to
5 prepare Nanal's opposition to Plaintiff's Motion to Amend. Balance due, payments made,
6 accounts receivable balance, and trust balance have been redacted.

7 4. The hourly rates for me and Stacia N. Lay that have been applied for the services
8 provided are the rates we customarily charge for our services. However a discount of two hours
9 or \$300 has been made with respect to time spent by Ms. Lay on December 21, 2010, on tasks
10 that could, in theory, have been completed by a paralegal had one been available and not
11 engaged in other tasks. That discount effectively results in a paralegal rate of \$150 an hour being
12 applied to Ms. Lay's services on those tasks on December 21.

13 5. I have reviewed the statement attached as Exhibit 1 in light of the services
14 provided and the issues addressed and believe the amounts set forth therein to be fair, just and
15 reasonable for the services described.

16 6. Resumes for myself and Stacia N. Lay are attached as Exhibit 2.

17 7. Attached hereto as Exhibit 3 is a true and correct copy of an email, without the
18 referenced attachment, from counsel for Plaintiff, Heather Morado, dated December 15, 2010,
19 6:08 p.m., which attached Plaintiff's draft pre-trial order.

20 I declare under penalty of perjury under the laws of the State of Washington that the
21 foregoing is true and correct.

22 EXECUTED at Seattle, Washington, this 22nd day of December, 2010.

23 s/Katherine Hendricks
24 _____
25 KATHERINE HENDRICKS
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PROOF OF SERVICE

I am employed in the County of King, State of Washington. I am over the age of eighteen years and am not a party to the within action. My business address is Hendricks & Lewis PLLC, 901 Fifth Avenue, Suite 4100, Seattle, Washington 98164.

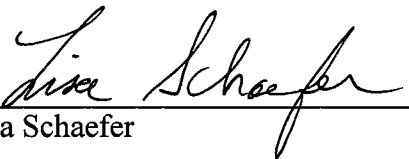
I hereby certify that on December 22, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

Heather M. Morado, Esq.
Stacie Foster, Esq.
Steve Edmiston, Esq.
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hmorado@invictalaw.com
sfoster@invictalaw.com
sedmiston@invictalaw.com

Attorneys for Plaintiff Soaring
Helmet Corporation

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

Executed December 22, 2010, at Seattle, Washington.



Lisa Schaefer