

EXHIBIT A

LAFFEY MATRIX -- 2003-2013
(2009-10 rates were unchanged from 2008-09 rates)

Experience	Years (Rate for June 1 - May 31, based on prior year's CPI-U)									
	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13
20+ years	380	390	405	425	440	465	465	475	495	505
11-19 years	335	345	360	375	390	410	410	420	435	445
8-10 years	270	280	290	305	315	330	330	335	350	355
4-7 years	220	225	235	245	255	270	270	275	285	290
1-3 years	180	185	195	205	215	225	225	230	240	245
Paralegals & Law Clerks	105	110	115	120	125	130	130	135	140	145

Explanatory Notes:

1. This matrix of hourly rates for attorneys of varying experience levels and paralegals/law clerks has been prepared by the Civil Division of the United States Attorney's Office for the District of Columbia. The matrix is intended to be used in cases in which a "fee-shifting" statute permits the prevailing party to recover "reasonable" attorney's fees. *See, e.g.*, 42 U.S.C. § 2000e-5(k) (Title VII of the 1964 Civil Rights Act); 5 U.S.C. § 552(a)(4)(E) (Freedom of Information Act); 28 U.S.C. § 2412 (b) (Equal Access to Justice Act). The matrix does **not** apply in cases in which the hourly rate is limited by statute. *See* 28 U.S.C. § 2412(d).
2. This matrix is based on the hourly rates allowed by the District Court in *Laffey v. Northwest Airlines, Inc.*, 572 F. Supp. 354 (D.D.C. 1983), *aff'd in part, rev'd in part on other grounds*, 746 F.2d 4 (D.C. Cir. 1984), *cert. denied*, 472 U.S. 1021 (1985). It is commonly referred to by attorneys and federal judges in the District of Columbia as the "Laffey Matrix" or the "United States Attorney's Office Matrix." The column headed "Experience" refers to the years following the attorney's graduation from law school. The various "brackets" are intended to correspond to "junior associates" (1-3 years after law school graduation), "senior associates" (4-7 years), "experienced federal court litigators" (8-10 and 11-19 years), and "very experienced federal court litigators" (20 years or more). *See Laffey*, 572 F. Supp. at 371.
3. The hourly rates approved by the District Court in *Laffey* were for work done principally in 1981-82. The Matrix begins with those rates. *See Laffey*, 572 F. Supp. at 371 (attorney rates) & 386 n.74 (paralegal and law clerk rate). The rates for subsequent yearly periods were determined by adding the change in the cost of living for the Washington, D.C. area to the applicable rate for the prior year, and then rounding to the nearest multiple of \$5 (up if within \$3 of the next multiple of \$5). The result is subject to adjustment if appropriate to ensure that the relationship between the highest rate and the lower rates remains reasonably constant. Changes in the cost of living are measured by the Consumer Price Index for All Urban Consumers (CPI-U) for Washington-Baltimore, DC-MD-VA-WV, as announced by the Bureau of Labor Statistics for May of each year.
4. Use of an updated *Laffey* Matrix was implicitly endorsed by the Court of Appeals in *Save Our Cumberland Mountains v. Hodel*, 857 F.2d 1516, 1525 (D.C. Cir. 1988) (en banc). The Court of Appeals subsequently stated that parties may rely on the updated *Laffey* Matrix prepared by the United States Attorney's Office as evidence of prevailing market rates for litigation counsel in the Washington, D.C. area. *See Covington v. District of Columbia*, 57 F.3d 1101, 1105 & n. 14, 1109 (D.C. Cir. 1995), *cert. denied*, 516 U.S. 1115 (1996). Lower federal courts in the District of Columbia have used this updated *Laffey* Matrix when determining whether fee awards under fee-shifting statutes are reasonable. *See, e.g.*, *Blackman v. District of Columbia*, 59 F. Supp. 2d 37, 43 (D.D.C. 1999); *Jefferson v. Milvets System Technology, Inc.*, 986 F. Supp. 6, 11 (D.D.C. 1997); *Ralph Hoar & Associates v. Nat'l Highway Transportation Safety Admin.*, 985 F. Supp. 1, 9-10 n.3 (D.D.C. 1997); *Martini v. Fed. Nat'l Mtg Ass'n*, 977 F. Supp. 482, 485 n.2 (D.D.C. 1997); *Park v. Howard University*, 881 F. Supp. 653, 654 (D.D.C. 1995).

EXHIBIT B

LAFFEY MATRIX

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Year	Adjustmt Factor**	Paralegal/ Law Clerk	Years Out of Law School *				
			1-3	4-7	8-10	11-19	20 +
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *McDowell v. District of Columbia*, Civ. A. No. 00-594 (RCL), LEXSEE 2001 U.S. Dist. LEXIS 8114 (D.D.C. June 4, 2001); *Salazar v. Dist. of Col.*, 123 F.Supp.2d 8 (D.D.C. 2000).

* "Years Out of Law School" is calculated from June 1 of each year, when most law students graduate. "1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). "4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier "1-3" from June 1, 1996 until May 31, 1999, would move into tier "4-7" on June 1, 1999, and tier "8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

EXHIBIT C

SEARCH/BACK to search results

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Friday, August 10, 2012

Billing rates up, especially for associates

By Kevin Lee

Average law firm billing rates are back on the rise after stagnating somewhat in the years following the 2008 financial crisis. But most of the action is taking place in associate billing rates, which jumped 7.5 percent in the first half of the year compared to the same period in 2011, more than twice the average rate increase in partner billing rates nationwide.

Industry experts say the discrepancy appears to be the market correcting itself after firms sloughed off associates and froze associate hiring in 2009 and 2010.

Partner billing rates, by comparison, rose 3.4 percent in the first half of the year compared to the year-earlier period, according to the latest research by Valeo Partners LLC, a Washington D.C.-based consulting firm.

'If inflation goes up 3 percent, so do our associate billing rates, because that is what covers rent, lights, computers, telephones, desks.' - Marc A. Sockol

Valeo compiled data on the billing rates of lawyers at 550 U.S. law firms through publicly available documents, such as court filings, fee applications and disclosure statements submitted to federal agencies.

Chuck Chandler, a Valeo co-founder and partner, said this year's rate increases were instituted to offset the lack of rate movement during the recession.

"The associates took the hit after 2008. Some firms laid off as much as 10 percent of their associates, delayed hiring new classes and froze compensation," he said. "Naturally, billing rates were slow to increase during that period."

For the first six months of this year, California markets all saw associate rate increases below the national average. Associates in San Francisco and Silicon Valley together claimed the highest average rate increase of the California markets - 7.3 percent.

"Northern California has all of the social media, the technology companies, which creates a lot of dealmaking and IPOs and also good fees and hourly rates," Chandler said.

By comparison, Los Angeles associates saw their rates go up an average of 6.6 percent. In San Diego, associate rates rose 4.2 percent.

Law firms generally increase billing rates each year, according to Sheppard, Mullin, Richter & Hampton LLP partner Marc A. Sockol, who manages the firm's Palo Alto office.

"If inflation goes up 3 percent, so do our associate billing rates, because that is what covers rent, lights, computers, telephones, desks," Sockol said. "During those first couple years of this recession, we chose not to boost our billing rates."

Sockol declined to provide specific billing rates but said the firm varies its associate rates by practice group and geography. For 2012, the firm raised associate billing rates

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roughly 3 percent, he said.

James G. Leipold, executive director of the National Association for Law Placement in Washington D.C., said the jump in billing rates results from the overall decrease of associates at law firms, especially at large law firms. Large law firms, which are the biggest employers of junior lawyers, are relying less on partnership-track associates and more on staff lawyers, paralegals and contract lawyers.

NALP data reveals that from 2008 to 2011, large law firms on average hired entry-level associates at an annual starting salary of \$160,000. Some law firms cut their starting salaries to \$145,000 during that time but not many. Leipold said he thought more firms would follow suit.

"What we saw was that law firms reduced their associate class sizes dramatically, but they didn't reduce their pay," Leipold said. "They just provided many fewer jobs."

Some large firms have turned to creating nonpartnership-track staff lawyer positions for new classes of junior lawyers, whose billing rates and compensation are lower than those of partnership-track associates.

Law firms can then maintain or increase the billing rates for the small number of associates on the partnership track, knowing they can turn to their staff lawyers, paralegals or contract lawyers to drive down the cost of legal services for clients.

"I think you'll see that [approach] more in the next couple of years," Leipold said. "It's another way for them to bring the salary structure back down and meet the cost-containment demands of clients and use people more efficiently."

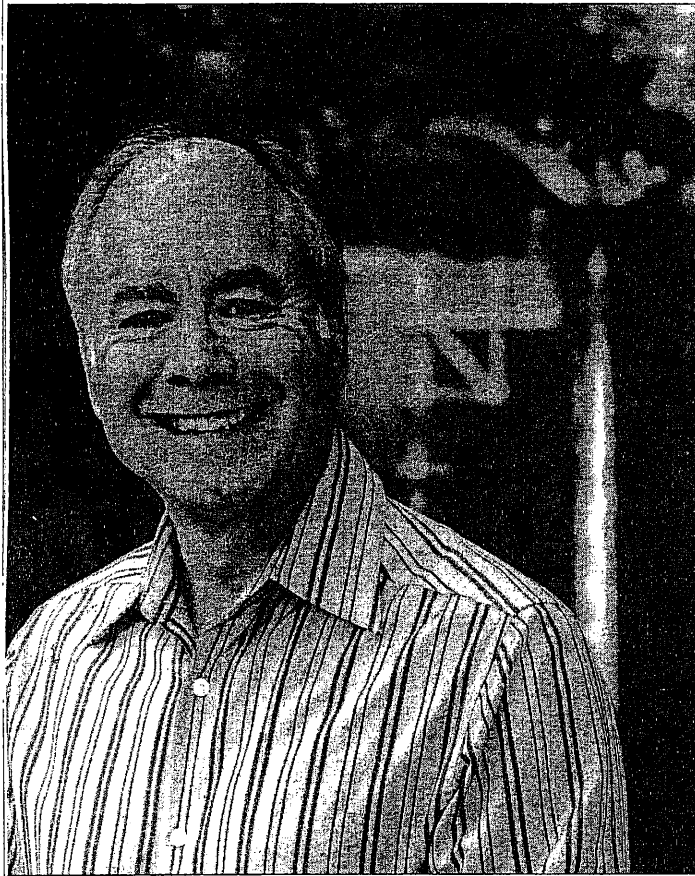
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Playing to win in today's legal new normal April 23, 2012
Regardless of size, you can improve efficiencies and concentrate on what you do best to operate more efficiently. By **Paul Lippe** and **Ed Reeser**



Daily Journal File Photo

, who represented the state in insurance litigation before the state Supreme Court

s large insurance suit

les insurers must pay out claims that are 'stacked.'

entitled to "all sums" coverage, or the full amount provided by their policy limit, even if some of the damage occurred outside of the policy period.

'This is going to make it much more difficult for insurers to offer such abysmally low sums to their insured during settlement negotiations.'

— Roger W. Simpson

The court also ruled that when an entity purchases insurance policies from several companies over an extended period of time, the insured can recoup the maximum amount of the policy limits from each company — a practice known as stacking. Insurance companies argued that the insured should only recover the maximum amount of money provided during a single policy period, and

that the insurance companies would split that cost.

"An all-sums-with-stacking rule has numerous advantages," Chin wrote. He said it resolves the question of insurance coverage "as equitably as possible." It also "comports with the parties' reasonable expectations," both for the insurance companies which expect to pay for damage that occurs and for the policy holder that "reasonably expects indemnification for the time periods in which it purchased coverage." *State of California v. Continental Insurance Co.*, S170560.

The decision could eventually lead to efforts by the insurance industry to exclude coverage for high exposure claims, such as buildings with potential asbestos problems.

The case concerns the Stringfellow quarry in Riverside County. Opened in 1956 as an industrial waste deposit site, it collected more than 30 million gallons of industrial waste during its operation. But the quarry had several flaws leading to contaminants reaching groundwater. In 1972, the site was closed, but it continued to leak. In 1998, a federal court

See Page 4 — INSURED

Associate billing rates start climbing again

Average rates going back up after stagnation brought on by recession

By Kevin Lee
Daily Journal Staff Writer

Average law firm billing rates are back on the rise after stagnating somewhat in the years following the 2008 financial crisis. But most of the action is taking place in associate billing rates, which jumped 7.5 percent in the first half of the year compared to the same period in 2011, more than twice the average rate increase in partner billing rates nationwide.

Industry experts say the discrepancy appears to be the market correcting itself after firms sloughed off associates and froze associate hiring in 2009 and 2010.

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See Page 5 — ASSOCIATE

Intel attorney explains belated admission to court

ertence and oversight, and my duct was not willful," Estrich te. rewal filed an order Wednesday ng that Estrich explain why hadn't entered an appearance

Cupertino-based consumer technology company spoliated evidence. Grewal previously ordered a similar instruction against Samsung for failing to preserve evidence. Attorneys for Apple claim Sam-

John B. Quinn for defying the court by releasing excluded evidence to the media. Then, Samsung lawyers broke minor rules when they took some of the witnesses on a tour of the court when it wasn't in session



Average Law Firm Billing Rates

Location	Position	2012	2011	Percent Increase
Los Angeles	Partner	\$797	\$766	4.0%
	Associate	\$550	\$516	6.6%
San Diego	Partner	\$568	\$568	0%
	Associate	\$394	\$378	4.2%
San Francisco	Partner	\$675	\$654	3.2%
	Associate	\$482	\$449	7.3%
National	Partner	\$750	\$725	3.4%
	Associate	\$495	\$460	7.5%

Source: Valeo 2012 Halftime Report

Associate billing rates going up

Continued from page 1

boost our billing rates."

Sockol declined to provide specific billing rates but said the firm varies its associate rates by practice group and geography. For 2012, the firm raised associate billing rates roughly 3 percent, he said.

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kevin_lee@dailyjournal.com

EXHIBIT D

The Pietz Law Firm
 3770 Highland Ave., Ste. 206
 Manhattan Beach, CA 90266



Ingenuity 13 - C.D. Cal. - 12-cv-8333

Invoice 20256

Date	Apr 04, 2013
Terms	
Service Thru	Apr 04, 2013

In Reference To: Pre-Service Litigation (Legal Services)

Date	By	Services	Hours	Rates	Amount
11/26/2012	MP	Legal Services: Review dockets for each Ingenuity 13 and AF Holdings case filed in C.D. Cal.	2.00	\$300.00/hr	\$600.00
11/28/2012	MP	Legal Services: Review prior case in E.D. Cal.; telephone conference with attorney for Alan Cooper in Minnesota regarding standing issue; prepare and file ex parte application seeking stay of subpoena return date	1.70	\$300.00/hr	\$510.00
11/29/2012	MP	Legal Services: Prepare draft of notice of related cases	3.20	\$300.00/hr	\$960.00
12/03/2012	MP	Legal Services: Telephone conference with attorney for Alan Cooper; revise and file notice of related cases; coordinate preparation of multiple courtesy copies for all Judges with a related case; conduct telephonic conference with Magistrate Judge Walsh; prepare meet and confer correspondence to B. Gibbs	8.10	\$300.00/hr	\$2,430.00
12/07/2012	MP	Legal Services: Telephone conference with B. Gibbs; prepare correspondence to B. Gibbs recapping that he would not be answering any meaningful questions about "Alan Cooper"	1.00	\$300.00/hr	\$300.00
12/13/2012	MP	Legal Services: Attempt to contact B. Gibbs, by both email and telephone, several times, to meet and confer; conduct telephonic meet and confer conference with B. Gibbs; prepare follow-up correspondence to B. Gibbs	0.80	\$300.00/hr	\$240.00
12/14/2012	MP	Legal Services: Prepare correspondence to B. Gibbs again asking for copy of the verification he submitted in E.D. Cal. Ingenuity 13 case	0.20	\$300.00/hr	\$60.00
12/17/2012	MP	Legal Services: Review frivolous motion for sanctions against attorney Morgan E. Pietz	0.60	\$300.00/hr	\$180.00
12/18/2012	MP	Legal Services: Prepare and file ex parte application for leave to take early discovery and to further stay subpoena return date	5.30	\$300.00/hr	\$1,590.00

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Ingenuity 13 - C.D. Cal. - 12-cv-8333

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Date	Apr 04, 2013
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12/18/2012	MP	Legal Services: Prepare opposition to plaintiff's frivolous sanctions motion	2.10	\$300.00/hr	\$630.00
01/03/2013	MP	Legal Services: Prepare request for Leave to to file opposition to Disqualification Motion to Judge Fitzgerald	0.50	\$300.00/hr	\$150.00
01/04/2013	MP	Legal Services: Prepare and serve written discovery regarding Alan Cooper	2.30	\$300.00/hr	\$690.00
01/09/2013	MP	Legal Services: Prepare opposition to disqualification motion	11.20	\$300.00/hr	\$3,360.00
01/14/2013	MP	Legal Services: Prepare and file Declaration of Morgan E. Pietz re: Prenda Law, Inc. and exhibits thereto	6.70	\$300.00/hr	\$2,010.00
01/14/2013	MP	Legal Services: Revise and file opposition to disqualification motion	3.20	\$300.00/hr	\$960.00
01/29/2013	MP	Legal Services: Prepare correspondence to B. Gibbs regarding attempt to evade discovery by dismissing case and offer to consider not filing a sanctions motion if meaningful discovery responses are provided	0.40	\$300.00/hr	\$120.00
01/30/2013	MP	Legal Services: Review correspondence from B. Gibbs regarding his intention to substitute out of this case with P. Duffy to take over; prepare correspondence to B. Gibbs and P. Duffy following up on unanswered questions regarding the Alan Cooper early discovery that is the subject of the Court's January 29 Order	0.60	\$300.00/hr	\$180.00
02/07/2013	MP	Legal Services: Prepare correspondence to P. Duffy regarding his attempt to meet and confer about this action (12-cv-8333)	0.30	\$300.00/hr	\$90.00
02/08/2013	MP	Legal Services: Review order to show cause re: sanctions; place three unsuccessful phone calls to P. Duffy in an attempt to meet and confer at an appointed time, as previously requested by Mr. Duffy	0.70	\$300.00/hr	\$210.00
02/15/2013	MP	Legal Services: Outline and prepare response to OSC re: Sanctions	1.00	\$300.00/hr	\$300.00
02/18/2013	MP	Legal Services: Prepare response to OSC re: Sanctions	6.40	\$300.00/hr	\$1,920.00

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02/19/2013	MP	Legal Services: Prepare, revise and file response to OSC re: Sanctions	4.90	\$300.00/hr	\$1,470.00
02/20/2013	MP	Legal Services: Prepare illustrative exhibit diagramming the organization of Prenda Law, Inc.	3.50	\$300.00/hr	\$1,050.00
02/21/2013	MP	Legal Services: Prepare correspondence to A. Waxler regarding joint stipulation to file a reply brief on the sanctions issue	0.50	\$300.00/hr	\$150.00
02/21/2013	MP	Legal Services: Investigate suspected second unwitting straw man; review new Guava, LLC verification; research "Alan Mooney" in Minnesota; telephone conference with D. Browning regarding same	4.20	\$300.00/hr	\$1,260.00
02/25/2013	MP	Legal Services: Investigate suspected second unwitting straw man, Allan Mooney, in the Guava, LLC v. Comcast case in St. Clair County, Illinois; telephone conference with K. Larsen, TCF Bank counsel regarding notary Bob Jones; follow up regarding same	2.70	\$300.00/hr	\$810.00
03/03/2013	MP	Legal Services: Prepare reply re: OSC	3.50	\$300.00/hr	\$1,050.00
03/04/2013	MP	Legal Services: Prepare, revise and file reply re: OSC; prepare and file declarations and exhibits in support of same; make inquiries regarding Alan Cooper's willingness to testify	5.40	\$300.00/hr	\$1,620.00
03/07/2013	MP	Legal Services: Prepare exhibits relating to case in chief for March 11 OSC re: sanctions	8.30	\$300.00/hr	\$2,490.00
03/08/2013	MP	Legal Services: Prepare potential rebuttal exhibits relating to March 11 OSC re: sanctions; prepare and file opposition to ex parte application seeking withdrawal of order requiring attendance of Prenda representatives	6.20	\$300.00/hr	\$1,860.00

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Ingenuity 13 - C.D. Cal. - 12-cv-8333

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Service Thru	Apr 04, 2013

Date	By	Legal Services	Hours	Rate	Amount
03/09/2013	MP	Legal Services: Prepare examination outline for (i) B. Gibbs; (ii) J. Steele; (iii) Pl. Hansemeier; (iv) P. Duffy; (v) Pe. Hansemeier; (vi) A. V.d. Hemel; and (vii) ISP representatives, for March 11 OSC re: sanctions; prepare correspondence to B. Fox regarding inquiry as to whether Verizon was ever actually served with Court's discovery order	4.50	\$300.00/hr	\$1,350.00
03/11/2013	MP	Legal Services: Travel to and from OSC re: sanctions; conduct examination of B. Gibbs and various other witnesses	6.10	\$300.00/hr	\$1,830.00
03/12/2013	MP	Legal Services: Coordinate preparation of transcript of voicemails played at 3/11 OSC hearing re: sanctions	0.40	\$300.00/hr	\$120.00
03/13/2013	MP	Legal Services: Prepare and file notices of lodging	0.80	\$300.00/hr	\$240.00
03/20/2013	MP	Legal Services: Review declaration filed by A. Waxler regarding service on the additional parties ordered to appear at the 4/2 OSC re: Sanctions; prepare correspondence to A. Waxler regarding additional addresses to be used to effect service	0.50	\$300.00/hr	\$150.00
04/01/2013	MP	Legal Services: Prepare exhibits and examination outlines for 4/2 OSC hearing re: sanctions	10.20	\$300.00/hr	\$3,060.00
04/04/2013	MP	Legal Services: Appear at 4/4/13 OSC hearing re: sanctions	0.50	\$300.00/hr	\$150.00

In Reference To: Pre-Service Litigation (Expenses)

Date	By	Expenses	Amount
12/20/2012	MP	Advanced Costs: One to One Messenger & Courier Service, Invoice No. 1357 for \$118	\$118.00
12/20/2012	MP	Advanced Costs: One to One Messenger & Courier Service, Invoice No. 1330 for \$118	\$118.00
12/20/2012	MP	Advanced Costs: Ace Attorney Service, Invoice No. 109038 for \$44.00	\$44.00
01/10/2013	MP	Advanced Costs: Ace Attorney Service, Invoice 110233, for \$113 for delivery of courtesy copies to Judge on 12/19/12	\$113.00

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Date	Apr 04, 2013
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Service Thru	Apr 04, 2013

01/10/2013	MP	Advanced Costs: Ace Attorney Service, Invoice 110233, for \$43 for delivery of courtesy copies to Judge on 12/21/12	\$43.00
01/10/2013	MP	Advanced Costs: Ace Attorney Service, Invoice 110233, for \$102.38 for delivery of courtesy copies to Judge on 12/03/12	\$102.38
01/21/2013	MP	Advanced Costs: Investigator Fee	\$150.00
02/20/2013	MP	Advanced Costs: Southwest Airlines for round-trip travel by Paul Godfread and Alan Cooper from MSP to LAX on March 10-11, 2013; Confirmation No. G3AL3H.	\$857.20
02/26/2013	MP	Advanced Costs: Oscar Apperti, One to One Messenger & Courier Service, Invoice No. 1359 for \$72	\$72.00
03/11/2013	MP	Advanced Costs: Oscar Apperti, One-to-One, Inv. 1395 for \$72.00	\$72.00
03/11/2013	MP	Advanced Costs: Professional Fees for Blair Chintella for: Mailing: \$19.95 Two Notaries: \$7.50 Gas/Paper/Toner: \$10	\$37.45
		TOTAL: \$37.45	
03/18/2013	MP	Advanced Costs: Kelli Norden and Associates, Inv. 82625, for Audiotape Transcription	\$75.00
03/19/2013	MP	Advanced Costs: Katie Thibodeaux, Court Reporter, for transcript of proceedings March 11, 2013.	\$285.60
03/25/2013	MP	Advanced Costs: Ace Attorney Service, Invoice No. 113213 dated 3/21/13, for delivery of courtesy copies to Judge	\$138.63

Total Hours	120.50 hrs
Total Legal Services	\$36,150.00
Total Expenses	\$2,226.26
Total Invoice Amount	\$38,376.26
Previous Balance	\$0.00

The Pietz Law Firm
3770 Highland Ave., Ste. 206
Manhattan Beach, CA 90266



Ingenuity 13 - C.D. Cal. - 12-cv-8333

Invoice 20256

Date	Apr 04, 2013
Terms	
Service Thru	Apr 04, 2013

Balance (Amount Due) \$38,376.26

EXHIBIT E

1 Morgan E. Pietz (SBN 260629)
THE PIETZ LAW FIRM
2 3770 Highland Ave., Ste. 206
Manhattan Beach, CA 90266
3 mpietz@pietzlawfirm.com
Telephone: (310) 424-5557
4 Facsimile : (310) 546-5301

5 Nicholas Ranallo
371 Dogwood Way
6 Boulder Creek, CA 95006
nick@ranallolawoffice.com
7 Telephone: (831) 703-4011
8 Fax: (831) 533-5073

9 Attorney for Putative John Doe in 2:12-cv-08333-ODW-JC

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12
13 INGENUITY 13, LLC, a Limited
Liability Company Organized Under
14 the Laws of the Federation of Saint
Kitts and Nevis,

15
16 Plaintiff,

17
18 v.

19 JOHN DOE,

20 Defendant.
21

Case Number: 2:12-cv-08333-ODW-JC

Case Assigned to:
District Judge Otis D Wright, II

Discovery Referred to:
Magistrate Judge Jacqueline Chooljian

Case Consolidated with Case Nos.:
2:12-cv-6636; 2:12-cv-6669; 2:12-cv-
6662; 2:12-cv-6668

22 **DECLARATION OF NICHOLAS**
23 **RANALLO RE: FEES AND COSTS**

1 **DECLARATION OF NICHOLAS RANALLO RE: FEES AND COSTS**

2 1. I am an attorney duly licensed by the State Bar of California and
3 admitted to the state and federal Courts of the State of California.

4 2. I am co-counsel for the putative defendant in *Ingenuity 13, LLC v. John*
5 *Doe*, C.D. Cal. No. 12-cv-8333-ODW-JC.

6 3. I graduated *cum laude* from Tulane Law School in May, 2007.

7 4. I passed the July 2007 New York Bar Examination and was admitted to
8 practice in July, 2008.

9 5. I previously worked as an associate for Stern & Montana, LLP from
10 approximately May, 2008 until September 2010 as a litigation associate.

11 6. While working at Stern & Montana, I passed the July 2010 California
12 Bar Exam, and was admitted to practice in this state in January, 2011.

13 7. I have represented a large number of defendants and putative “Doe”
14 defendants accused of similar BitTorrent copyright infringement, including
15 successfully defendant a number of individuals sued by AF Holdings during its
16 litigation campaign.

17 8. I have determined that my billing rate is reasonable by consulting three
18 sources: (i) the “Laffey Matrix” issued by the United State Department of Justice;
19 (ii) the “Adjusted Laffey Matrix,” which is a similar measure used by private law
20 firms; and (iii) a recent survey of hourly billing rates published by the San Francisco
21 Daily Journal.

22 9. According to the Department of Justice’s Laffey Matrix, a true and
23 correct copy of which is attached hereto as Exhibit A, for the year June 1, 2012 to
24 May 31, 2013, the benchmark for an attorney with 4-7 years experience (such as me)
25 is **\$290 per hour**. See *Viveros v. Donahoe*, 2013 U.S. Dist. LEXIS 46867 (C.D. Cal. Mar.
26 27, 2013) (Morrow, J.) (noting that “The Laffey Matrix reports that. . .a reasonable rate for
27 an attorney with four to seven years of experience is \$290 an hour [fn 31]” but explaining
28 in footnote 31 that “The court's experience suggests that these average rates are somewhat

1 low for the Los Angeles legal community.”)

2 10. According to the “Adjusted Laffey Matrix”, a true and correct copy of
3 which is attached hereto as Exhibit B, prepared not by the DOJ, but by private
4 litigants after reviewing DOJ methodology, the rate for a lawyer with 4-7 years
5 experience is **\$383 per hour**. See, *Kempf v. Barrett Bus. Servs.*, No. C-06-3161 SC,
6 2007 U.S. Dist. LEXIS 89447 (N.D. Cal. Nov. 20, 2007) (finding attorneys’
7 requested fees reasonable when compared to rates in the Adjusted Laffey Matrix).

8 11. According to the August 10, 2012, edition of the San Francisco Daily
9 Journal, a true and correct copy of which is attached hereto as Exhibit C, the
10 reasonable hourly rate for attorneys in the Los Angeles area is significantly higher
11 than the rate suggested by the Laffey Matrix. According to this survey, the 2012
12 average billing rate in the Los Angeles market was **\$550 per hour** for an associate,
13 up from \$516 per hour in 2011.

14 12. I have significant skill and experience dealing with this type of case and
15 with this particular plaintiff. I estimate that I represent approximately 50+ John Doe
16 defendants in similar actions, including several other cases that have been filed by
17 the same plaintiffs’ attorneys, Prenda Law, Inc.

18 13. Based on my (i) big-firm experience, (ii) sustained focus on intellectual
19 property issues, (iii) practical experience litigating this particular type of case, and
20 (iv) with reference to the fee benchmarks noted above, I believe that my current
21 billing rate of \$300 per hour is reasonable, if not on the low end for an attorney with
22 my skill and experience in these types of cases.

23 14. I have reasonably expended 6.5 hours in defense of this action. This is
24 comprised of 6 hours in court on March 11, 2013 and another half hour in court on
25 April 2, 2013. At a reasonable hourly rate of \$300/hour, this amounts to \$1950 in
26 attorney fees.

27 15. In addition, I have incurred \$333.60 in costs associated with this action,
28 comprised of two round trip tickets from Northern California to LAX, including

1 \$159.80 for the March 11th hearing, and an additional \$173.80 for the April 2nd
2 hearing.

3 16. In light of the foregoing, the total sum of costs and fees for my work in
4 this action is \$2283.60.

5
6 I declare under penalty of perjury under the laws of the United States of America
7 that the foregoing is true and correct.

8
9 Respectfully submitted,

10 DATED: April 5, 2013

11
12 Executed this day at Boulder Creek, California by: /s/ Nicholas Ranallo

13 Nicholas Ranallo, Declarant
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