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Class Counsel for Plaintiffs
continued on next page

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,

Plaintiffs,

vs.

PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services,

Defendant.

Case No. CV13-00663 LEK-KSC

PLAINTIFFS' RENEWED, UNOPPOSED MOTION FOR AWARD AND APPROVAL OF AMENDED SETTLEMENT REGARDING ATTORNEYS' FEES AND COSTS, AND SERVICE AWARDS TO NAMED PLAINTIFFS; DECLARATIONS OF CLAIRE WONG BLACK; MARC DAVID PETERS, GAVIN THORNTON, EXHIBITS "A"-"F"; CERTIFICATE OF SERVICE

pa-1751905

CLASS COUNSEL (continued from previous page)

HAWAII APPLESEED CENTER FOR LAW AND ECONOMIC JUSTICE

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PLAINTIFFS' RENEWED, UNOPPOSED[1] MOTION FOR AWARD AND APPROVAL OF AMENDED SETTLEMENT REGARDING ATTORNEYS' FEES AND COSTS, AND SERVICE AWARDS TO NAMED PLAINTIFFS

I. History of the Failed 2017 Settlement and 2018 Amended Settlement

Last March, on the eve of trial, the State agreed to a global settlement with Hawaii's foster families in this action and a companion action filed in the First Circuit Court, State of Hawai`i.[2] The settlement would have increased the Hawai`i Department of Human Services' (HDHS) monthly board reimbursement and annual clothing stipend to foster families and required HDHS to account for Hawaii's higher costs of living as compared to the mainland and inflation when setting future board rates, among other things. The settlement promised millions in added benefits for foster families.

As is often true, the settlement was contingent upon funding from the Legislature. And despite strong backing from the Governor, the Attorney General, HDHS, and thousands of hard-working foster families, key legislators took the unprecedented step of refusing to fund the settlement. They viewed the settlement

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[1] Although HDHS does not oppose this motion, it does not agree, concede, or adopt Plaintiffs' description of the facts and issues presented, or the factual or procedural background. To the contrary, HDHS has continued to assert that its conduct was lawful at all times.

[2] *Ah Chong v. Wong*, Civil No. 13-00663 LEK-KSC, Dkt. 327 (Settlement on the Record); *id.*, Dkt. 340-3 (Federal Settlement Agreement); Dkt. 340-4 (State Settlement Agreement in *Sheehey v. State*, Civil No. 14-1-1709-08 VLC (First Circuit Court, State of Hawai`i)).

as "judicial overreach" meddling with "legislative prerogative"[3] and claimed that the agreed-upon limit on Class Counsel's fees and costs in the federal action was too high—even though the State refused many overtures to resolve the dispute when the fees were much lower, the lodestar fees were much higher, and the amount was negotiated with great vigor by the Attorney General, leading to a greatly reduced fee.[4] Indeed, the amount then agreed upon was so low only because Class Counsel cared deeply for the welfare of the foster families and were willing to accept below-market-rate compensation to see that the money started flowing to the foster families without delay.

Because of the legislators' disregard for the Court and the recommendations of the executive branch, it became necessary to restart the litigation. As a result, the Court set a new, March 2018 trial date, Dkt. 361, and the parties resumed trial preparations. In 2018, the parties renewed settlement negotiations while continuing to prepare for trial. Class Counsel voluntarily reduced the attorneys' fees further so that the legislature would have no excuse to hold up the settlement that the litigants (and Governor) agreed to.

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[3] *See* https://www.pressreader.com/usa/honolulu-star-advertiser/20170521/281479276353378

[4] *See* http://www.civilbeat.org/2017/05/how-house-leaders-scuttled-better-pay-for-foster-parents/

On March 7, 2018, the parties placed the essential terms of an amended settlement on the record before Judge Chang. Dkt. 384. The two material changes to the 2017 settlement are: (1) extension of the 2017 Legislative Enactment date and effective date of board rate increases from to June 30, 2018 and July 1, 2018, respectively; and (2) reduction of Class Counsel's fees and costs for the federal lawsuit from $1,100,000 to $850,000—which is a fraction of the fees incurred and costs fronted by Class Counsel over the past four years in order to vindicate the rights of Hawaii's foster families.

II. The Voluntarily-Reduced Request for $850,000.00 in Attorneys' Fees and Costs Is Manifestly Reasonable and Should Be Approved[5]

Fee awards must ensure that civil rights lawyers receive reasonable compensation for their services. *Corder v. Gates*, 947 F.2d 374, 378 (9th Cir. 1991). Section 1988 authorizes the district courts to award reasonable attorneys' fees to prevailing parties[6] in civil rights litigation. 28 U.S.C. § 1988. The purpose of Section 1988 is to ensure effective access to the judicial process for persons with civil rights grievances. *Hensley v. Eckerhart*, 461 U.S. 424, 429 (1983). Indeed, in enacting Section 1988, Congress elected to **encourage** meritorious civil rights claims because of the benefits of such litigation for the named plaintiff and

[5] *See also* Dkt. 348 (Unopposed Motion for Award and Approval of Settlement Regarding Attorneys' Fees and Service Awards), attached as Exhibit "F" and incorporated herein by reference.

[6] Plaintiffs are prevailing parties. *See* Exhibit F, Dkt. 348 at PageID#:10132-10134.

for society at large. *Corder*, 947 F.2d at 377 (*quoting Blanchard v.* Bergeron, 489 U.S. 87, 96 (1989)). And, the Ninth Circuit has suggested that civil rights cases that confer non-monetary benefits "possibly justify[ ] a **higher** fee award." *Gonzalez v. City of Maywood*, 729 F.3d 1196, 1210 (9th Cir. 2013) (emphasis added).

While attorneys' fees and costs may be awarded in a certified class action where authorized by law or the parties' agreement, Fed. R. Civ. P. 23(h), courts have an independent obligation to ensure that the award, like the settlement itself, is reasonable, even if the parties have already agreed to an amount. *Staton v. Boeing Co.*, 327 F.3d 938, 963–64 (9th Cir. 2003). Foremost in considering the reasonableness of an award is the benefit obtained for the class. *Hensley*, 461 U.S. at 434–36.

Here, the benefit obtained for the Class is significant and lasting. Prior to this litigation, the State had not increased the foster board rate for 24 years. The Legislature acknowledged in 2009 that the foster board rate was "insufficient to raise a child because costs for food, housing, utilities, clothing, and other necessities have increased" since the rate was last set in 1990. *See* Dkt. 146-4 (House Resolution H.R. 209). Yet, year after year, HDHS turned down foster families' requests for board rate increases, Dkt. 146-5-146-7 (legislative testimony

opposing efforts to increase board rates), and refused to incorporate cost of living increases into the rate-setting process.

Throughout this litigation, HDHS maintained that it has been ***overpaying*** **foster families by as much as $324 each month.** Dkt. 314-6 (Expert Trial Testimony of Jerald Udinsky, ¶ 18. In other words, DHS took the view that the current Foster Care Maintenance Payment should be *even less than* the circa-1990 payment rate of $529. As one State expert testified, the Foster Care Maintenance Payment rate would not—and did not need to—put a roof over a foster child's head. Dkt. 293-3 (Plaintiffs' Trial Brief, Exhibit 2 at PageID#:9026-27). Now, as a result of the litigation and settlement, the federal Class will receive the following benefits:

(1) Increases the monthly board reimbursement:

Ages	Pre-Litigation Monthly Board Rate	Settlement Monthly Board Rate
0-5	$529	**$649**
6-11	$529	**$742**
12+	$529	**$776**

(2) Increases in the annual clothing allowance:

Ages	Pre-Litigation Clothing Allowance	Settlement Clothing Allowance
0-5	$600 (+ $125 for special circumstances)	**$810**
6-11		**$822**
12+		**$1026**

(3) DHS must conduct periodic reviews of the monthly board rate and clothing allowance, taking into account Hawaii's cost of living and inflation;

(4) DHS must request additional money from the Legislature to increase the board rates if Hawaii's cost of living increases five percent or more; and

(5) DHS will suspend the 120 hour per month limit on Difficulty of Care payments to families with special needs children, subject to a case by case assessment.

Dkt. 386-3 (Amended Federal Settlement Agreement).

Class Counsel has worked on this matter for more than four years, purely on a contingency basis. The recovery of any fees or costs was entirely dependent on the degree of Plaintiffs' success and the resulting application for and award of fees and costs. Exhibit F at Dkt. 348-3 ¶5. Class Counsel could have accepted non-contingency commercial work at far higher rates instead of pursuing public interest litigation. Exhibit F at Dkt. 348-3 ¶6. Class Counsel fronted costs, including hundreds of thousands of dollars in expert fees, deposition costs and transcripts, and copying costs. Exhibit F at Dkt. 348-3 ¶13; Dkt. 348-4 ¶7; Dkt. 348-5 ¶5. And, after the settlement failed, Class Counsel continued to expend significant time preparing for the rescheduled trial and responding to inquiries from notice recipients. Exhibits A-E. Class Counsel will continue to incur

additional time administering the settlement and responding to Class Members' inquiries.

In sum, Class Counsel's request for reduced fee award of $850,000.00 is manifestly reasonable, and more than warranted given the amount of work done, the fees and costs incurred, and the significant benefits obtained for the Class. *See* Declaration of Claire Wong Black at ¶¶9-13 (applying rates awarded by judges in the District of Hawai`i to hours billed by key timekeepers through March 2017).

III. Service Awards to Named Plaintiffs Are Reasonable and Should Be Approved

The Named Plaintiffs have expended significant time and energy over the past four years in order to prosecute this action, participating in the discovery process, being subjected to insinuations of avarice in initiating this litigation, preparing for trial twice, and participating in multiple settlement efforts. The personal benefit to Named Plaintiffs from this action and the settlement is coextensive with the benefit to all other class members because they will be eligible to receive the higher foster board rates. *See Aarons v. BMW of N. Am., LLC.*, Civ. No. 11-7667 PSF (CWX), 2014 WL 4090564, *18 (C.D. Cal. Apr. 29, 2014) (the fact that class representatives will not receive benefits beyond other class members weighs in favor of an award). As noted in Plaintiffs' previous motion for attorneys' fees and service awards, the risks and difficulties encountered by Named Plaintiffs Ms. Ah Chong and Mr. and Mrs. Sheehey were

significant. After the complaint was filed, Ms. Ah Chong received only one request for placement of a foster child even though she had previously fostered over 100 children, many on an emergency basis. Mr. and Mrs. Sheehey were threatened with a reduction in adoption assistance—which would have been a departure from HDHS' stated policy of paying the maximum board rate amount to adoptive parents. *See* Dkt. 278 at PageID#:8330 (reduced adoption assistance) and Dkt. 144-2 at PageID#:1682 ¶5 (stated adoption assistance policy).

For their considerable efforts and risks—including agreeing to be named in the Complaint when other foster parents who supported the litigation declined to participate publicly, fearing retaliation—service awards of $5,000 to each of Ms. Ah Chong, Mrs. Sheehey, and Mr. Sheehey are more than reasonable. *Odrick v. UnionBanCal Corp.*, No. C10-5565 SBA, 2012 WL 6019495, *7 (N.D. Cal. Dec. 3, 2012) ($5,000 service awards where settlement was reached *early* in the litigation).

IV. CONCLUSION

For the foregoing reasons, and those stated in Plaintiffs' prior motion, Dkt. 348, Plaintiffs respectfully request that this Court grant Plaintiffs' Renewed, Unopposed Motion for Award and Approval of Amended Settlement Regarding Attorneys' Fees and Costs, and Service Awards to Named Plaintiffs.

Dated: March 30, 2018

Respectfully submitted,

By: /s/ Claire Wong Black
VICTOR GEMINIANI
GAVIN THORNTON

PAUL ALSTON
J. BLAINE ROGERS
CLAIRE WONG BLACK

MARC D. PETERS
ALESSA Y. HWANG
JAMES R. HANCOCK

Class Counsel

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **DECLARATION OF CLAIRE WONG BLACK**

DECLARATION OF CLAIRE WONG BLACK

I, CLAIRE WONG BLACK, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am an attorney in the law firm of Alston Hunt Floyd & Ing (AHFI), and Class Counsel of record for Plaintiffs in the above-captioned matter.

2. I make this Declaration in support of Plaintiffs' RENEWED, UNOPPOSED MOTION FOR AWARD AND APPROVAL OF AMENDED SETTLEMENT REGARDING ATTORNEYS' FEES AND COSTS, AND SERVICE AWARDS TO NAMED PLAINTIFFS based on my personal knowledge. I am competent to testify about the matters contained in this Declaration.

3. Attached hereto as Exhibit "C" is a true and correct copy of Itemization of Fees, reflecting and describing the services rendered and attorneys' fees incurred for work performed by AHFI from April 13, 2017 to March 27, 2018, in connection with the above-captioned matter—**exclusive of** work relating to the

settlement and responding to class inquiries regarding the settlement and class notices, which are described below in paragraphs 4 and 5, and separately itemized in Exhibits "D" and "E".

4. Attached hereto as Exhibit "D" is a true and correct copy of a summary and Itemization of Fees, reflecting and describing services rendered and attorneys' fees incurred for work performed relating to settlement. In an exercise of billing discretion, because AHFI is also Class Counsel in the State Action, the total hours and fees AHFI incurred working on the settlement since Plaintiffs' prior fee motion have been prorated 50% each to the State Litigation and Federal Litigation.

5. Attached hereto as Exhibit "E" is a true and correct copy of a summary and Itemization of Fees, reflecting and describing services rendered and fees incurred for work performed relating to responding to class member inquiries regarding the settlement, class notices, and—later—the failure of the settlement and trial. In an exercise of billing discretion and based on my personal experience responding to inquiries from class members, the total of number of hours and fees have been prorated 90% to the State Litigation and 10% to the Federal Litigation. The overwhelming majority of class members who called with questions about the class notices were members of the State classes.

6. I have reviewed the fees for services rendered in this matter and verify that, to the best of my knowledge, they are accurate. The fees are based on timesheet entries made by the billing individuals identified in the invoices in the course of regularly conducted business activities, at or near the time of the acts, events, conditions or opinions described therein.

7. I have reviewed the time and charges in Exhibits "C" through "E". The fees incurred are reasonable and necessarily incurred.

8. In total AHFI expended 216.9 hours on this matter since the failure of the 2017 settlement, amount to fees of $49,189.50.

9. In addition, I have reviewed the time and charges set forth in Plaintiffs' prior UNOPPOSED MOTION FOR AWARD AND APPROVAL OF SETTLEMENT REGARDING ATTORNEYS' FEES AND SERVICE AWARDS, Dkt. 348 (the "2017 Motion"). Based on my review and certain hypothetical adjustments, described below, Plaintiffs' request for an award of attorneys' fees and costs of $850,000.00 is a fraction of the fees and costs incurred.

10. I undertook an analysis of **only** the fees incurred as of the 2017 Fee Motion and **did not consider** the fees incurred since the failure of the settlement**.** I then applied rates actually awarded by judges within the U.S. District of Hawai`i to counsel and paralegals with approximately similar years of experience as the counsel and paralegals in this action) to the total hours billed by AHFI, Morrison Foerster, and Hawaii Appleseed main timekeepers **only.** In other words, I did not consider hundreds of hours of time billed by any law clerk, paralegal, or attorney who devoted less than 75 hours to this action.

11. Based on the hypothetical adjustments described in paragraph 10 (which Plaintiffs do not concede are appropriate or consistent with Ninth Circuit jurisprudence regarding attorneys' fees in civil rights cases), the adjusted fees incurred up through the filing of the 2017 Fee Motion would be $1,417,965.19. This hypothetical amount does not take into account $276,737.63 of incurred costs, and hundreds of hours of time billed and value conferred by other timekeepers who assisted in this matter. Nor does it take into account more than $200,000.00 in fees incurred since the failure of the 2017 settlement.

12. In other words, the agreed-upon award of $850,000.00 is a fraction of the amount to which Class Counsel is entitled.

13. A summary of my calculations and the authorities supporting the adjusted, hypothetical rates applied follows.

Attorney/ Paralegal	Hours Billed	Billed Rate	Adjusted Rate	Amount at Awarded Rates	Authority for Adjusted Rates	Years
P. Alston	200.6	$695	$592.52	118,859.51	Alston for 2012-13 work, *ERK v. State* ("ERK"),*attached at Dkt.348-11 PageID#:10318*	40+ years
C. Black	1841.5	$225	$225	414,337.50	Lee, also admitted in 2006, in *Liberty Mutual Ins. V. Sumo-Nan,* Civ. No. 14-00520 DKW-KSC, 2017 WL 810277 (Mar. 1, 2017)	7-11 yrs
K. Guadagno	63.9		$125	7,987.50	$125 actual rate awarded to Kelly Guadagno in ERK	20+ years
I. Takane	89.1		$125	11,137.50	Same as K. Guadagno	20+ years
G. Thornton	175.4	$240	$240	42,096.00	Higher $260 rate held to be "manifestly reasonable" for attorney first admitted in 2001, *Civil Beat Law Center for the Public Interest v. Centers for Disease Control* , Civ. No. 16-00008 JMS-KSC, 2017 WL 664446 (Jan. 31, 2017)	adm. 2002
A.C. Johnston	452.75	$995	$592.52	268,263.43	Same as P. Alston	40+ years
J. Kanada	829.25	$690	$225	186,581.25	same rate as C. Black	6-9 years
J. Hancock	1091.5	$385	$200	218,300.00	$200 awarded to attorney with 6 years of experience at time of fee award, *Liberty Mutual Ins. V. Sumo Nan* , Civ. No. 14-00520 DKW-KSC, 2017 WL 810277 (Mar. 1, 2017)	3-7 years
B. DePuy	99.5	$650	$200	19,900.00	Same as J. Hancock	5 yrs
P. Day	93.75	$575	$175	16,406.25	$175 awarded to attorney with 5 years' experience at time of fee award, *Du Preez v. Banis* , Civ. No. 14-00171 LEK-RLP, 2017 WL 6523162 (Oct. 18, 2017)	4 yrs at the time
A. Hwang	283.25	$595	$175	49,658.75	Same as P. Day	4 yrs
D. Visitacion	88.25	$310	$125	11,031.25	Same as K. Guadagno	12 yrs
J. Catancio	374.5	$300	$125	46,812.50	Same as K. Guadagno	17 yrs
N. Hoang	52.75	$270	$125	6,593.75	Same as K. Guadagno	9 yrs
				1,417,965.19		

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

Executed in Honolulu, Hawai`i on March 30, 2018.

/s/ Claire Wong Black
CLAIRE WONG BLACK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **DECLARATION OF MARC DAVID PETERS**

DECLARATION OF MARC DAVID PETERS

I, MARC DAVID PETERS, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am a partner with the law firm of Morrison & Foerster LLP, and Class Counsel of record for Plaintiffs in the above-captioned matter.

2. I make this Declaration in support of Plaintiffs' Unopposed Motion for Award and Approval of Amended Settlement Regarding Attorneys' Fees and Service Awards based on my personal knowledge, unless otherwise stated. I am competent to testify about the matters contained in this Declaration.

3. Attached hereto as Exhibit B is a true and correct copy of Morrison Foerster LLP's fees reflecting and describing the services rendered and attorneys'

fees incurred for work performed by Morrison & Foerster LLP from the end of March 2017 through March 2018 in connection with this matter.

4. I have reviewed the fees for services rendered by Morrison & Foerster LLP in this matter and verify that, to the best of my knowledge, they are accurate. The fees are based on timesheet entries made by the billing individuals identified in the invoices in the course of regularly conducted business activities at or near the time of the acts described therein.

5. I have reviewed the time and charges set forth in Exhibit "B". The fees incurred are reasonable and were necessarily incurred for this matter.

6. In total, Morrison & Foerster LLP expended 272.5 hours on this matter since the failure of the 2017 settlement, amounting to fees of $193,000.00.

7. The hourly rates used to calculate this total amount are the rates that Morrison & Foerster LLP bills its paying clients.

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

Executed in Palo Alto, California on March 30, 2018.

MARC DAVID PETERS

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC DECLARATION OF GAVIN THORNTON

DECLARATION OF GAVIN THORNTON

I, GAVIN THORNTON, declare that:

1. I am the co-executive director of the Hawaii Appleseed Center for Law and Economic Justice (Hawaii Appleseed, formerly Lawyers for Equal Justice). I am licensed to practice before this Court and I am Class Counsel of record for Plaintiffs in this action.

2. I make this declaration based on my personal knowledge and am competent to testify to the matters discussed herein.

3. Attached hereto as Exhibit "A" is a true and correct copy of Hawaii Appleseed's fees, reflecting and describing the services rendered and attorneys' fees and costs incurred for work performed by Hawaii Appleseed from March 6, 2017 through March 2018 in connection with the above-captioned matter.

4. I have reviewed Hawaii Appleseed's fees for services rendered in this matter and verify that, to the best of my knowledge, they are accurate. The fees are based on timesheet entries made by the billing individuals identified in the invoices in the course of regularly conducted business activities at or near the time of the acts described therein.

5. I have reviewed the time and charges set forth in Exhibit "A". The fees incurred are reasonable and were necessarily incurred in this lawsuit.

6. Hawaii Appleseed has spent a total of 33 attorney hours working on this action. The amount of attorneys' fees Hawaii Appleseed has incurred to date is $7,920.00.

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

Executed in Honolulu, Hawai`i on March 30, 2018.

GAVIN THORNTON

HAWAII APPLESEED
CENTER FOR LAW & ECONOMIC JUSTICE

119 Merchant Street, Ste 605A
Honolulu, Hawai`i, 96813
Tel: (808) 587-7605

Ah Chong v. Wong, CV13-00663 LEK-KSC
Sheehey v. State of Hawaii, 14-1-I709-08 VLC

Date: March 30, 2018

DATE	TIME	DESCRIPTION
3/6/2017	0.1	Email with co-counsel regarding stats conference and fees negotiations
3/7/2017	0.5	Emails with co-counsel regarding fees negotiations; review and analyze fees discount options
3/8/2017	0.6	Review and revise settlement conference; emails with co-counsel regarding same
3/9/2017	0.2	Emails with co-counsel regarding fees negotiations
3/13/2017	0.4	Review draft motion for preliminary approval of settlement
3/15/2017	0.1	Emails with co-counsel regarding draft motion for preliminary approval of settlement
3/15/2017	1.4	Review budget and strategize regarding legislative approval of settlement; emails with co-counsel regarding same
3/16/2017	0.3	Review and sign settlement agreement
3/17/2017	0.3	Research legislation related to settlement approval
3/17/2017	0.1	Emails with co-counsel regarding timing of settlement approval
3/28/2017	0.4	Review, revise and sign declaration supporting unopposed fees motion
4/14/2017	0.3	Work on strategy for legislative approval of settlement; emails with co-counsel regarding same
4/17/2017	2.3	Work on strategy for legislative approval of settlement; emails with co-counsel regarding same
4/18/2017	2.1	Calls to class members regarding legislative approval of settlement issues
4/21/2017	0.1	Call with P. Alston regarding legislative approval of settlement issues
4/24/2017	0.3	Emails with opposing counsel and co-counsel regarding no appropriation for settlement
4/27/2017	1.3	Work on strategy for funding of settlement
4/27/2017	1	Review draft motion for settlement fairness hearing; confer with co-counsel regarding same
4/28/2017	0.2	Emails with co-counsel regarding strategy for settlement funding
4/28/2017	0.7	Calls with class representatives regarding settlement status
5/1/2017	0.1	Emails with co-counsel regarding strategy for settlement funding

EXHIBIT A

DATE	TIME	DESCRIPTION
5/2/2017	0.6	Correspond with class representatives regarding legislative refusal to approve settlement
5/2/2017	0.8	Confer with co-counsel regarding settlement strategy
5/11/2017	0.3	Review joint status report draft and email with co-counsel regarding same
5/12/2017	0.2	Review revised joint status report draft and email with co-counsel regarding same
5/15/2017	0.7	Work on strategy for funding of settlement
5/18/2017	0.6	Strategize regarding funding settlement during possible special session; emails with co-counsel regarding same
5/23/2017	0.5	Strategize regarding funding settlement during possible special session; emails with co-counsel regarding same
8/9/2017	0.3	Work on strategy for legislative approval of settlement during special session
8/11/2017	0.8	Develop plan for special session push for legislative approval of settlement; emails with co-counsel regarding same
8/16/2017	0.6	Caculate additional inflation adjustment on most recently adopted foster payment rates and email C. Wong Black regarding same.
8/18/2017	3.4	Work on plan for special session push for legislative approval of settlement; emails with co-counsel regarding same; draft state on settlement and need for approval
8/19/2017	0.3	Emails with co-counsel regarding implementing plan for special session push for legislative approval of settlement
8/21/2017	0.3	Finalize statement on settlement and need for approval
8/22/2017	0.9	Call and email with class representative regarding push for settlement approval in special session
9/21/2017	1	Prep and attend conference call with co-counsel regarding case strategy
10/26/2017	0.2	Review draft notice to class regarding no settlement
1/11/2018	0.2	Emails with team regarding settlement potential
1/11/2018	0.4	Prep for and attend settlement conference
1/17/2018	0.7	Conference call with co-counsel regarding case strategy; follow up
1/23/2018	0.4	Attend final pretrial conference and prep
2/8/2018	0.3	Review settlement agreement revisions
2/9/2018	0.5	Calls with class representatives regarding settlement status
2/14/2018	0.5	Prep for, attend and debrief from status conference
2/16/2018	0.4	Discussions with co-counsel regarding settlement

DATE	TIME	DESCRIPTION
2/22/2018	0.8	Team call regarding settlement offer
2/22/2018	1.4	Draft settlement proposal and correspondence with co-counsel regarding same
2/26/2018	1.1	Team call regarding settlement offer; draft counter offer
2/27/2018	0.3	Emails with team regarding counter offer
2/28/2018	1	Review settlement correspondence and attend conference call with team
3/2/2018	0.3	Emails with co-counsel regarding settlement
3/5/2018	0.4	Attend settlement conference/discussion

FEE TOTALS

Hours	33
Rate (all hours GKT)	$240.00
TOTAL	**$7,920.00**

Work Date	TK Name	Work Hrs	Work Amt	Timenote Description
3/27/2017	DAISY BELLE VISITACION	2.75	907.50	Review and prepare updated costs and fees chart for review by local counsel; confer with J. Hancock regarding same.
3/27/2017	ALESSA YIN-CHEN HWANG	1.00	650.00	Review correspondence related to motion for fees and related spreadsheets.
3/27/2017	JAMES R. HANCOCK	1.25	750.00	Prepare and review spreadsheet of fees and costs for motion for fees; correspond and confer with D. Visitacion, B. Craig, P. San Gabriel, and C. Black regarding same; confer with A. Hwang regarding motion for fees.
3/28/2017	DAISY BELLE VISITACION	2.75	907.50	Review new export of recent attorney costs and fees materials for transmittal to local counsel; review attorney fees and calculate total hours worked.
3/28/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Confer with J. Hancock regarding pro hac vice application for M. Peters and motion for fees.
3/28/2017	JAMES R. HANCOCK	4.50	2,700.00	Revise and finalize motion for fees, declarations, spreadsheet, and motions for pro hac vice and withdrawal; correspond and confer with C. Black, A. Hwang, G. Thornton, and M. Peters regarding same.
4/14/2017	JAMES R. HANCOCK	0.25	150.00	Confer with A. Hwang regarding case status; correspond with C. Black and G. Thornton regarding legislative process.
4/24/2017	JAMES R. HANCOCK	1.25	750.00	Review and summarize declaration filed by opposing counsel; correspond and confer with case team regarding legislative developments; analyze issues regarding reopening case.
4/25/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence related to funding by state legislature.
4/25/2017	JAMES R. HANCOCK	0.75	450.00	Correspond and confer with case team regarding settlement status and case strategy.
4/25/2017	MARC D. PETERS	0.50	480.00	Analyze settlement agreement.
4/27/2017	JAMES R. HANCOCK	1.00	600.00	Review opposing counsel's draft motion to reschedule fairness hearing and related filings; correspond and confer with case team regarding same.
4/27/2017	MARC D. PETERS	0.50	480.00	Intra-office conference regarding settlement strategy.
4/28/2017	ALESSA YIN-CHEN HWANG	1.00	650.00	Review correspondence related to legislative funding; review motion regarding May 8 fairness hearing; confer with J. Hancock regarding same.
4/28/2017	JAMES R. HANCOCK	0.75	450.00	Review order; correspond with case team; confer with A. Hwang.
5/1/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with case team regarding case updates and scheduling call.
5/2/2017	ALESSA YIN-CHEN HWANG	0.75	487.50	Attend conference call with local counsel regarding settlement enforcement and alternative plans for trial strategy.

EXHIBIT B

5/2/2017	JAMES R. HANCOCK	1.25	750.00	Attend case team meeting; attend to follow up tasks regarding expert discovery and reopening case.
5/2/2017	MARC D. PETERS	1.00	960.00	Telephone conference regarding settlement strategy; intra-office conference regarding same.
5/3/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence regarding status of settlement.
5/3/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with M. Hansen.
5/4/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Telephone conference with M. Hansen and J. Hancock regarding case status and potential supplements to update expert report.
5/4/2017	JAMES R. HANCOCK	0.50	300.00	Confer with M. Hansen and A. Hwang regarding expert discovery; prepare for same.
5/11/2017	ALESSA YIN-CHEN HWANG	0.50	325.00	Review joint status report draft and correspond with C. Wong Black regarding same.
5/12/2017	MARC D. PETERS	0.25	240.00	Review draft joint status report.
5/15/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with co-counsel.
5/16/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with co-counsel.
5/17/2017	JAMES R. HANCOCK	1.00	600.00	Review articles; correspond and confer with A. Hwang and C. Black regarding settlement and developments; research regarding settlement.
5/19/2017	ALESSA YIN-CHEN HWANG	0.50	325.00	Review correspondence from local counsel related to press coverage of legislature's decision not to fund the settlement agreement.
5/23/2017	JAMES R. HANCOCK	0.25	150.00	Research regarding expert reports; correspond with C. Black regarding same.
5/25/2017	JAMES R. HANCOCK	0.25	150.00	Review media coverage; correspond and confer with case team regarding same.
5/26/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence from local counsel related to media coverage of lack of settlement funding.
6/13/2017	JAMES R. HANCOCK	0.50	300.00	Correspond with C. Black regarding upcoming hearing; confer with A. Hunt regarding New York foster care litigation.
6/18/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence related to upcoming case conference regarding setting trial.
6/18/2017	JAMES R. HANCOCK	0.75	450.00	Analyze expert calculations; correspond with M. Hansen and A. Hwang regarding schedules.
6/19/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Correspond with team regarding trial availability and schedule.
6/19/2017	JAMES R. HANCOCK	2.50	1,500.00	Confer with M. Hansen; attend to trial schedule; attend meeting with M. Peters and A. Hwang regarding case developments, strategy, and trial schedule; confer with C. Black regarding same and status conference.

6/19/2017	MARC D. PETERS	0.75	720.00	Attend to case scheduling; intra-office conference regarding status conference.
6/21/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence from local counsel regarding status conference.
6/23/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review filing of letter from class member and confer with J. Hancock regarding same.
6/23/2017	JAMES R. HANCOCK	0.50	300.00	Attend to letters and order from court; correspond with case team; confer with A. Hwang regarding special legislative session and case status.
7/5/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with G. Thornton and C. Black.
8/18/2017	JAMES R. HANCOCK	0.25	150.00	Confer with M. Peters regarding case status and BLDS invoice; correspond with C. Black regarding same; submit BLDS invoice for payment.
9/15/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Correspond with local counsel and team regarding status conference and availability for team call.
9/15/2017	JAMES R. HANCOCK	0.25	150.00	Correspond and confer with case team regarding recent hearings; review filings.
9/21/2017	ALESSA YIN-CHEN HWANG	1.00	650.00	Attend conference call with M. Peters, J. Hancock, C. Wong Black, and G. Thornton regarding strategy for trial and appeals.
9/21/2017	JAMES R. HANCOCK	1.00	600.00	Prepare for and participate in conference call with case team regarding status conferences and case strategy.
9/21/2017	MARC D. PETERS	1.50	1,440.00	Attend team meeting; review court orders and docket items.
9/22/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with M. Hansen regarding new trial date and case status.
9/28/2017	JAMES R. HANCOCK	1.25	750.00	Research regarding appellate issues.
10/10/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with J. Brown regarding case status; research regarding deadlines.
10/11/2017	JAMES R. HANCOCK	3.00	1,800.00	Research regarding deadlines.
10/26/2017	JAMES R. HANCOCK	0.25	150.00	Revise class notice; correspond regarding same.
10/26/2017	MARC D. PETERS	0.50	480.00	Review proposed notice to class regarding failure of settlement.
11/1/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with case team.
11/9/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with M. Peters.
11/9/2017	MARC D. PETERS	0.25	240.00	Review and reply to messages regarding interlocutory appeal.
11/10/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with C. Black regarding case updates, potential motions, and contact with class members.
12/6/2017	JAMES R. HANCOCK	1.00	600.00	Research regarding motion for certification or similar relief.
12/14/2017	MARC D. PETERS	1.00	960.00	Review correspondence regarding FY19 budget; intra-office conference regarding same and case strategy.
12/19/2017	JAMES R. HANCOCK	2.00	1,200.00	Confer with C. Black regarding potential motion; confer with M. Peters regarding same; prepare for both discussions; research related issues.

12/19/2017	MARC D. PETERS	0.75	720.00	Intra-office conference regarding case strategy.
12/20/2017	MARC D. PETERS	1.25	1,200.00	Intra-office conference regarding case strategy.
12/21/2017	JAMES R. HANCOCK	0.75	450.00	Confer with C. Black regarding potential motions and case status; prepare for same; correspond with M. Peters and A. Hwang regarding same.
12/22/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with C. Black and M. Peters.
1/3/2018	JAMES R. HANCOCK	0.50	337.50	Correspond with M. Peters and C. Black; review summary from C. Black; review order on summary judgment for question from C. Black.
1/5/2018	JAMES R. HANCOCK	0.25	168.75	Correspond with C. Black regarding new filing; correspond with F. Sagapolu regarding the Court's service list.
1/9/2018	JAMES R. HANCOCK	1.25	843.75	Research regarding potential motions; correspond and confer with C. Black; correspond with M. Hansen.
1/11/2018	JAMES R. HANCOCK	0.25	168.75	Correspond with C. Black regarding status conference; confer with A. Hwang regarding case status.
1/16/2018	JAMES R. HANCOCK	6.75	4,556.25	Draft motion for interlocutory appeal.
1/16/2018	MARC D. PETERS	2.25	2,250.00	Review and revise pretrial statement; intra-office conference regarding same; review DHS pretrial statement.
1/17/2018	JEFFREY M. SCHOERNER	0.50	150.00	Research U.S. Courts' former Guide to Judiciary Policies & Procedures; for J. Hancock.
1/17/2018	JAMES R. HANCOCK	6.50	4,387.50	Draft motion to certify interlocutory appeal.
1/17/2018	MARC D. PETERS	1.25	1,250.00	Lead team strategy call; attend to case management.
1/18/2018	JAMES R. HANCOCK	2.75	1,856.25	Draft motion for interlocutory appeal; attend to pro hac vice application for M. Peters.
1/19/2018	JAMES R. HANCOCK	0.25	168.75	Research regarding appellate team; correspond regarding same.
1/19/2018	MARC D. PETERS	2.00	2,000.00	Telephone conference regarding interlocutory appeal; legal research regarding same.
1/22/2018	MARC D. PETERS	3.25	3,250.00	Legal research regarding interlocutory appeals; review and revise motion requesting certification of interlocutory appeal.
1/23/2018	JAMES R. HANCOCK	2.50	1,687.50	Correspond and confer regarding hearing; research regarding deadlines; draft summary regarding same.
1/23/2018	MARC D. PETERS	3.00	3,000.00	Legal research regarding interlocutory appeals; review and revise motion requesting certification of interlocutory appeal; intra-office conference regarding same; review trial materials.
1/24/2018	JAMES R. HANCOCK	0.75	506.25	Draft plan for potential expert and fact discovery; research regarding potential motion regarding same.
1/25/2018	JAMES R. HANCOCK	2.25	1,518.75	Research regarding potential discovery and related motions; correspond with C. Black regarding motion for interlocutory appeal and communication with opposing counsel.

1/25/2018	MARC D. PETERS	4.25	4,250.00	Review trial materials; legal research regarding interlocutory appeal; review correspondence regarding same.
1/26/2018	JAMES R. HANCOCK	1.00	675.00	Confer with M. Hansen regarding updated analysis; research regarding same.
1/26/2018	MARC D. PETERS	2.25	2,250.00	Prepare correspondence regarding interlocutory appeal; intra-office conference regarding same; review trial materials.
1/29/2018	JAMES R. HANCOCK	1.00	675.00	Review discovery for potential updates and requests.
1/29/2018	MARC D. PETERS	1.25	1,250.00	Review trial materials; intra-office conference regarding trial preparation.
1/30/2018	ALESSA YIN-CHEN HWANG	1.50	1,087.50	Attend conference with M. Peters and J. Hancock to discuss pre-trial issues and tasks; review materials for same.
1/30/2018	JAMES R. HANCOCK	4.75	3,206.25	Attend trial preparation meeting with M. Peters and A. Hwang; prepare for same; attend to task list and action items discussed during same; research regarding exhibits, demonstratives, initial disclosures, supplemental discovery, expert discovery, witness
1/30/2018	MARC D. PETERS	3.75	3,750.00	Review amended scheduling order; review trial materials; intra-office conference regarding trial preparation.
1/31/2018	JAMES R. HANCOCK	0.25	168.75	Correspond and confer with J. Aris regarding research project.
1/31/2018	JULIAN ARIS	3.00	1,380.00	Research evidentiary issues.
1/31/2018	MARC D. PETERS	2.25	2,250.00	Review trial materials; intra-office conference regarding trial preparation.
2/1/2018	ALESSA YIN-CHEN HWANG	0.75	543.75	Confer with J. Hancock regarding pre-trial issues; review correspondence from local counsel regarding settlement discussions and pre-trial preparation.
2/1/2018	JAMES R. HANCOCK	0.25	168.75	Correspond and confer with J. Aris regarding research project; confer with A. Hwang regarding case status.
2/1/2018	JULIAN ARIS	6.75	3,105.00	Research evidentiary issues.
2/1/2018	MARC D. PETERS	2.75	2,750.00	Review trial materials; intra-office conference regarding trial preparation.
2/2/2018	JAMES R. HANCOCK	1.25	843.75	Draft supplemental initial disclosures; confer with M. Hansen regarding expert analysis.
2/2/2018	ANN-MARIE BERTI CABIC	3.75	1,125.00	Search for cases or articles regarding evidentiary issues for J. Aris.
2/2/2018	JULIAN ARIS	2.25	1,035.00	Research admissibility of proposed budgets under Federal Rules of Evidence 803(8), 902, and 1005.
2/2/2018	MARC D. PETERS	0.50	500.00	Review supplemental initial disclosures.
2/5/2018	JAMES R. HANCOCK	0.50	337.50	Research regarding potential motion in limine; confer with J. Aris regarding research project.
2/5/2018	JULIAN ARIS	5.75	2,645.00	Research law of the case doctrine issues.
2/5/2018	MARC D. PETERS	1.00	1,000.00	Review correspondence; review trial materials.
2/6/2018	JULIAN ARIS	8.50	3,910.00	Research law of the case doctrine issues.

2/7/2018	ALESSA YIN-CHEN HWANG	0.25	181.25	Review travel logistics for trial.
2/8/2018	JAMES R. HANCOCK	0.25	168.75	Correspond with case team regarding trial logistics and settlement agreement.
2/8/2018	JULIAN ARIS	5.75	2,645.00	Compose letter to J. Hancock regarding law of the case doctrine issues.
2/8/2018	MARC D. PETERS	4.25	4,250.00	Review trial materials; intra-office conference regarding trial preparation; analyze revised settlement agreement; prepare correspondence regarding same.
2/9/2018	ALESSA YIN-CHEN HWANG	1.00	725.00	Review draft exhibit list and correspond with J. Hancock regarding same.
2/9/2018	JAMES R. HANCOCK	2.25	1,518.75	Attend to exhibit list and motions in limine; correspond and confer with case team regarding same.
2/9/2018	JULIAN ARIS	0.50	230.00	Compose letter to J. Hancock regarding law of the case doctrine issues.
2/9/2018	MARC D. PETERS	3.25	3,250.00	Legal research regarding motions in limine and law of the case; intra-office conference regarding same; intra-office conference regarding supplemental trial exhibits.
2/10/2018	MARC D. PETERS	2.50	2,500.00	Review correspondence; review trial materials.
2/11/2018	JAMES R. HANCOCK	0.25	168.75	Attend to potential motions in limine.
2/12/2018	RUDY Y. KIM	0.75	787.50	Meeting with M. Peters regarding case status, pre-trial statements, motions in limine and trial strategy.
2/12/2018	JAMES R. HANCOCK	5.50	3,712.50	Review supplemental trial exhibits from DHS; research regarding potential motions in limine; review potential deposition designations; correspond and confer with M. Peters, C. Black, and J. Aris.
2/12/2018	JULIAN ARIS	6.50	2,990.00	Compose memorandum regarding the law of the case doctrine issues.
2/12/2018	MARC D. PETERS	3.75	3,750.00	Analyze DHS supplemental exhibits; intra-office conference regarding same; legal research regarding motions in limine; prepare for trial.
2/13/2018	ALESSA YIN-CHEN HWANG	1.00	725.00	Confer with M. Peters and J. Hancock regarding pre-trial preparation and settlement issues; review materials related to same.
2/13/2018	JAMES R. HANCOCK	7.00	4,725.00	Designate deposition testimony for use at trial; attend to potential motions in limine; attend to settlement offer; correspond and confer with case team regarding settlement offer, motions in limine, and status conference; correspond with M. Hansen.
2/13/2018	JULIAN ARIS	8.00	3,680.00	Compose memorandum regarding the law of the case doctrine issues.
2/13/2018	MARC D. PETERS	6.75	6,750.00	Prepare for trial; analyze deposition designations; analyze DHS motions in limine; intra-office conference regarding settlement offer; analyze client engagement and co-counsel agreements; intra-office conference regarding same.
2/14/2018	RUDY Y. KIM	0.25	262.50	Correspondence with M. Peters regarding continuance of trial date.

2/14/2018	JAMES R. HANCOCK	2.00	1,350.00	Designate deposition testimony for use at trial; correspond and confer with case team regarding potential settlement and status conference; perform related calculations and research.
2/14/2018	JULIAN ARIS	7.50	3,450.00	Compose memorandum regarding the law of the case doctrine issues.
2/14/2018	MARC D. PETERS	4.25	4,250.00	Prepare for trial; intra-office conference regarding status conference; intra-office conference regarding settlement offer; analyze client engagement and co-counsel agreements; intra-office conference regarding same.
2/15/2018	JULIAN ARIS	5.25	2,415.00	Compose memorandum regarding law of the case doctrine issues.
2/15/2018	MARC D. PETERS	1.00	1,000.00	Intra-office conference regarding settlement offer; analyze client engagement and co-counsel agreements.
2/16/2018	JAMES R. HANCOCK	1.25	843.75	Correspond and confer with case team regarding settlement and trial prep; confer with M. Hansen regarding trial prep and schedule.
2/16/2018	JULIAN ARIS	2.25	1,035.00	Compose memorandum regarding the law of the case doctrine issues.
2/16/2018	MARC D. PETERS	0.25	250.00	Telephone conference regarding potential settlement.
2/20/2018	RUDY Y. KIM	1.00	1,050.00	Review pretrial statements and background materials; meeting with J. Hancock regarding trial schedule; correspondence with J. Hancock and A. Hwang regarding trial binder and key pleadings and case materials.
2/20/2018	ALESSA YIN-CHEN HWANG	1.25	906.25	Review pre-trial filings and settlement correspondence.
2/20/2018	JAMES R. HANCOCK	0.50	337.50	Identify and collect key documents for trial binder; correspond with R. Kim regarding same.
2/21/2018	ALESSA YIN-CHEN HWANG	3.75	2,718.75	Review pre-trial documents, expert reports, and correspondence.
2/21/2018	JAMES R. HANCOCK	0.75	506.25	Correspond and confer with case team regarding settlement and trial prep; review amended scheduling order.
2/21/2018	MARC D. PETERS	1.00	1,000.00	Prepare correspondence to team regarding status of settlement talks; intra-office conference regarding same.
2/22/2018	ALESSA YIN-CHEN HWANG	1.00	725.00	Attend conference call with M. Peters, J. Hancock, and local counsel regarding settlement strategy; review draft letter to AG's office.
2/22/2018	JAMES R. HANCOCK	0.75	506.25	Participate in case team conference call regarding settlement proposal; prepare for same; correspond regarding same.
2/22/2018	MARC D. PETERS	2.75	2,750.00	Telephone conference with team regarding settlement options; intra-office conference regarding same; review and revise counteroffer letter to defendants.
2/23/2018	JAMES R. HANCOCK	1.00	675.00	Review research memo from J. Aris; conduct related research.

2/26/2018	ALESSA YIN-CHEN HWANG	0.25	181.25	Confer with J. Hancock regarding settlement update; review correspondence regarding same.
2/26/2018	JAMES R. HANCOCK	3.75	2,531.25	Attend to M. Hansen's declaration and updated calculations; correspond and confer with case team regarding settlement; revise letter to opposing counsel.
2/26/2018	MARC D. PETERS	4.25	4,250.00	Review DHS counteroffer; intra-office conference regarding same; analyze prior settlement history; telephone conference with team regarding response to DHS counteroffer.
2/27/2018	RUDY Y. KIM	4.75	4,987.50	Review pre-trial statements and related materials
2/27/2018	ALESSA YIN-CHEN HWANG	0.25	181.25	Review settlement correspondence.
2/27/2018	JAMES R. HANCOCK	4.50	3,037.50	Attend to M. Hansen's declaration and updated calculations; analyze and update trial brief, factual findings, and related filings; correspond and confer with case team regarding settlement; revise letter to opposing counsel.
2/27/2018	MARC D. PETERS	1.75	1,750.00	Intra-office conference regarding settlement; review and revise correspondence to DHS regarding settlement; intra-office conference regarding same.
2/28/2018	RUDY Y. KIM	2.50	2,625.00	Review pre-trial statements.
2/28/2018	ALESSA YIN-CHEN HWANG	1.00	725.00	Review settlement correspondence and attend conference call with team and local counsel regarding same.
2/28/2018	JAMES R. HANCOCK	2.75	1,856.25	Revise M. Hansen's declaration to account for her updated calculations and analysis; correspond and confer with case team regarding settlement.
2/28/2018	MARC D. PETERS	2.25	2,250.00	Intra-office conference regarding settlement; telephone conference with team regarding settlement; review DHS correspondence; intra-office conference regarding same.
		271.50	192,467.50	
				DAISY BELLE VISITACION - $330
				ALESSA YIN-CHEN HWANG - $650/$725
				JAMES R. HANCOCK - $600/$675
				MARC D. PETERS - $960/$1000
				JULIAN ARIS - $460
				RUDY Y. KIM - $1,050
				JEFFREY M. SCHOERNER - $300
				ANN-MARIE BERTI CABIC - $300

Atty	Date	Hours	Value	Description
PA	04/13/2017	0.10	$ 69.50	review notice of hearing on plaintiffs' motion for attorney fees
KMK	04/28/2017	0.40	$ 74.00	strategize and evaluate history of case, plan of action and issues to further research
PA	04/21/2017	0.20	$ 139.00	telephone call from G. Thornton re case status
PA	04/27/2017	0.20	$ 139.00	emails from and to G. Thornton re motion re fairness hearing
CWB	04/03/2017	0.50	$ 112.50	emails to legal team re communications script for foster parent calls
CWB	04/07/2017	0.10	$ 22.50	email to and from D. Kalama re BLDS deposition invoices
CWB	04/27/2017	2.00	$ 450.00	call with D. Kalama re deadlines and settlement status (.3); review and analyze D. Kalama draft motion (.5); email to J. Hancock, G. Thornton re motion and next steps (.4); discussion with C. Eads re non-legislative options and talking points (.8)
KMK	05/02/2017	0.80	$ 148.00	discuss and evaluate possible strategy options and status of case on phone call with co-counsel
KMK	05/08/2017	4.60	$ 851.00	analyze relationship between Aid to Families with Dependent Children and foster care (0.6); evaluate prior pleadings (2.0); review prior pleadings and research regarding shelter argument (0.5); research supporting evidence shelter argument (1.5)
KMK	05/09/2017	4.80	$ 888.00	research definitions and terms regarding shelter or housing; review discussion of shelter in committee report notes; summarize findings in memorandum to C. Black
KMK	05/10/2017	2.80	$ 518.00	research administrative decisions for US Department of Health and Human Services for definition of "shelter"
PA	05/12/2017	0.40	$ 278.00	review joint status report; conference with C. Black re trial issues (.1); telephone call to C. Varady re trial strategy and options (.3)
KMK	05/15/2017	0.40	$ 74.00	analyze amicus brief re Child Welfare Act and foster care
KMK	05/17/2017	1.30	$ 240.50	analyze amicus brief re the argument that Congress did not confer a right to foster care payments (0.4); research United States Supreme Court cases looking to similar statutes when a meaning of a word is undefined (0.9)
KMK	05/18/2017	3.20	$ 592.00	research SCOTUS cases where an undefined term's meaning was given context according to similar statutes (2.5); evaluate SCOTUS case where deference is given to administrative agency's meaning of terms in statutes they administer (0.4); summarize research findings in short memorandum to C. Black (0.3)

EXHIBIT C

PA	05/01/2017	0.10	$ 69.50	conference with C. Black re trial resetting
PA	05/02/2017	0.20	$ 139.00	conference with C. Black re status call with MoFo and email to M. McCartney
PA	05/03/2017	0.30	$ 208.50	work on trial plan after failure of settlement
KMK	05/22/2017	0.20	$ 37.00	strategize action and research needed to reopen limited discovery after settlement failure
PA	05/06/2017	0.30	$ 208.50	email to C. Black re trial strategy
KEYO	05/24/2017	4.10	$ 512.50	analyze court and legislative records related to claims against the state per C. Black re federal foster care litigation
PA	05/15/2017	0.40	$ 278.00	conference with C. Black re strategy (.1); work on trial issues (.3)
PA	05/19/2017	0.10	$ 69.50	conference with C. Black re trial issues
PA	05/22/2017	0.40	$ 278.00	conference with C. Black re trial setting (.3); email to C. Black re Utah foster care rates (.1)
CHFA	05/25/2017	2.00	$ 370.00	begin drafting research memo re case law supporting motion to add trial witnesses identified through class notice process
PA	05/11/2017	0.20	$ 139.00	emails re reason for the house's refusal to fund federal court settlement for long suffering foster parents
KEYO	05/25/2017	1.70	$ 212.50	analyze court and legislative records re claims against the state for use at trial
KEYO	05/25/2017	0.70	$ 87.50	analyze court and legislative records re claims against the state for use at trial
KMK	05/30/2017	5.90	$ 1,091.50	review and evaluate cases where courts granted or denied motions to reopen discovery (2.8); research cases re motions to reopen discovery after settlement has become null or void (2.6); prepare summary of research findings in short memorandum to C. Black (0.5)
PA	05/24/2017	0.20	$ 139.00	work on trial issues
PA	05/16/2017	0.20	$ 139.00	multiple emails from and to G. Thornton re settlement status and strategy
PA	05/18/2017	0.10	$ 69.50	emails from and to C. Black re news story about Hawai`i foster kids
KMK	05/31/2017	1.10	$ 203.50	continue research re cases allowing limited discovery after failure of settlement and new facts
CHFA	05/30/2017	4.50	$ 832.50	case law analysis and evaluation re motion to amend witness list
CHFA	05/31/2017	2.00	$ 370.00	case law analysis and evaluation re motion to amend witness list
CWB	05/01/2017	0.30	$67.50	emails to J. Hancock, G. Thornton re executive budget (.3)

CWB	05/02/2017	1.60	$ 360.00	teleconference w/M. Peters, A. Hwang, G. Thornton re Ah Chong, settlement failure, trial, and next steps (.5); summarize follow up calls to and from foster parents re settlement failure for legal team (.4); emails (2) to and from D. Kalama re executive budget and information from State re settlement (.2); research re Kentucky foster care case where Sixth Circuit found private right of action (.5)
CWB	05/04/2017	1.70	$ 382.50	review additional research from K. Kawakami re shelter costs (.8) and emails (5) re same (.3); call from counsel for Kentucky foster care litigation and follow up re same (.6)
CWB	05/11/2017	1.70	$ 382.50	review and revise joint status report from D. Kalama re settlement; circulate to MoFo and incorporate comments re same (.8); emails to and from G. Thornton re $5MM last-minute addition to AG operating budget (.5); review and analyze PBS insights, Scott Saiki comments re foster care settlement (.4);
CWB	05/12/2017	1.90	$ 427.50	final revisions to joint status report (.6); emails (3) from MoFo team re revisions to status report (.2); emails (3) from D. Kalama re revisions to joint status report (.2); follow up calls from foster parents re settlement failure (.5); follow up emails to K. Kawakami re shelter research (.4)
CWB	05/15/2017	0.40	$90.00	emails (2) to MoFo and LEJ team re response to media inquiry re settlement failure (.4)
CWB	05/17/2017	1.50	$ 337.50	discussion with G. Thornton, P. Alston, MoFo team re Civil Beat article (.4); emails (4) to and from media re factual mistakes in article and corrections re same (.4); email update from G. Thornton re belated advocacy efforts from DHS-funded foster advocacy groups (.2); research and email re school supplies and cost of same (.2); emails (3) to H. Chun (AHFI IT Dep't) re saving Keiki Kit website in authenticated format for trial (.3);
CWB	5/18/2017	0.70	$157.50	email discussion with MoFo and LEJ legal team re media inquiry from Advertiser/HNN re issues not discussed in Civil Beat article (.7)
CWB	05/21/2017	0.70	$ 157.50	review and analyze Sunday Advertiser article re foster care settlement (.7)
CWB	05/22/2017	1.90	$427.50	review Utah foster care rates (.6); discussion with team re legislature salary increases and zip code analysis of legislators districts and number of foster parents (1.3)

CWB	05/25/2017	0.50	$ 112.50	review Star Advertiser and Civil Beat editorials re foster care settlement failure and distribute to legislature
CWB	05/23/2017	4.10	$ 922.50	analyze Civil Beat article re legislative shenanigans (.4); discussion with G. Thornton re Hawaii state legislature conflicts of interest (.3); review research and data cited in draft P. Alston op-ed (.7); revise and strategize re P. Alston draft op-ed (1.6); discussion with K. Yolken re additional research regarding settlements against the state (.6); discussion with C. Fargo Masuda re reopening discovery after failure of settlement in class action context (.4)
CWB	05/25/2017	0.50	$ 112.50	discussion with K. Kawakami, C. Fargo Masuda re follow up on research assignments (.5)
CHFA	06/01/2017	4.00	$ 740.00	synthesize relevant case law research; draft internal memo to C. Black re trial after class action settlement failure
CHFA	06/02/2017	5.00	$ 925.00	synthesize pertinent case law research; draft internal memo to C. Black re trial after class action settlement failure
KMK	06/04/2017	1.50	$ 277.50	research any federal case where a court has allowed reopening of discovery due to certain circumstances (continued)
KMK	06/05/2017	2.00	$ 370.00	research cases where court granted reopening of discovery due to specific circumstances (1.5); summarize research findings in e-mail to C. Black (0.5)
PA	06/23/2017	0.10	$ 69.50	review letter from C. Castillo re proposed settlement
CWB	06/12/2017	4.10	$ 922.50	work on trial strategy and reopening discovery to update pleadings for trial
CWB	06/13/2017	2.60	$ 585.00	emails to MoFo team (J. Hancock, A. Hwang, M. Peters), G. Thornton, P. Alston re preparation for hearing on June 20 re settlement status and strategy for trial (.2); continue working on motion to reopen discovery for trial (2.4)
CWB	06/19/2017	3.10	$ 697.50	calls (2) from D. Kalama re court status conference and next steps re litigation; and re special session (.4); emails to G. Thornton, MoFo team and P. Alston re special session announcement (.2); work on special session strategy (1.6); review and analyze letter to the editor from foster parent (.2); emails to P. Alston, C. Eads re letter to editor (.2); emails (3) from J. Hancock re trial scheduling (.2); email to and from G. Thornton re letter to editor and special session strategy (.3)

CWB	06/20/2017	2.30	$ 517.50	prepare for (.7) and attend status conference re trial resetting (.4); discussion with D. Kalama re next steps and special session (.1); email to MoFo and LEJ team re status conference (.2); continue working on special session strategy (.9)
CWB	06/01/2017	2.40	$ 540.00	research (.6) and draft (1.8) trial motion to reopen discovery
CWB	06/05/2017	1.90	$ 427.50	review expert reports and annotate areas for update prior to trial
CWB	06/17/2017	3.10	$697.50	continue analysis of revised trial strategy (.8), review and analyze research re reopening discovery (.4); annotate expert reports and note areas needing updated expert disclosures (1.1); strategize re ways to honor foster parent requests to testify at federal trial (.8)
PA	07/10/2017	0.10	$ 69.50	review notice of status conference
PA	07/08/2017	0.20	$ 139.00	telephone call to E. Seitz re legislative issues
CWB	07/07/2017	2.10	$ 472.50	calls (2) from D. Kalama re letter in response to court order re case status (.5); draft letter to Judge Kobayashi re settlement status (.5); update research re cost of living in Hawai`i for trial (1.1)
PA	08/21/2017	0.10	$ 69.50	conference with C. Black re status of trial preparation
PA	08/30/2017	0.30	$ 208.50	conference with C. Black re motions and trial setting
PA	08/18/2017	0.20	$ 139.00	emails from and to Gavin Thornton and Victor Gemniani re proposed foster outreach for trial
CWB	08/09/2017	1.10	$247.50	review and analyze research from law clerks re re-opening discovery after failure of settlement (1.1)
CWB	08/10/2017	1.50	$337.50	review and analyze emails to and from opposing counsel regarding expert expenses; analyze BLDS invoice and email to BLDS regarding billings outside of counsel's agreement (.8); strategize re potential preliminary injunction motions (.7)
CWB	08/11/2017	2.70	$ 607.50	summary to trial team (A. Hwang, G. Thornton, J. Hancock, M. Peters, P. Alston) re status of settlement and special session (.7); outreach to foster parents re settlement status and special session strategy (.8) email to J. Hancock re BLDS invoice (.1); continue research re preliminary injunction in factually similar procedural posture (post-settlement failure, pre-trial) and irreparable injury prong (1.1)

CWB	08/18/2017	2.30	$ 517.50	Emails re proposed foster care outreach and press plan; analyze press plan and media strategy from G. Thornton (.5); respond to media inquiry re settlement progress (.3); analysis of draft press release and email further comments re revised draft (.4); analyze list of licensed foster homes by zip code and email to trial team re demographic distribution (.6); email to trial team re revisions and comments to media strategy/outreach (.5)
CWB	08/23/2017	0.80	$ 180.00	respond to V. Geminiani inquiry re foster parent census figures and provide analysis of foster population (.8)
CWB	08/25/2017	0.30	$ 67.50	email to V. Geminiani re foster care outreach and inquiry from PBS Insights re coverage of foster care
JAAH	09/06/2017	3.40	$ 629.00	strategize with C. Black re trial (.4); analyze filed pleadings, reports, statutes, regulations, and legislative history for trial strategy (2.5); researched the strategic advantage of filing an interlocutory appeal or a preliminary injunction or a motion for reconsideration (.5)
JAAH	09/07/2017	1.50	$ 277.50	strategize with C. Black re trial preparation (.3); research and analyze re preliminary injunction (1.2)
JAAH	09/11/2017	2.80	$ 518.00	research preliminary injunction
PA	09/13/2017	0.10	$ 69.50	review amended rule 16 scheduling order
PA	09/15/2017	0.10	$ 69.50	review notice of status/settlement conference
PA	09/08/2017	0.20	$ 139.00	telephone call from and to C. Black
PA	09/12/2017	0.10	$ 69.50	email to C. Black re agenda
PA	09/19/2017	0.10	$ 69.50	emails from and to Marc Peters re follow up conference call re settlement conference
CWB	09/05/2017	3.20	$ 720.00	continue research and analysis re interlocutory appeal vs preliminary injunction (1.8); continue drafting preliminary injunction facts (1.4)
CWB	09/06/2017	1.20	update	research re shelter related payments from other states in comparison to cost of living factors (1.2)
CWB	09/08/2017	4.10	$ 922.50	review and analyze Second Circuit and Fourth Circuit dockets re status of foster care litigations in New York and Kentucky, Missouri litigation and rulings re specific trial issues present in instant case (2.6); and statutory construction argument re cost of shelter (1.5)

CWB	09/11/2017	2.90	$ 652.50	prepare for (.7) and attend (.2) status conference before Judge Kobayashi; discussion with D. Kalama re settlement conference with Judge Chang (.1); summary of status conference to team (.4); review final legislative budget, ATG1 bill and special session materials in preparation for conference with Judge Chang (1.5)
CWB	09/12/2017	0.60	$ 135.00	emails to and from D. Kalama re status conference with Judge Chang (.2); respond to inquiry from foster parent re status of settlement and experiences with State re fostering (.4)
CWB	09/13/2017	1.40	$ 315.00	review research by J. Ahu re preliminary injunction factors; revise outline and continue drafting preliminary injunction documents
CWB	09/14/2017	0.20	$ 45.00	emails to and from D. Kalama re settlement discussions
CWB	09/15/2017	1.50	$ 337.50	emails to D. Kalama re settlement conference (.3); status conference before KSC (.5); discussion of settlement potential with D. Kalama (.2); summary of settlement conference to AHFI/LEJ/MoFo team (.5);
CWB	09/21/2017	1.90	$ 427.50	call with M. Peters, G. Thornton, J. Hancock, A. Hwang re case strategy (.6); work on outline for further outreach calls foster parents relating to experiences with DHS and lack of information, support, training (1.3)
CWB	09/04/2017	2.60	$ 585.00	review and analyze chart of calls from foster parents and summarize key complaints and evidence in support of claims
PA	10/06/2017	0.20	$ 139.00	email to C. Black re Hawaiian News Now article re analysis re cost of living factor and Honolulu's average salary lowest in the nation
PA	10/26/2017	0.10	$ 69.50	emails from and to C. Black re notice to class
CWB	10/18/2017	0.50	$ 112.50	revise draft class notice
CWB	10/11/2017	0.40	$ 90.00	review Hancock analysis re deadlines for preliminary injunction
CWB	10/12/2017	3.10	$ 697.50	revise and edit prior draft of preliminary injunction motion to update for new strategy
CWB	11/13/2017	0.20	$ 45.00	email to J. Hancock re preliminary injunction motion
PA	12/05/2017	0.20	$ 139.00	emails from and to V. Geminiani re follow up on strategy re funding; emails from and to V. Geminiani re constituencies
CWB	12/01/2017	1.40	$ 315.00	review and analyze research re preliminary injunction motion and interlocutory appeal

CWB	12/14/2017	1.40	$ 315.00	review and analyze Governor's FY19 budget and emails to team (G. Thornton, M. Peters, J. Hancock, A Hwang) re settlement discussions and budget developments; work on settlement strategy with respect to legislature
CWB	12/21/2017	1.60	$ 360.00	prepare for and call with J. Hancock re status of preliminary injunction strategy (.4); discussion with P. Alston re same (.1); revise and update factual background with modifications for certification strategy (1.1)
PA	01/17/2018	0.20	$ 139.00	review plaintiffs' final statement; review defendant's final pretrial statement; conference call with MoFo team
PA	01/19/2018	0.20	$ 139.00	review notice of pretrial conference set for 2/20/18
PA	01/24/2018	0.10	$ 69.50	review notice of final pretrial conference; conference with C. Black re status
PA	01/11/2018	0.10	$ 69.50	emails from and to Gavin Thornton re Star Advertiser article
PA	01/15/2018	0.20	$ 139.00	emails from and to Marc Peters re conference call
CWB	01/18/2018	2.30	$ 517.50	review and analyze draft 20-pp motion for interlocutory appeal (1.1); analyze trial exhibits and depositions for citations to facts in motion (1.2)
CWB	01/03/2018	0.60	$ 135.00	discussion with J. Hancock re trial strategy (.5); email to J. Hancock re summary judgment in autism case and arguments for certification of interlocutory appeal (.1)
CWB	01/04/2018	2.50	$ 562.50	email response to inquiry from N. Kalani re Star Advertiser article re foster care (.1); analysis re interlocutory appeal of MIL order as opposed to summary judgment order and review settlement agreement and legislative actions re settlement for additional trial pleadings (2.4)
CWB	01/05/2018	1.20	$ 270.00	email to J. Hancock re trial and settlement discussions (.1); discussion with D. Kalama re budget increase reference to foster care settlement (.2); review governor's budget and statements regarding settlement compare to prior years' budget request to determine amount of increase in executive budget request (.9)

CWB	01/09/2018	2.80	$ 630.00	discussion with D. Kalama (.2); email to D. Kalama re class notice edits (.1); discussion with J. Hancock re strategy on potential preliminary injunction or interlocutory appeal and trial (.4); review MILs and pleadings and draft master summary of shelter component of CWA, including all pleadings, motions, exhibits and documents related to shelter (2.1)
CWB	01/10/2018	1.30	$ 292.50	analyze docket and continue drafting master analysis and summary of shelter component of CWA, including all pleadings, motions, exhibits and documents related to shelter (1.3)
CWB	01/11/2018	0.80	$ 180.00	prepare for and attend status conference before Judge Chang (.4); discussion with P. Alston re trial and executive budget (.1); discussion with G. Thornton and D. Kalama re settlement issues and trial (.1); email analysis and summary of status conference to MoFo team (.2)
CWB	01/12/2018	3.30	$ 742.50	additional revisions to class notice and email to D. Kalama re same (.2); continue master summary and analysis of shelter and review summary judgment order and State's motion for summary judgment relating to evidence concerning shelter calculation and subsequent rebuttal of facts through expert reports and other documentation, research re housing costs in Hawaii (3.1)
CWB	01/16/2018	3.70	$ 832.50	review and analyze State's 30+page pre-trial statement and compare with prior pre-trial statement (.8); call with D. Kalama re pre-trial statement summary of settlement discussions (.1); email to MoFo team re State's pre-trial statement (.1); revise and finalize Plaintiffs' pre-trial statement and incorporate edits from J. Hancock (1.7); finalize shelter analysis and circulate for consideration in interlocutory appeal (1.1)
CWB	01/18/2018	3.20	$ 720.00	letter to Judge Chang re pre-trial conference (.2); continue revisions and edits to certification motion (.6); review 190+ trial exhibits and prior emails with D. Kalama, D. Barbata re joint exhibits and stipulations regarding authenticity and admissibility (2.4)
CWB	01/22/2018	1.40	$ 315.00	review SB 2096 and list of sponsoring senators; search capitol website for additional bills relating to foster care and compare to executive budget (.8); analyze expert reports and compare to budget request and settlement agreement amounts (.6)

CWB	01/23/2018	4.10	$ 922.50	prepare for (.3) and attend (.3) final pre-trial conference; discussion with J. Hancock re pre-trial conference, interlocutory appeal, and trial (.4); analyze State's witness directs and review trial exhibits and outline item by item trial plan (3.1)
CWB	01/24/2018	0.30	$ 67.50	email from W. Nakamura re certification for interlocutory appeal (.1 NO CHARGE); email to D. Kalama re interlocutory appeal and response to Court (.1); call to D. Kalama re settlement and interlocutory appeal (.1);
CWB	01/24/2018	0.20	$ 45.00	email and call to D. Kalama re interlocutory appeal
CWB	01/25/2018	6.00	$ 1,350.00	call to D. Kalama; voicemail for W. Nakamura (.1); outline and draft trial memos re candor to court and witness testimony with annotations to factual and legal evidence in support of same; spoliation re destruction of "back of napkin" analysis regarding foster board rates; and state regulations corresponding to federal Child Welfare Act cost categories
CWB	01/26/2018	2.60	$ 585.00	continue drafting trial memos re candor to court and witness testimony, spoliation of back of napkin analysis, and state regulations corresponding to federal Child Welfare Act cost categories (2.6)
PA	01/28/2018	0.10	$ 69.50	emails from and to Marc Peters re motions strategy
CWB	01/30/2018	3.40	$ 765.00	call with J. Hancock re trial witnesses, exhibits, MILs and disclosures (.4); email to J. Hancock re foster care press statements (.1); review MILs notes and docket entries, outline 2018 MILs (.6); review and select new trial exhibits (2.3)
CWB	01/31/2018	2.00	$ 450.00	review 2017 trial exhibits, annotate list, and select new trial exhibits (1.1); email to D. Kalama re class notice (.1); research re duty of candor to court and interplay with FRE502 (.8)
CWB	01/29/2018	4.10	$ 922.50	work on revising prior final trial brief (1.2); trial exhibits and joint stipulations (2.1); witness exhibits and foundation/objections (.8)
PA	02/05/2018	0.20	$ 139.00	review plaintiffs' supplemental rule 26 disclosures; telephone call to D. Chin
PA	02/01/2018	0.20	$ 139.00	emails from and to C. Black re status re settlement and exhibit deadline; telephone calls from and to D. Chin re settlement (.2)
IKT	02/09/2018	0.20	$ 29.00	review additional deposition designations for filing
IKT	02/13/2018	1.50	$ 217.50	prepare designation of deposition; prepare and update final witness list

PA	02/14/2018	0.10	$ 69.50	review order re new trial date and deadlines; work on settlement
PA	02/13/2018	0.40	$ 278.00	telephone calls from and to R. Suzuki; conference with C. Black re trial issues
PA	02/23/2018	0.10	$ 69.50	review amended rule 16 scheduling order
CWB	02/01/2018	1.90	$ 427.50	emails (2) to and from D. Kalama re class notice and joint exhibits (.1); review joint exhibits and prepare updated trial exhibits (1.6); emails (3) re postponing near-trial deadlines (.2)
CWB	02/02/2018	1.60	$ 360.00	email to and from D. Kalama re trial deadlines, settlement status (.1); review and revise supplemental Rule 26 disclosures and compare to prior witness lists and disclosures (1.3); call with D. Kalama re settlement status in light of AG turnover (.1); email to MoFo and LEJ teams re settlement status (.1)
CWB	02/05/2018	2.30	$ 517.50	review and revise amendments to federal settlement agreement suggested by D. Kalama (.6); review Senate and House bills to fund foster care settlement and sponsoring legislators (.8); email to MoFo team re trial exhibit exchange, HB2211, SB 2096 and settlement status (.4); review and supervise filing of pro hac vice application (Peters) (.3); call with D. Kalama re trial deadlines and settlement (.1); call from Calvin Say office re legislation (.1)
CWB	02/07/2018	2.10	$ 472.50	review and analyze settlement agreement amendments (.4); review and revise class notices (.3); revisions to MILs re housing, duty of candor to court, spoliation of calculation of foster board payment (1.4)
CWB	02/08/2018	2.70	$ 607.50	emails (2) from M. Peters, G. Thornton re amendments to settlement agreement (.1.); review and analyze amendments to House and Senate bills appropriating funds for settlement (.6); call with D. Kalama re settlement status (.1); analysis of applicable authority for statements made by government officials to the press and party admissions relating to same (.8); draft MIL to exclude any testimony or evidence of appropriate foster board rate below settlement board rate (1.1)
CWB	02/09/2018	3.30	$ 742.50	review, select and finalize updated trial exhibits (1.5) and emails (11) to and from MoFo team re same (.6); analyze CD from State with updated trial exhibits (1.2)

CWB	02/12/2018	2.10	$ 472.50	continue drafting MIL re admissions and exclusion of cost evidence and shelter costs
CWB	02/09/2018	0.60	$ 135.00	emails (3) to and from G. Thornton re settlement and contact with Plaintiffs (.1); revise settlement agreements and email to D. Kalama (.5)
CWB	02/13/2018	4.20	$ 945.00	email to D. Kalama attaching joint stipulation regarding trial exhibits (.1); review joint exhibits and annotate trial list with additional documents to request agreement (.6); email to MoFo and LEJ teams re settlement offer from S. Luke (.1); work on additional Kazama deposition designations (.5); call from G. Thornton re settlement offer (.4); email to and from AHFI and MoFo teams re LEJ response to settlement proposal (.1); joint call with D. Kalama to Court re near trial deadlines and potential settlement (.3); call to J. Hancock re settlement issues (.4); review draft final naming, deposition designations, revise motions in limine (1.7)
CWB	02/14/2018	1.50	$ 337.50	prepare for (.5) and attend (.1) status conference; emails (12) to and from MoFo and LEJ re status conference, MIL strategy and settlement counteroffer (.6); email summary of status conference to MoFo and LEJ (.2); email to D. Kalama re status of settlement (.1)
PA	03/06/2018	0.10	$ 69.50	review order re settlement on the record
PA	03/09/2018	0.00	$ -	review letter to Judge Kobayashi re post-settlement discussions
PA	03/08/2018	0.20	$ 139.00	emails from and to V. Geminiani re comments re email from C. Black re draft letters to federal and state action judges and proposed press response
PA	03/23/2018	0.00	$ -	review defendant's motion for preliminary approval of amended settlement
IKT	03/27/2018	0.10	$ 14.50	review motion for fees and request updated fees and costs
		216.90	$ 49,189.50	

FEES INCURRED RELATING TO SETTLEMENT-
PRORATED 50% STATE LITIGATION; 50% FEDERAL LITIGATION

STATE SUMMARY		Proration	Prorated Hours	Rate	Total
CWB	STATE	50%	21.7	$250.00	$5,425.00
KELO	STATE	50%	0.45	$300.00	$135.00
KMK	STATE	50%	1.05	$185.00	$194.25
PA	STATE	50%	1.15	$750.00	$862.50
		Total	24.35		$6,616.75

FEDERAL SUMMARY		Proration	Prorated Hours	Rate	Total
CWB	FEDERAL	50%	21.7	$225.00	$4,882.50
KELO	FEDERAL	50%	0.45	$300.00	$135.00
KMK	FEDERAL	50%	1.05	$185.00	$194.25
PA	FEDERAL	50%	1.15	$695.00	$799.25
		Total	24.35		$6,011.00

48.7 Total hours for combined State and Federal

EXHIBIT D

Attorney	Date	Allocation	Hours	Value	Description
PA	4/19/2017	Sttlmt 50-50	0.1	69.5	telephone call with attorney general Chin
PA	4/20/2017	Sttlmt 50-50	0.3	208.5	conference with D. Chin (.2); emails to and from C. Black re status and strategy (.1)
PA	8/11/2017	Sttlmt 50-50	0.2	139	emails from and to C. Black re updates re special session; emails from and to Gavin Thornton re budget surplus; work on settlement (.2)
PA	8/14/2017	Sttlmt 50-50	0.2	139	emails from and to V. Geminiani re update and strategy re special session (.1); emails from and to C. Black re status of special session efforts (.1)
PA	8/15/2017	Sttlmt 50-50	0.2	139	emails from and to V. Geminiani re press release re foster settlement
PA	8/16/2017	Sttlmt 50-50	0.1	69.5	emails from and to V. Geminiani re press conference on settlement failure
PA	2/15/2018	Sttlmt 50-50	0.1	69.5	emails from and to V. Geminiani re settlement offer
PA	2/16/2018	Sttlmt 50-50	0.3	208.5	telephone call with V. Geminiani re status of settlement
PA	2/27/2018	Sttlmt 50-50	0.1	69.5	review letter to R. Suzuki and D. Kalama re settlement proposal and response
PA	2/28/2018	Sttlmt 50-50	0.2	139	conference with C. Black re status of settlement; review letter from R. Suzuki re settlement status
PA	3/1/2018	Sttlmt 50-50	0.1	69.5	review letter from D. Kalama re terms of settlement
PA	3/1/2018	Sttlmt 50-50	0.2	139	emails from and to C. Black re letter from Donna Kalama re status of settlement; emails from and to G. Thornton re comments; email to C. Black and G. Thornton re judgment
PA	3/2/2018	Sttlmt 50-50	0.2	139	emails from and to C. Black re request from Syvia Luke re meeting with Judge Chang; emails from and to C. Black re participants in the meeting and other issues
		SUBTOTAL	2.3		

PRORATED

TOTALS	COURT	SPLIT	HOURS	RATE	AMOUNT
PA	STATE	50%	1.15	750.00	$862.50
PA	FEDERAL	50%	1.15	695.00	$799.25

Attorney	Date	Allocation	Hours	Description
CWB	4/5/2017	Sttlmt 50-50	1.3	discussion w/K. Lopez re meeting with Representative Luke re foster care settlement and follow up
CWB	4/14/2017	Sttlmt 50-50	2.1	emails and discussions re Representative Luke and House changes to executive budget
CWB	4/14/2017	Sttlmt 50-50	0.8	continue work on foster care settlement budget approval (outreach to Legislature) (.8)
CWB	4/17/2017	Sttlmt 50-50	2.5	strategize re legislature approval of settlement budget (1.4) and emails and discussions with G. Thornton; emails and call to D. Kalama re settlement approval (.2); emails to legal team re status of executive budget (.3); revise suggested message to foster parents (.2); draft strategy outline and update for legal team re legislative efforts(.4)
CWB	4/18/2017	Sttlmt 50-50	0.4	email to legal team re foster parent call log and outreach to legislators re settlement (.4)
CWB	4/24/2017	Sttlmt 50-50	0.9	call with Donna Kalama re settlement status (.2); review and research State budget worksheets for support relating to funding settlement (.7)
CWB	4/27/2017	Sttlmt 50-50	4.7	work on alternative options to fund foster care settlement (1.1) and discussions with foster parents and other stakeholders regarding alternatives (3.6)
CWB	5/5/2017	Sttlmt 50-50	2.8	analyze and compare final budget worksheets deleting foster settlement funds and providing additional $5MM in litigation funds for Atty Gen with prior versions of Executive Budget bill and ATG-1 bill (1.2); follow up calls from foster parents re settlement failure (1.6)
CWB	5/15/2017	Sttlmt 50-50	1.6	respond to inquiry from media re foster care settlement failure (.8); emails (2) to following up re media request regarding attorneys' fees (.5); discussions with K. Lopez re foster care settlement failure, options to salvage, and legislative dysfunction (.3)
CWB	5/18/2017	Sttlmt 50-50	1.3	respond to emails and telephone inquiries from Allyson Blair, Hawaii News Now, re foster care settlement (.3); respond to emails and telephone inquiries from Star Advertiser (S. Essoyan) re foster care settlement (.2); call with S. Essoyan and discussion re foster care settlement failure (.8)

CWB	6/17/2017	Sttlmt 50-50	1.5	review special legislative session rules and authorities (.6); discussion with K. Kawakami re further research (.4); strategize re options to salvage settlement (.5)
CWB	8/7/2017	Sttlmt 50-50	2.6	communications re state budget surplus and special session (.1); review KMK research and further analyze constitutional provision re special session and legislature's rules re introduction of bills regarding topics outside subject matter for which special session called (1.3); research re requests for interlocutory appeal and applicable standards and outline request re same (1.2)
CWB	8/9/2017	Sttlmt 50-50	1.8	discussion with D. Kalama re special session and settlement strategy (.2); strategize re outreach for potential bill to fund foster care settlement during special session (1.4); research re budget surplus data and press (.2)
CWB	8/10/2017	Sttlmt 50-50	0.4	call with G. Thornton re special session strategy (.4)
CWB	8/14/2017	Sttlmt 50-50	2.6	emails from P. Alston, V. Geminiani re outreach to legislature, special session rules, and settlement efforts (.5); summarize recent media re foster system failings and relevant pleadings for written outreach materials (2.1)
CWB	8/16/2017	Sttlmt 50-50	1.8	teleconference with D. Kalama re special session and settlement options (.2); review and analyze Star Advertiser article re budget surplus (.3); review and analyze underlying data and support for budget surplus and strategize re sources of funds to effectuate settlement (1.3)
CWB	8/17/2017	Sttlmt 50-50	2.7	multiple emails to and from G. Thornton re media inquiries and strategy re same, and draft press release and op-ed (.5); review and comment re draft press release (.4) analysis re underlying support certain statements made in press release for edits re same and for outreach materials to state and federal class in response to common inquiries (1.8)
CWB	8/21/2017	Sttlmt 50-50	2.1	revise and edit informational circular to foster parents and circulate with comments re underlying facts to support (1.5); further comments and edits to revised press release (.4); email to G. Thornton re press coverage of foster care and additional recent articles re foster system failure (.2)
CWB	12/5/2017	Sttlmt 50-50	0.3	emails from V. Geminiani re settlement and review draft op-ed by Geminiani re settlement (.2); email from P. Alston to V. Geminiani re settlement efforts (.1);
CWB	12/18/2017	Sttlmt 50-50	0.5	continue outreach re potential settlement and budget allocation (.5)

CWB	1/17/2018	Sttlmt 50-50	0.9	prepare for (.4) and attend (.5) call with legal team re status of settlement negotations, governor's budget, and AG's efforts with Sylvia Luke
CWB	2/15/2018	Sttlmt 50-50	1.1	call with G. Thornton (.3); call with J. Hancock (.3); call with V. Geminiani (.5) re response to State settlement proposal
CWB	2/21/2018	Sttlmt 50-50	0.7	call to D. Kalama re settlement negotiations (.1); email to G. Thornton re settlement negotiations (.1); call with LEJ and MoFo teams re settlement (.5)
CWB	2/22/2018	Sttlmt 50-50	1.7	call with MoFo and LEJ teams re settlement counterproposal (.5) emails (11) to and from MoFo and LEJ re settlement counteroffer (.5); revise letter to State re settlement counteroffer (.7)
CWB	2/23/2018	Sttlmt 50-50	0.8	emails (6) to and from LEJ and MoFo teams re settlement counteroffer (.2); finalize settlement counteroffer letter and circulate (.6)
CWB	2/24/2018	Sttlmt 50-50	0.1	emails (2) from G. Thornton re settlement status
CWB	2/26/2018	Sttlmt 50-50	1.1	review State response to settlement counteroffer (.1); emails (10) to and from MoFo and LEJ re status of settlement negotiations (.5); voicemail for Donna Kalama (.1); call (.4) with LEJ and Mofo re settlement
CWB	2/20/2018	Sttlmt 50-50	0.8	review and analyze budget bill, house and senate bills and 2017 settlement agreements for information regarding cost of settlement board rate for settlement negotiations
CWB	2/27/2018	Sttlmt 50-50	1.1	emails (15) to and from MoFo and LEJ re letter-response to State re settlement counteroffer (.8); revise letter-response (.3)
CWB	2/28/2018	Sttlmt 50-50	0.4	review State letter-response to counteroffer (.1); emails (4) to and from LEJ and MoFo re State letter-response (.2); call to D. Kalama (.1)

SUBTOTAL 43.4

COURT	SPLIT	HOURS	RATE	TOTAL
STATE	50%	21.7	$250.00	$5,425.00
FEDERAL	50%	21.7	$225.00	$4,882.50

Attorney	Date	Allocation	Hours	Value	Description
KELO	4/5/2017	Sttlmt 50-50	0.7	210	follow up on C. Black inquiry re potential meeting with Finance Committee Chair Representative S. Luke re State budget bill HB100 (.1); email from J. Yang from Chair S. Luke office re scheduling meeting (.1); research budget line item related to request HMS303; conference with C. Black re meeting request (.1); email to Finance Committee Chair S. Luke to request a meeting re HB100 HMS303 (.1); discussion with L. Chang re scheduling meeting with Rep. Luke (.1); follow up with C. Black re inquiry re HMS303 funding purposes (.1); follow up with L. Chang re proceed with scheduling meeting per C. Black response to inquiry (.1)
KELO	4/6/2017	Sttlmt 50-50	0.1	30	email from L. Chang re Rep. S. Luke office call re declining meeting; response to L. Chang re same
KELO	4/7/2017	Sttlmt 50-50	0.1	30	follow up with C. Black re Representative Luke declining meeting with her and response from C. Black response

SUBTOTAL 0.9 RATE

ATTY	COURT	SPLIT	HOURS		
KELO	STATE	50%	0.45	$300.00	$135.00
KELO	FEDERAL	50%	0.45	$300.00	$135.00

Atty Code	Date	Allocation	Hours	Value	Description
KMK	6/19/2017	Sttlmt 50-50	1.3	240.50	research legislative rules for Hawaii and how to get the issue of foster care into special session and evaluate what the procedure looks like
KMK	6/20/2017	Sttlmt 50-50	0.8	148.00	research procedure to get a topic into special session

SUBTOTAL 2.1

Atty	COURT	SPLIT	HOURS		AMOUNT
KMK	STATE	50%	1.05	185.00	$194.25
KMK	FEDERAL	50%	1.05	185.00	$194.25

FEES INCURRED RELATING TO CLASS MEMBERS' INQUIRIES
PRORATED 90% STATE LITIGATION; 10% FEDERAL LITIGATION

STATE SUMMARY		Proration	Prorated Hours	Rate	Total
AMDE	STATE	90%	30.15	$125.00	$3,768.75
CWB	STATE	90%	40.68	$250.00	$10,170.00
		TOTAL	70.83		$13,938.75

FEDERAL SUMMARY		Proration	Prorated Hours	Rate	Total
AMDE	FED	10%	3.35	$125.00	$418.75
CWB	FED	10%	4.52	$225.00	$1,017.00
		TOTAL	7.87		$1,435.75

78.7 Total combined State and Federal Hours

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Attorney	Date	Allocation	Hours	Description
CWB	4/3/2017	90State/10Fed	3.5	respond to class member inquiries (28 calls) re class action notice of settlement (3.5)
CWB	4/4/2017	90State/10Fed	3.1	respond to class member inquiries (23) re class action settlement notice (3.1)
CWB	4/5/2017	90State/10Fed	2.7	respond to class member inquiries (14) re class action settlement notice (.9); returned calls and follow up on voicemails from class members from 4/3 and 4/4 (.5); instruct and supervise law clerk Amanda Dennis re calls from class members and demonstrate/return 4 class member inquiries (1.3)
CWB	4/6/2017	90State/10Fed	1.4	respond to "advanced" class member inquiries (4) re class action settlement notice (1.4) (i.e., regarding specific situations and eligilibity for foster care related benefits)
CWB	4/7/2017	90State/10Fed	1.6	follow up responses to foster parent inquiries re settlement (11)
CWB	4/8/2017	90State/10Fed	0.5	respond to class member inquiry re settlement
CWB	4/10/2017	90State/10Fed	3.4	respond to foster parent "advanced" inquiries re settlement (i.e., concerning specific types of payments and eligibility re same) (13)
CWB	4/11/2017	90State/10Fed	1.3	follow up calls (9) responding to additional inquiries from foster parents re settlement and class notice
CWB	4/14/2017	90State/10Fed	1.1	follow up responses to foster parent additional inquiries re settlement and notice (6) (1.1)
CWB	4/17/2017	90State/10Fed	2.1	respond to foster parent inquiries (6) re settlement, class notices, and incorrect notices or incorrect designations regarding payment status (2.1)
CWB	4/18/2017	90State/10Fed	2.1	respond to follow up foster parent inquiries regarding settlement, class notice, and specific benefits (8) (2.1)
CWB	4/24/2017	90State/10Fed	1.8	respond to additional calls from 5 foster parents re settlement status and budget and explanation of legislative process and trial
CWB	5/1/2017	90State/10Fed	2.6	coordinate with law clerk A. Dennis re notifications to foster parents re executive budget (.5); calls to and from 6 foster parents re executive budget (1.9)
CWB	5/3/2017	90State/10Fed	0.7	emails (3) from S.Campagna re email outreach to foster parents and notifications re settlement (.4); emails (4) to and from A. Dennis re foster parent outreach follow up (.3)
CWB	5/15/2017	90State/10Fed	0.6	respond to follow up calls from foster families (4) re settlement failure (.6)
CWB	5/18/2017	90State/10Fed	0.2	calls from 2 foster families with inquiries re settlement (.2)
CWB	5/22/2017	90State/10Fed	1.0	respond to calls from 3 foster parents re settlement failure (.8); email from foster parent M.K. re foster care litigation (.2)
CWB	5/24/2017	90State/10Fed	0.2	emails (2) from foster parent K.D. (.2)

CWB	5/30/2017	90State/10Fed	1.3	discussion with and return calls to 7 foster families re settlement failure and next steps
CWB	7/20/2017	90State/10Fed	0.5	respond to call from P.R. and R.R. re settlement
CWB	7/21/2017	90State/10Fed	0.2	respond to inquiry from A.M. and T.M. re foster care settlement
CWB	7/25/2017	90State/10Fed	0.1	respond to call from "P." re foster care settlement
CWB	7/25/2017	90State/10Fed	0.1	respond to inquiry from C.K. re foster care settlement
CWB	7/27/2017	90State/10Fed	0.1	respond to call from M.M. re foster care settlement
CWB	8/4/2017	90State/10Fed	1.3	respond to foster parent inquiries (8) re settlement status
CWB	8/10/2017	90State/10Fed	1.1	continue response to foster parent inquiries re settlement status (1.1)
CWB	8/15/2017	90State/10Fed	3.5	emails to and from V. Geminiani re foster parent contact information (.2); continue responding to multiple foster parent inquiries re status of settlement, lack of payment increases, and explanation of case schedule if settlement fails (3.1); email from G. Thornton re death of toddler while in foster care, need for foster parents on neighbor islands and news coverage re same (.2)
CWB	8/20/2017	90State/10Fed	0.2	return foster parent inquiries re settlement status (.2)
CWB	8/30/2017	90State/10Fed	1.6	respond to foster parent inquiries (from 6 class members) re settlement status, next steps, special session, and participation in trial
CWB	9/6/2017	90State/10Fed	0.3	call and emails (2) to and from Foster Parent LL re settlement status and foster parent's experiences with DHS (.3);
CWB	12/18/2017	90State/10Fed	2.1	revise and annotate log of issues relating to individual foster parents and calls to foster parents (21) who indicated desire to be updated on status of settlement and lawsuits (2.1)
CWB	12/5/2017	90State/10Fed	0.3	respond to class member calls (2) (.3)
CWB	2/21/2018	90State/10Fed	0.5	call with foster family re settlement status and explanation of litigation (.5)
CWB	9/7/2017	90State/10Fed	1.1	return call to foster parent re status of litigation, lack of information from DHS, and history of treatment from DHS
CWB	6/21/2017	90State/10Fed	1.0	respond to calls from 6 foster parents (1.0)
		SUBTOTAL	45.2	

Attorney	Court	Split	Hours	AMOUNT
CWB	STATE	90%	40.68	$10,170.00
CWB	FED	10%	4.52	$1,017.00

Law Clerk	Date	Allocation	Hours	Value	Description
AMDE	4/5/2017	90State/10Fed	0.6	75.00	make calls to foster parents re settlement and log foster parent comments and inquiries
AMDE	4/6/2017	90State/10Fed	2.2	275.00	return calls to foster parents and foster children re class action settlement and log comments and inquiries
AMDE	4/7/2017	90State/10Fed	0.9	112.50	return calls to foster parents re class settlement and log comments and inquiries
AMDE	4/7/2017	90State/10Fed	0.1	12.50	talk with a foster parent who called for information regarding settlement
AMDE	4/7/2017	90State/10Fed	0.9	112.50	follow up on and return additional calls made by foster parents re class action settlement and log comments and inquiries
AMDE	4/11/2017	90State/10Fed	1.3	162.50	update log of foster parent inquiries regarding class notice and comments regarding settlement
AMDE	4/11/2017	90State/10Fed	0.5	62.50	receive voicemails from foster parents and return their calls re settlement notice for C. Black
AMDE	4/11/2017	90State/10Fed	1.7	212.50	return additional calls to foster parents and log comments and inquiries regarding settlement
AMDE	4/12/2017	90State/10Fed	4.6	575.00	listen to additional voicemails from foster parents re class action settlement and return foster parent calls to answer questions about settlement
AMDE	4/13/2017	90State/10Fed	0.5	62.50	return calls to foster parents re class action settlement and log foster parent comments and inquiries regarding settlement
AMDE	4/17/2017	90State/10Fed	1.3	162.50	listen to voicemails from foster parents re class settlement, return calls, and log foster parent comments and inquiries regarding settlement
AMDE	4/18/2017	90State/10Fed	0.4	50.00	return foster parent calls re class action settlement and respond to questions regarding settlement and class notice
AMDE	4/24/2017	90State/10Fed	0.6	75.00	listen to voicemail and return foster parent call re class settlement, log foster parent comments and inquiries regarding settlement and notice
AMDE	5/1/2017	90State/10Fed	3.9	487.50	return calls to foster parents to update them on foster care lawsuit and settlement and legislature refusal to fund settlement
AMDE	5/2/2017	90State/10Fed	1.6	200.00	call foster parents re update about settlement and legislature refusal to fund same
AMDE	5/3/2017	90State/10Fed	2.7	337.50	return calls from foster parents regarding failure of settlement and outreach to State to request funding for settlement
AMDE	5/4/2017	90State/10Fed	4.4	550.00	return calls from foster parents and aged-out foster youth regarding legislature refusal to fund the settlement
AMDE	5/5/2017	90State/10Fed	3.5	437.50	return call from foster youth with follow up information regarding programs; return calls from foster parents regarding settlement status and legislature's refusal to fund

AMDE	5/5/2017	90State/10Fed	1	125.00	follow upon on calls to foster parents regarding updated on settlement and legislature's refusal to fund settlement
AMDE	5/8/2017	90State/10Fed	0.8	100.00	call foster parents re update on funding and settlement of class action lawsuit
		SUBTOTAL	33.5		

Attorney	Court	Split	HOURS	RATE	AMOUNT
AMDE	STATE	90%	30.15	$125.00	$3,768.75
AMDE	FED	10%	3.35	$125.00	$418.75

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(See next page for additional counsel)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,

Plaintiffs,

vs.

PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services,

Defendant.

Case No. CV13-00663 LEK-KSC

PLAINTIFFS' NOTICE OF UNOPPOSED MOTION AND UNOPPOSED MOTION FOR AWARD AND APPROVAL OF SETTLEMENT REGARDING ATTORNEYS' FEES AND SERVICE AWARDS; DECLARATION OF PAUL ALSTON; DECLARATION OF CLAIRE WONG BLACK; DECLARATION OF GAVIN THORNTON; DECLARATION OF JAMES HANCOCK; EXHIBITS "A" – "G"; CERTIFICATE OF SERVICE

985091v1 // 11436-1

EXHIBIT F

ADDITIONAL CLASS COUNSEL

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NOTICE OF HEARING OF MOTION

TO: CARON M. INAGAKI, ESQ.
DONNA H. KALAMA, ESQ.
Department of the Attorney General
State of Hawai`i
425 Queen Street
Honolulu, Hawai`i 96813

Attorneys for Defendant

PLEASE TAKE NOTICE that Plaintiffs' Unopposed Motion for Award and Approval of Settlement Regarding Attorneys' Fees and Service Awards (the "Unopposed Motion") will be heard before the Honorable Leslie E. Kobayashi in her courtroom in the United States Courthouse, 300 Ala Moana Boulevard, Honolulu, Hawai`i on May 8, 2017 at 11:15 a.m., or as soon thereafter as counsel can be heard.

Plaintiffs' Motion is based upon the Unopposed Motion; the declarations of counsel and exhibits in support thereof; the pleadings, records and files in this action, and upon such argument and other evidence as may be submitted at the direction of this Court or presented at the Fairness Hearing.

Pursuant to Fed.R.Civ.P. 23(h)(1), notice of this Unopposed Motion was directed to class members in the Notice of Proposed Settlement and Hearing in Class Action About Foster Care Payments ("Class Notice"). Additionally, a copy of the Unopposed Motion and declarations and exhibits thereto shall be made available to all Class Members on Class Counsels' website, http://www.hawaiiclassaction.com/fostercare as stated in the Class Notice.

Dated: March 28, 2017

Respectfully submitted,

By: /s/ Claire Wong Black
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J. BLAINE ROGERS
CLAIRE WONG BLACK
VICTOR GEMINIANI
GAVIN THORNTON
ALESSA Y. HWANG
JAMES R. HANCOCK
Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **PLAINTIFFS' UNOPPOSED MOTION FOR AWARD AND APPROVAL OF SETTLEMENT REGARDING ATTORNEYS' FEES AND SERVICE AWARDS**

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PLAINTIFFS' UNOPPOSED MOTION FOR AWARD AND APPROVAL OF SETTLEMENT REGARDING ATTORNEYS' FEES AND SERVICE AWARDS

I. INTRODUCTION

This class action for injunctive and declaratory relief, filed on December 3, 2013, and its companion class action for damages in state court, filed August 7, 2014, concern issues of vital importance to families throughout Hawai`i: adequate resources to support families who care for children in the state's foster care system. For over two decades, the reimbursement made by Hawaii's Department of Human Services ("DHS") to foster parents for the care of foster children was less than the daily cost of kenneling a dog.[1] Named Plaintiffs—long-time foster and adoptive parents—brought this civil rights action to require DHS to comply with their obligations to make sufficient Foster Care Maintenance Payments under the federal Child Welfare Act, 42 U.S.C. §§ 670-679(b).

After years of extensive litigation, during which DHS vigorously disputed liability, the Parties reached a global settlement, which will resolve both state and federal lawsuits. The settlement has been preliminarily approved both by this Court, Dkt. 345 (as to the Federal Settlement Agreement), and by the Honorable Virginia Lea Crandall of the First Circuit Court of the State of Hawai`i (as to the State Settlement Agreement).[2]

The settlement required the Parties to meet-and-confer in a good faith attempt to agree on attorneys' fees. Dkt. 340-3 at PageID#:9966 (Federal

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[1] *See* Lee Ann Bowman, *Foster Parents Offer Safe Haven*, Hawaii Business Magazine, February 2016, http://www.hawaiibusiness.com/foster-parents-offer-safe-haven/.

[2] *See* Declaration of Claire Wong Black ("Black Decl.") Ex. A (Order Granting Plaintiffs' Unopposed Motion to Certify Settlement Classes and for Preliminary Approval of Proposed Class Action Settlement, dated March 24, 2017).

Settlement Agreement page 14, Section VI.1). Class Counsel and defense counsel met, conferred, and exchanged multiple fee award proposals and counterproposals for over six months. Ultimately, and only with Judge Chang's assistance, the Parties agreed to an attorneys' fee award of $1.1 million in the federal action, inclusive of all Class Counsel's attorneys' fees, costs, non-taxable expenses, and taxes. Black Decl., Ex. B (Federal Settlement Agreement) at Section VI.1. This represents less than half of the fees and costs incurred by Class Counsel in prosecuting this action (*see* Black Decl., ¶ 20):

Firm	Hours	Fees	Costs	Total
Morrison Foerster	3,787.75	$2,046,858.75	$230,167.76	$2,277,026.51
AHFI	2,384.70	$605,697.00	$46,462.58	$652,159.58
Hawaii Appleseed	175.4	$44,079.56	$107.29	$44,186.85
				$2,973,372.94

Pursuant to the Parties agreement on fees, reflected in Section VI.1 of the Federal Settlement Agreement, Plaintiffs move[3] for an award of:

> (1) attorneys' fees in the amount of $1.1 million (inclusive of all Class Counsel's fees, costs, non-taxable expenses, and taxes); and
>
> (2) $5,000 Service Awards to each Named Plaintiff: Class Representative Raynette Ah Chong, and Patrick and Patricia Sheehey.

[3] This Motion is brought pursuant to Rules 7, 23(h), and 54(d)(2) of the Federal Rules of Civil Procedure, LR7.2 of the Local Rules of Practice for the United States District Court for the District of Hawai`i, and 42 U.S.C. §§ 1983 and 1988(b). The undersigned understood from the hearing on Defendants' Unopposed Motion for Preliminary Approval of Class Action Settlement that the Court does not require strict compliance with LR54.3, so long as basic lodestar information is provided and the requirements of Rule 54(d)(2)(C) and 23(h) are met. If the Court requires information in addition to what is provided here, Class Counsel respectfully request the opportunity to supplement this submission as directed by the Court.

Class Counsel respectfully requests that the Service Awards be deducted from the award of attorneys' fees and costs.

As set forth below, Plaintiffs' requested fee is reasonable and reflects a significant (more than 50%) discount off the fees actually incurred in prosecuting this action. And the benefits of the settlement, which is the direct result of the efforts of Class Counsel, are important and significant. First, DHS agreed to increase the monthly basic board rate (and clothing stipend) to account for inflation. Second, DHS also agreed to increase the monthly basic board rate (and clothing stipend) to reflect Hawaii's higher cost of living using a heavily-negotiated "average Hawai`i" Regional Price Parity (RPP) multiplier. Third, DHS has agreed to a more meaningful periodic review of its monthly board rate than its historical practice of acknowledging that the foster board rate was insufficient while declining to support Legislative efforts to increase the rate due to budget concerns. Under the Federal Settlement Agreement, DHS **must** request an amount from the Legislature sufficient to fund increases to the monthly foster board rate whenever the difference between the "benchmark" board rate (most-current USDA costs adjusted for inflation and Hawai`i cost of living) and the existing monthly foster board rate exceeds 5%. Finally, DHS agreed to waive the 120-hour limit for Difficulty of Care payments in appropriate circumstances and to work with Class Counsel to provide information about the availability of Foster Care Related Payments and Benefits to foster families.

Class Counsel has worked on this matter (and fronted costs, including expert fees) for more than three years, purely on a contingency basis. This work has included factual and legal investigation, extensive motions practice and discovery (including expert discovery and analysis of hundreds of thousands of individual payments made to foster parents), trial preparation, negotiation of settlement terms and proposed notice, creation of a settlement website

(http://www.hawaiiclassaction.com/fostercare), and monitoring of the ongoing notice process. Class Counsel expects to continue to expend significant time responding to inquiries from notice recipients. In sum, Class Counsel's requested fee award is reasonable and warranted given the amount of work done, the fees and costs incurred, and the significant benefits obtained for the Class.

Importantly, the Named Plaintiffs participated throughout this litigation—they reviewed and provided information for the filing of the complaint, produced their documents for review and production, worked with Class Counsel to respond to written discovery, were deposed (some more than once), prepared trial testimony, and provided valuable input during settlement negotiations.

For their considerable efforts on behalf of the Class (including being named in the Complaint when other foster parents who supported the litigation declined, fearing retaliation), Class Counsel seek Service Awards of $5,000 to each Named Plaintiff. Pursuant to the terms of the Federal Settlement Agreement, DHS does not object to this motion because it does not seek an award in excess of the agreed-upon amounts. Black Decl., Ex. B (Federal Settlement Agreement) § VI.1.[4]

II. SUMMARY OF RELEVANT FACTS AND SETTLEMENT BENEFITS[5]

This Court—having continued the bench trial for two days in order to facilitate settlement negotiations—is intimately familiar with the factual and procedural background of this action. Therefore, Plaintiffs summarize the factual

[4] Capitalized terms not specifically defined in this motion have the meaning as the defined terms under the Federal Settlement Agreement.

[5] Although DHS does not oppose this motion, it does not agree, concede, or adopt Plaintiffs' description of the facts and issues presented, or the factual or procedural background. To the contrary, DHS has continued to assert that its conduct was lawful at all times.

and procedural background of this action only to provide context regarding the fees incurred in prosecuting this action.

A. The Filing of the Complaint: The Foster Board Rate Remained Unchanged, at $529 Per Month, Per Child, for Over Two Decades

For over two decades, the State's monthly reimbursement to foster parents, permanent custodians/legal guardians, and adoptive parents of children with special needs remained unchanged at $529 per month, per child despite the Hawaii's ever-increasing cost of living. In 2009, the State Legislature found that $529 was "insufficient to raise a child because costs for food, housing, utilities, clothing, and other necessities have increased" and tasked the State's Department of Human Services ("DHS") to determine the feasibility of increasing the payment rate. *See* Dkt. 120-8, House Resolution (Ex. 4 to Class Certification Motion). Yet, for years, DHS made no move to increase the payments and was unable to support independent legislation to increase the payment rate because of fiscal concerns. Dkt. 146-5, DHS 2009 Legislative Testimony (Ex. 4 to Plaintiffs' Summary Judgment Motion), Dkt. 146-6, DHS 2011 Legislative Testimony (*id.*, Ex. 5).

Plaintiffs filed this action in December 2013 because DHS's failure to increase Foster Care Maintenance Payments violated the Child Welfare Act's requirements that: (1) payments be sufficient to "cover the cost of (and the cost of providing)" a child's basic necessities as enumerated in 42 U.S.C. § 675(4)(A); and (2) DHS assure the continuing appropriateness of the payment rate through periodic review (*see* 42 U.S.C. § 671(a)(11)).

After Plaintiffs filed this action, DHS increased its monthly foster care board rate, conceding that the prior rate of $529 was insufficient. Dkt. 293-11, Plaintiffs' Trial Brief at Ex.10 (Form A, Justification of [Budget Adjustment] Request) (stating "The Department of Human Services is cognizant that the current monthly foster care board rate of $529 had not been raised since 1990, and is

insufficient due to the increased costs for food, housing, utilities, clothing, and other necessities in raising a child.")

B. Motion Practice and Discovery

Because of their insistence that Plaintiffs claims had no merit, DHS filed numerous motions, which were largely denied: two motions to dismiss (one denied in part, Dkt. 45, the other denied in its entirety, Dkt. 77); a motion to stay (denied, Dkt. 64); a motion for reconsideration of order denying motion to dismiss (denied, Dkt. 93); a motion for judgment on the pleadings (denied, Dkt. 102); a motion to compel answers to interrogatories (granted in part, denied in part, Dkt. 98); a motion for protective order (denied, Dkt. 105); motions to strike Plaintiffs' experts (denied, Dkt. 193); and seven *limine* motions (Dkts. 233-239).

As a result of DHS's multiple motions to dismiss and for judgment on the pleadings, which targeted Named Plaintiffs' standing, Class Counsel expended additional time and energy seeking additional plaintiffs. Black Decl., ¶ 3. Many of the foster parents Class Counsel spoke to supported the litigation, but declined to participate as Named Plaintiffs for fear of retaliation. *Id.*, ¶ 4. These fears were not unwarranted: Named Plaintiff Raynette Ah Chong had fostered over 100 children in her 20 years of service as a foster parent—many were emergency placements on short notice for short stays. After this litigation commenced, she received only one request for placement. *See* Dkt. 120-2 (Ah Chong Decl. in support of Class Certification) at ¶¶ 2, 6.

C. DHS's Litigation Conduct Drove Up Fees and Costs

1. From May 2014 through July 2015, DHS Disclaimed the Ability to Produce Electronic Data Regarding Payments to Foster Parents

Shortly after amending the complaint, Plaintiffs propounded discovery seeking information regarding DHS's periodic reviews of the foster board rate, and the types of payments made by DHS to Hawai`i-licensed foster parents. *See*

Dkt. 54 (certificate of service re Plaintiffs' discovery requests); Dkt. 176-3 (Plaintiffs' 1st Interrogatories). Defendant's prior counsel of record responded that:

> the entire request appears to be designed to harass the employees of the Hawaii Department of Human Services because the Department chose not to "partner" with Plaintiffs' counsel in approaching the Hawaii State Legislature in the 2014 session.[6] The Department had already made decisions as to the most appropriate manner in which foster care maintenance payments should be made and chose not to allow private law firms to set public policy, but chose to have those decisions made by persons elected by the citizens of the State of Hawaii, the executive and legislative branches of Hawaii State government. Defendant objects to this request because it is overbroad as to time. This is an action for prospective injunctive relief, not for damages for past "wrongful" conduct. Obtaining the requested documents would require DHS to have several employees search for physical files that may or may not exist at the present time. Once these files are located, DHS employees would be required to search the files to determine if there are any documents responsive to this Request in those files. Defendant objects to this Request to the extent that it requires or purports to require the location or production of electronically stored information ("ESI"), including but not limited, to ESI that is stored in historical, archival, back-up, legacy or other formats which are not reasonably accessible to the State. A search and production of ESI would be overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. **Defendant does not maintain the information in the format requested, and therefore objects to producing documents that have to be created for this litigation**.

Dkt. 176-4 at Objection 4(a) (emphasis added). This objection exemplifies the tenor and nature of discovery in this action. Because the types and amounts of payments made to foster parents was the core issue in the litigation, Request 4(a)

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[6] This is in apparent reference to Hawaii Appleseed's advocacy efforts to increase the foster board rates prior to the filing of the Complaint.

became the subject of extensive, long-running negotiations between Class Counsel and defense counsel. DHS consistently maintained their objection and disclaimer that the payment data was not maintained in the format requested. Dkt. 168-4 (DHS discovery dispute letter dated October 3, 2014, maintaining objections and refusing to produce payment data). As a result, for the next twelve months, Plaintiffs sought to depose all DHS employees involved in the setting and disbursement of foster board payment rates.

2. DHS's Defense Team, Including Employees and Experts, Had Been Relying on Electronic Payment Database to Defend Against Plaintiffs' Claims Since August 2014

Despite DHS's position that payment data was not maintained in electronic format and would "have to be created for this litigation," its opposition to class certification demonstrated that DHS knew the exact dollar amounts for different types of payments for each Named Plaintiff during varying time periods relating to the care of specific foster and adoptive children. *See* Dkt. 130 (DHS Opposition to Class Certification) at PageID#:1374-75. In light of the specific dollar amounts quoted in DHS's pleadings, Plaintiffs requested a meet and confer and reiterated its request for payment data in electronic format. *See* Dkt. 168-5 (Black email dated July 23, 2015).

Surprisingly, when the parties met and conferred on July 30, 2015, DHS agreed to produce a limited subset of the payment data that Class Counsel had requested over a year earlier. The reason for DHS's abrupt change in position became clear on August 7, 2015, when DHS produced rebuttal expert reports. The reports referenced, relied on, and analyzed a series of Microsoft Excel spreadsheets detailing hundreds of thousands of payments made to foster families from 2009 through 2015. DHS's expert reports revealed not only that payment data existed in readily accessible form, but also that **its experts had access to the data since**

August 2014. Dkt. 166-4 at PageID#:2449 (Udinsky Report, listing documents received/considered, and referring to excel spreadsheet of payment provided by DHS in August 2014).

More generally, DHS's litigation tactics drove litigation costs because: it repeatedly refused to produce documents, necessitating meet and confer correspondence and follow up; it produced insufficiently prepared 30(b)(6) witnesses, requiring Plaintiffs to continue the deposition and meet and confer multiple times to respond to Defendant's "confusion" over the noticed topics; it hired three experts and deposed Plaintiffs' experts twice (while Plaintiffs hired two experts and deposed the DHS's experts once).

D. DHS Position on Settlement Forced Plaintiffs to Incur Trial Preparation Fees and Costs

Plaintiffs invited settlement negotiations early and often, believing that the foster board rate simply needed to be updated: (1) to reflect inflation; (2) to account for Hawaii's higher cost of living as compared to other states; and (3) to cover the costs of (and cost of providing) *all* the items enumerated under the CWA. Dkt. 22 (Plaintiffs' February 2014 Rule 26(f) Report) (stating a "willingness to engage in settlement discussions").

DHS refused. *See* Dkt. 25 (Response to Rule 26(f) Report) (stating "DHS is not in a position to settle or otherwise resolve this matter" contending that Plaintiffs' proposed increase "is based solely on her own, unsupported, calculation of adjustment for inflation, and not any statutory requirement"); Dkt. 24 (DHS Rule 16 Scheduling Conference Statement) ("Defendant does not believe this case is amenable to mediation or arbitration because it relates to a policy determination of the State of Hawaii").

When Director Wong replaced Director McManaman at DHS, she reopened communication channels, prompting a settlement conference, which was

ultimately unsuccessful. *See* Dkts. 108, 109 (setting settlement conference for February 26, 2015 pursuant to letter request from Deputy Attorney General Molay); Dkt. 112 (setting further settlement conference on April 2, 2015); Dkt. 114 (Minute Order re no settlement reached); Dkt. 132 (electronic notice re unsuccessful July 2, 2015 settlement conference).

In July 2016, **before** the pre-trial deadlines came due, the Court (Hon. Kevin S.C. Chang, presiding) conducted further settlement discussions. *See* Dkt. 231 (July 26, 2016 settlement discussions); Dkt. 232 (July 29, 2016 settlement discussions resulting in case returned for trial). Plaintiffs' position was that any settlement needed to—at minimum—reflect inflation and account for Hawaii's higher cost of living as compared to other states. Plaintiffs proposed using the Bureau of Economic Analysis' recent Regional Price Parity statistics as an appropriate measure of Hawaii's cost of living as compared to the USDA data that DHS had used in setting its 2014 rates. However, as a result of the summary judgment ruling that DHS need not include rent, mortgage and property taxes in their consideration or calculation of the cost of "shelter," DHS's experts had revised their analyses and concluded that, by including USDA "housing" costs into the 2014 Monthly Payment rates, it was **overpaying foster families by as much as $324 each month.** Dkt. 314-6 (Expert Trial Testimony of Jerald Udinsky, ¶ 18 excerpted below):

Table 1

Comparison of Actual Foster Care Payments to Benchmarks from USDA Report, Excluding Medical-Related Items

	USDA - Excluding Rent, Mortgage, and Vehicle Purchases		
	Age 0-5	Age 6-11	Age 12+
I. Necessary Expenditures Indicated by Foster Care Payment Benchmark:	$554	$659	$721
II. Actual Payments and Benefits to Hawaii Foster Care Providers:	$750	$984	$1,034
III. Under (Over) Payment Relative to Benchmark:	($197)	($324)	($313)

As one State expert testified, the Foster Care Maintenance Payment rate would not—and did not need to—put a roof over a foster child's head:

> Q: But all of those other things . . . alone or in the aggregate, **don't get a roof over your head, right**?
>
> A: **No**.
>
> Q: Why not? Unless you own it, or you rent it, how do you provide shelter to a child?
>
> A: Whether or not that should be included is a legal question, and whether or not it's required under Title IV-E is a legal question. **I utilized the Judge's order in this case, and clearly in order — I doubt that I will continue to have a home if I stop paying my mortgage.** But whether or not if I just decide to become a foster parent, I would, under Title IV-E be allowed to receive some payment for that mortgage payment, I don't know the answer to that.

Dkt. 293-3 (Plaintiffs' Trial Brief, Exhibit 2 at PageID#:9026-27). Unsurprisingly, settlement negotiations failed and the parties prepared for trial, filing motions *in limine*, preparing and submitting trial exhibits, preparing written trial testimony, and bringing in experts from the mainland for live testimony.

On the eve of trial, the parties resumed settlement discussions. Then-DHS Director Rachael Wong met face-to-face with Class Representative Raynette Ah Chong and Sheryl Campagna (Class Representative in the State Action) on Friday August 19, Statehood Day. Settlement negotiations between counsel continued for the next seven days while the Court continued the non-jury trial in order to facilitate settlement.[7] The Parties reached the essential terms of a valid and binding settlement agreement on August 26, 2016. Dkt. 327. The settlement included, among other things, an adjustment for inflation; accounted for Hawaii's higher cost of living using an "average" Hawai`i-based RPP; and required DHS to affirmatively request budget adjustments to fund future foster care board rate increases when costs (expressed by a "benchmark" formula) exceed the existing foster board rate by 5%.

After reaching the settlement in principle, Class Counsel and defense counsel met and conferred repeatedly, exchanged several fee award proposals and counterproposals, and negotiated for over six months. It was only with Judge Chang's continued assistance that the Parties were able to agree to an attorneys' fee award of $1.1 million in the federal action. This amount represents a significant compromise for Class Counsel, particularly because it is inclusive of all Class Counsel's attorneys' fees, costs, non-taxable expenses, and taxes. *See* Black Decl., Ex. B (Federal Settlement Agreement) at Section VI.1. It is less than half of the total fees and costs incurred by Class Counsel in prosecuting this action. Black

[7] *See* Dkt. 317 (settlement conference set for August 23, 2016, original start date of bench trial); Dkt. 315 (continuing bench trial set for August 23, 2016 to August 24); Dkt. 318 (Minutes of August 23 Settlement Conference); Dkt. 319 (continuing nonjury trial to August 25); Dkt. 320 (continuing nonjury trial to August 26); Dkt. 324 (setting further settlement conference for August 25); Dkt. 326 (Minutes of Further Settlement Conference on August 25); Dkt. 327 (Settlement on the Record).

Decl., ¶ 20. And Class Counsel expects to continue incurring significant fees responding to class member inquiries and preparing for the final Fairness Hearing.

III. PLAINTIFFS' SERVICE AWARDS ARE REASONABLE AND SHOULD BE APPROVED

Service awards are "fairly typical in class action cases." *Rodriguez v. W. Publ'g Corp.*, 563 F.3d 948, 958 (9th Cir. 2009). Named Plaintiffs are eligible for reasonable service awards. *Staton v. Boeing Co.*, 327 F.3d 938, 977 (9th Cir. 2003). Service awards are "intended to compensate class representatives for work done on behalf of the class" and to "make up for financial or reputational risk undertaken in bringing the action." *Rodriguez*, 563 F.3d at 958. Modest service awards, such as the $5,000 awards requested here, promote sound public policy of encouraging individuals to undertake the responsibility of serving as class representatives in lawsuits.

Courts look to five factors in approving service awards to class representatives: (1) the risk to the class representative (financial and otherwise); (2) the notoriety and personal difficulties encountered by the class representative; (3) the amount of time and effort spent; (4) the duration of the litigation; and (5) the personal benefit (or lack thereof) to the class representative as a result of the litigation. *See Aarons v. BMW of N. Am., LLC*, No. CV 11-7667 PSF (CWX), 2014 WL 4090564, at *18 (C.D. Cal. Apr. 29, 2014).

The Named Plaintiffs—Raynette Ah Chong, Patrick Sheehey, and Patricia Sheehey—expended significant time and energy over the past three years in order to prosecute this action: they reviewed and provided information for the filing of the complaint, produced their documents for review and production, worked with Class Counsel to respond to written discovery, were deposed (some more than once), prepared trial testimony, and provided valuable input during settlement negotiations. The personal benefit to the Named Plaintiffs from this

action and the settlement is coextensive with the benefit to all other class members. They will be eligible to receive the higher foster board rates. *See Aarons*, 2014 WL 4090564, at *20 (fact that class representatives will not receive benefits beyond other class members weighs in favor of an award).

Moreover, the risks and difficulties they encountered were not insubstantial. After the complaint was filed, Ms. Ah Chong received only one request for placement of a foster child (and none since April 2014) even though she had previously fostered over 100 children, many on an emergency basis. With respect to Mr. and Mrs. Sheehey, DHS stated in publicly-filed pleadings that they intended to reduce the amount of adoption assistance the Sheeheys received for their adoptive daughter. Dkt. 278 at PageID#:8330 ("DHS will also present testimony that given the Sheeheys' professions and their annual income, the adoption assistance to their adopted child should be reduced.").

For their considerable efforts and risks on behalf of the Class (including being named in the Complaint when other foster parents who supported the litigation declined, fearing retaliation), Service Awards of $5,000 to each Named Plaintiff is reasonable. *Odrick v. UnionBanCal Corp.*, No. C 10-5565 SBA, 2012 WL 6019495, at *7 (N.D. Cal. Dec. 3, 2012) (awarding $5,000 service awards to class members even where settlement was reached early in the litigation); *Hopson v. Hanesbrands Inc.*, No. CV-08-0844 EDL, 2009 WL 928133, at *10 (N.D. Cal. Apr. 3, 2009) ("In general, courts have found that $5,000 incentive payments are reasonable"). The Court should grant approval of the requested Service Awards of $5,000 each to Ms. Ah Chong, Mr. Sheehey, and Mrs. Sheehey.

IV. THE AGREED-UPON ATTORNEYS' FEE AWARD IS REASONABLE AND SHOULD BE APPROVED

A. Applicable Legal Standard(s) for Attorneys' Fee Awards

Under Rule 23(h) of the Federal Rules of Civil Procedure, courts have a duty to ensure that the award is reasonable. Fed. R. Civ. P. 23(h) ("In a certified class action, the Court may award reasonable attorney's fees and nontaxable costs that are authorized by law or by the parties' agreement."). The Ninth Circuit has identified factors that may be considered in determining the whether the contemplated award is reasonable, including: (1) the results achieved; (2) the risk involved with the litigation; (3) the skill required and quality of work by counsel; (4) the contingent nature of the fee; and (5) awards made in similar cases. *Six Mexican Workers v. Arizona Citrus Growers*, 904 F.2d 1301, 1311 (9th Cir. 1990).

Plaintiffs brought this action under 42 U.S.C. § 1983 and are also entitled to fees under 42 U.S.C. § 1988. There is no dispute that Plaintiffs are prevailing parties in this litigation. And, as discussed below, Plaintiffs' fee request falls squarely within the traditional lodestar calculation, is consistent with applicable law in this Circuit, meets all the criteria of reasonableness, and should be granted in its entirety.

B. Plaintiffs Are The Prevailing Party

The Ninth Circuit determines "prevailing party" status using a three-part test requiring: (1) judicial enforcement; (2) material alteration of the legal relationship between the parties; and (3) actual relief on the merits of plaintiffs' claims. *La Asociacion de Trabajadores de Lake Forest v. City of Lake Forest*, 624 F.3d 1083, 1089 (9th Cir. 2010) ("Litigation that results in an enforceable settlement agreement can confer 'prevailing party' status on a plaintiff."). Plaintiffs satisfy all three elements of the prevailing party analysis.

As to the first element, under the executed Federal Lawsuit Class Action Settlement Agreement ("Federal Settlement Agreement"), which this Court preliminarily approved (Dkt. 345), this Court retains jurisdiction to enforce the terms of the settlement. Black Decl., Ex. B at Section IV.3. With respect to the second element, it is undisputed that the Parties' legal relationship has been materially altered. At the outset of the litigation, DHS took the position that it "had already made decisions as to the most appropriate manner in which foster care maintenance payments should be made" and would not "allow private law firms to set public policy". *See* Dkt. 176-4 at Objection 4(a).

As a result of this action and the Federal Settlement Agreement, DHS is *legally required* to undertake specific actions to increase the foster board rate and Plaintiffs may enforce the terms of the settlement in federal court. Specifically, DHS has agreed to: (1) request that the Legislature fund an increase to the monthly foster board rate (including the clothing stipend) by adjusting for inflation and a Hawai`i cost of living multiplier (Ex. B, Federal Settlement Agreement Section II.1); (2) request budget adjustments from the Legislature sufficient to fund additional increases to the monthly board rate if inflation and the cost of living result in a "benchmark" foster board rate that exceeds the then-existing board rate by 5% (*id.*, Section III); (3) waive the 120-hour limitation for Difficulty of Care payments made to families for the care of children who have needs above and beyond those of a typical child (*id.*, Section IV.1); and (4) work with Class Counsel to create a short summary of the additional Foster Care Related Payments and Benefits provided by DHS, which will be distributed to foster parents ("Resource Caregivers") at least semi-annually as well as to all newly-licensed Resource Caregivers (*id.*, IV.2). Third, the settlement achieves actual relief on the merits of Plaintiffs' claims: it increases the monthly foster board rate

and provides a framework for assessing and assuring the continuing appropriateness of the rate by requiring rate increases in specific circumstances.

C. The Agreed-Upon Attorneys' Fee Award is Reasonable

The award of attorneys' fees agreed upon by the Parties satisfies all five of the Ninth Circuit factors when examining class action attorneys' fees: (1) the litigation achieved significant results for foster parents statewide; (2) there were substantial risks involved with the litigation; (3) this was a complex class action against a State agency, which required both skill and tenacity to litigate; (4) Class Counsel agreed to represent Plaintiffs at no cost and to advance all litigation expenses (which exceed $200,000.00, *see* Hancock Decl., ¶5); and (5) the award is consistent with awards made in similar cases.

For attorneys' fees granted under Section 1988, a reasonable fee is based on the traditional "lodestar" calculation set forth in *Hensley v. Eckerhart*, 461 U.S. 424 (1983), which multiplies the number of hours reasonably expended by a reasonable hourly rate. *Jordan v. Multnomah County*, 815 F.2d 1258, 1262 (9th Cir. 1987). In determining the number of hours reasonably expended, and the reasonable rate to be charged, courts consider some of the same factors as in reviewing attorneys' fee awards under Fed. R. Civ. P. 23(h), including: (1) the time and labor involved; (2) the novelty and difficulty of the questions involved; (3) the skill required; (4) the preclusion of other employment by the attorney due to the acceptance of the case; (5) the customary fee; (6) the amount involved and the results obtained; and (7) the experience, reputation, and ability of the attorneys. *Id.*

1. The Results Achieved (and Risks Avoided) Are Favorable to the Settlement Class

The settlement increases the monthly foster board rate, which affects monthly payments across the board: all resource caregivers (foster and adoptive parents and legal guardians) will benefit from the rate increase. The settlement

also increases the annual clothing stipend. The increase represents a significant victory, given the Court's ruling on shelter and DHS's litigation position that they were overpaying by as much as $324 each month:

RATES⇨ AGES⇩	DHS'S PRE-2014 RATES	DHS'S 2014 RATES	SETTLEMENT RATES[8]	PLAINTIFFS' PROPOSED RATE (BREWBAKER)	DHS'S CLAIMED OVER-PAYMENT[9]
0-5 years	$529	$576	**$649**	$683-716	**($197)**
6-11 years	$529	$650	**$742**	$819-821	**($324)**
12+ years	$529	$676	**$776**	$835-849	**($313)**

The settlement represents an excellent result when compared to what Plaintiffs and the Class may have achieved at trial, had DHS prevailed on its theory of overpayment. Whether DHS or Plaintiffs prevailed at trial, appeal would have been a near certainty and would have taken years to resolve. These risks (and the settlement's avoidance of the risks of a lower foster board rate and delays due to appeal) are a factor that should be weighed in determining the fee award. *In re Pac. Enterprises Securities Litig.*, 47 F.3d 373, 379 (9th Cir. 1995) (attorneys' fees justified in light of complexity of the issues and the risks involved).

2. Reasonable Hourly Rates: Counsel's Experience, Reputation and Ability; and Preclusion of Other Employment Due to Acceptance of This Contingent Matter

The "prevailing market rate" in the community is indicative of a reasonable hourly rate. *Jordan*, 815 F.2d at 1262. However, the Ninth Circuit has cautioned that the "prevailing market rate" for an attorney is not simply the

[8] The clothing stipend will increase from $600/year to $810 (ages 0-5); $822 (ages 6-11) and $1,026 (ages 12+). Black Decl., Ex. B, Federal Settlement Agreement at Sections II.1.(b) and II.3.

[9] *See* Dkt. 314-6, Udinsky Trial Declaration, at Table 1, PageID#:9684.

average rate for an attorney with the same number of years of experience. Instead, the Court should use the prevailing rates in the community "for similar services by lawyers of reasonably comparable skill, experience and reputation". *Christensen v. Stevedoring Serv. of America*, 557 F.3d 1049, 1053 (9th Cir. 2009) (quoting *Blum v. Stenson*, 465 U.S. 886, 896 n.11 (1984)). As a threshold matter, "similar services" in the context of this case should mean complex, evidence-intensive, class action litigation, not simply the average market rate in Honolulu or rates for garden-variety civil rights cases. There is no dispute here that this class action involved complex issues of law and fact.

Moreover, Class Counsel agreed to represent Plaintiffs at no cost and to advance all litigation expenses. Black Decl., ¶ 5. The recovery of any costs and/or fees was entirely dependent on the degree of Plaintiffs' success and the award of attorneys' fees and costs. Class Counsel could have accepted non-contingency commercial litigation work at higher rates instead of pursuing public interest litigation. *Id.*, *6. And, Class Counsel has expended and will continue to expend resources supervising the settlement process, addressing class member inquiries and objections, and preparing documents in support of final approval.

The Ninth Circuit recognizes that the public interest is served by rewarding attorneys who take on contingency cases, to compensate them for the risk that they might be paid nothing at all. *In re Washington Pub. Power Supply Sys. Sec. Litig.*, 19 F.3d 1291, 1299 (9th Cir. 1994) (even fees that exceed market value of the services rendered are a legitimate way of assuring competent representation for plaintiffs who could not afford to pay on an hourly basis regardless whether they win or lose).

The skill, reputation, and experience of the attorneys at issue must also be considered. Given that this is a complex class action, Class Counsel's extensive experience litigating other complex class actions must be considered.

See Wren v. RGIS Inventory Specialists, No. C-06-05778 JCS, 2011 WL 1230826, *19 (N.D. Cal. Apr. 1, 2011) (considering counsels' specific experience in litigating over 20 class actions and comparing it to "attorneys with similar experience, skill, and reputation for comparable work in complex class actions in this community"). Class Counsel has extensive experience litigating complex and public interest class actions. *See* Alston Decl., ¶¶ 4, 6 (lead counsel in over 30 certified class actions against the State of Hawai`i); Thornton Decl., ¶¶ 12-14 (listing class actions litigated); Hancock Decl., ¶¶8-11 (referring to Morrison & Foerster's experience, skill, and reputation for complex litigation and public interests cases involving the Child Welfare Act in particular).

In determining a reasonable hourly rate, the Court should also consider the actual rates that counsel charge their paying clients for legal work of similar complexity. *Welch v. Metropolitan Life Ins. Co.*, 480 F.3d 942, 946-947 (9th Cir. 2007) ("billing rates should be established by reference to the fees that private attorneys of an ability and reputation comparable to that of prevailing counsel charge their paying clients for legal work of similar complexity") (internal quotations omitted). The Ninth Circuit has held that an attorney's actual hourly rate is compelling evidence of the market rate for that attorney. *Carson v. Billings Police Dept.*, 470 F.3d 889, 892 (9th Cir. 2006) ("That a lawyer charges a particular hourly rate, and gets it, is evidence bearing on what the market rate is, because the lawyer and his clients are part of the market.")

Here, the hourly rates reflected in the timesheets submitted by Class Counsel are Morrison & Foerster are counsel's actual market rates—meaning, the rates are what Class Counsel bills its paying clients—which underscores their reasonableness. Hancock Decl., ¶ 4. On the other hand, the hourly rates reflected

in the timesheets submitted by AHFI are significantly lower than the rates they customarily bill on complex commercial matters.[10]

Not only are Class Counsel's hourly rates reasonable in light of the experience, background and skills of the attorneys and staff involved[11], they are *particularly* reasonable considering that Class Counsel has agreed to voluntarily request less than 50% of the fees incurred, meaning they will not be compensated for all their actual work at their actual rates. In addition to the voluntary 50%+ reduction in fees requested, Class Counsel has also written off time in the exercise of billing judgment. *See* Black Decl. ¶¶ 15; 16(f).

3. Hours Reasonably Expended: The Time, Labor, and Skill Required to Litigate Against the State and its Agencies

As summarized above, this action was aggressively litigated on both sides, with extensive motions practice and discovery, and highly specialized expert analyses. In particular, litigating against the State of Hawai`i and its agencies requires persistence, tenacity, and resourcefulness because of the Parties' unequal access to information and data regarding the State's policies and practices (which is exacerbated by the State's 30 day automatic email deletion policy) and the types of procedural and legal positions advanced by the State. *See* discussion of DHS's Objection to Request 4(a), motions to dismiss, and position on settlement, *supra*.

Class Counsel's billing records demonstrate that they appropriately staffed this matter and made efficient use of attorney time. Over the course of

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[10] For example, Ms. Black's rate in this matter represents a substantial discount off the rate she customarily bills on commercial matters. Black Decl., ¶ 7. Similarly, Mr. Alston's rate in this matter is significantly lower than the rate he customarily charges. Alston Decl., ¶ 6 (last bullet point on page 3).

[11] *See* Black Decl., at ¶¶ 16-17, citing case law from this district awarding rates at, or within the range of, the hourly rates employed by AHFI and Hawaii Appleseed in this action.

three years, this action was litigated primarily by six attorneys: Paul Alston (AHFI); A.C. Johnston (MoFo); Gavin Thornton (Hawaii Appleseed); Joseph Kanada (MoFo); James Hancock (MoFo); and Claire Black (AHFI). Both AHFI and MoFo used law clerks—who bill at lower rates—to conduct research, which accounts for the total number of timekeepers who billed time to this matter. The staffing was efficient, and the division of labor appropriate. *See HSH Nordbank v. Swerdlow et al.*, Civ. No. 08-6131 (DLC), 2010 WL 1141145, at *7 (S.D.N.Y. Mar. 24, 2010) (praising Counsel's efficient staffing and noting that division of labor was appropriate where junior attorneys conducted the bulk of the work, including overseeing document review, conducting legal research and drafting pleadings, and where senior partners billed less than 500 hours, one associate billed 1200 hours, and another—the undersigned—billed 2100 hours).

For example, Mr. Thornton spent a total of 175.4 hours through entry of settlement on the record. Mr. Alston devoted approximately 200 hours to supervising this case; similarly, Mr. Johnston spent approximately 450 hours overseeing the work of Morrison & Foester's attorneys on this matter. Mr. Kanada, Mr. Hancock, and Ms. Black—who collectively drafted the majority of the pleadings, took and defended depositions, worked with Plaintiffs' experts, prepared this case for trial, drafted the settlement documents and negotiated the amount of the agreed-upon attorneys' fees award—billed approximately 800, 1000, and 1800 hours, respectively, over the past three years. *See* Black Decl., Ex. D, E.

These hours were reasonably expended and necessarily incurred in achieving success on Plaintiffs' claims. The total number of hours is reasonable in light of the massive undertaking involved: Class Counsel investigated the class claims; researched applicable federal and state law; drafted hundreds of pleadings, (including the class certification motion, cross-motions for summary judgment, *Daubert* and *limine* motions); analyzed tens of thousands of documents produced

by DHS; deposed and defended the depositions of more than a dozen witnesses; retained experts to assist in analyzing hundreds of thousands of individual payments made to foster families; and prepared this case for trial. Many of the hours expended in litigating this action were necessitated by DHS's unreasonable objections to discovery requests, obfuscation involving the electronic payment database, and recalcitrant positions on settlement.

4. Fee Awards in Similar Cases

Finally, as discussed above, this was a complex, evidence-intensive, class action litigation, not the average civil rights case. It is undisputed that Plaintiffs' claims involved complex issues of law and fact: litigating them required substantial skills that exceed those required in the normal scope of civil rights litigation. And, certain aspects of the case were more challenging than usual—in particular, encouraging foster parents who feared retaliation to discuss, on the record, the difficulties they experienced trying to obtain reimbursements for clothing and access to foster care related payments and benefits.

In light of the complex and unique issues presented in this case, the most compelling evidence that the award of attorneys' fees here is reasonable is the award of attorneys' fees in similar litigation over California's obligations to provide sufficient foster care maintenance payments under the Child Welfare Act. In *California State Foster Parent Association v. Wagner*, the Court awarded plaintiffs' counsel $926,797.12 in attorneys' fees. Black Decl., G (Special Master's Decision and Order Regarding Attorneys' Fees). The *Wagner* award was based on fees and costs incurred litigating plaintiffs' claims for one year—through summary judgment rather than up to the eve of trial. *See* Ex. G at Appendix A (time entries from September 2007 to September 2008). Emphasizing the excellent result obtained, the court noted that "the importance of civil rights victories often cannot be measured in dollars," Ex. G at 10-11, and reduced the

fees incurred by 12.3% of plaintiffs' original request, *id.*, at 18. In light of the *Wagner* award, the requested attorneys' fee award here is eminently reasonable.

V. CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that this Court grant the unopposed motion and award Class Counsel $1.1 million in attorneys' fees and costs (which represents a fraction of the $2.9 million incurred through settlement of this action) and approve Service Awards of $5,000 to each of Plaintiffs Raynette Ah Chong, Patrick Sheehey, and Patricia Sheehey, which amounts shall be deducted from the award of attorneys' fees to Class Counsel.

Dated: March 28, 2017

Respectfully submitted,

By: /s/ Claire Wong Black
PAUL ALSTON
J. BLAINE ROGERS
CLAIRE WONG BLACK
VICTOR GEMINIANI
GAVIN THORNTON
ALESSA Y. HWANG
JAMES R. HANCOCK
Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **DECLARATION OF PAUL ALSTON**

DECLARATION OF PAUL ALSTON

I, PAUL ALSTON, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am a shareholder, officer and director of the Alston Hunt Floyd & Ing ("AHFI"), counsel for Plaintiffs herein.

2. I make this Declaration in support of Plaintiffs' Unopposed Motion for Award and Approval of Settlement Regarding Attorneys' Fees and Service Awards. This Declaration is based on my personal knowledge. I am competent to testify as to the matters set forth herein.

3. I am Class Counsel of record for Plaintiffs, who prevailed in this matter. I supervised the filings from the start of this litigation.

4. I have been representing disadvantaged individuals in disputes with the State of Hawai`i since 1972 when I filed the first class action in the

history of Hawai`i challenging the State's failure to provide services to those children (*Kekahuna v. Dep't of Educ.*) (D. Haw. April 1972). That action resulted in an unprecedented consent decree that required the Department of Education ("DOE") to improve the services it provides to handicapped students.

5. Based on the AHFI's experience handling many complex civil rights class actions, it is unlikely that a small firm, Hawaii Appleseed alone, or a sole practitioner could have provided the resources and support provided by Morrison & Foerster and AHFI, needed to litigate this case on behalf of Plaintiffs.

6. I have been admitted to practice before all Courts in the State of Hawai`i since 1971, and have over 44 years of experience in complex commercial litigation matters. The following information reflects my reputation and experience:

- I was a law clerk for the Honorable Walter Ely, of the Ninth Circuit in 1971-72. After that, I worked for the Legal Aid Society of Hawai`i and served as co-director of litigation in 1975-77. After that, I participated as a trainer in the Legal Service Corporation's Federal Practice Training in locations around the county. I am now an adjunct professor at the University of Hawai`i School of Law teaching "Public Interest Lawyering."
- I am a former president of the Hawai`i State Bar Association, the Hawai`i Justice Foundation, and the Hawai`i Chapter of the Federal Bar Association.
- I have an AV rating from Martindale-Hubbell, have been rated as a "Best Lawyer in America" in seven categories, and have been named Hawai`i Lawyer of the Year four times. No other lawyer in Hawai`i has received as many of these accolades.

- I am the only Hawai`i member of the invitation-only American Academy of Appellate Advocates.
- I have served as co-chair of the Hawai`i State Bench-Bar Conference and been a delegate from the District of Hawai`i to the Ninth Circuit Judicial Conference.
- I am a certified specialist in both trial and pretrial practice (National Board of Trial Advocacy), and I was the first Civil Trial Specialist certified by the Hawai`i Supreme Court.
- I received a national award from Superlawyers (Thompson-Reuters) for my pro bono work in 2012, and I have received similar honors from the Hawai`i State Bar Association and the Legal Aid Society of Hawai`i.
- I have been litigating cases for disadvantaged individual since 1972. In my career, I have been lead counsel in more than 30 certified class actions against the State of Hawai`i. No other lawyer has that experience.
- My 2016 hourly billing rate for new business clients in complex commercial cases is $785.00, and I am handling much work for clients who are sophisticated consumers of legal services at that rate. I bill lower rates only for long-time clients whose rates I have not raised, friends, family, and charitable clients. I sometimes bill lower rates when all lawyers in the firm are billed at "blended rates." Those matters do not reflect the current "market value" that knowledgeable clients place on my work.

- In September 2013, I requested a rate of $592.52 for my work on the appeal of two civil rights litigation cases (at that time my 2012-2013 hourly billing rate for new business clients in complex commercial cases was of $695). The Ninth Circuit recently awarded this rate. .

7. The rate I seek in this case is, I submit, commensurate with my experience and the market value of my services.

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

DATED: Honolulu, Hawai`i, March 28, 2017.

PAUL ALSTON

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **DECLARATION OF CLAIRE WONG BLACK**

DECLARATION OF CLAIRE WONG BLACK

I, CLAIRE WONG BLACK, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am an attorney in the law firm of Alston Hunt Floyd & Ing (AHFI), and Class Counsel of record for Plaintiffs in the above-captioned matter.

2. I make this Declaration in support of Plaintiffs' Unopposed Motion for Award and Approval of Settlement Regarding Attorneys' Fees and Service Awards based on my personal knowledge. I am competent to testify about the matters contained in this Declaration.

3. As a result of DHS's motions to dismiss and for judgment on the pleadings (which targeted the Named Plaintiffs' standing) Class Counsel (including myself and Miriah Holden) expended time and energy seeking additional potential named plaintiffs.

4. I personally spoke with more than ten foster parents, who supported the litigation but declined to participate as Named Plaintiffs for fear of retaliation.

5. AHFI agreed to represent Named Plaintiffs at no cost and advanced litigation expenses. Morrison & Foerster also advanced significant litigation expenses.

6. AHFI could have accepted non-contingency commercial litigation work at significantly higher rates instead of pursuing public interest litigation.

7. For example, my rate in this matter ($225) is substantially lower (more than 25%) than the rate I customarily bill on complex commercial matters.

8. Attached as Exhibit A is a true and correct copy of the Order Granting Plaintiffs' Unopposed Motion to Certify Settlement Classes and for Preliminary Approval of Proposed Class Action Settlement, filed March 28, 2017.

9. Attached as Exhibit B is a true and correct copy of the Federal Lawsuit Class Action Settlement Agreement effective March 14, 2017.

10. Attached hereto as Exhibit "D" is a true and correct copy of Itemization of Fees, reflecting and describing the services rendered and attorneys' fees incurred for work performed by AHFI in connection with the above-captioned matter.

11. I have reviewed the fees for services rendered in this matter and verify that to the best of my knowledge they are accurate. The fees are based on timesheet entries made by the billing individuals identified in the invoices in the course of regularly conducted business activities, at or near the time of the acts, events, conditions or opinions described therein.

12. The attorneys' fees incurred are reasonable and were necessarily incurred in this lawsuit in prevailing against Defendants. They are based on work ordinarily performed by licensed attorneys, including:

a. conducting a factual investigation to support Plaintiffs' legal claims;

b. opposing Defendant's motions to dismiss, drafting various pretrial documents, discovery requests, motions, oppositions, and replies to various motions filed by both parties;

c. preparing for and attending the relevant court hearings, status conferences, and settlement conferences;

d. reviewing and analyzing documents produced through discovery;

e. preparing for and defending multiple depositions;

f. working with experts to analyze Defendant's payment data;

g. corresponding with opposing counsel regarding various issues including discovery, scheduling depositions, status conferences, scheduling conferences, court dates, and settlement; and

h. preparing for trial.

13. As summarized below, from November 2013 to March 27, 2017, AHFI attorneys and paralegals have spent a total of 2,384.70 hours associated with the foregoing aspects of this lawsuit (2,326.00 hours after write-offs). The amount of attorneys' fees AHFI has incurred to date is $605,697.00 ($591,052.00 after write-offs). This amount, plus general excise tax in the amount of $27,850.44, results in a total of $618,902.37 in fees. AHFI also incurred costs totaling $46,462.58.

	CV13-00663 LEK-KSC						
TIMEKEEPER	DESC	HOURS	TOTAL	No Charge Hours	No Charge value	Hourly Rate	Experience
PA	Paul Alston	200.6	$139,417.00	0.9	$625.50	$695	40+ years
CWB	Claire Wong Black	1841.5	$414,337.50	21.6	$4,860.00	$225	10 years
JBR	J. Blaine Rogers	1	$220.00			$220	10 years
MIHO	Miriah Holden	5.6	$980.00			$175	8 years
KECA	Kee Campbell	0.3	$55.50			$185	7 years
ARYA	Aryanna Abouzari	0	$0.00	57.5	$14,375.00	$250	9 years
KYPA	Michael Paek	1.7	$297.50			$175	7 years
NAMA	Natalia Maharaj	23.1	$2,887.50			$125	law clerk
JADI	James Diehl	1	$125.00			$125	law clerk
JAFI	Jasmine Fisher	0.5	$62.50	3	$375.00	$125	law clerk
BRMO	Brian Morrow	13.3	$1,662.50			$125	law clerk
JECO	Jessica F. Cooney	51.4	$6,425.00			$125	law clerk
JOMI	Joshua Michaels	3.1	$387.50			$125	law clerk
KKMG	Kelly Guadagno	63.9	$7,987.50	0.3	$37.50	$125	paralegal, 20+ years
IKT	Iris Takane	89.1	$12,919.50			$145	paralegal, 25+ years
KP	Kyoko Patoc	22.8	$2,850.00			$125	paralegal, 9 years
KAL	Kanani Akina-Lee	1.1	$137.50			$125	paralegal, 20+ years
JB	Jya-Ming Bunch	4.1	$205.00			$50	Utility Clerk
SWL	Samson Lee	1.9	$95.00			$50	Litigation Support
	TOTAL	**2326**	**$591,052.00**	**83.3**	**$20,273.00**		
	4.712% tax		$27,850.37				
	TOTAL w/Tax	**2326.0**	**$618,902.37**				

14. The amount of fees is calculated by multiplying the billed hours by the corresponding hourly rates. The hourly rates used to calculate this total are the 2013 rates that AHFI bills to its paying clients, and have not been updated to reflect current (i.e., 2017) rates.

15. In the exercise of billing judgment, AHFI has written off 83.30 hours for a total of $20,003.00, which comprises time billed by Ms. Abouzari (which was written off in its entirety) and 24.6 hours in fees that were incurred by attorneys for work that is considered clerical or ministerial and therefore non-compensable in this district such as: attorney communications with the Court and its staff, and electronic filing of documents with the Court. These time entries are highlighted in red in Exhibit D and followed by the words "NO CHARGE".

16. The following is a brief description of the relevant qualifications, experience, contributions and hourly rates of each attorney and staff member who incurred fees in connection with this action:

a. **Paul Alston (PA).** See Declaration of Paul Alston.

b. **J. Blaine Rogers (JBR).** Mr. Rogers has been admitted to practice before all courts in the State of Hawai`i since 2006. Mr. Rogers has an AV Preeminent rating from Martindale-Hubbell for ethical standards and legal ability. He has successfully litigated numerous cases in this Court and the Hawai`i state courts. Mr. Rogers' hourly rate of $220 in this matter is well within the range of reason for attorneys with similar experience in this community. In *Davis v. KHNL/KGMB, LLC*, Civ. No. 14-00483 SOM-BMK, 2015 WL 5616300 (D. Haw. Aug. 31, 2015), Judge Kurren approved a $225 hourly rate for AHFI attorney Anderson Meyer who, like Mr. Rogers, graduated from Richardson School of Law in 2006, and has similar experience, background and skills.

c. **Claire Wong Black (CWB).** I have been admitted to practice before: (1) all the courts of the State of New York since 2007; and (2) all courts of the State of Hawai`i since 2011. From 2006 to May 2011, I practiced in the New York City office of Sonnenschein Nath & Rosenthal, LLP (now known as Dentons). In 2011, I returned to Hawai`i and have practiced with AHFI from September 2011 until the present. I have almost ten years of experience litigating complex commercial cases and public interest/civil rights class actions. My case-related contributions included case development; conducting discovery, including taking and defending multiple depositions; expert discovery; motions practice from inception of this action through pre-

trial; trial preparation; settlement negotiations. My hourly rate of $225 for this public interest impact case is well below my hourly rate for the types of matters I typically litigate. In *Davis v. KHNL/KGMB, LLC*, Civ. No. 14-00483 SOM-BMK, 2015 WL 5616300 (D. Haw. Aug. 31, 2015), Judge Kurren approved a $225 hourly rate for AHFI attorney Anderson Meyer who, like me, obtained his juris doctor in 2006 and has comparable skills.

d. **Miriah Holden (MIHO).** Ms. Holden is a former AHFI attorney who has been admitted to practice law since 2008, and has approximately eight years of litigation experience in the State of Hawai`i. Ms. Holden's hourly rate of $175 in this matter is well within the range of reason for attorneys with similar experience in this community. In 2014, Judge Mollway found Ms. Holden's $175 hourly rate to be reasonable**.** *Hawaii Glaziers Trust Funds v. Island Glazing Inc.*, Civ. No. 13-00448 SOM-RLP, 2014 WL 819208, at *5 (D. Haw. Mar. 3, 2014).

e. **Kee Campbell (KECA).** Mr. Campbell is a former AHFI attorney who has been admitted to practice law since 2009, and has approximately six years of litigation experience in the State of Hawai`i, including prior judicial clerkships for state appellate and federal district courts (Hon. Paula A. Nakayama and Hon. Barry M. Kurren). Mr. Campbell's hourly rate of $185 in this matter is well within the range of reason for attorneys with similar experience in this community.

f. **Aryanna Abouzari (ARYA).** Ms. Abouzari is a former AHFI attorney with over 8 years of experience as a healthcare attorney. She has been licensed to practice in the State of Hawai`i since 2008 and

was previously admitted to practice in Pennsylvania. She left AHFI in 2015 and currently works at the Centers for Medicare & Medicaid Services. Prior to joining AFHI, Ms. Abouzari served in senior roles at the United States Department of Health & Human Services. She is a cum laude graduate of Bryn Mawr College, and she holds a juris doctor from the University of Connecticut School of Law. In an exercise of billing judgment, time incurred by Ms. Abouzari at an hourly rate of $250.00 to draft a preliminary injunction motion, which was never filed in this matter, has been written off.

g. **Kyu Y. ("Mike") Paek (KYPA).** Mr. Paek is a former AHFI attorney with over six years of litigation experience. Mr. Paek has been licensed to practice in the State of Hawai`i since 2012 and was admitted to practice in the State of New York in 2009. He was an associate with the New York firm of Schulte Roth and Zabel for four years and law clerk for the Honorable James M. Peck in the Southern District of New York Bankruptcy Court prior to joining AHFI. Mr. Paek's requested hourly rate of $175 in this matter is well within the range of reasonableness for attorneys with similar experience in this community.

h. **Kelly K. M. Guadagno (KKMG).** Ms. Guadagno has over 20 years of experience as a litigation paralegal in Honolulu. She works in the field of commercial and civil litigation. Ms. Guadagno's hourly rates of $125 in this matter are well within the range of reason for paralegals with similar experience in this community. Ms. Guadagno was awarded her $125 hourly rate in *E.R.K. v. State of Hawaii Department of Educ.*, Civil. No. 10-CV-436 DAE. A true and correct copy of the order awarding fees is attached hereto as Exhibit F.

i. **Kanani Akina-Lee (KAL).** Ms. Akina-Lee has over 23 years of experience as a litigation paralegal. At Alston Hunt Floyd & Ing, she worked primarily in the field of civil litigation. Her hourly rate of $125.00 in this matter is well within the range of reason for paralegals with similar experience in the community. *See* Exhibit F, *E.R.K.*, at page 10 (awarding $125 rate for paralegal with 21 years of experience).

j. **Kyoko Patoc (KP).** Ms. Patoc has over 9 years of experience as a real estate paralegal. At Alston Hunt Floyd & Ing, she worked primarily in the field of real estate. Her hourly rate of $125.00 in this matter is well within the range of reason for paralegals with similar experience in the community.

k. **Iris K. Takane (IKT).** Ms. Takane has 25 years of experience as a litigation paralegal in Honolulu. She works in the field of commercial and civil litigation. Ms. Takane's hourly rate of $145.00 in this matter is well within the range of reason for paralegals with similar experience in this community. She was awarded a rate of $145.00 per hour by the Ninth Circuit in *BlueEarth Biofuels v. Hawaiian Electronic Company*.

l. **Law Clerks.** The initials "NAMA," "JADI," "JAFI," "BRMO," "JECO," and "JOMI," refer to law clerks Natalia Maharaj, James Diehl, Jasmine Fisher, Brian Morrow, Jessica F. Cooney and Joshua Michaels respectively. They were law school students at the time they worked on this matter, and assisted with legal research and other tasks appropriate for their level of experience. Their hourly rate of $125.00 in this matter is well within the range for law clerks with similar experience in the community.

m. **Utility Clerk/Document Analyst.** The initials "JB" and "SWL" refer to document analysts Jya-Ming Bunch and Samson Lee. Ms. Bunch and Mr. Lee are document analysts employed by AHFI. Document analysts assist paralegals with their tasks, including preparing pleadings for filing with the Court, and case administration and document management. Ms. Bunch's and Mr. Lee's hourly rates of $50.00 in this matter are well within the range of reasonableness for document analysts with similar experience in the community. *See BlueEarth Biofuels, LLC v. Hawaiian Elec. Co., Inc.*, Civ. No. 09-00181 LEK-KSC, 2015 WL 881577, at *13 (D. Haw. Feb. 27, 2015) (awarding $50 hourly rate to Mr. Lee and Ms. Bunch in 2015).

17. Mr. Thornton's rate ($240) is also well within the range of reasonableness for attorneys of his skill and experience. This Court recently found a *higher* rate ($260) manifestly reasonable for similar, public interest work done by an attorney with approximately the same years of experience. *See Civil Beat Law Center for the Public Interest, Inc. v. Centers for Disease Control and Prevention*, Civil No. 16-00008 JMS-KSC, 2017 WL 664446 (D. Haw. Jan. 31, 2017).

18. In September 2016, Morrison & Foerster provided me with a true and correct copy of their itemization of fees and costs, which reflected and described the services rendered and attorneys' fees incurred for work performed by Morrison & Foerster in connection with the above captioned matter as well as costs incurred to retain experts, for depositions, and for travel and lodging for Morrison & Foerster attorneys traveling to Honolulu for trial.

19. I reviewed the spreadsheet of Morrison & Foerster's fees and costs in order to negotiate the settlement of Plaintiffs' attorneys' fee award. In the exercise of billing judgment, I wrote off certain time entries and designated others

"NO CHARGE". A true and correct copy of the spreadsheet provided to me by Morrison Foerster, with my annotations in the exercise of billing judgment, is attached as Exhibit E.

20. Class Counsel (Morrison Foerster, AHFI, and Hawaii Appleseed) collectively incurred $2,973,372.94 in fees and costs prosecuting this action:

Firm	Hours	Fees	Costs	Total
Morrison Foerster	3,787.75	$2,046,858.75	$230,167.76	$2,277,026.51
AHFI	2,384.70	$605,697.00	$46,462.58	$652,159.58
Hawaii Appleseed	175.4	$44,079.56	$107.29	$44,186.85
				$2,973,372.94

The $1.1 million attorneys' fees award agreed upon by the parties represents less than half of the fees and costs incurred by Class Counsel.

21. Attached hereto as Exhibit G is a true and correct copy of the Special Master's Decision and Order Regarding Attorneys' Fees in *California State Foster Parent Assoc. v. Wagner*, Case No. C 07-5086 WHA (JL) (N.D. Cal.), Dkt. 142.

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

Executed in Honolulu, Hawai`i on March 28, 2017.

/s/ Claire Wong Black
CLAIRE WONG BLACK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC DECLARATION OF GAVIN THORNTON

DECLARATION OF GAVIN THORNTON

I, GAVIN THORNTON, declare that:

1. I am the co-executive director of the Hawaii Appleseed Center for Law and Economic Justice (Hawaii Appleseed, formerly Lawyers for Equal Justice). I am licensed to practice before this Court and I am Class Counsel of record for Plaintiffs in this action.

2. I make this declaration based on my personal knowledge and am competent to testify to the matters discussed herein.

3. Attached hereto as Exhibit "C" is a true and correct copy of Hawaii Appleseed's itemization of fees, reflecting and describing the services rendered and attorneys' fees and costs incurred for work performed by Hawaii Appleseed in connection with the above-captioned matter.

4. I have reviewed Hawaii Appleseed's fees for services rendered in this matter and verify that, to the best of my knowledge, they are accurate. The fees are based on timesheet entries made by the billing individuals identified in the invoices in the course of regularly conducted business activities at or near the time of the acts described therein.

5. I have reviewed the time and charges set forth in Exhibit "C". The fees incurred are reasonable and were necessarily incurred in this lawsuit.

6. From December 2013 through settlement of this action, Hawaii Appleseed has spent a total of 175.4 attorney hours prosecuting this action. The amount of attorneys' fees Hawaii Appleseed has incurred to date is $44,079.56.

7. Hawaii Appleseed has also incurred costs in the amount of $107.29 for conference call charges.

8. The fees, costs, plus general excise tax results in a total of $44,186.85.

9. The following is a brief description of my qualifications, experience, contributions and hourly rate. I graduated from the University of Virginia School of Law in 2002. I was admitted to practice in Hawai`i in 2003. I have fourteen years of public interest litigation experience, beginning with the AmeriCorps program as an attorney in the Kona office of the Legal Aid Society of Hawai`i in 2002. My hourly rate of $240 in this matter is well within the range for attorneys with similar experience in this community.

10. Hawaii Appleseed's fees are based on work ordinarily performed by licensed attorneys. The rates for legal services charged by Hawaii Appleseed are reasonable and are commensurate with the billing rates for similar types of work in the community.

11. If and to the extent the Court determines that additional information is necessary, Plaintiffs will supplement or clarify, as directed, with additional support.

12. Hawaii Appleseed has extensive experience in class actions and has been found to be qualified to act as class counsel in dozens of cases, involving claims asserted on behalf of low-income related to federal and state entitlements.

13. I have the following personal experience working on class actions involving the enforcement of federal rights of low-income or marginalized persons:

a. *J.W. et al. v. Pierce County et al.*, Civil No. 3:09-cv-5430-RJB (W.D. Wa.)—served as lead counsel in a case filed on behalf of juveniles confined to jail and obtained class-wide settlement ensuring the provision of educational services for youth at the jail.

b. *Jane Doe 1 et al. v. Harold Clarke, et al.*, Cause No. 07-2-01513-0 (Thurston Co. Superior Ct.)—filed suit for injunctive and declaratory relief and damages against the Washington State Department of Corrections relating to allegations of staff sexual misconduct against female inmates; with co-counsel obtaining a settlement providing $1 million in damages to the suit's named plaintiffs and overhauling the Department's handling of sexual abuse allegations.

c. *Kaleuati v. Tonda*, Civil No. 07-00504 HG LEK (D. Haw.)—obtained a preliminary injunction and class-wide settlement working with co-counsel on behalf of all homeless school aged children in Hawai`i against the Hawai`i Department of

Education to remedy violations of the federal McKinney-Vento Act and the equal protection clause of the U.S. Constitution.

d. *Waters v. Housing and Community Dev. Corp. of Hawai`i*, Civil No. 05-1-0815-05 EEH (Haw. Cir. Ct.)—obtained a settlement for damages and injunctive relief working with co-counsel Alston Hunt Floyd & Ing in a suit for breach of contract arising out of the State of Hawaii's failure to comply with federal law and regulations regarding utility allowances in federally subsidized housing projects.

e. *Smith v. Housing & Community Dev. Corp. of Hawai`i*, Civil No. 04-1-0069K (Haw. Cir. Ct.)—filed suit with co-counsel Alston Hunt Floyd & Ing on behalf of thousands of public housing residents for breach of contract arising out of the State of Hawaii's failure to comply with federal law and regulations regarding utility allowances in public housing; obtained a $2.3 million settlement and caused the State to update utility allowances in compliance with federal law.

f. *Arnone v. Housing & Community Dev. Corp. of Hawai`i*, Civil No. 04-508 ACK (D. Haw)—filed suit with co-counsel Alston Hunt Floyd & Ing and obtained a permanent injunction against the State of Hawai`i to remedy violations of 42 U.S.C. § 1983 and the Fair Housing Act related to utility overcharges assessed against disabled public housing residents.

14. In addition to my above experience, Hawaii Appleseed attorneys have litigated with co-counsel the following class actions:

a. *Blake v. Nishimua*, Civ. No. 08-00281 LEK (D. Haw.)—filed suit for breach of contract arising out of the City and County of

Honolulu's failure to comply with federal law and regulations regarding utility allowances in subsidized housing resulting in a class settlement reimbursing tenants for rent overcharges.

b. *Shea v. Kahuku*, Civ. No. 09-00480 DAE LEK (D. Haw.)—filed suit for breach of contract arising out of the federally-subsidized Kahuku Elderly Housing project owner's failure to comply with federal law and regulations regarding utility allowances in subsidized housing resulting in a class settlement reimbursing tenants for rent overcharges.

c. *Korab v. Koller*, Civ. No. 10-00483 JMS/KSC (D. Haw.)—obtained a preliminary injunction on behalf of a class of persons residing in Hawai'i under the Compact of Free Association challenging the State of Hawaii's cuts to health insurance for immigrants in violation of the Equal Protection Clause of the Fourteenth Amendment.

d. *Bohn v. Koller*, Civ. No. 10-00680 DAE-LEK (D. Haw.)—obtained a preliminary injunction on behalf of low-income residents of Hawai`i against the State of Hawai`i for its failure to timely process food stamp applications in accordance with federal law.

e. *McMillon v. State of Hawai`i Public Housing Authority*, Civ. No 08-00578 JMS LEK (D. Haw.) and *Faletogo v. State of Hawai`i*, Civ. No. 08-1-2608-12 ECN (Haw. Cir. Ct.)—filed two class action lawsuits against the State of Hawai`i on behalf of thousands of tenants at Kuhio Park Terrace alleging violations of the Americans with Disabilities Act and tenants' lease provisions regarding the habitability of the rentals;

obtained settlement agreements for injunctive relief and damages.

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

Executed in Honolulu, Hawai`i on March 28, 2017.

GAVIN THORNTON

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs, vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **DECLARATION OF JAMES HANCOCK**

DECLARATION OF JAMES HANCOCK

I, JAMES HANCOCK, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am an associate in the law firm of Morrison & Foerster, LLP, and Class Counsel of record for Plaintiffs in the above-captioned matter.

2. I make this Declaration in support of Plaintiffs' Unopposed Motion for Award and Approval of Settlement Regarding Attorneys' Fees and Service Awards based on my personal knowledge, unless otherwise stated. I am competent to testify about the matters contained in this Declaration.

3. In total, Morrison & Foerster expended 3,787.75 hours on this case from October 2013 through March 2017. This amounts to fees of $2,046,858.75.

4. The hourly rates used to calculate this total amount are the rates Morrison & Foerster bills its paying clients.

5. Morrison & Foerster also incurred costs totaling $230,167.76. This amount includes expert fees, deposition costs, photocopying costs, and travel and lodging expenses for Mr. Kanada, Ms. Hwang, and me to prepare for and attend trial in Honolulu.

6. The total amount of fees incurred by Morrison & Foerster is reflected in a spreadsheet provided to Alston Hunt Floyd & Ing, local Class Counsel of record for Plaintiffs, in order to negotiate the settlement of Plaintiffs' attorneys' fee award and for their review and exercise of billing judgment in connection with the Unopposed Motion.

7. Class Counsel's request for a total award of $1.1 million (inclusive of attorneys' fees incurred by Morrison & Foerster, Alston Hunt Floyd & Ing, and Hawai`i Appleseed, as well as expenses and non-taxable costs incurred) reflects a significant reduction of and discount to the fees actually incurred.

8. Morrison & Foerster is a nationally recognized law firm. It was recently named by Law360 as a Litigation Powerhouse in 2016. U.S. News & World Report's 2015 "Best Law Firms" ranked Morrison & Foerster in the Top Tier nationwide in 10 litigation practice areas including Appellate Practice, Commercial Litigation, Environmental Litigation, Intellectual Property Litigation, Labor & Employment Litigation, Patent Litigation, Regulatory Enforcement Litigation, and Securities Litigation. In 2014 and 2015, Morrison & Foerster received 18 practice rankings from Chambers USA, including Top Tier rankings in General Commercial Litigation, Intellectual Property, and Securities Litigation. In 2014, The Recorder named Morrison & Foerster as the California Consumer Class Action Firm of the Year.

9. Morrison & Foerster brought special expertise to the prosecution of this action because they were counsel of record in *California State Foster Parent*

Association et al., v. Wagner, Case No. C07-5086, a lawsuit where three public-interest organizations represented licensed foster parents throughout California against the State of California for violations of the Child Welfare Act (CWA), 42 U.S.C. §§ 670-679(b). There, the court awarded Plaintiffs $926,797.12 in attorneys' fees.

10. Morrison & Foerster is also counsel of record in *New York State Citizens' Coalition for Children v. Carrion*, Civil No. 10-3485, a case filed in the Eastern District of New York alleging violation of the Child Welfare Act by New York's Office of Children & Family Services.

11. Morrison & Foerster also represented foster care children in a class action brought in the District of Nevada, *Henry A., et al. v. Willden, Director of the Nevada Dept. of Health and Human Services, et al.* (D. Nev. Case No. 2:10-CV-00528-RCJ-PAL), and related appeal to the Ninth Circuit. That lawsuit, rather than challenging payments made by the state under the CWA, challenged Nevada's practices, policies, and customs more broadly regarding the safety and well-being of foster children.

12. The following is a brief description of the relevant qualifications and experience of the primary Morrison & Foerster attorneys and staff members who worked on this matter:

a. **A.C. Johnston**: Alan Cope ("A.C.") Johnston, former Managing Partner of Morrison & Foerster's Palo Alto office, practiced law for over forty years, retiring as a partner and senior counsel in November 2016. A trial lawyer with more than 30 years of experience, Mr. Johnston focused his practice on disputes involving patent infringement, theft of trade secrets, and technology licensing. Mr. Johnston was one of the founders and has served as managing

partner of the firm's Washington, D.C. and Palo Alto offices, and he was resident in the firm's Tokyo office from 2002 to 2006 and the London office in 2012. He was formerly co-head of the firm's Intellectual Property Litigation Group. He received his juris doctor from Harvard Law School in 1975.

b. **Joseph K. Kanada**: Currently Deputy Attorney General in the State of California's Department of Justice, Mr. Kanada was an associate in the Litigation Department at Morrison & Foerster from 2007 through November 2016. He graduated from Yale Law School in 2007 and Stanford University (B.A., Economics) in 2003.

c. **James Hancock**: I am an associate in the Litigation Department in Morrison & Foerster's Palo Alto office. I have experience with class actions, securities litigation, and intellectual property disputes in state and federal court. I received my juris doctor *cum laude* from the Georgetown University Law Center and my B.A. in Political Science from Stanford University. During law school, I served as a legal intern for the House Judiciary Committee and a judicial extern for the Honorable James A. Teilborg in the U.S. District Court of Arizona.

d. **Alessa Hwang**: Ms. Hwang is an associate in Morrison & Foerster's Intellectual Property Group. She represents clients in patent litigation involving a range of technologies. Ms. Hwang earned her juris doctor in 2012 from the University of California, Berkeley School of Law where she was an executive editor of the California Law Review. During law school, she served as a judicial intern for Judge Lucy Haeran Koh of the United States District Court for the Northern District of California and as a judicial extern for the Honorable Justice Nathan Mihara of the Sixth District of the California Courts of

Appeal. She earned her B.S. in biological sciences from Stanford University.

e. **Peter Day**: Mr. Day was an associate in Morrison & Foerster's Global Privacy and Data Security Group from 2010 to 2015. He received his juris doctor from Indiana University School of Law-Bloomington in 2010.

f. **Brittany DePuy:** Ms. DePuy was an associate in Morrison & Foerster's Litigation Group from 2008 to 2014. She received her juris doctor from the University of California, Davis – School of Law.

g. Daisy Belle Visitacion: Ms. Visitacion is a paralegal with over 12 years of experience.

h. Jeffrey Catancio: Mr. Catancio is a paralegal with over 17 years of experience.

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

Executed in Palo Alto, California on March 28, 2017.

JAMES HANCOCK

1ST CIRCUIT COURT
STATE OF HAWAII
FILED

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CLERK

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Attorneys for Plaintiffs

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAI`I

PATRICK SHEEHEY; PATRICIA SHEEHEY; RAYNETTE NALANI AH CHONG; SHERRY CAMPAGNA; MICHAEL HOLM; and TIARE HOLM, *individually, and on behalf of a class of Hawai`i-licensed resource families*; B.S.; and T.B., a Minor, by her Next Friend N.A., *individually and on behalf of a class of persons similarly situated*;

Plaintiffs,

vs.

STATE OF HAWAI`I,

Defendant.

CIVIL NO. 14-1-1709-08 VLC
(Contract)
Civil Action; Class Action

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO CERTIFY SETTLEMENT CLASSES AND FOR PRELIMINARY APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT

HEARING MOTION
JUDGE: The Honorable Virginia L. Crandall
TRIAL DATE: None
HEARING DATE: March 24, 2017
HEARING TIME: 9:30 a.m.

EXHIBIT A

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO CERTIFY SETTLEMENT CLASSES AND FOR PRELIMINARY APPROVAL OF PROPOSED CLASS ACTION SETTLEMENT

Plaintiffs' Unopposed Motion to Certify Settlement Classes and for Preliminary Approval of Proposed Class Action Settlement, filed March 20, 2017 ("Unopposed Motion"), came on for hearing before the Honorable Virginia L. Crandall, Judge of the above-entitled court, on March 24, 2017. Claire Wong Black appeared on behalf of Plaintiffs and Deputy Attorney General Donna H. Kalama appeared on behalf of Defendant State of Hawai`i.

Having carefully considered the Unopposed Motion, the memorandum, exhibits, declarations and appendices in support, and other filings in support of the Unopposed Motion, argument of counsel, and the records and files herein, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

Certification of Settlement Class

1. For settlement purposes only, the Parties have proposed certification of the following two classes ("Settlement Classes") for the relief provided in the State Lawsuit Class Action Settlement Agreement ("State Settlement Agreement"):
   a. Parent Settlement Class: All Hawai`i licensed resource caregivers (foster parents), legal guardians and permanent custodians, and adoptive parents of children with special needs who received monthly Foster Care Maintenance Payments, Permanency Assistance, or Adoption Assistance Payments from the State of Hawai`i, Department of Human Services from August 7, 2012 through February 28, 2017;
   b. Higher Education Settlement Class: All individuals who received monthly Higher Education Board Payments from DHS from August 7, 2012 to February 28, 2017.
2. The Court hereby FINDS and CONCLUDES that, as to the requirements of class certification and solely for the purposes of

proposed settlement in this matter, the requirements of Rule 23 of the Hawai`i Rules of Civil Procedure have been met:

a. The members of the Settlement Classes, as ascertained from records kept by Defendant and from other objective criteria, are so numerous that their joinder before the Court would be impracticable: the Parent Settlement Class numbers in the thousands and there are several hundred members of the Higher Education Settlement Class.

b. There are one or more questions of fact and/or law common to the Settlement Classes, in particular, the amount of the shortfall in Defendant's monthly payments to class members.

c. The claims of the Named Plaintiffs are typical of the claims of their respective Settlement Classes in that, by State policy, the amount of the foster care basic board rate is also the amount paid by the State to adoptive parents of children with special needs, legal guardians/permanent custodians, and former foster youth receiving higher education benefits, meaning that Named Plaintiffs and Class Members are affected by the same, allegedly inadequate, payment rate.

d. Named Plaintiffs will fairly and adequately represent the interests of the members of their respective Settlement Classes because: Class Members are affected by the same, allegedly inadequate, payment rate as Named Plaintiffs, their interests are consistent and co-extensive with the Settlement Classes, and there appear to be no conflicts between or among the Named Plaintiffs and their respective Settlement Classes.

e. The Named Plaintiffs and Settlement Classes are represented by qualified counsel, who are experienced in preparing and prosecuting class actions, and who are capable of fairly and adequately representing the interests of the Settlement Classes. Plaintiffs' counsel have done extensive work identifying and

investigating potential claims in the action, have litigated the validity of those claims at the motion to dismiss stage in this action and up to the trial stage in a related action in federal court, and have committed the necessary resources to prosecuting the claims of the Settlement Classes.

3. Based on the findings and conclusions set forth above, the Court conditionally CERTIFIES a Parent Settlement Class of all Hawai`i licensed resource caregivers (foster parents), legal guardians and permanent custodians, and adoptive parents of children with special needs who received monthly Foster Care Maintenance Payments, Permanency Assistance, or Adoption Assistance Payments from the State of Hawai`i, Department of Human Services from August 7, 2012 through February 28, 2017 and conditionally CERTIFIES a Higher Education Settlement Class of all individuals who received monthly Higher Education Board Payments from DHS from August 7, 2012 to February 28, 2017.

4. The Court further APPOINTS Named Plaintiffs Raynette Nalani Ah Chong, Patrick Sheehey, Patricia Sheehey, Sheryl Campagna, Michael Holm and Tiare Holm as the class representatives for the Parent Settlement Class and Brittany Sakai as the class representative for the Higher Education Settlement Class; and APPOINTS Alston Hunt Floyd & Ing and the Hawai`i Appleseed Center for Law and Economic Justice as Class Counsel for the Settlement Classes.

5. The foregoing findings and conclusions are based on the submissions to the Court, including the State Lawsuit Class Action Settlement Agreement and Federal Lawsuit Class Action Settlement Agreement. These findings are not based upon admissions, representations, assertions, or arguments by the Defendant that a class can, should, or would be certified in this action. These findings and resulting preliminary certification order may be vacated in the event the settlement becomes null and void, with both parties preserving their

rights to argue in favor of or against class certification if the case proceeds on the merits.

Preliminary Approval of Settlement Agreement

6. The Court FINDS and CONCLUDES that the settlement and the proposed State Settlement Agreement is fair, adequate, and reasonable; was reached after Class Counsel investigated and litigated the claims; and was the result of extensive, arms-length negotiations between counsel well-versed in the strengths and weaknesses of the claims asserted. The assistance of an experienced federal magistrate judge in settlement negotiations reinforces that the settlement reached is non-collusive.[1] The Court therefore CONCLUDES that the proposed settlement is within the possible range of settlement approval such that notice to the Settlement Classes is appropriate. The State Settlement Agreement is hereby PRELIMINARILY APPROVED subject to final approval of the settlement.

Form and Manner of Distributing Class Notices

7. The Court FINDS that the proposed Class Notices constitute the best notice practicable under the circumstances. The Class Notices clearly and plainly describe:

   a. basic information about the nature of this litigation and the Settlement Classes;

   b. the terms of the proposed settlement, including the nature of class relief;

   c. the right to opt out of the settlement and applicable opt-out procedures and deadlines;

   d. Class Counsel's forthcoming application for attorneys' fees and proposed Service Awards to the Named Plaintiffs;

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[1] *See Capsolas v. Pasta Res., Inc.*, Civ. No. 10-5595, 2012 WL 1656920, at *1 (S.D.N.Y. May 9, 2012).

e. the right to object to the settlement terms, including attorneys' fees and Service Awards and applicable procedures and deadlines for objections;

f. information about the Court's procedures for final approval of the settlement; and

g. instructions on how to obtain additional information regarding this litigation and the settlement thereof.

8. Further, the proposed plan for distributing the Class Notices is a reasonable method, calculated to reach all members of the Settlement Class who would be bound by the Settlement.

9. The Court accordingly ORDERS that:

a. The form of the Class Notices is approved. Non-material changes and corrections may be made to the Class Notices as the Parties deem appropriate or necessary.

b. The manner for distributing the Class Notices is approved. Non-material changes to the manner or timing of distribution of notices may be made as the Parties deem appropriate or necessary.

c. Class Counsel shall establish a website to inform Class Members of the terms of the settlement and related information, which shall be made available beginning March 24, 2017, and will remain available until December 31, 2018.

d. Following entry of this Order, the Notice Administrator shall prepare final versions of the Class Notices, incorporating the relevant dates and deadlines set forth in this Order and shall, along with the Parties, take all other actions in furtherance of settlement administration as specified in the State Settlement Agreement.

Deadline to Request Exclusion From Settlement ("Opt Out")

10. Members of the Settlement Classes may exclude themselves from, or "opt out" of, the settlement. Any request for exclusion or opt out must be in the form of a written, signed statement that clearly conveys a

request to be excluded from the Settlement Class and must contain the individual's full name, mailing address, telephone number and date.

11. To be effective, the exclusion or opt-out statement must be postmarked within sixty days after the date Class Notices are first mailed to Settlement Class Members, except that Settlement Class Members whose notices are returned to sender will have until the **later** of 14 calendar days from the date that the new Notice was postmarked or the original opt-out deadline to submit a request for exclusion or opt-out statement.

12. Requests for exclusion or opt-out statements shall be sent to Class Counsel at the following address and Class Counsel shall forward to the Court and to defense counsel a list of members who wish to be excluded:

Alston Hunt Floyd & Ing
State Foster Care Settlement Opt-Out
1001 Bishop Street, Suite 1800
Honolulu, Hawai`i 96813

Deadline to Object to Settlement, Attorneys' Fees, Service Awards

13. Members of the Settlement Classes may object to the settlement, the State Settlement Agreement, Class Counsel's request for attorneys' fees and costs, or Service Awards. Objections must be timely filed with the Clerk of the Court and served on the Parties and must state whether the objecting Class Member intends to appear at the Fairness Hearing. Objections must be in the form of a written, signed statement that clearly conveys the substance of the objection and must contain the case name, *Sheehey v. State of Hawai`i*, Civil No. 14-1-1709-08 VLC.

14. To be timely, any objections and notices of intention to appear must be postmarked within sixty days after the date Class Notices are first mailed to Settlement Class Members, except that Settlement Class

Members whose notices are returned to sender will have until the **later** of 14 calendar days from the date that the new Notice was postmarked or the original objection deadline to submit an objection and to file the notice of intention to appear.

15. Objections and notices of intention to appear shall be filed with or sent to the Clerk of the Court at:

Clerk of Court,
First Circuit Court, State of Hawai`i
Ka`ahumanu Hale
777 Punchbowl Street
Honolulu, Hawai`i 96813

Fairness Hearing and Final Approval of Settlement

16. The Court hereby schedules a Fairness Hearing to determine whether to grant final approval of the State Settlement Agreement (including the proposed plan of payment to class members, payment of attorneys' fees and costs, and Service Awards to Named Plaintiffs for June 23, 2017 at 9:00 a.m. in the Circuit Court for the First Circuit, State of Hawai`i at Ka`ahumanu Hale, 777 Punchbowl Street, Honolulu, Hawai`i 96813.

Deadline for Submitting Motion Seeking Final Approval

17. A Motion for Final Approval of the Class Action Settlement shall be filed no later than 14 days before the Fairness Hearing.

Schedule and Continuances

18. The Court sets the following schedule for the Fairness Hearing and the actions that must precede it. The Court further reserves the right to adjourn or continue the Fairness Hearing and the following deadlines without further written notice.

Event	Deadline
Class Counsel to establish website	March 24, 2017
Notice Administrator to begin mailing of Class Notices	March 31, 2017
Deadline for motion for attorneys' fees, costs, and Service Awards	April 7, 2017
Deadline to object to settlement,	May 31, 2017, or, if notice is returned as

attorneys' fees, or Service Awards (date that objections must be **postmarked**)	undeliverable, 14 days after the postmark date of the second mailing of the notice
Deadline to request exclusion from (opt out of) settlement (date that opt out request must be **postmarked**)	May 31, 2017, or, if notice is returned as undeliverable, 14 days after the postmark date of the second mailing of the notice
Deadline to file notice of intention to appear (date that notice must be **postmarked**)	May 31, 2017, or, if notice is returned as undeliverable, 14 days after the postmark date of the second mailing of the notice
Deadline to file motion for final approval	June 9, 2017
Final Fairness Hearing	June 23, 2017, 9:00 a.m.

DATED: Honolulu, Hawai`i, MAR 24 2017.

Virginia Lea Crandall
JUDGE OF THE ABOVE-ENTITLED COURT

FIRST CIRCUIT COURT SEAL STATE OF HAWAII

APPROVED AS TO FORM:

CARON M. INAGAKI
DONNA H. KALAMA
Deputy Attorneys General

Attorneys for Defendant
State of Hawai`i

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the state of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **FEDERAL LAWSUIT CLASS ACTION SETTLEMENT AGREEMENT**

FEDERAL LAWSUIT CLASS ACTION SETTLEMENT AGREEMENT

This Federal Lawsuit Class Action Settlement Agreement ("**Federal Settlement Agreement**") is entered into by and between Raynette Ah Chong (the "Named Plaintiff"), on behalf of herself and members of the class certified by the United States District Court for the District of Hawai`i, and Patrick Sheehey and Patricia Sheehey, on the one hand (collectively "**Plaintiffs**"), and Pankaj Bhanot, in his official capacity as the Director of the Hawaii Department of Human Services [1] ("**Defendant**"), on the other hand. Plaintiffs and Defendant are collectively referred to as the "**Parties**."

Subject to Court approval as required by the Federal Rules of Civil Procedure ("FRCP") Rule 23, the Parties hereby stipulate and agree that, in consideration of the mutual promises, covenants, and consideration set forth in this

[1] The Federal Lawsuit named Defendant Patricia McManaman, in her official capacity as the then-Director of the Hawai`i Department of Human Services. Pankaj Bhanot is the current Director of Human Services, and has been automatically substituted as Defendant pursuant to Fed. R. Civ. P. Rule 25(d).

EXHIBIT B

Federal Settlement Agreement, the above-captioned action shall be settled and compromised in accordance with the terms herein.

The Parties acknowledge and agree that although this Federal Settlement Agreement sets forth the terms and conditions by which the Federal Lawsuit will be settled, this Federal Settlement Agreement is part of a larger settlement that includes the State Lawsuit (defined below), and that unless both Lawsuits settle on the terms set forth in their respective settlement agreements, neither lawsuit will be settled.

The Parties further acknowledge and agree that the settlement of the Federal Lawsuit and the State Lawsuit is contingent upon the appropriation of funds to make the payments described herein and in the State Settlement Agreement. If such legislation is not enacted on or before the Legislation Enactment Deadline as defined in this Federal Settlement Agreement and the State Settlement Agreement, unless such date is mutually agreed to be extended by the parties to both Agreements, this Federal Settlement Agreement shall automatically become null and void and trial in the Federal Lawsuit shall resume.

RECITALS

WHEREAS, on December 3, 2013, Plaintiff Raynette Ah Chong filed a class action complaint for declaratory and permanent injunctive relief against Patricia McManaman, in her official capacity as the Director of the Hawaii Department of Human Services, entitled *Ah Chong v. McManaman*, Civ. No. 13-00663 LEK-KSC, in the United States District Court for the District of Hawai`i (the "**Federal Lawsuit**"); and

WHEREAS, a First Amended Complaint was filed in the Federal Lawsuit on April 30, 2014, adding Patricia Sheehey and Patrick Sheehey as Plaintiffs; and

WHEREAS, the First Amended Complaint asserts a single claim under 42 U.S.C. § 1983, seeking a declaratory ruling that Defendant is failing to pay the proper amounts owed to resource caregivers (foster parents) in Hawai`i under the Adoption Assistance and Child Welfare Act of 1980, as amended, codified as Title IV-E of the Social Security Act, 42 U.S.C. §§ 670-679c (the "**Child Welfare Act**") and injunctive relief prohibiting Defendant from allegedly continuing to violate the rights of resource caregivers under the Child Welfare Act by (1) failing to make foster care maintenance payments adequate to cover the costs enumerated under the Child Welfare Act, (2) failing to set appropriate foster care maintenance

payment rates; and (3) failing to update the foster care maintenance payment rates to assure their continuing appropriateness; but does not seek damages, and

WHEREAS, Plaintiffs and others, on behalf of a separate putative class of Hawaii-licensed foster care providers and children, also filed a Complaint for Damages against the State of Hawaii in the First Circuit Court, State of Hawai`i, in an action entitled *Sheehey, et al. v. State of Hawaii*, Civ. No. 14-1-1709-08 VLC (the "**State Lawsuit**"), asserting claims for damages on behalf of resource caregivers and children and young adults who were removed from their home and placed under DHS' care, based on alleged inadequate foster care maintenance payment rates under contract and state law; and

WHEREAS, some of the issues in the State Lawsuit overlap with the issues in the Federal Lawsuit (primarily, whether DHS provides foster care maintenance payments adequate to cover the cost of and the cost of providing basic necessities to children in Hawaii's foster care system); and

WHEREAS, the Child Welfare Act defines "foster care maintenance payments" as payments sufficient to "cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement" (42 U.S.C. § 675(4)(A)), and Plaintiffs contend that DHS is required by federal law to make sufficient foster care maintenance payments and conduct periodic reviews to assure the continuing appropriateness of foster care maintenance payment rates (42 U.S.C. § 671(a)(11)); and

WHEREAS, from approximately 1990 until June 2014, Hawaii's basic foster board rate was $529 per child, per month for all foster children; and

WHEREAS, effective July 1, 2014, DHS increased the basic foster board rate ("**Basic Board Rate**"), based on the age of the foster child, to: $576 (children ages 0-5); $650 (children ages 6-11); and $676 (children ages 12+); and

WHEREAS, in addition to the Basic Board Rate, there are additional payments and benefits available for the care of foster children ("**Foster Care Related Payments and Benefits**"), depending on the needs of the child; and

WHEREAS, DHS' position is that its existing system of a Basic Board Rate plus Foster Care Related Payments and Benefits complies with the Child Welfare Act, and DHS also takes the position that having certain payments or benefits available

only if the child needs them, and requiring resource caregivers (foster parents) to apply for certain payments and benefits complies with the Child Welfare Act; and

WHEREAS, Plaintiffs' position is that the DHS' Basic Board Rates are still inadequate because they were set in 2014 using a 2011 government study (USDA report) on the cost of raising children across the United States (and used cost estimates for families living in the Urban West region rather than Hawai`i), and because the Basic Board Rates utilized less than 100% of the estimated costs of food; housing; and miscellaneous expenses rather than all eight items listed in the Child Welfare Act; and

WHEREAS, Plaintiffs' position is that DHS' system of providing Foster Care Related Payments and Benefits is inadequate because the payments and benefits (1) are not provided to all foster children, (2) are subject to eligibility requirements, (3) are subject to availability of funds, and (4) many foster families simply are not aware that these additional payments and benefits exist or that DHS is required to cover certain costs that DHS claims are covered through the Foster Care Related Payments and Benefits; and

WHEREAS, the Parties to the Federal Lawsuit do not agree on (1) the extent of DHS' obligations under the Child Welfare Act; (2) the sufficiency of the Basic Board Rates; (3) the value or adequacy of the Foster Care Related Payments and Benefits; (4) whether DHS provides adequate information to resource caregivers regarding the availability of the Foster Care Related Payments and Benefits; (5) whether DHS provides adequate opportunity for resource caregivers to apply for the Foster Care Related Payments and Benefits; and (6) whether DHS conducts periodic reviews that assure the continuing appropriateness of its foster care maintenance payment rates; and

WHEREAS, the Parties have engaged in substantial discovery (including depositions, the production of thousands of pages of documents, as well as expert discovery); and

WHEREAS, in August 2015, the Federal Court certified a class of all currently licensed foster care providers in Hawai`i who are entitled to received foster care maintenance payments pursuant to the Child Welfare Act when they have foster children placed in their homes (the "**Class**")[2] and appointed the Hawai`i Appleseed

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[2] The Class was certified under Fed. R. Civ. P. 23(b)(2) and Class Counsel appointed by order filed August 17, 2015. Dkt. 156 at 24-25, 33-34. No notice of class certification was provided to class members at the time of certification, nor

Center for Law and Economic Justice, Alston Hunt Floyd & Ing, and Morrison & Foerster LLP as counsel for the class ("**Class Counsel**"); and

WHEREAS, in December 2015, the Federal Court ruled that federal law did not prohibit DHS' system of providing foster care maintenance payments through a Basic Board Rate plus additional Foster Care Related Payments and Benefits, and that the foster care maintenance payment system could possibly be sufficient if DHS provides resource caregivers with sufficient information about the foster care related payments and benefits and sufficient opportunities to apply for them; and

WHEREAS, the Federal Court also ruled that the "shelter" expense in the Child Welfare Act's definition of "foster care maintenance payments" need not include mortgage payments, rent, property taxes, or other similar expenses[3]; and

WHEREAS, the Federal Court did not rule on certain key issues, and saved them for trial, including:

> (1) whether DHS adequately conducts periodic reviews of the foster care maintenance payments to assure their continuing appropriateness;
>
> (2) whether DHS provides adequate information to resource caregivers about the Foster Care Related Payments and Benefits;
>
> (3) whether DHS provides adequate opportunities to resource caregivers to apply for the Foster Care Related Payments and Benefits;

and, if the Court answered (2) and (3) in the affirmative[4], then

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was notice required, because of the nature of the class and the relief sought, which is solely prospective injunctive relief.

[3] It is Defendant's position that the Federal Court's ruling on "shelter expense" significantly lessened Plaintiffs' chances of prevailing on their assertion that DHS does not pay enough for the items enumerated in the Child Welfare Act because, while the ruling confirmed that DHS need not pay for rent, mortgage, or similar expenses, DHS' calculation of the Basic Board Rates in fact took such costs into account because a large portion of the "housing" category of the USDA report includes such costs.

(4) whether DHS' foster care maintenance payment system of Basic Board Rate-plus-Foster Care Related Payments and Benefits adequately covers the cost of (and the cost of providing) the items enumerated in the Child Welfare Act; and

WHEREAS, shortly before trial in the Federal Lawsuit was scheduled to commence, the Parties engaged in settlement discussions through their respective counsel, with the assistance of the Honorable Kevin S.C. Chang, Magistrate Judge of the United States District Court for the District of Hawai`i; and

WHEREAS, Defendant denied and continues to deny any and all liability and damages to Plaintiffs with respect to the claims or causes of action asserted in the Federal Lawsuit and the State Lawsuit, but nonetheless acknowledges that bringing the cases to a close now through settlement—rather than after years of litigation and appeals, with uncertain outcomes and concomitant attorneys' fees and costs that would be incurred by both sides—would help move the Parties toward a better working relationship for the benefit of all children in Hawaii's foster care system, and the relief Defendant agrees to provide under this Federal Settlement Agreement is offered solely as a compromise, and not because Defendant believes DHS has any obligation to Plaintiffs to provide said relief; and

WHEREAS, Plaintiffs and Class Counsel have analyzed, evaluated, and extensively litigated the merits of the claims made against Defendant in the Federal Lawsuit and the impact of settlement (as well as the impact of not settling) on Plaintiffs and the members of the Class, and, recognizing the substantial risks of continued litigation—including the possibility that the Federal Lawsuit, if not settled now, might result in an outcome that is less favorable or that a fair and final judgment may not occur for several years—Plaintiffs and Class Counsel are satisfied that the terms and conditions of this Agreement are fair, reasonable, and adequate, and that this Agreement is in the best interests of the Class; and

WHEREAS, the Parties have reached a proposed comprehensive settlement of the State and Federal Lawsuits and, on August 26, 2016, the Parties in the Federal Lawsuit and the parties in the State Lawsuit agreed to the essential terms of a valid

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[4] If the Court found at trial that DHS did not provide all resource caregivers with sufficient information about and opportunities to apply for the Foster Care Related Payments and Benefits, then it is Plaintiffs' position that DHS would only be able to rely upon the Basic Board Rates, and not the Foster Care Related Payments and Benefits, to demonstrate the adequacy of its foster care maintenance payment rates.

and binding settlement agreement, which was placed on the record before the Honorable Kevin S.C. Chang; and

WHEREAS, the attorneys' fees sought by Class Counsel are based on their hourly records, summaries of which were provided to Defendant;

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth in this Federal Settlement Agreement, as well as the good and valuable consideration provided for herein, the Parties hereto agree to a full and complete settlement of the Federal Lawsuit on the following terms and conditions:

TERMS OF AGREEMENT

I. Definitions

In addition to the definitions contained in the Recitals, the following definitions shall apply.

A. "**Administration Costs**" shall mean the reasonable cost to typeset, print, and mail the Class Notice to the Class.

B. "**Class Members**" shall mean the members of the Class.

C. "**Class Notice**" shall mean a document substantially in the form of the Notice attached hereto as Exhibit 1 which has been agreed to by the Parties subject to Court approval and which the Notice Administrator will mail to each Class Member explaining the terms of the Settlement and the objection process.

D. "**Class Representative**" shall mean Plaintiff Raynette Ah Chong. The Class Representative is also referred to as the "**Named Plaintiff**."

E. "**Contact Information**" shall mean the most current information DHS then has available of a Class Member's name and mailing address.

F. "**Day**" shall mean a calendar day.

G. "**Fairness Hearing**" shall mean the hearing on the Motion for Final Approval of Settlement.

H. "**Federal Court**" shall mean the United States District Court for the District of Hawaii, the Honorable Leslie E. Kobayashi, presiding.

I. "**Final Approval**" shall mean the occurrence of the following:

Following the Fairness Hearing, the Federal Court has issued an order approving the Settlement, and

i. The time for appellate review has expired, and no notice of appeal has been filed; or

ii. If appellate review is sought, after any and all avenues of appellate review have been exhausted, and the order approving settlement has not been modified, amended, or reversed in any way.

J. "**Legislation Enactment Deadline**" shall mean June 30, 2017, or such later time period as the Parties may agree to in writing.

K. "**Motion for Final Approval of Settlement**" shall mean the motion to be filed by Defendant seeking the Federal Court's final approval of the Settlement.

L. "**Notice Administrator**" shall mean DHS (or, if DHS is unable or unwilling to perform the duties of the Notice Administrator, such other mutually agreed-upon entity). The Notice Administrator shall be responsible for sending the court-approved Class Notice to the Class, and may utilize the services of a copy/mailing vendor.

M. "**Preliminary Approval**" shall mean that the Court has entered a Preliminary Approval Order.

N. "**Preliminary Approval Order**" shall mean an order entered by the Federal Court substantially in the form attached hereto as Exhibit 2 preliminarily approving the terms set forth in this Federal Settlement Agreement, including the manner and timing of providing notice to the Class, the time period for objections, and the date, time and location for a Fairness Hearing.

O. "**Releasees**" shall mean Defendant, DHS, the State of Hawai`i, other Hawaii departments, agencies, directors, officers, agents, employees, representatives, insurers, attorneys, administrators, and all other persons acting on behalf of the State of Hawaii.

P. "**Resource caregiver**" shall mean an individual or couple licensed by the DHS as a resource caregiver or resource family pursuant to Hawaii Administrative Rules chapter 17-1625, as may be amended from time to time.

Q. "**Settlement**" means the compromise and settlement of the Federal Lawsuit as contemplated by this Federal Settlement Agreement.

R. "**USDA Report**" means the report periodically published by the United States Department of Agriculture titled Expenditures on Children by Families.

S. "**CPI**" means the Consumer Price Index for All Urban Consumers (CPI-U) for the U.S., as reported by the Bureau of Labor Statistics, United States Department of Labor.

II. Payment Amounts Starting Next State Fiscal Year

1. The Federal Lawsuit shall be administratively closed[5] (until the end of June 2017, or such later time as the Parties may agree to in writing) while DHS, with support and cooperation from the Class and Class Counsel, requests appropriations from the Hawaii Legislature in the DHS budget for state fiscal year 2018 (July 1, 2017 to June 30, 2018) sufficient to fund:

(a) an increase in the monthly basic foster care maintenance board rates (the "Basic Board Rates") to the following amounts: $649 for ages 0-5, $742 for ages 6-11, and $776 for ages 12+; and

(b) an increase in the annual clothing allowance to the following amounts: $810 for ages 0-5, $822 for ages 6-11, and $1026 for ages 12+. These amounts are in lieu of the current clothing allowance of $600 per year plus $125 for special circumstances. At DHS' option, it may choose to increase the clothing allowance without seeking an additional appropriation if it has determined that such an increase can be funded with its existing budget.

2. The increases in the Basic Board Rates were calculated by using 95% of the 2013 USDA report, overall United States, middle income category, expenditures on Food, Housing, and Miscellaneous, with an adjustment for inflation to January 2016 dollars using changes in the CPI[6] from the year of the USDA report (2013), with an adjustment equal to the average of the most recently available Regional Price Parity Index ("**RPP**"), as reported by the Bureau of Economic Analysis,

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[5] The Parties understand that administrative closure may include dismissal of the case by the Court, with the ability to reopen the case if the Settlement is not completed.

[6] The Housing CPI series was used to calculate the Housing adjustment. The Food CPI series was used to calculate the Food adjustment. An average of the Recreation and Personal Care CPI series was used to calculate the Miscellaneous adjustment.

United States Department of Commerce, for (a) Hawaii ("Hawaii RPP") (116.8) and (b) Hawaii Metropolitan Statistical Area ("Hawaii-Metro") (120.2), which is referred to herein as the "Average Hawaii RPP" (118.5).

3. The increases in the clothing allowance were calculated by using 100% of the 2013 USDA report, overall United States, middle income category, expenditures on Clothing, with an adjustment for inflation to January 2016 dollars using changes in the CPI[7] from the year of the USDA report (2013), with an adjustment based on the current Average Hawaii RPP.

4. Collectively, paragraphs II.1(a) and II.1(b) are referred to herein as the "**Budget Request**." DHS has exercised its option to increase the clothing allowance in State fiscal year 2018 without seeking an additional appropriation, having determined that such an increase can be funded with its existing budget. The amount necessary to fund the increase for the Basic Board Rates has been submitted to the 2017 Legislature as part of the Executive Budget.

5. DHS will take all reasonable steps available to it as an executive agency to recommend, promote, and endorse the Budget Request.

6. If DHS fails to submit a Budget Request in accordance with paragraph II.1, above, or if funds as requested in the Budget Request are not appropriated by the Legislation Enactment Deadline, Plaintiffs shall reopen the Federal Lawsuit, trial to commence immediately on a date set by Judge Kobayashi prior to the administrative closure. To the extent permitted by the Federal Court, the Parties agree that, prior to trial, they may update pre-trial submissions (including expert reports and written direct testimony statements) consistent with ongoing obligations under the Federal Rules of Civil Procedure and consistent with the Court's existing pre-trial rulings, and as necessary to account for the passage of time and changes to the facts and law, if any.

7. If the Budget Request is appropriated, the Parties will submit to the Federal Court a stipulated dismissal with prejudice, which shall be filed no later than 14 days after DHS issues the first payments based on the newly-established Basic Board Rates described in paragraph II.1(a), above.

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[7] The Apparel CPI series was used to calculate the Clothing adjustment.

III. Periodic Review

1. Defendant agrees that DHS will conduct periodic reviews of its Basic Board Rates and the annual clothing allowance, consistent with its administrative rules, using the following review process:

> DHS shall calculate benchmark rates based on procedures outlined in paragraph II.2, above, using the most recent USDA report, with an adjustment for inflation based on changes in the CPI for the U.S. from the year of the USDA report to the most recently available month, and an adjustment using the most recent Average Hawaii RPP ("**Benchmark Rates**").
>
> DHS shall calculate a "**Benchmark Clothing Allowance**" rate based on procedures outlined in paragraph II.3, above, using the most recent USDA report, with an adjustment for inflation based on changes in the CPI for the U.S. from the year of the USDA report to the most recently available month, and an adjustment using the most recent Average Hawaii RPP.

2. DHS shall seek appropriations from the Hawaii Legislature sufficient to increase the Basic Board Rates to the Benchmark Rates if the difference between the then-existing Basic Board Rates and the Benchmark Rates is more than 5%. DHS shall notify Class Counsel of its intent to seek appropriations prior to the start of the legislative session to enable the Class to prepare testimony to the Legislature supporting DHS' budget request.

3. Similarly, DHS shall seek appropriations from the Hawaii Legislature sufficient to increase the clothing allowance to the Benchmark Clothing Allowance rate if the difference between the then-existing clothing allowance and the Benchmark Clothing Allowance is more than 5%. DHS shall notify Class Counsel of its intent to seek appropriations prior to the start of the legislative session to enable the Class to prepare testimony to the Legislature supporting DHS' budget request.

4. Defendant cannot and does not agree to raise the Basic Board Rates or the clothing allowance automatically when the 5% benchmark threshold is met. Moreover, the 5% threshold is a figure agreed upon for settlement purposes only. Nothing in this Federal Settlement Agreement constitutes an admission by Defendant that 5% represents the threshold for substantial compliance with the Child Welfare Act. In other words, by agreeing to seek an increase when the 5% threshold is met, Defendant in no way admits that should the Legislature choose

not to fund a requested increase, then Defendant is in violation of the Child Welfare Act. On the contrary, it is the Defendant's position that Defendant is in compliance with the Child Welfare Act, and that the payment increases agreed upon for purposes of this Settlement are not required by law.

IV. Other Terms

1. **Difficulty of Care ("DOC") Payments:** Subject to the promulgation of any required administrative rule and/or internal policy change, as of the date the Federal Court approves the Settlement Agreement, DHS agrees that the monthly DOC cap of 120 hours may be waived by DHS in appropriate circumstances until it implements planned changes to the current DOC system, which may require rulemaking. DHS agrees to take all reasonable steps necessary to implement this paragraph (including reasonable steps in advance of the Fairness Hearing). Any requests by resource caregivers to increase the number of hours over 120 per month will be subject to DHS procedures (other than the 120-hour cap) and can be approved only if it is in the best interest of the foster child and other children in the resource family home to do so. Nothing in this Federal Settlement Agreement shall impair the ability of DHS to impose conditions on the receipt of DOC payments that it deems appropriate for the protection of foster children or other children in a resource caregiver's home.

2. **Availability of Resources:** The Parties agree to work cooperatively on providing a short summary of the payments and benefits (including a mileage log reimbursement form, DOC calculation information, and information about foster parent liability insurance) available to resource caregivers, to be provided at least semi-annually and to all newly-licensed resource caregivers. The summary may be sent to resource caregivers by DHS' contractors and will be made available on Class Counsel's website.

3. **Court Enforcement:** The Federal Court retains jurisdiction to enforce the terms of this Federal Settlement Agreement. If a Class Member believes the Defendant to be in material breach of this Federal Agreement, the Class Member, through Class Counsel, will provide the Defendant notice and a reasonable opportunity to cure prior to enforcing the agreement in Federal Court. The Parties will agree on a time period for cure depending on the particular nature of the claimed breach.

4. **Termination of this Agreement:** This Federal Settlement Agreement will terminate 10 years from the effective date of this Agreement, at which time it will no longer be enforceable.

5. **No Admission of Liability**. This Federal Settlement Agreement is not an admission of liability or wrongdoing by Defendant. Nor is it an admission by the Class regarding the sufficiency or appropriateness of the payments and procedures agreed to for purposes of this Settlement.

Defendant asserts that he has meritorious defenses in response to Plaintiffs' allegations. Furthermore, nothing in this Federal Agreement shall be construed as an admission of liability under any legal or factual theory propounded by the Plaintiffs. Defendant enters into this Federal Agreement solely for the purposes of settling, compromising, and terminating Plaintiffs' claims, and avoiding the expense and diversion of resources caused by protracted litigation.

6. **Subject to Federal Law**. This Federal Agreement is subject to any changes in applicable federal law. The State is not required to do more than federal law mandates and may make adjustments to its payments, policies, or procedures consistent with federal law.

7. **Court Approval and Legislative Appropriations.** Settlement of the Federal Lawsuit and the State Lawsuit and the obligation of Defendant to make the payments provided for herein are conditioned on (1) approval of the Federal Agreement and the State Agreement by both the United States District Court for the District of Hawaii and the Circuit Court of the First Circuit, State of Hawaii, respectively, and (2) appropriation of funds by the Legislature of the State of Hawaii to fund the amounts required to be paid under the Federal Agreement and the State Agreement.

8. **Notice under CAFA**. Within 10 days of submission of the Motion for Preliminary Approval to the Federal Court, Defendant shall serve any notices to federal and state officials required under 28 U.S.C. § 1715.

V. Releases

1. The Plaintiffs, including all Class Members, hereby release, acquit, and discharge Releasees from any and all claims, causes of action, rights, obligations, liabilities, penalties, demands, damages, costs (other than those costs to be paid pursuant to this Federal Agreement), requests for declaratory relief, or requests for injunctive relief of any and every kind that were alleged, sought, or litigated, or that could have been alleged, sought, or litigated against Defendant in the Federal Lawsuit. The foregoing does not preclude any Class Member from enforcing this Federal Agreement in Federal Court (after notice and opportunity to cure as set forth in paragraph IV.3, above) or commencing any other litigation concerning the

claims alleged in the Federal Lawsuit after the termination of this Federal Settlement Agreement (paragraph IV.4, above).

VI. Attorneys' Fees and Costs

1. Class Counsel has provided defense counsel with materials supporting requested attorneys' fees and costs for review. The Parties have met and conferred in good faith and, subject to Federal Court approval, hereby agree that an award of $1,100,000, inclusive of all attorneys' fees, costs, non-taxable expenses, and taxes, is reasonable and consistent with applicable law.

Plaintiffs shall seek the Federal Court's approval of such amounts by motion pursuant to FRCP Rule 23(h), which shall be filed no later than 7 days after the Motion for Preliminary Approval is filed or by such other date as the Court may direct. Notice shall be provided to the Class informing Class Members of the right to object. Such notice shall be given as part of the Class Notice described below. Defendant will not object to the motion so long as it does not seek attorneys' fees and costs in excess of the amounts set forth in this paragraph VI.1.

No separate award of attorneys' fees and costs shall be sought by or made to Plaintiffs or their counsel for claims not certified for class treatment in the Federal Lawsuit.

2. The amount of any attorneys' fees and costs approved by the Federal Court is subject to the Hawaii Legislature's appropriation process. No interest shall accrue on an award of attorneys' fees and costs. Any award of attorneys' fees and costs shall be paid within a reasonable time after the start of the state fiscal year following the legislative session during which the appropriation is made, in accordance with the State's policies and procedures for payments by the State of appropriated settlements.

3. Class Counsel agree that they are responsible for allocating the attorneys' fees and costs approved or awarded by the Federal Court among themselves and any other counsel that may have any other agreement with them. Class Counsel warrant and represent that there are no liens on the amounts to be paid pursuant to the terms of this Federal Settlement Agreement and that no assignments of the claims to be released or the attorneys' fees and costs to be paid pursuant to this Federal Settlement Agreement have been made or attempted.

Named Plaintiffs may seek the Court's permission to be paid a service award of up to $5,000 each, provided that if any such payment is approved, it shall only come from any attorneys' fees and costs approved by the Court and appropriated by the

Legislature, and under no circumstances will Defendant or the State be responsible for paying any moneys whatsoever to Plaintiffs.

4. In the event the Federal Court approves the motion for attorneys' fees and costs in an amount less than the amount requested by Class Counsel, that shall not be a basis for rendering the entire Settlement or this Federal Agreement null, void, or unenforceable. If the Legislature refuses to appropriate Class Counsel's fees and costs as approved by the Federal Court, the Settlement shall be null and void.

VII. Court Approval of Settlement; Process for Objections by Class Members

1. **Motion for Preliminary Approval.** Defendant shall file a motion for preliminary approval of the Settlement and this Federal Settlement Agreement by the Federal Court and attach a copy of this Federal Settlement Agreement and such other documents Defendant determines are necessary for the Federal Court's consideration. The motion shall request preliminary approval of the Settlement and approval of the Class Notice and notice procedure, and shall request that the Federal Court specify the procedure required for the Federal Court's final consideration of the Settlement, including the scheduling of the Fairness Hearing. Although Defendant is responsible for filing the motion, it is intended that Plaintiffs will have reviewed the motion before it is filed and that the motion will be unopposed.

2. **Class Notice**. By such date as the Court shall direct, the Notice Administrator, in cooperation with Class Counsel and defense counsel, shall send the approved Class Notice to each Class Member by U.S. mail postage prepaid in accordance with the terms of the Preliminary Approval Order. DHS shall provide the Notice Administrator (if not DHS) and Class Counsel with Contact Information for each Class Member. DHS shall pay the Administrative Expenses incurred in copying and mailing the Class Notice to the Class Members. For purposes of generating the mailing list for the Class Notice, DHS will identify Hawaii licensed resource caregivers for the time period August 17, 2015 through March 5, 2017.

3. **Content of Class Notice**. The Class Notice shall contain: the definition of the certified Class; a general description of the Federal Lawsuit and its claims, issues, and defenses; material terms of this proposed Federal Settlement Agreement; Class Counsel's request for attorney's fees and costs; Plaintiffs' request for a Service Award; options available to Class Members, including the manner, time limits, forum and form of an objection to this Settlement; the right of any Class Member to enter an appearance *pro se* or through an attorney to object to

the Federal Agreement or any of its terms; the website address for the website required to be maintained by Class Counsel; the date, time, and location of the Fairness Hearing; a statement that Class Members cannot opt out of the Class; and the binding effect of the Federal Agreement on Class Members.

4. **Establishment of Website**. Class Counsel shall, at their own expense, publish information regarding the Settlement on a website, including information on how to object to the Settlement of the Federal Lawsuit and the deadline to do so. The website shall also include a copy of this Federal Agreement, the motion for attorneys' fees and costs, the motion for service award; key pleadings, and information regarding the State Lawsuit and State Agreement. The web address for the website shall be included in the Class Notice. The website shall remain available starting 7 days after Preliminary Approval through at least December 2018.

5. **Objections.** A Class Member who wishes to object to this Federal Settlement Agreement, the Settlement, Class Counsel's motion for attorneys' fees and costs, or the motion for service award must timely submit to Judge Kobayashi a statement of their objection, and whether the Class Member intends to appear at the Fairness Hearing.

Any Class Member may appear at the Fairness Hearing to object to any aspect of this Federal Agreement, the Settlement, Class Counsel's motion for attorneys' fees and costs, or the motion for service award.

Class Members may act either on their own or through counsel employed at their own expense.

To be considered timely, a Class Member's objection must be postmarked or received on or before the date determined by the Court.

Class Members who fail to submit timely written objections or who do not appear at the Fairness Hearing and make objections shall be deemed to have waived any objections and shall be foreclosed from making any objections (whether by appeal or otherwise) to the Settlement.

6. **No Right to Opt Out**. Class members do not have the right to request exclusion from (opt out of) the Settlement. All Class members are bound by the Settlement and by this Federal Settlement Agreement if approved by the Federal Court and if the other conditions of this Federal Settlement Agreement are met.

7. **Fairness Hearing**. On a date to be determined by the Federal Court (currently scheduled for April 24, 2017), the Federal Court shall hold a Fairness Hearing. At the Fairness Hearing, the Parties will request that the Court:

a. Consider any objections by Class Members;

b. Give Final Approval to the Settlement as fair, reasonable, adequate, and binding on all Class Members;

c. Determine whether to award reasonable attorneys' fees and costs for Class Counsel and/or service awards for Plaintiffs, and if so, the amount thereof.

Defendant shall file a Motion for Final Approval of Settlement no later than the date established by the Federal Court.

8. **Effect of Failure to Grant Final Approval**. In the event the Settlement and this Federal Settlement Agreement are not granted Final Approval, they shall be deemed null, void, and unenforceable and shall not be used or admissible in any subsequent proceedings against the Parties either in Federal Court or in any other judicial, arbitral, administrative, investigative, or other forum. In the event the Settlement and this Federal Agreement are not approved by the Federal Court, or otherwise fail to become effective and enforceable, the Parties will not be deemed to have waived, limited, or affected in any way their claims, objections, or defenses in the Federal Lawsuit.

VIII. Additional Provisions

1. The rule of construction that an agreement is to be construed against the drafting party is not to be applied in interpreting this Federal Settlement Agreement. The Class Representative, Plaintiffs, and Defendant acknowledge that they have each read this Federal Settlement Agreement, that they understand its meaning and intent, that they have executed it voluntarily and with opportunity to consult with legal counsel, and have participated and had an equal opportunity to participate in the drafting and approval of drafting of this Federal Settlement Agreement. No ambiguity shall be construed against any party based upon a claim that the party drafted the ambiguous language. This Federal Settlement Agreement contains all essential terms of the settlement the Parties have reached. While other documents may be prepared hereafter to further effectuate the provisions hereof, the Parties intend that this Federal Settlement Agreement is a valid, binding agreement, enforceable by the Court.

2. **Cooperation Between the Parties**. The Parties shall cooperate fully with each other and shall use their best efforts to obtain the Federal Court's approval of this Federal Settlement Agreement and all of its terms.

3. **No Third-Party Beneficiaries**. This Agreement shall not be construed to create rights in, or to grant remedies to, or delegate any duty, obligation or undertaking established herein to any third party as a beneficiary of this Agreement.

4. The respective signatories to this Federal Settlement Agreement each represent that they are fully authorized to enter into this Federal Settlement Agreement and bind the respective Parties to its terms and conditions. This Agreement may be executed in counterparts.

SIGNATURES

Wherefore, intending to be legally bound in accordance with the terms of this Agreement, the Parties hereby execute this Agreement, effective on March 14, 2017, which is the date on which the last signatory signed this Federal Agreement.

FOR PLAINTIFFS:

_____
Alston Hunt Floyd & Ing,
Class Counsel

_____
Appleseed Center for Law and
Economic Justice, Class Counsel

_____
Morrison & Foerster,
Class Counsel

FOR DEFENDANT:

_____
Donna H. Kalama
Caron M. Inagaki
Deputy Attorneys General

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Alston Hunt Floyd & Ing,
Class Counsel

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Appleseed Center for Law and
Economic Justice, Class Counsel

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Morrison & Foerster,
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FOR DEFENDANT:

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Class Counsel

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Appleseed Center for Law and
Economic Justice, Class Counsel

_____
Morrison & Foerster,
Class Counsel

FOR DEFENDANT:

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Donna H. Kalama
Caron M. Inagaki
Deputy Attorneys General

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FOR PLAINTIFFS:

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Alston Hunt Floyd & Ing,
Class Counsel

_____
Appleseed Center for Law and
Economic Justice, Class Counsel

_____
Morrison & Foerster,
Class Counsel

FOR DEFENDANT:

_____
Donna H. Kalama
Caron M. Inagaki
Deputy Attorneys General

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI'I

The federal court authorized this notice. This is not a solicitation from a lawyer.

NOTICE OF PROPOSED SETTLEMENT AND HEARING IN CLASS ACTION ABOUT FOSTER CARE PAYMENTS

Because you are a Hawaii DHS-licensed resource caregiver (foster parent), the proposed settlement may affect you.

A proposed settlement has been reached in a federal class action lawsuit about how much the Department of Human Services for the State of Hawaii (DHS) pays to resource caregivers, also known as foster parents, for the care of foster children.

The purpose of this notice is: (1) to tell you about the proposed settlement and the fairness hearing; (2) to tell you how to obtain more information, including a copy of the full proposed settlement agreement; and (3) to explain how you may object to the proposed settlement if you disagree with it.

The proposed settlement accomplishes two main objectives:

- It increases the amounts to be paid to resource caregivers for the monthly basic board rates and for the annual clothing allowance starting July 1, 2017.
- It requires DHS, for a period of ten (10) years, to take into account increases in certain costs of living and to ask the Legislature for funds to increase the basic board rates when those costs increase 5% or more.

The settlement **does not**, however, require the Legislature to approve any proposed increases to the basic board rate. If the Legislature does not approve the July 1, 2017 increase, the lawsuit continues and the Parties go to trial.

The proposed settlement also provides for the payment of attorneys' fees and costs to court-appointed lawyers for investigating the facts, litigating the case, and negotiating the settlement. The State will separately pay for the fees and costs, subject to funding by the Legislature.

This federal lawsuit focuses on how much DHS should be paying for foster care and how and when DHS should increase foster care payments in the future. There is a separate lawsuit filed in state court that focuses on the adequacy of foster care payments made in the past. The state lawsuit has also settled. If you are also part of the state lawsuit, you will receive separate information about your rights in that case.

Your legal rights are affected whether or not you act. Read this notice carefully.

Summary of Your Legal Rights and Options in the Proposed Settlement	
DO NOTHING	If you do nothing, and the proposed settlement is approved, you will receive the increased board payments and, when applicable, the increased clothing allowance starting July 1, 2017, if you have eligible foster children placed in your care. You cannot opt out of (exclude yourself from) the settlement.
OBJECT TO THE SETTLEMENT BY APRIL __, 2017	You may write to the Court about any concerns you may have about the terms of the proposed settlement.
ATTEND THE FINAL APPROVAL HEARING ON APRIL __, 2017	You may ask to speak in Court about the fairness of the proposed settlement.

QUESTIONS? CALL (808) 524-1800 OR VISIT http://hawaiiclassaction.com/fostercare

Exhibit 1

These rights and options—**and the deadlines to exercise them**—are explained in this notice.

The Court in charge of this federal case must still decide whether to approve the proposed settlement. The increases proposed in this settlement will not take effect unless the Court approves the Settlement and the Hawaii legislature funds the increases.

Further information about the lawsuit, proposed settlement, and this Notice is available at: http://hawaiiclassaction.com/fostercare

WHAT THIS NOTICE CONTAINS

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BACKGROUND INFORMATION

1. Why did I get this notice?

You received this notice because DHS' records show that you were licensed as a resource caregiver between August 17, 2015, when the Court certified the federal lawsuit as a class action, and March 5, 2017, even if you don't have any foster children in your care at this time.

The Court authorized this notice because you have a right to know about a proposed settlement of a class action lawsuit, and about your options, before the Court decides whether to approve the proposed settlement. If the Court approves the settlement after any objections and appeals are resolved, DHS will increase its board payments and clothing allowance starting no earlier than July 2017, but only if the funds for the increase are provided by the Hawaii Legislature.

This Notice explains the lawsuit, the proposed settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

Judge Leslie E. Kobayashi, of the United States District Court for the District of Hawaii (the Court), is currently overseeing this case. The case is known as *Ah Chong v. McManaman*, Civ. No. 13-00663 LEK-KSC.

2. What is this lawsuit about?

Plaintiffs argue that federal law requires DHS to pay foster care maintenance payments that cover the cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, reasonable travel to the child's home for visitation, and reasonable travel for the child to remain in the school in which the child is enrolled at the time of placement. Plaintiffs also argue that federal law requires DHS to conduct periodic reviews of the foster care maintenance payment amounts to make sure that they are appropriate.

Plaintiffs filed a lawsuit claiming that DHS violates federal law because:

- The foster care maintenance payments paid by DHS to resource caregivers are too low;
- DHS does not conduct adequate periodic reviews of its foster care maintenance payments; and
- DHS does not provide enough information to resource caregivers about the kinds of additional payments and benefits that are available to support foster children.

Plaintiffs calculated that if DHS had increased its foster payments to keep up with inflation and Hawaii's cost of living, the payments would be over $1,000 per month. Plaintiffs asked the Court for prospective relief (relief in the future) of (1) an increase in payments going forward; and (2) changes to the way DHS calculates its payments going forward.

DHS contends that the way Plaintiffs are calculating the amount of the payments is flawed. DHS believes it is complying with the law and has no legal obligation to increase the payments, change the way it periodically reviews the payments, or change the way it provides information to resource caregivers about payments and benefits for foster children.

3. Why is this a class action?

In a class action lawsuit, one or more people called Class Representatives sue on behalf of people who have similar claims. All the people with similar claims are called the Class and are referred to individually as Class Members. The Court resolves the issues for everyone in the Class.

Because the foster care maintenance payment rates affect a large group of people, Raynette Ah Chong, Patrick Sheehey and Patricia Sheehey (the Named Plaintiffs) filed this case as a proposed class action. The Court approved the Class, with Ms. Ah Chong acting as Class Representative, and appointed lawyers to represent the Class in this lawsuit. Those lawyers are called Class Counsel.

4. Why is there a Settlement?

In any litigation, the outcome is uncertain. The Court did not decide the case in favor of Plaintiffs or DHS, but did make some intermediate rulings that impacted the case.

This lawsuit was aggressively litigated. Class Counsel extensively investigated the allegations in this federal lawsuit. They engaged in substantial discovery about the cost of caring for children in Hawai`i, DHS' foster care maintenance payment rates, DHS' process for setting and increasing those rates, additional benefits and payments that are available for the benefit of children in foster care and how many resource caregivers actually request or receive these additional benefits and payments, and the number of people affected by DHS' foster care maintenance payment rates. Class Counsel received over 10,000 pages of hard copy documents from DHS and electronic databases with hundreds of thousands of payments made by DHS to resource caregivers. Both the Class Representative and Named Plaintiff Patricia Sheehey were deposed. Named Plaintiffs responded to written discovery requests from DHS.

The Plaintiffs think they could have won at trial, and DHS thinks Plaintiffs would not have won anything. On the one hand, continuing the case could result in a foster board payment that is more than the amounts in the proposed settlement. On the other hand, continuing the case could result in no increase to the foster board payment, or an increase that is less than the amount in the proposed settlement.

Based on these factors, the Class Representative and Class Counsel have concluded that the proposed settlement is in the best interests of all members of the Class. The proposed settlement is the product of hard-fought, lengthy negotiations between Class Counsel, DHS and their counsel, and with assistance from federal Magistrate Judge Kevin Chang. Class Counsel was advised by various consultants and experts, including individuals with expertise in Hawaii's cost of living, and with expertise in foster care maintenance payment costs, payments systems, and payment rates in other States.

More details about the claims, and information about some of the rulings the Court made during the course of the case are described in a document titled Federal Lawsuit Class Action Settlement Agreement, which can be obtained from Class Counsel's website for this lawsuit: **http://hawaiiclassaction.com/fostercare**.

5. Who are the Members of the Class?

Class Members are: all Hawaii-licensed resource caregivers licensed between August 17, 2015, and March 5, 2017, who were (or are) entitled to receive foster care maintenance payments under federal law when they have foster children placed in their homes. If you have received this notice, DHS's records indicate that you are a Class Member. The settlement will affect all Class Members.

6. What does the Settlement provide?

The settlement will do two main things:

1) In the State's next fiscal year (July 1, 2017) the basic board rate and clothing allowance paid to resource caregivers for the care of foster children will increase.

➢ The monthly basic board rates will increase as follows:

Ages	Current Amount	New Amount
0-5	$576	$649
6-11	$650	$742
12+	$676	$776

Board payments are paid in arrears. That means that they are paid after the month of care provided. In other words, the new increased board rate payments will begin with the payments that are made at the beginning of August 2017 for care provided in July 2017.

➢ The annual clothing allowance will increase from a single rate of $600 per year plus $125 for special circumstances for foster children of all ages to an age-tiered system as follows:

Ages	New Amount
0-5	$810
6-11	$822
12+	$1026

The settlement does not change the ways that a clothing allowance can be obtained from DHS.

2) The proposed settlement also requires DHS to conduct periodic reviews of the basic board rates, and to ask the Legislature for additional money to increase the board rates if a comparison of the existing rates to certain indexes shows an increase of five percent or more. DHS will use these indexes for 10 years. However, the Legislature is not obligated to fund any increases that DHS requests.

Under the Settlement, DHS will work with the Class Representative and Class Counsel to provide more information to resource caregivers about the kinds of payments and benefits that are available to help support foster children.

Separate from this lawsuit, DHS has been looking into changing its difficulty of care (DOC) system. Until it implements the changes, DHS has agreed to consider on request a waiver of the current DOC payment cap of 120 hours per month in appropriate circumstances. Any requests by resource caregivers to increase the number of hours over 120 per month will be subject to current DHS procedures and can be approved only if it is in the best interest of the foster child and other children in the resource family home to do so.

7. Will I be paid any money under this Settlement for foster children currently in my care or for foster children I cared for in the past?

No. This settlement sets future monthly basic board rates and clothing allowances that will begin with the State's next fiscal year (July 1, 2017). It does not increase payments right now for foster children currently in your care, and does not provide any payments for foster children who were in your care in the past. This settlement provides for what is called prospective, or future, relief only.

There is a possibility that you may be entitled to a payment under the settlement of a state lawsuit that is being resolved along with this federal lawsuit. If you are part of the state lawsuit, you will receive separate information about the terms of that settlement, including whether you will or will not be entitled to a payment. Information about the state lawsuit is available at **http://hawaiiclassaction.com/fostercare**.

8. Are there any conditions to this Settlement?

This settlement will not become final until the Court approves this settlement, the state court approves the settlement of the state lawsuit, and the Hawaii Legislature approves the money that will be needed to pay for both settlements.

BEING PART OF THE SETTLEMENT

9. Do I need to do anything to get the benefits of the Settlement?

No. You do not have to do anything to be part of the Class or to get the benefits of the settlement of the federal lawsuit. If you have received this notice, you are part of the Class and automatically part of the settlement.

10. What if I don't want to be in the Settlement?

By law, you cannot exclude yourself from this settlement. But you can object to the settlement. If the Court approves this settlement, you will not be able to sue the State (including DHS) about the adequacy of the prior and current foster care maintenance payments, or the increased payments embodied in the Parties' settlement agreement, for the 10 years that this settlement remains in effect.

THE LAWYERS REPRESENTING THE CLASS

11. Do I have lawyers in the case?

Yes. The Court has appointed lawyers to represent you and other Class Members as Class Counsel. Currently, Class Counsel are:

Paul Alston J. Blaine Rogers Claire Wong Black Alston Hunt Floyd & Ing 1001 Bishop Street, Ste. 1800 Honolulu, HI 96813	Gavin Thornton Hawaii Appleseed Center for Law and Economic Justice 119 Merchant St., Ste. 605 Honolulu, HI 96813	Marc D. Peters James R. Hancock Alessa Hwang Morrison & Foerster LLP 755 Page Mill Road Palo Alto, CA 93404

You will not be charged personally for these lawyers. If you want to be represented by another lawyer to object to the proposed settlement, you may hire one to appear in Court for you at your own personal expense.

12. How will the lawyers be paid? Does the Class Representative get paid?

Class Counsel have not received any payment for their services in prosecuting the lawsuit on behalf of the Class, nor have Class Counsel been paid for their out-of-pocket expenses incurred to date. These attorneys' fees and out-of-pocket expenses total more than $2.98 million.

After negotiation of the terms of the settlement, Class Counsel and DHS counsel engaged in an arm's-length negotiation regarding the attorneys' fees to be paid to Class Counsel. As a result of those negotiations, Plaintiffs intend to apply to the Court for an award of attorneys' fees, costs, and expenses (the "Fee Application") of not more than $1,100,000.00, which shall be the sole fee application made in the federal lawsuit. Copies of the Fee Application will be made available online at a website to be created and maintained by Class Counsel at: http://hawaiiclassaction.com/fostercare.

You may object to the request for attorneys' fees and costs. After considering the objections of Class Members, the Court will determine the amount of attorneys' fees and costs in accordance with controlling law.

Neither you nor any other member of the Class is or will be personally liable for the Attorneys' Fee Award. The State will pay the amount awarded by the Court, if any. The Attorneys' Fee Award will be the only payment to Class Counsel for their efforts in the federal lawsuit and for their risk in undertaking this representation without prior or ongoing payment. Class Counsel have reserved the right to provide Service Awards for the Class Representative and Named Plaintiffs. These Service Awards are intended to recognize the Named Plaintiffs for the extensive services they performed for the class, the time they spent on this case, and the risks they assumed in connection with this litigation. The amount of the Service Awards, if any, will be deducted from any award of attorneys' fees and costs by the Court to Class Counsel.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you don't agree with the settlement or some part of it.

13. How can I object to the Settlement?

You may send a letter to the Court objecting to the settlement if you don't like any part of it. This includes the amount of the basic board rate increase, the clothing allowance increase, the Fee Application, or the Service Award for the Class Representative and Named Plaintiffs. The Court will consider your views.

Send objections to: The Honorable Leslie E. Kobayashi
United States District Court for the District of Hawai`i
300 Ala Moana Boulevard, Room C-338
Honolulu, HI 96850-0338

Be sure to include the following information:

Case Name: *Ah Chong v. McManaman*, Civil No. 13-00663 LEK-KSC

Title of Document: Objection to Class Settlement

Your Information: your name, address, telephone number, the date, and the reasons you object to the settlement.

Deadline: Please **postmark** your objection **no later than April __, 2017**

THE FAIRNESS HEARING

The Court will hold a hearing, called a Fairness Hearing, to decide whether to approve the settlement. You may attend and you may ask to speak, but you don't have to.

14. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Fairness Hearing on April 24, 2017, at 10:30 a.m. at the United States District Court for the District of Hawaii, 300 Ala Moana Boulevard, Honolulu, Hawaii, in Courtroom Aha Nonoi on the fourth

floor. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check Class Counsel's website (http://hawaiiclassaction.com/fostercare) or the federal court's calendar (http://www.hid.uscourts.gov/base.cfm?pid=0&mid=2).

At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Judge will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

15. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer questions the Judge may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend on your behalf, but it's not necessary.

16. May I speak at the Fairness Hearing?

You may ask the Court for permission to speak at the Fairness Hearing, either in person or through a lawyer hired at your expense. To do so, you must send a letter saying that it is your "Notice of Intention to Appear in *Ah Chong v. McManaman*, Civil No. 13-00663 LEK-KSC." Be sure to include your name, address, telephone number, and your signature, and if a lawyer will attend for you, also include your lawyer's name, address, and telephone number. Your Notice of Intention to Appear must be postmarked no later than **April __, 2017**, and should be sent to the Court at the address listed in Question 13, above.

GETTING MORE INFORMATION

17. How do I get more information?

This notice summarizes the proposed settlement. You can call Class Counsel at 524-1800; email Class Counsel at _____; or visit Class Counsel's website for this litigation at **http://hawaiiclassaction.com/fostercare**, where you will find other information about the federal lawsuit and the proposed settlement.

PLEASE DO NOT CALL THE COURT WITH YOUR QUESTIONS.

[DATE]

HAWAII APPLESEED
CENTER FOR LAW & ECONOMIC JUSTICE

119 Merchant Street, Ste 605
Honolulu, Hawai`i, 96813
Tel: (808) 587-7605

Ah Chong v. Wong , CV13-00663 LEK-KSC
Sheehey v. State of Hawaii , 14-1-I709-08 VLC

DATE	TIME	VALUE	DESCRIPTION
10/15/2013	0.5	120.00	Call with K. Van Voorhis and V. Geminiani regarding case background
10/24/2013	3.4	816.00	Draft complaint
10/25/2013	0.5	120.00	call with co-counsel (A.C. Johnston, B. DePuy, P. Alston, and C. Black) regarding complaint
10/25/2013	0.3	72.00	Email A.C. Johnston, B. DePuy and K Van Voorhis regarding complaint and co-counsel agreement
11/20/2013	0.1	24.00	Email P. Alston, C. Black, A.C. Johnston, B. DePuy and K Van Voorhis regarding case planning
11/21/2013	0.5	120.00	Revise complaint
11/21/2013	0.8	192.00	Prep for and attend conference call regarding federal and state complaint
11/26/2013	0.0	0.00	Call with Ms. Ah Chong (NO CHARGE)
11/26/2013	0.3	72.00	Draft email to R. Ah Chong to arrange call to prep for filing, review complaint and press release for accuracy
11/27/2013	1.5	360.00	Call with Ms. Ah Chong confirming facts for complain and to conduct other fact gathering (.7), email memo to co-counsel regarding information from Ms. Ah Chong and issue regarding permanency assistance (.8)
11/27/2013	0.9	216.00	Research regarding history of foster care maintenance rates and email co-counsel re same
12/2/2013	0.2	48.00	Email co-counsel regarding next steps
12/9/2013	0.1	24.00	Get directions to meeting with J. G., potential witness/plaintiff
12/9/2013	1.5	360.00	Meet with J.G. (foster parent) regarding potential participation in case as witness or plaintiff (.7); Travel to/from meeting (.8)
12/9/2013	1.3	312.00	Draft memo of meeting with J.G. (foster parent) and circulate to team
12/14/2013	0.2	48.00	Emails to team regarding email from J. Molay
12/17/2013	0.2	48.00	Emails to co-counsel regarding scheduling conference call
12/19/2013	1.0	240.00	Conference call with co-counsel (A.C. Johnston, B. DePuy, C. Black, V. Geminiani and P. Alston)
12/19/2013	0.2	48.00	Emails with C. Black regarding case status and conference with opposing counsel
12/20/2013	0.5	120.00	Attend conference with opposing counsel

EXHIBIT C

12/20/2013	0.3	72.00	Debrief with C. Black, A.C. Johnston, B. DePuy, P. Alston, and V. Geminiani, regarding conference with opposing counsel
1/8/2014	1.0	240.00	Review MIO to motion for leave to file amended complaint and draft notes regarding reply
1/13/2014	0.4	96.00	Attend DHS informational briefing to legislature regarding budget and increase to foster care payments
1/13/2014	0.7	168.00	Conference calll with J. Mauldon regarding serving as an expert
1/14/2014	0.7	168.00	Research regarding DHS proposal to legislature to increase foster care payments and draft email to team regarding same
1/17/2014	0.2	48.00	Emails with P. Alston regarding potential expert witness
1/22/2014	0.5	120.00	Locate Paul Brewbaker's contact information and email him to inquire about his interest in serving as an expert witness
1/22/2014	0.2	48.00	Call with potential foster parent witness/plaintiff (J. G.) to discuss possible participation in case.
1/22/2014	0.1	24.00	Email to D. Pollard regarding potentail foster parent witness/plaintiff
1/23/2014	0.2	48.00	Email team regarding conference call with potential expert
1/24/2014	0.8	192.00	Call with Paul Brewbaker, V. Geminiani, and B. Depuy to discuss his potential service as an expert and to discuss the anticipated scope of work and timeframes.
1/24/2014	0.2	48.00	Email to team recapping call with P. Brewbaker and laying out next steps
1/24/2014	0.3	72.00	Email to P. Brewbaker to provide background documents
1/27/2014	0.1	24.00	Email team regarding retaining P. Brewbaker as expert
1/27/2014	0.1	24.00	Email team regarding following up with John Molay and scheduling Rule 16 meeting
1/28/2014	0.1	24.00	Email team regarding next steps (drafting discovery requests and solidifying agreements with experts)
1/28/2014	0.1	24.00	Email J. Molay regarding arranging 26(f) conference
2/3/2014	0.1	24.00	Emails to opposing counsel and team regarding scheduling 26(f) conference
2/3/2014	0.1	24.00	Emails to team and potential expert regarding terms of engagement
2/4/2014	0.1	24.00	Email P. Brewbaker regarding scheduling a call to discuss scope of work
2/4/2014	0.1	24.00	Email team regarding scheduling a call with P. Brewbaker to discuss scope of work and defining terms of engagement
2/4/2014	0.1	24.00	Review draft letter of engagement for P. Brewbaker and email team regarding same
2/4/2014	0.1	24.00	Email to J. Molay regarding stipulation to amend and stay discovery
2/4/2014	0.1	24.00	Email P. Brewbaker and team regarding scheduling a call to discuss scope of work
2/5/2014	1.0	240.00	Review and revise discovery requests
2/5/2014	0.9	216.00	Review complaint and answer and prepare proof chart

2/6/2014	0.1	24.00	Emails to team regarding scheduling call to prep from 26(f) conference and call with experts
2/6/2014	0.3	72.00	Work on discovery requests
2/6/2014	0.4	96.00	Call with A.C. Johnston to prepare for 26(f) conference
2/6/2014	0.1	24.00	Email to P. Brewbaker requesting he review the MARC report prior to tomorrow's call
2/7/2014	0.3	72.00	Email to team to prep for 26(f) conference
2/7/2014	1.1	264.00	Call with B. Depuy, P. Brewbaker and J. Maldoun to discuss scope of expert's work and timeframes
2/7/2014	0.9	216.00	Attend 26(f) conference and conference call with team to debrief afterwards
2/7/2014	0.8	192.00	Work on 26(f) report
2/10/2014	0.6	144.00	Search for bills related to increases in foster care maintenance payments and set up tracking system
2/10/2014	1.3	312.00	Read DHS report regarding proposed foster care maintenance payment increase; work on memo on report
2/11/2014	0.3	72.00	Review Def's Motion to Stay case
2/11/2014	0.8	192.00	Finish drafting 26(f) report and email same to team with question about status conference
2/12/2014	3.6	864.00	Research related to DHS report; draft memo regarding problems with analysis
2/12/2014	0.3	72.00	Prep for status conference regarding Defendant's motion to stay case
2/12/2014	0.7	168.00	Attend status conference regarding Defendant's motion to stay case (.4); travel to/from (.3)
2/12/2014	0.3	72.00	Email team regarding DHS report on foster care payments and upcoming bill on the payments
2/13/2014	0.8	192.00	Prepare talking points for legislative hearing and future litigation purposes regarding need to increase the rate and flaws in DHS report
2/13/2014	0.5	120.00	Phone conference with volunteers regarding outreach for potential witnesses/testifiers regarding inadequacy of foster care maintenance payments
2/14/2014	0.9	216.00	Draft memo regarding arguments in opposition to motion to stay
2/14/2014	0.4	96.00	Research to identify potential witnesses/testifiers regarding inadeqaucy of foster care maintenence payments and email V. Geminiani regarding same
2/14/2014	0.1	24.00	Revise 26(f) report
2/14/2014	0.2	48.00	Call with C. Wong Black regarding next steps
2/14/2014	0.2	48.00	Email to team regarding next steps and to arrange conf call
2/14/2014	1.2	288.00	Revise First Request for Production of Docs
2/18/2014	0.2	48.00	Emails with P. Alston regarding meeting with potential plaintiff/witness
2/19/2014	0.6	144.00	Prep for and attend conference call with co-counsel regarindg opposition to motion to stay and intitial disclosures

2/19/2014	0.5	120.00	Compile past legislative testimony regarding foster care maintenance payments showing DHS opposition to increase and email co-counsel regarding same
2/21/2014	0.5	120.00	Draft Scheduling Conference Statement and email co-counsel re same
2/21/2014	0.2	48.00	Emails with P. Alston regarding Ms. Ah Chong as class rep
2/22/2014	0.2	48.00	Review email inquiry from foster parent regarding participation in class action and respond
2/23/2014	0.8	192.00	Call with potential witness/plaintiff R.F.
2/23/2014	0.4	96.00	Draft memo re call with R.F. and email P. Alston re same
2/24/2014	0.2	48.00	Email J. Mauldon and P. Brewbaker with DHS report on proposed maintenance rate increase
2/24/2014	0.7	168.00	Call with J. Mauldon, P. Brewbaker, B. DePuy, and J. Hancock to discuss expert analysis
2/24/2014	1.7	408.00	Review and revise Memo in Opposition to motion to stay
2/24/2014	0.4	96.00	Prepare Ex. C to memo in opposition (inflation analysis) and draft declaration
2/24/2014	0.2	48.00	Emails to team regarding revisions to Memo in Opposition to motion to stay
2/24/2014	1.9	456.00	Draft memo regarding types of payments that DHS alleges are available to supplement the basic maintenance payment
2/25/2014	0.5	120.00	Review and finalize memo in opposition to motion to stay; email team re same
2/25/2014	0.9	216.00	Meet with Sheehey's and P. Alston to discuss serving as class representatives
2/25/2014	0.2	48.00	Meet with P. Alston to discuss next steps; calls with N. Ah Chong
2/25/2014	0.3	72.00	Emails with team regarding adding Sheehey's as class reps and next steps
2/26/2014	0.1	24.00	Review and respond to email from N. Ah Chong re foster care certification
2/26/2014	0.9	216.00	Draft amended complaint; email same to team
2/26/2014	0.1	24.00	Review and respond to email from C. Wong-Black re amended complaint and additional class representatives
2/26/2014	0.1	24.00	Email J. Molay regarding who to name as Defendant in light of director resignation
2/26/2014	0.1	24.00	Review AC Johnson revisions to amended complaint
2/26/2014	0.2	48.00	Draft stipulation to amend; email team regarding same
2/26/2014	0.3	72.00	Finalize stip to amend and email J. Molay regarding same
2/26/2014	0.4	96.00	Work on initial disclosures
2/27/2014	0.3	72.00	Email team regarding motion to amend made necessary because of D's unwillingness to stipulate to add plaintiffs
3/1/2014	1.2	288.00	Research linkage between foster care maintenance payments, adoption assistance, and other forms of payments
3/3/2014	0.2	48.00	Email team regarding hearing on motion to stay

3/5/2014	1.4	336.00	Prep for and attend conference all with co-counsel and experts; review P. Brewbaker expert report draft
3/6/2014	1.4	336.00	Prep for and attend conference call with co-counsel regarding expert report
3/7/2014	0.6	144.00	Revise opposition to motion to dismiss
3/10/2014	0.1	24.00	Email P. Alston regarding motion to stay argument and contacting expert
3/10/2014	0.7	168.00	Review and revise memo in opposition to motion to dismiss to add information regarding need for foster parents
3/10/2014	0.2	48.00	Revise declaration and add additional exhibits
3/10/2014	0.5	120.00	Review 2005 Foster Care Payments audit
3/11/2014	0.6	144.00	Prep for hearing on motion to stay and travel to and from
3/11/2014	0.4	96.00	Hearing on motion to stay
3/11/2014	0.2	48.00	Meeting with P. Alston to discuss next steps
3/11/2014	0.1	24.00	Email to co-counsel regarding outcome of hearing on motion to stay and next steps
3/24/2014	0.3	72.00	Review draft reply brief for motion to dismiss and email co-counsel regarding same
3/28/2014	0.2	48.00	Email to team regarding argument for motion to dismiss hrg
3/31/2014	0.4	96.00	Prep for hearing on motion to amend/motion to dismiss
3/31/2014	0.5	120.00	Attend hearing on motion to amend/motion to dismiss
3/31/2014	0.3	72.00	Review draft complaint and email P. Alston re same
3/31/2014	0.1	24.00	Email to team regarding stay of case
4/3/2014	0.7	168.00	Review Brewbaker expert report draft
4/4/2014	1.0	240.00	Review draft of amended complaint and email team regarding same (.4); research adoption assistance claim and email team regarding same (.6)
4/4/2014	0.5	120.00	Call with Ms. Ah Chong to discuss specifics about foster care placements and payments
4/7/2014	0.1	24.00	Email V. Geminiani regarding next steps
4/9/2014	0.2	48.00	Call from foster parent/potential plaintiff/witness
4/9/2014	0.1	24.00	Email C. Black regarding documents from Ah Chong
4/22/2014	1.2	288.00	Prep for and attend conference call with co-oucnsel
4/25/2014	0.4	96.00	Call with Ms. Ah Chong to discuss foster care placements
4/25/2014	0.2	48.00	Email team regarding information from Ms. Ah Chong
4/29/2014	0.6	144.00	Revise first amended complaint
4/29/2014	0.5	120.00	Conference call with co-counsel regarding amended complaint

4/30/2014	0.7	168.00	Review and revise first amended complaint and email co-counsel regarding same
5/7/2014	0.5	120.00	Email to co-counsel regarding supplemental settlement confercence statement (.2); review and revise supplement settlement conference statement (.3)
5/14/2014	0.8	192.00	prepare for and attend hearing on motion to stay (.6); email co-counsel regarding hearing (.2)
5/20/2014	0.8	192.00	Participate in conference call with co-counsel regarding case status
5/21/2014	1.7	408.00	Revise discovery requests
5/22/2014	0.9	216.00	Prepare for meet and confer with opposing counsel (.4); attend meet and confer with opposing counsel (.3), debrief with co-counsel regarding meet and confer and discovery next steps (.2)
5/27/2014	0.4	96.00	Edit discovery requests and email team regarding same
5/29/2014	0.4	96.00	Edit discovery requests and email team regarding same
5/29/2014	0.2	48.00	Review proposed order denying motion to stay
6/3/2014	0.8	192.00	Attend status conference with Judge Chang
6/3/2014	0.3	72.00	Emails to co-counsel regarding trial date and limitation of discovery
6/4/2014	0.6	144.00	Attend conference call with co-counsel (A.C. Johnston, J. Kanada, J. Hancock, and C. Black) regarding discovery issues
6/5/2014	0.7	168.00	Develop list of potential 30b6 deposition topics and email same to team
6/5/2014	0.3	72.00	Review draft opposition to motion to dismiss and email co-counsel regarding same
6/10/2014	0.2	48.00	Attend status conference with Judge Chang
6/10/2014	0.3	72.00	Email to team regarding status conference with Judge Chang and next steps
6/11/2014	0.2	48.00	Emails to co-counsel regarding case strategy and trial date
6/18/2014	0.6	144.00	Conference call with co-counsel (C. Black, A.C. Johnston, J. Kanada, J. Hancock, P. Alston) regarding case status and discovery
7/1/2014	0.2	48.00	Email to co-counsel regarding class certification
7/10/2014	0.4	96.00	Review correspondence regarding 30(b)(6) deposition to prepare for meet and confer
7/10/2014	0.2	48.00	Review Defendants' answers to Plaintiffs' 1st interrogatories
7/10/2014	0.2	48.00	Travel to/from Alston Hunt for meet and confer regarding 30(b)(6) deposition topics
7/10/2014	0.3	72.00	Meet with C. Black to prepare for meet and confer regarding 30(b)(6) deposition topics
7/10/2014	0.4	96.00	Attend meet and confer regarding 30(b)(6) deposition topics
7/10/2014	0.2	48.00	Debrief with C. Black regarding meet and confer
7/10/2014	0.1	24.00	Email J. Molay regarding agreement on 30(b)(6) deposition topics
7/16/2014	0.5	120.00	Review and revise discovery responses

7/16/2014	0.2	48.00	Review and revise responses for requests for admissions
7/30/2014	0.2	48.00	Review and edit letter to Molay re discovery issues
8/6/2014	0.3	72.00	Review Def's motion for reconsideration of mot to dismiss
8/6/2014	0.2	48.00	Prep for call with co-counsel to discuss next steps
8/6/2014	0.2	48.00	Call with call co-counsel (C. Wong, P. Day, J. Hancock) to discuss next steps (class cert mot timing; memo in opposition of motion for reconisderation; discovery issues)
8/7/2014	0.3	72.00	Prep for meet and confer; meet with C. Black
8/7/2014	0.1	24.00	Attend meet and confer with C. Black, J. Molay, D. Barabata, and D. Kalama
8/7/2014	0.6	144.00	Review and revise state complaint
8/8/2014	0.4	96.00	Review and revise memo in opposition to Defendant's motion for reconsideration of motion to dismiss
8/12/2014	0.3	72.00	Call with co-counsel regarding expert reports
8/26/2014	0.6	144.00	Call with Ms. Ah Chong to discuss evidence of foster care expenditures (.4), email co-counsel regarding conversation
8/27/2014	0.4	96.00	Call with co-counsel regarding upcoming motions
9/10/2014	3.8	912.00	Research and draft memo regarding cost of living adjustment factors and various methodologies for calculating maintenance rate
9/10/2014	5.7	1,368.00	Research and draft memo regarding cost of living adjustment factors and various methodologies for calculating maintenance rate
9/11/2014	6.3	1,512.00	Research and draft memo regarding cost of living adjustment factors and various methodologies for calculating maintenance rate
9/12/2014	1.8	432.00	Finalize 20 page memo regarding cost of living adjustment factors and email co-counsel regarding same
9/12/2014	0.4	96.00	Review and revise motion to compel
9/18/2014	0.2	48.00	Call with co-counsel regarding 30(b)(6) deposition
9/25/2014	2.4	576.00	Draft memo regarding expert reports and analysis
10/16/2014	1.2	288.00	Draft interogatory responses
10/17/2014	0.7	168.00	Review and revise interrogatory responses and emails to co-counsel regarding same
10/20/2014	1.4	336.00	Review and revise memo in opposition to motion for judgment on the pleadings
11/10/2014	0.3	72.00	Rvw P. Alston comments to memo regarding expert and DHS analysis of foster care payments and email team regarding same
11/11/2014	2.2	528.00	Draft questionnaire for clients regarding expenditures and email co-counsel regarding same
11/12/2014	0.4	96.00	Email co-counsel regarding case strategy and next steps

11/19/2014	0.2	48.00	Email co-counsel regarding article on foster parents being overburdened
12/3/2014	0.4	96.00	Attend meet and confer with opposing counsel and co-counsel
1/14/2015	0.2	48.00	Emails with co-counsel regarding discovery dispute
1/20/2015	0.2	48.00	Email co-counsel regarding proposed requests for admissions
1/22/2015	0.4	96.00	Review draft letter to opposing counsel and discovery requests and email comments to co-counsel regarding same
2/6/2015	0.4	96.00	Review draft state court complaint
2/10/2015	0.3	72.00	Emails to and from J. Hancock regarding follow up on meet and confer
2/13/2015	0.1	24.00	Review letter from J. Molay regarding settlement discussions and email team regarding same
2/17/2015	0.3	72.00	Email team regarding settlement calculation
2/17/2015	0.4	96.00	Call with P. Alston, C. Wong-Black, J. Kanada, J. Hancock, A.C. Johnson regarding expert analysis of foster care rates, necessary discovery, and developing settlement offer
2/23/2015	0.5	120.00	Review and revise draft settlement proposal letter to J. Molay
2/26/2015	0.3	72.00	Work on calculating fees
2/26/2015	0.7	168.00	Attend settlement conference
2/26/2015	0.2	48.00	Email team regarding next steps
3/2/2015	0.5	120.00	Conference call with litigation team regarding next steps including filing of motion for class certification, follow up on discovery requests, and working with expert
3/2/2015	0.3	72.00	Review SOH 4995-5295 and email co-counsel regarding same
3/5/2015	0.3	72.00	Edit correspondence to opposing counsel regarding discovery disputes
3/25/2015	0.9	216.00	Research regarding federal match for foster care maintenance payments
3/30/2015	0.1	24.00	Review email from J. Molay requesting postponement of settlement conference and email co-counsel regarding same.
4/1/2015	0.1	24.00	Review email from D. Barbata regarding discovery and email co-counsel regarding same and requesting extention to expert report deadline
4/4/2015	0.7	168.00	Draft memo regarding contract interpretation and foster care statute and regulations being implicit in contract
4/7/2015	1.4	336.00	Draft pretrial statement in state case
4/7/2015	0.4	96.00	Review and revise memo in opposition to motion to dismiss state court case
4/8/2015	0.2	48.00	Review Defendant's rejection of settlement offer (with no counter offer) and email co-counsel regarding same
4/9/2015	0.2	48.00	Email to and from C. Black regarding settlement conference, class certification motion, and motion for summary judgment

4/10/2015	0.1	24.00	Review stip re expert and dispositive motions deadlines and email co-counsel regarding same
4/15/2015	1.0	240.00	Conference call with co-counsel to discuss discovery and case status
4/15/2015	0.3	72.00	Emails to co-counsel regarding schools meals factor for reimbursements
4/20/2015	0.1	24.00	Email to and from C. Black regarding discovery and school meals implications in reimbursement rate
4/21/2015	0.1	24.00	Call with C. Black regarding discovery requests
4/22/2015	0.4	96.00	Review Defendant's interrogatory and admissions responses and email co-counsel regarding same
4/24/2015	0.6	144.00	Reivew draft interrogatories and email co-counsel with comments regarding same (.3); Review draft meet and confer letter and email co-counsel regarding same (.3)
4/27/2015	0.2	48.00	Emails with co-counsel regarding stip to move expert and disclosure deadlines
5/8/2015	0.5	120.00	Research regarding McHugh factors for calculating foster care payments, and email to co-counsel regarding same
5/13/2015	0.2	48.00	Review and propose edits to subpoena to Susan Chandler
6/2/2015	0.4	96.00	Review and revise state court case, 2nd amended complaint
6/8/2015	0.1	24.00	Emails with C. Black regarding S. Chandler deposition testimony
6/24/2015	0.3	72.00	Review draft settlement proposal and email co-counsel re same
7/1/2015	1.4	336.00	Review memo in opposition to motion for class certification to prepare for conference call to discuss the reply; draft memo regarding response to memo in opposition
7/1/2015	0.4	96.00	Conference call with litigation team to discuss next steps and reply supporting motion for class certification
7/2/2015	0.7	168.00	Attend settlement conference
7/2/2015	0.2	48.00	Email team regarding settlement conference and next steps
7/6/2015	0.6	144.00	Review and revise reply supporting class certification motion
7/8/2015	0.3	72.00	Review draft expert report and email co-counsel regarding same
7/15/2015	0.2	48.00	Email co-counsel regarding case strategy
7/22/2015	0.4	96.00	Review draft interrogatories requests for admissions and email co-counsel regarding same
7/30/2015	0.2	48.00	Emails with co-counsel regarding discovery of payment information
7/31/2015	0.1	24.00	Email co-counsel regarding class certification decision
8/2/2015	0.5	120.00	Compile materials to help prepare Ms. Ah Chong for deposition and email to C. Black
8/5/2015	0.3	72.00	Call with J. Hancock regarding Ms. Ah Chong deposition

8/6/2015	2.1	504.00	Meet with C. Black and Ms. Ah Chong to prepare for deposition
8/7/2015	0.8	192.00	Review and revise motion for summary judgment
8/7/2015	0.4	96.00	Review Defendant's motion for summary judgment and email co-counsel regarding same
8/14/2015	0.1	24.00	Email to C. Wong regarding MSJ hearing date
8/17/2015	0.1	24.00	Emails to P. Sheehey regarding preparing for deposition
8/19/2015	0.5	120.00	Conference call with A.C. Johnston and C. Black regarding McManaman deposition
8/21/2015	0.2	48.00	Email A.C. Johnston and J. Hancock regarding M. Hansen serving as expert
9/2/2015	0.5	120.00	Research and email to C. Wong and J. Hancock regarding housing requirements for children in foster care (e.g., separate rooms, etc.) (.3); Call with M. Hansen (.2)
9/15/2015	0.1	24.00	Email to co-counsel regarding J. Mauldon as expert adviser
10/30/2015	0.7	168.00	Research regarding difficulty of care payments and adjustments when child moves from one home to another; email co-counsel regarding same
11/20/2015	0.1	24.00	Email co-counsel regarding MSJ hearing prep
11/30/2015	1.0	240.00	Attend hearing on MSJ
11/30/2015	0.5	120.00	Phone conference with co-counsel (P. Alston, C. Black, A.C. Johnston, J. Kanada, J. Hancock) regarding MSJ hearing and traial strategy
12/9/2015	0.5	120.00	Research regarding age limits for board rate and email co-counsel regarding same
1/7/2016	0.3	72.00	Review MSJ Order
1/7/2016	0.8	192.00	Draft research memo on specifics of what is included in foster care maintenance payment cost categories, and email to co-counsel
1/11/2016	0.8	192.00	Confernce call with C. Black, P. Alston, A.C. Johnston, J. Hancock, J. Kanada, and C. Black regarding MSJ order
1/22/2016	0.2	48.00	Reivew and respond to email from C. Black regarding shelter costs
1/26/2016	0.2	48.00	Email to C. Black regarding outreach to foster parents and orgs, and raising settlement discussions
2/2/2016	1.0	240.00	Attend conf call with J. Kanada, C. Black, and J. Hancock regarding trial strategy
3/4/2016	0.1	24.00	Emails with team regarding postponing trial
3/16/2016	0.7	168.00	Contact foster parent K.D. regarding identifying class member/foster parent witnesses, email C. Black and P. Alston regarding same
3/20/2016	0.3	72.00	Emails with P. Alston, C. Black, and V. Geminiani regarding outreach to foster parents for information on expenditures
3/30/2016	0.7	168.00	Call with C. Black, A.C. Johnston, J. Kanada, and A. Hwang re Hansen expert report
5/23/2016	0.1	24.00	Emails with team regarding trial time

6/1/2016	0.8	192.00	Call with C. Black, P. Alston, A.C. Johnston, A. Hwang, J. Kanda, and J. Hancock regarding trial strategy
7/12/2016	0.2	48.00	Call with co-counsel to discuss pretrial deadlines
7/19/2016	0.3	72.00	Review and propose edits to settlement conference statement
7/21/2016	0.1	24.00	Review and respond to email fr J. Hancock regarding exhibits
7/21/2016	0.3	72.00	Emails reaching out to foster care orgs for addiitonal information on foster parent expenditures
7/26/2016	0.4	96.00	Research regarding transportation costs and email to C. Black re same
7/26/2016	1.4	336.00	Prep for and attend settlement conference (1.2); emails regarding settlement discussions (.2)
7/26/2016	0.5	120.00	Call with C. Black, A.C. Johnston, J. Kanada, and J. Hancock regarding settlement negotiations
7/28/2016	0.8	192.00	Calls with C. Black, A.C. Johnston, J. Hancock re settlement negotiations
7/28/2016	0.2	48.00	Emails with co-counsel regarding settlement discussions
7/29/2016	0.4	96.00	Review and edit demonstrative slide deck
8/22/2016	0.5	120.00	Confer with P. Alston, C. Black, J. Hancock, and J. Kanada regarding case strategy
8/8/2016	0.3	72.00	Research regarding alternative methods of quantifying shelter costs
8/9/2016	0.4	96.00	Calls with Ms. Ah Chong and Ms. Sheehey to arrange times to prep for trial; email to C. Black re same
8/10/2016	0.3	72.00	Call with Ms. Ah Chong regarding issue with licensing worker's recent contact; email C. Black regarding same
8/10/2016	1.6	384.00	Call with C. Black and Mr. and Mrs. Sheehey regarding trial testimony
8/11/2016	2.1	504.00	Meet with Ms. Ah Chong and C. Black regarding trial testimony
8/12/2016	0.9	216.00	Review and edit direct testimony for S. Dayton, S. Campagna, and R. Ah Chong
8/15/2016	0.7	168.00	Emails to C. Black and V. Geminiani regarding S. Chandler trial prep, and calls/discussions regarding same
8/15/2016	1.6	384.00	Attend hearing on motions in limine and final pretiral conference
8/15/2016	0.5	120.00	Call with co-counsel regarding trial prep
8/18/2016	0.3	72.00	Emails with co-counsel regarding settlement discussions
8/18/2016	0.2	48.00	Call with Ms. Ah Chong to update on settlement discussions and arrange for meeting with meeting with DHS Director
8/19/2016	4.7	1,128.00	Meet with C. Black, Ms. Ah Chong, and Ms. Campagna prior to settlement meeting with DHS director R. Wong and opposing counsel (.5), settlement discusions (2.5); review and revise settlement proposal and email C. Black re same (.3); work on analysis of settlement amounts/calculations and email C. Black regarding same (1.4)

8/20/2016	0.3	72.00	Emails to C. Black regarding settlement proposal
8/21/2016	0.2	48.00	Emails regarding settlement proposal
8/23/2016	2.8	672.00	Research on shelter costs and email co-counsel regarding same; (.6); prepare for and attend settlement conference (1.0); review objections to Ah Chong testimony and prep for trial reponse (.6); research and draft blurb for settlement proposal letter (.6)
8/24/2016	3.8	912.00	Call with C. Black regarding communications with Director R. Wong (.2); Calls with DHS Director R. Wong and opposing counsel regarding settlement (.4), emails to co-counsel regarding same (.2); calls with class reps to discuss settlement (.7); analysis of settlement amounts/calculations (2.4); memo to co-counsel regarding settlement positions (.8); emails to Mr. and Mrs. Sheehey regarding settlement (.3)
8/25/2016	5.6	1,344.00	discussion with C. Black regarding settlement (.7); meeting with co-counsel to discuss settlement proposal (1.0); calls with foster parents regarding settlement proposals (2.3); review and edit settlement terms and conduct calculations on settlement amounts and CPI adjustments and email co-counsel regarding same (.9); attend settlement conference with J. Chang (.4); email C. Black regarding settlement terms (.3)
8/26/2016	1.0	240.00	review emails from opposing counsel regarding settlement, email co-counsel regarding same (.4); appear to enter material terms of settlement on record (.2); calls to foster parents (.4)
TOTAL	175.4	42,096.00	

FEE TOTALS

Hours	175.4
Rate (all hours	$240.00
TOTAL	**$42,096.00**
4.712% tax	$1,983.56
TOTAL w/tax	$44,079.56

Firm Name: **Alston Hunt Floyd & Ing** Patricia Sheehey, et al. v. Pankaj Bhanot in his official capacity as director of HDHS

CV13-00663 LEK-KSC

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
11/11/2013	CWB	edit/analyze draft foster care complaint (.6) and analyze statutory provisions cited (.6)	1.20	270.00	
11/12/2013	CWB	preliminary research re foster litigation in other states (incl CA, WA, NY, MO, RI, OK, AK, IN) (.9); analysis of federal child welfare act (CWA) and HDHS website and regulations relating to foster care maintenance payments (.6); email to P. Alston re foster care litigation in other states (.2)	1.70	382.50	
11/14/2013	CWB	review edits to complaint (.3); research re eligibility of foster parents for foster care maintenance payments (.6)	0.90	202.50	
11/20/2013	CWB	emails (5) to and from legal team (AHFI, LEJ, MoFo) re complaint allegations	0.30	67.50	
11/21/2013	CWB	review/analyze revised LEJ draft of foster care complaint (.4); review/analyze A.C. Johnston edits and comments to draft complaint (.3); call with A.C. Johnston, B. DePuy, P. Alston and G. Thornton ("legal team") re foster care complaints (0.7); emails (8) with legal team re allegations in support of claims (.5); revise federal complaint (.6)	2.50	562.50	
11/24/2013	CWB	analyze publicly available HDHS foster care annual summaries for additional complaint allegations (.9); email to A.C. Johnston, P. Alston re same (.1); analyze edits and revisions to federal complaint (.1)	1.10	247.50	
11/25/2013	CWB	emails (4) re draft foster care complaint (.3); review press release and emails (5) re same (.8)	1.10	247.50	
12/2/2013	PA	review and respond to email re retainer agreement	0.20	139.00	
12/2/2013	CWB	prepare pro hac vice application for B. DePuy and A.C. Johnston (.3); revise federal complaint (1.2)	1.50	337.50	
12/3/2013	PA	finalize complaint (.2); emails from and to C. Black (.2); email to J. Kelleher re complaint (.2); attend conference (.3); telephone call to client R. Ah Chong (.4)	1.30	903.50	
12/3/2013	CWB	revise/finalize complaint for filing (1.5); discussion with P. Alston re complaint allegations (.3); email to M. Allison at LEJ re filed complaint (.1)	1.90	427.50	
12/6/2013	PA	review complaint and order setting rule 16 scheduling conference	0.10	69.50	
12/6/2013	KKMG	review complaint (.1) and initiate pleadings file (.1)	0.20	25.00	
12/8/2013	PA	emails (2) re call from foster parent and to C. Black re follow up (.1); emails with P. Epler re inquiry about lawsuit (.1)	0.20	139.00	
12/9/2013	PA	emails from and to G. Thornton re interview of potential plaintiff	0.20	139.00	
12/9/2013	CWB	emails (2) to and from G. Thornton re additional named plaintiffs (.2); review pro hac vice notices from court (.1); analysis of research re claims relating to foster care maintenance payments asserted against other states (1.8)	2.10	472.50	
12/10/2013	CWB	review Defendant (HDHS) statements of no position to motion for pro hac vice (.1)	0.10	22.50	
12/11/2013	JBR	review defendant's statements of no opposition to pro hac motions	0.10	22.00	
12/11/2013	CWB	emails to and from Court re pro hac vice order (.2 NO CHARGE FOR COMMUNICATION WITH COURT); review and revise pro hac vice orders for transmittal to court (.2); follow up with G. Thornton about potential named plaintiffs and foster care system issues (.2); email to J. Molay, Esq. (Deputy AG) re proposed orders granting pro hac vice (.1)	0.50	112.50	0.20
12/12/2013	CWB	review defendant's notices of appearance	0.20	45.00	
12/13/2013	CWB	review and respond to email from defense counsel J. Molay requesting case meeting (.1); emails (5) to and from legal team (MoFo, LEJ and AHFI) discussing case meeting with defendants (.4); research re legislative session minutes and analyze discussions re foster care maintenance payment rates in same (1.2)	1.70	382.50	
12/14/2013	PA	review plaintiff's applications to appear pro hac vice re A.C. Johnston and B. Depuy (.1); review defendant Patricia McManaman's statements of no opposition to motion for pro hac vice of A.C. Johnston and B. DePuy (.1); review notice of appearance of counsel for defendant Patricia McManaman (.1); emails from and to G. Thornton re email from J. Molay re meeting of parties (.1)	0.40	278.00	
12/16/2013	PA	review orders granting application to appear pro hac vice re B. Depuy and A.C. Johnston; emails from and to G. Thornton re scheduling hearing prep meeting	0.10	69.50	
12/17/2013	PA	emails from and to G. Thornton re case strategy discussion	0.20	139.00	
12/17/2013	CWB	emails (5) with legal team (AHFI, LEJ, MoFo) re case meeting with defense counsel	0.20	45.00	
12/19/2013	CWB	prepare for and participate in telephone conf w/A.C. Johnston, B. DePuy, G. Thornton, V. Geminiani and P. Alston re upcoming case meeting with defendants (1.0); outline Rule 26(f) conference checklist items (.5); emails to and from G. Thornton re case status and upcoming meeting with defendants (.3)	1.80	405.00	
12/20/2013	CWB	prepare for and meet w/defense counsel regarding case status and relief sought (.5); conference with A.C. Johnston, B. DePuy, P. Alston, V. Geminiani, G. Thornton re same (.3)	0.80	180.00	
12/24/2013	CWB	review/analyze Defendant's answer and compare to statements in HDHS budget request to governor relating to foster care	1.10	247.50	
12/26/2013	PA	emails from and to C. Black re HDHS budget and proposed foster care board rates	0.20	139.00	
12/26/2013	CWB	prepare email analysis to legal team re HDHS answer to complaint compared to statements (admissions) in budget request relating to foster care payments	0.60	135.00	
12/27/2013	PA	review and analyze defendant's answer to complaint	0.20	139.00	
1/2/2014	JBR	work on obtaining additional named plaintiff	0.10	22.00	
1/2/2014	CWB	emails to: B. Rogers re potential named plaintiff	0.10	22.50	
1/6/2014	CWB	research and analysis of additional potential claims on behalf of foster families	2.00	450.00	
1/10/2014	CWB	email to B. DePuy re potential experts and expert analysis	0.10	22.50	
1/13/2014	PA	emails from and to B. DePuy re potential expert witness	0.20	139.00	
1/14/2014	JBR	email to potential additional named plaintiff re conference with C. Black	0.10	22.00	
1/15/2014	PA	emails from and to C. Eads (AHFI) re bill to increase payments to foster parents	0.20	139.00	

EXHIBIT D

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
1/15/2014	CWB	emails (2) to G. Thornton re potential additional named plaintiff	0.20	45.00	
1/17/2014	PA	emails from and to G. Thornton re potential expert witness	0.20	139.00	
1/21/2014	PA	emails from and to G. Thornton re P. Brewbaker (economist expert)	0.10	69.50	
1/27/2014	PA	emails from and to G. Thornton re rule 16 meeting of the parties (.1); email to C. Black re same (.1); telephone call to J. Molay (.1); review email from Fern Ann Grether re requests for admissions and interrogatories (.1)	0.40	278.00	
2/3/2014	PA	emails from and to G. Thornton re email from A.C. Johnson re draft expert engagement letter and preparation for Rule 26(f) conference (.1); emails from and to A.C. Johnston re scope of work (.1)	0.20	139.00	
2/7/2014	CWB	prepare for and attend meeting of the parties (.7); emails from G. Thornton and B. DePuy re meeting of the parties and outline re same (.3);review/analyze draft discovery requests (.5)	1.50	337.50	
2/11/2014	CWB	review/analyze defendant's motions for stay of case and to shorten time and supporting declarations	0.40	90.00	
2/12/2014	PA	emails from and to G. Thornton re DHS report on maintenance payments and testimony to experts	0.20	139.00	
2/12/2014	CWB	prepare for status conference (.5) and email to P. Alston re issues relating to stay of case (.1); attend status conference before Judge Chang re stay of case (.3); research/analyze case law re stay when legislation pending (.4); email from G. Thornton re relevant bills in legislature and past DHS testimony (.2)	1.50	337.50	
2/14/2014	PA	emails from and to G. Thornton re email from B. DePuy and comments to the 26(f) report and request for extension re initial disclosures	0.30	208.50	
2/14/2014	CWB	analyze edits (2 versions) to 26(f) report (.3); multiple emails (6) re next steps and initial disclosure deadline extension (.2)	0.50	112.50	
2/18/2014	JBR	review and analyze defendant's motion to stay	0.10	22.00	
2/18/2014	PA	emails from and to G. Thornton re meeting with potential plaintiff	0.20	139.00	
2/19/2014	PA	emails from and to Brittany DePuy re engagement letters for experts (.1); review and execute letters (.1)	0.20	139.00	
2/19/2014	KKMG	work on draft rule 26.1 report of the meeting of parties and review rule re same for compliance	0.30	37.50	
2/19/2014	CWB	call with legal team re next steps and strategy (.8); revise/edit 26(f) report for filing (.7), emails to K. Guadagno re same (.1); call to State AG's office re extension for initial disclosures (.1); review Ah Chong UIPA requests and discussion w/P. Alston re same (.5)	2.20	495.00	
2/20/2014	PA	emails from and to B. DePuy re follow up on expert engagement letters (.1); emails from and to G. Thornton re litigation strategy (.2)	0.30	208.50	
2/21/2014	PA	emails from and to G. Thornton re Ah Chong as class representative (.2); review and respond to multiple emails from A.C. Johnston re comments to plaintiffs' scheduling conference statement (.2)	0.40	278.00	
2/21/2014	CWB	review/revise scheduling conference statement	0.60	135.00	
2/22/2014	PA	review defendants' motion for stay of case (.1); review order re status conference re defendant's motion to stay case (.1); emails from and to G. Thornton re email from R.F. re class action claims (.2)	0.40	278.00	
2/23/2014	PA	emails from and to G. Thornton re information re potential class representative	0.20	139.00	
2/24/2014	PA	emails from and to G. Thornton re opposition to defendant's motion for stay (.1); review and revise opposition (.3); emails from and to G. Thornton re declaration and suggested revisions to the brief (.1); emails from and to B. DePuy re cite-checking the brief (.1)	0.60	417.00	
2/24/2014	CWB	file scheduling conference statement (.1 NO CHARGE FOR FILING DOCUMENT); revise and edit opposition to motion for stay (1.4)	1.40	315.00	0.10
2/25/2014	PA	finalize retainer agreement (.1); emails from and to G. Thornton re meeting with class representatives (.1); emails from and to A.C. Johnson re deadline re defendant's answer (.2); email to J. Molay re stipulation to amend complaint (.1); telephone call to Sheehey clients (.1); conference with P. and P. Sheehey re lawsuit (.5)	1.10	764.50	
2/25/2014	CWB	revise/finalize opposition to DHS stay motion (1.3); email to G. Thornton re complaint and amendment to same (.2); email R. Patrocinio re Ah Chong retainer (.1); review/analyze HDHS publicly-available documents relating to foster care maintenance payments and Title IV-E program (1.1)	2.70	607.50	
2/26/2014	PA	emails from and to J. Molay re proposed stipulation to amend complaint (.2); emails from and to A.C. Johnston re suggestions to amended complaint (.3); emails from and to Patrick Sheehey re retainer agreement (.1); emails from and to G. Thornton re draft stipulation to amend (.2); review and revise stipulation (.2); emails from and to D. Barbata re additional class representatives and objections to Ah Chong (.1); emails from and to J. Molay re Ah Chong's standing (.1)	1.20	834.00	
2/27/2014	PA	emails from and to J. Molay re motion to amend complaint re Ah Chong and motion to shorten time (.1); emails from and to A.C. Johnston re motion to amend (.2); emails from and to G. Thornton re initial disclosures (.1); emails from and to D. Barbata re confirmation of class representatives and request for status conference (.1); multiple emails from and to A.C. Johnston re hearing on motions (.2); email to D. Barbata and J. Molay re status conference (.1); emails from and to J. Hancock re draft motion to amend (.1); emails from and to R. Ah Chong re DHS clothing voucher (.1)	1.00	695.00	
2/27/2014	CWB	review/revise draft initial disclosures (.3) and emails (3) from G. Thornton and P. Alston re same (.1); review/revise draft motion to amend complaint (.5)	0.90	202.50	
2/28/2014	PA	review notice of hearing on motion to dismiss (.2); prepare for and attend status conference with Judge Chang (.4); telephone call to A. C. Johnston (.2)	0.80	556.00	
2/28/2014	KYPA	attend and provide follow up re status conference on HDHS motion to dismiss for lack of standing and plaintiffs motion to amend complaint (.8); formulate strategy re motion to certify class (.9)	1.70	297.50	
3/1/2014	PA	email to C. Black and G. Thornton re research re legal linkage between the program that is covered by the CWA and other programs the State operates using the same stipends (.1); emails from and to G. Thornton re follow up on research (,.2)	0.30	208.50	
3/3/2014	PA	emails from and to G. Thornton re hearing on motion to stay	0.10	69.50	
3/4/2014	PA	review plaintiffs' memorandum of points and authorities in opposition to defendant's motion for stay of case	0.20	139.00	
3/4/2014	CWB	review/analyze defendant's reply re motion to stay case (.2), outline related issues and responses to same (.3)	0.50	112.50	
3/5/2014	PA	review defendant's reply in support of motion to stay (.1); emails from and to A.C. Johnston re motion to amend (.1)	0.20	139.00	
3/5/2014	CWB	revise motion to amend complaint	0.70	157.50	
3/6/2014	PA	review defendant's initial disclosures (.1); emails from and to A.C. Johnston re Paul Brewbaker's draft report (.1); telephone conference with A.C. Johnston (.2)	0.40	278.00	
3/6/2014	SWL	work on downloading of 32 pdf documents re Initial Disclosure from Morrison & Foerster LLP 'MCMANAMAN/HSDHS-0000001' extranet site in preparation for attorney review for document production	0.40	20.00	
3/6/2014	KKMG	multiple discussions with C. Black and S. Lee re production of initial disclosure documents	0.20	25.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
3/6/2014	CWB	revise initial disclosures for filing 3/7 (.6), review/analyze initial disclosure documents (.6); emails (5) to legal team re draft expert report (.2); call with A.C. Johnston, P. Alston re draft expert report (.2)	1.60	360.00	
3/7/2014	PA	review plaintiffs' initial disclosure	0.20	139.00	
3/7/2014	CWB	finalize initial disclosures ((.4); edit.revise motion for leave to file amended complaint and memorandum in support (1.8)	2.20	495.00	
3/9/2014	PA	telephone calls to and from R. Ah Chong	0.20	139.00	
3/10/2014	PA	emails from and to C. Black re first amended complaint (.1); review and revise complaint (.2); emails from and to G. Thornton re discussion with expert economist P. Brewbaker (.2); emails from and to C. Black re hearing (.1); work on issues regarding class certification and standing (.3)	0.90	625.50	
3/10/2014	CWB	edit/revise opposition to Defendant's motion to dismiss	1.60	360.00	
3/11/2014	PA	review plaintiffs' memorandum in opposition to defendant's motion to dismiss (.2); review plaintiffs' cross-motion for leave to file first amended complaint (.2); prepare for and attend hearing on motion to stay (.5); telephone call to expert (P. Brewbaker) (.2)	1.10	764.50	
3/11/2014	JECO	research foster care maintenance payment rate applicable federal and state statutes and regulations and requirements for eligibility	2.60	325.00	
3/11/2014	CWB	email to A. Abouzari re foster care maintenance payment rates and case background (.3); research/analysis re potential preliminary injunction motion (2.6)	2.90	652.50	
3/12/2014	JECO	research foster care maintenance payment rate applicable federal and state statutes and requirements for eligibility	7.70	962.50	
3/13/2014	JECO	research 1996 eligibility guidelines for AFDC (.7); research in 1996 archives at the Supreme Court Law Library (3.1); research and analyze relationship between 1996 eligibility criteria and current class size (4.3)	8.10	1,012.50	
3/13/2014	CWB	strategize with J. Cooney re class definition and eligibility requirements for putative federal class (.3); research re potential adoption assistance state claims (2.1)	2.40	540.00	
3/14/2014	JECO	research in 1996 archives at the Supreme Court Law Library (1.1); draft analysis of research results (2.1); discuss results and next steps with C. Black (.6)	3.80	475.00	
3/15/2014	PA	review order re defendant's motion for stay	0.20	139.00	
3/17/2014	CWB	evaluate Defendant's reply re motion to dismiss and outline points and responses	0.50	112.50	
3/18/2014	JECO	research relevant state and federal statutes and regulations on adoption assistance payments and permanency assistance payments	0.50	62.50	
3/18/2014	PA	review defendant's reply in support of motion to dismiss and opposition to plaintiff's cross-motion for leave to file first amended complaint	0.20	139.00	
3/19/2014	JECO	meet with C. Black to discuss status of expanding class (.3); research the Tucker Act (1.5); research re sovereign immunity and private right of action (1.0)	2.80	350.00	
3/19/2014	CWB	discussion with A. Abouzari re preliminary injunction and class certification (.2); email to A. Abouzari re other foster litigation (CH Payne) (.2); research re potential federal claims relating to adoption assistance (1.4)	1.80	405.00	
3/21/2014	CWB	review and revise reply brief in support of motion to amend complaint (1.6); analysis of case law re same (.3)	1.90	427.50	
3/24/2014	PA	emails from and to C. Black re reply in support of cross-motion to file first amended complaint (.1); review and revise reply (.2); email to co-counsel re first draft of complaint (.1)	0.40	278.00	
3/24/2014	CWB	incorporate P. Alston edits and revise reply brief, declarations, and exhibits in support of motion to amend complaint (3.0); supervise filing re same (.2 NO CHARGE)	3.00	675.00	0.20
3/25/2014	PA	review reply in support of plaintiffs' cross-motion for leave to file first amended complaint	0.20	139.00	
3/25/2014	CWB	email P. Alston re foster children advocacy groups (.1) and research re same for potential additional experts (1.2)	1.30	292.50	
3/26/2014	PA	email to C. Black re allegations re standing of the class representatives	0.20	139.00	
3/27/2014	PA	emails from and to F.G. re Craigslist ad recruiting potential foster parents (.1); email to C. Black re same (.1)	0.20	139.00	
3/28/2014	KECA	finalize FOIA request for HDHS documents relating to foster care maintenance payments	0.30	55.50	
3/28/2014	PA	emails from and to A.C. Johnston re notice of withdrawal of B. DePuy (.1); emails from and to G. Thornton re argument at hearing (.2)	0.30	208.50	
3/28/2014	CWB	review/evaluate authorities cited in pleadings for leave to amend and motion to dismiss complaint in preparation for hearing before Judge Kobayashi	3.20	720.00	
3/30/2014	CWB	continue preparation for hearing before Judge Kobayashi on two motions: Plaintiffs' motion to amend complaint and HDHS motion to dismiss	3.50	787.50	
3/31/2014	CWB	prepare for (1.8) and attend (.5) hearing before Judge Kobayashi on motion to dismiss and motion for leave to amend complaint; conference with P. Alston re same (.1); email to A.C. Johnston, J. Kanada, J. Hancock, G. Thornton, P. Alston re hearing (.2); research re Child Welfare Act requirements, case law interpreting same, relevant federal regulations and guidance (2.4) in order to revise first amended complaint (.8)	5.80	1,305.00	
4/1/2014	CWB	finalize pro hac vice application and notice of appearance re J. Kanada (.3); evaluate/analyze voluminous foster care maintenance rate reports and methodologies from multiple jurisdictions (2.2); research re foster care maintenance rate covered costs enumerated in Child Welfare Act (1.1); analysis/comment re P. Brewbaker report on foster care maintenance rates (1.2)	4.80	1,080.00	
4/2/2014	CWB	analyze cost factors enumerated in CWA as compared to state statutes and foster rate methodologies employed in other jurisdictions (2.1); additional comments re P. Brewbaker draft analysis of Hawai`i foster care maintenance rates (1.5); research re adoption assistance, permanency assistance, and federal Title IV-E funds received by HDHS historically (.9); continue drafting first amended complaint (.8)	5.30	1,192.50	
4/3/2014	PA	review notice of withdrawal of co-counsel B. Depuy (.1); review order re defendants' motion to dismiss and plaintiffs' cross motion for leave to file first amended complaint taken under submission (.1); review defendants' statement of no opposition as to motion for pro hac vice of J. Kanada (.1); review notice of further hearing on defendant's motion for stay of case (.1); emails from and to C. Black re Brewbaker report, review and revise complaint and report (.3)	0.70	486.50	
4/3/2014	CWB	comments re Brewbaker report (1.3); revise first amended complaint (1.1); strategize with P. Alston re complaint (.3) and email to legal team (AHFI, LEJ, MoFo) re Brewbaker report and first amended complaint (.1)	2.80	630.00	
4/4/2014	JBR	review order granting motion to dismiss and denying motion for leave to amend	0.20	44.00	
4/4/2014	CWB	research/draft email analysis to team (AHFI, LEJ and MoFo) re adoption assistance claims	1.20	270.00	
4/6/2014	PA	emails from and to C. Black re Sheeheys and status and strategy (.1); emails from and to A.C. Johnston re issues relating to Ah Chong as Plaintiff (.1)	0.20	139.00	
4/8/2014	JECO	gather and analyze authority in other jurisdictions regarding cases challenging foster care maintenance payment rates (4.2); draft chart of each case and relevant facts from each case (1.1)	5.30	662.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
4/8/2014	CWB	review and revise proposed order re pro hac vice admission for J. Kanada	0.20	45.00	
4/9/2014	JECO	review and evaluate Complaint to determine what specific allegations should be added based on similar cases brought in other jurisdictions	3.40	425.00	
4/10/2014	JECO	gather and analyze cases discussing claims against state for failing to comply with provisions of the Child Welfare Act	5.00	625.00	
4/11/2014	JECO	gather and draft analysis of authority in other jurisdictions allowing children to be plaintiffs in cases challenging foster care maintenance payment rates and alleging breach of contract for a state's failure to comply with provisions of the Child Welfare Act	3.20	400.00	
4/16/2014	CWB	review and analyze Ah Chong documents with respect to additional class complaint allegations and HDHS publicly available materials for allegations re defendant's conduct	1.80	405.00	
4/21/2014	CWB	further research re adoption assistance and permanency assistance claims in first amended complaint (1.1); further analysis re Brewbaker report and other jurisdictions' methodologies and litigation regarding foster care maintenance rates (.8)	1.90	427.50	
4/22/2014	JECO	prepare for (.9) and participate in (1.0) phone call with counsel from Hawaii Appleseed Center for Law and Economic Justice and Morrison Foerster to discuss working draft of federal Amended Complaint	1.90	237.50	
4/22/2014	PA	emails from and to C. Black re additional information re amended complaint (.1); telephone conference with co-counsel re complaint (.1)	0.20	139.00	
4/22/2014	CWB	conference call w/legal team re amended complaint (.4); research re federal Title IV-E funds received by State of Hawai`i (.3)	0.70	157.50	
4/22/2014	CWB	research and circulate to legal team (LEJ, MoFo, AHFI) information re plaintiff subclasses and numerosity and statutory/administrative authority for periodic review of foster care maintenance rates (.9); research/analysis re budget bill and state appropriations vs. fed reimbursements for foster care maintenance rate increase (1.3)	2.20	495.00	
4/24/2014	JECO	determine when law increasing age children may remain in foster care to 21 becomes effective and parameters of law (.7); identify potential foster care provider plaintiffs for litigation re insufficient foster care maintenance payments (1.4)	2.10	262.50	
4/25/2014	JECO	continue work on identifying potential foster care provider plaintiffs for claims re insufficient foster care maintenance payments	1.40	175.00	
4/25/2014	PA	emails from and to G. Thornton re helpful development for Ms. Ah Chong's standing	0.10	69.50	
4/28/2014	JECO	continue work re identifying potential foster care provider plaintiffs for claims re insufficient foster care maintenance payments	2.90	362.50	
4/29/2014	JECO	prepare for (.2) and participate in (.5) phone call with co-counsel from Hawaii Appleseed Center for Law and Economic Justice and Morrison Foerster to discuss final version of federal Amended Complaint	0.70	87.50	
4/29/2014	PA	emails from and to G. Thornton re appropriate figures in conference committee report (.1); conference with C. Black re jury issues (.1)	0.20	139.00	
4/29/2014	CWB	conference call with LEJ/MoFo team re amended complaint (.5); review G. Thornton and J. Kanada edits to amended complaint and revise same (.8); review foster care rate increase budget appropriation and legislative committee reports re HB 1700 (budget bill) regarding foster care rates (.7); analyze University of Hawai`i report on foster care maintenance rate increases and so-called "methodology" (.9)	2.90	652.50	
4/30/2014	CWB	coordinate revisions to first amended complaint from LEJ/MoFo team to edit/finalize FAC	2.40	540.00	
5/1/2014	PA	email to C. Black re class representatives (.1); review and respond to email from G. Thornton re comments to first amended complaint (.1)	0.20	139.00	
5/1/2014	CWB	calls to foster club and research re foster childrens' organizations for potential plaintiffs and witnesses	1.40	315.00	
5/7/2014	CWB	draft supplemental scheduling conference statement (.9); circulate, incorporate revisions (.5); finalize and coordinate filing (.2 NO CHARGE FOR FILING)	1.40	315.00	0.20
5/14/2014	PA	emails from and to C. Black re report on the hearing re motion to stay, informal scheduling conference held, the removal of R. Ah Chong from the complaint and discovery issues and follow up call	0.20	139.00	
5/14/2014	CWB	review and analyze defendants' motion to dismiss Ms. Ah Chong (.6); research re same (1.5); prepare for (.7) and attend (.4) further hearing on motion to stay; request re transcript/recording of hearing to prepare order (.1); email summary analysis to team re hearing and set up conference call re next steps (.3)	3.60	810.00	
5/15/2014	ARYA	evaluate 9th Circuit authority re claims for inadequate foster care maintenance payment rates (1.1NO CHARGE)	0.00	0.00	1.10
5/15/2014	ARYA	analyze opinion in California State Foster Parent Association v Wagner re claims for inadequate foster care maintenance rates (1.3NO CHARGE)		0.00	1.30
5/15/2014	ARYA	evaluate applicable federal authority governing foster care maintenance rates (1.1 NO CHARGE)		0.00	1.10
5/15/2014	ARYA	analyze opinion of Southern District Court of Indiana in CH v Payne re claims for inadequate foster care maintenance rates (1.3 NO CHARGE)		0.00	1.30
5/15/2014	ARYA	evaluate opinion of Southern District Court of Indiana in CH v Payne re claim for preliminary injunction of foster care maintenance rates (.9 NO CHARGE)		0.00	0.90
5/19/2014	ARYA	further analyze opinion in CH v Payne re request for preliminary injunction related to foster care maintenance payments claims (1.0 NO CHARGE)		0.00	1.00
5/19/2014	ARYA	evaluate provisions of Hawaii Revised Statutes related to obligations under the Child Welfare Act (.9 NO CHARGE)		0.00	0.90
5/19/2014	ARYA	analyze provisions of Title IV-E of the Social Security Act re requirements of the Child Welfare Act (.7 NO CHARGE)		0.00	0.70
5/19/2014	ARYA	analyze Hawaii Administrative Rules re requirements under Child Welfare Act program (1.0 NO CHARGE)		0.00	1.00
5/19/2014	ARYA	evaluate applicable case law re requirements of the Child Welfare Act (.9 NO CHARGE)		0.00	0.90
5/19/2014	ARYA	evaluate Ninth Circuit opinion in California Alliance of Child and Family Services v Allenby re foster care maintenance payments under the Child Welfare Act (.9 NO CHARGE)		0.00	0.90
5/19/2014	ARYA	analyze Ninth Circuit opinion in California State Foster Parent Association v Wagner re foster care maintenance payments under the Child Welfare Act (.9 NO CHARGE)		0.00	0.90
5/19/2014	ARYA	evaluate opinion in Missouri Child Care Association v Martin re foster care maintenance payments under the Child Welfare Act (1.1 NO CHARGE)		0.00	1.10
5/19/2014	ARYA	analyze district court opinion in California State Foster Parent Association v Wagner (.8 NO CHARGE)		0.00	0.80
5/19/2014	CWB	email from J. Molay re meet and confer (.1); emails to G. Thornton and A.C. Johnston re same (.1)	0.20	45.00	
5/20/2014	PA	review: defendant's motion to dismiss plaintiff Raynette Ah Chong from first amended complaint; order re further hearing on defendant's motion for stay of case; defendant's second scheduling conference statement; and plaintiffs' supplemental scheduling conference statement	0.10	69.50	
5/20/2014	ARYA	analyze opinion in CH v Payne re request for preliminary injunction related to foster care maintenance payments (1.1 NO CHARGE)		0.00	1.10
5/20/2014	ARYA	evaluate opinion in Connor v Patrick re foster care maintenance payment requirements under Child Welfare Act (1.1 NO CHARGE)		0.00	1.00
5/20/2014	ARYA	analyze opinion in Midwest Foster Care and Adoption Association v Kincade re requirements under the Child Welfare Act (.9 NO CHARGE)		0.00	0.90

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
5/20/2014	ARYA	evaluate opinion in Cassie M v Chafee re state requirements under the Child Welfare Act (.8 NO CHARGE)		0.00	0.80
5/20/2014	ARYA	evaluate opinion of California District Court in California State Foster Parent Association v Lightbourne re foster care maintenance payments (1.2 NO CHARGE)		0.00	1.20
5/20/2014	ARYA	analyze California District Court opinion in California State Foster Parent Association v Wagner re requirements under the Child Welfare Act (.9 NO CHARGE)		0.00	0.90
5/20/2014	ARYA	draft outline for memorandum in support of motion for preliminary injunction (1.4 NO CHARGE)		0.00	1.40
5/20/2014	ARYA	draft arguments for memorandum in support of motion for preliminary injunction (1.2 NO CHARGE)		0.00	1.20
5/20/2014	CWB	call with MoFo and LEJ team re next steps and proposed discovery (.8); email to opposing counsel J. Molay re meet and confer (.1); review HDHS documents and filed reports for information regarding Title VI-E foster families for class certification (1.2)	2.10	472.50	
5/21/2014	ARYA	revise outline for memorandum in support of motion for preliminary injunction (1.1 NO CHARGE)		0.00	1.10
5/21/2014	ARYA	evaluate Hawaii Administrative Rules re foster care maintenance payments and permanency assistance payments (1.2 NO CHARGE)		0.00	1.20
5/21/2014	ARYA	analyze requirements of Title IV-E of the Social Security Act for adoption assistance payments (.9 NO CHARGE)		0.00	0.90
5/21/2014	ARYA	evaluate opinion in Foster Parents Association of Washington State v Dreyfus re requirements under Child Welfare Act (.9 NO CHARGE)		0.00	0.90
5/21/2014	ARYA	analyze opinion in Dwayne B v Granholm re requirements under the Child Welfare Act (1. NO CHARGE)		0.00	1.00
5/21/2014	ARYA	evaluate opinion in ASW v Oregon re foster care maintenance payments (.9 NO CHARGE)		0.00	0.90
5/21/2014	ARYA	analyze Ninth Circuit opinion in Alliance for the Wild Rockies v Cottrell re standard for preliminary injunction (.4 NO CHARGE)		0.00	0.40
5/21/2014	ARYA	revise argument re standard for preliminary injunction (1.1 NO CHARGE)		0.00	1.10
5/21/2014	ARYA	evaluate opinion of United States Supreme Court in Winter v Natural Resources Defense Council, Inc re standard for preliminary injunction (.3 NO CHARGE)		0.00	0.30
5/21/2014	ARYA	evaluate Ninth Circuit opinion in Perfect 10, Inc v Amazon, Inc re standard for preliminary injunction (.3 NO CHARGE)		0.00	0.30
5/21/2014	CWB	review/analyze G. Thornton draft discovery requests	0.50	112.50	
5/22/2014	ARYA	write memorandum in support of motion for preliminary injunction re why plaintiffs are likely to succeed on the merits (1.4 NO CHARGE)		0.00	1.40
5/22/2014	ARYA	write memorandum in support of motion for preliminary injunction re federal statutory scheme governing foster care maintenance payments (1.8 NO CHARGE)		0.00	1.80
5/22/2014	ARYA	write memorandum in support of motion for preliminary injunction re federal statutory scheme governing adoption assistance payments (1.1 NO CHARGE)		0.00	1.10
5/22/2014	ARYA	write memorandum in support of motion for preliminary injunction re state requirements for permanency assistance payments (1.2 NO CHARGE)		0.00	1.20
5/22/2014	ARYA	write memorandum in support of motion for preliminary injunction re Ninth Circuit case law related to foster care maintenance payments (1.6 NO CHARGE)		0.00	1.60
5/22/2014	ARYA	write memorandum in support of motion for preliminary injunction re waiver of bond requirement (.9 NO CHARGE)		0.00	0.90
5/22/2014	PA	emails from and to C. Black re status conference	0.10	69.50	
5/22/2014	CWB	emails (4) to and from A.C. Johnston summarizing documentation of HDHS expense categories and proposed revised payment amounts (.5); call with MoFo team re: discovery scope and meet and confer with defendant's counsel (.4); meeting with defendant's counsel re scope of discovery (.3); follow up call with MoFo team and G. Thornton re discovery next steps (.2)	1.40	315.00	
5/23/2014	ARYA	write memorandum in support of motion for preliminary injunction re arguments related to Plaintiffs' likely success on the merits (1.3 NO CHARGE)		0.00	1.30
5/23/2014	ARYA	write memorandum in support of motion for preliminary injunction re case law related to claims for insufficient foster care maintenance payments (1.1 NO CHARGE)		0.00	1.10
5/23/2014	CWB	draft narrow discovery requests to HDHS	1.60	360.00	
5/24/2014	CWB	revise and edit discovery requests to HDHS (2.2); review/analyze HDHS filings relating to foster care services for inclusion of language/substance in discovery requests (.8); email to G. Thornton re discovery (.1)	3.10	697.50	
5/26/2014	CWB	further revisions to written discovery requests (interrogatories and document requests) (.8); review HDHS testimony to legislature re additional payments to foster families (.4) (1.2 NO CHARGE)		0.00	1.20
5/27/2014	ARYA	evaluate Hawaii Administrative Rules governing foster care maintenance payments (.5 NO CHARGE)		0.00	0.50
5/27/2014	ARYA	analyze Hawaii Administrative Rules governing permanency assistance payments (.9 NO CHARGE)		0.00	0.90
5/27/2014	ARYA	analyze California District Court opinion in California State Foster Parent Association v Wagner re methodology for calculating foster care maintenance payments (1.1 NO CHARGE)		0.00	1.10
5/27/2014	ARYA	evaluate Ninth Circuit opinion in California Alliance of Child and Family Services re methodology for calculating foster care maintenance payments (.8 NO CHARGE)		0.00	0.80
5/27/2014	ARYA	evaluate Title IV-E of the Social Security Act re methodology for calculating foster care maintenance payments (.7 NO CHARGE)		0.00	0.70
5/27/2014	ARYA	write fact section for Memorandum in Support of Preliminary Injunction (1.3 NO CHARGE)		0.00	1.30
5/27/2014	CWB	conference with M. Holden (guardian ad litem) re potential foster plaintiffs	0.30	67.50	
5/28/2014	PA	emails from and to C. Black re first set of interrogatories and request for production of documents to McManaman (.1); work on discovery (.2)	0.30	208.50	
5/28/2014	ARYA	revise and write fact section for Memorandum in Support of Preliminary Injunction (.6 NO CHARGE)		0.00	0.60
5/28/2014	ARYA	write argument section re inadequate costs for Memorandum in Support of Preliminary Injunction (1.1 NO CHARGE)		0.00	1.10
5/28/2014	ARYA	write argument section re failure to employ rate-setting methodology that calculates statutory costs for Memorandum in Support of Preliminary Injunction (1.4 NO CHARGE)		0.00	1.40
5/28/2014	ARYA	write argument re failure to periodically update costs for Memorandum in Support of Preliminary Injunction (1.1 NO CHARGE)		0.00	1.10
5/28/2014	ARYA	revise and write argument re bond waiver for Memorandum in Support of Preliminary Injunction (.6 NO CHARGE)		0.00	0.60
5/28/2014	ARYA	revise and write arguments for Memorandum in Support of Motion for Preliminary Injunction (.7 NO CHARGE)		0.00	0.70
5/28/2014	CWB	review opposition to HDHS motion to dismiss (.4); discuss draft discovery requests with P. Alston (.1); forward P. Alston edits to discovery requests to team and follow up on questions (.2)	0.70	157.50	
5/29/2014	MIHO	confer with C. Black regarding foster care plaintiffs	0.10	17.50	
5/29/2014	KAL	update, finalize and execute plaintiffs' request for production of documents to defendant and plaintiffs' request for answers to interrogatories to defendant	0.90	112.50	
5/29/2014	ARYA	write section for Memorandum in Support of Preliminary Injunction re irreparable harm (1.4 NO CHARGE)		0.00	1.40

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
5/29/2014	ARYA	write section of Memorandum in Support of Preliminary Injunction re balance of equities and public interest (1.3 NO CHARGE)		0.00	1.30
5/29/2014	ARYA	write and revise arguments for Memorandum in Support of Preliminary Injunction re rate-setting methodology (1.1 NO CHARGE)		0.00	1.10
5/29/2014	ARYA	write introduction for Memorandum in Support of Preliminary Injunction (1.2 NO CHARGE)		0.00	1.20
5/29/2014	ARYA	revise and write Memorandum in Support of Preliminary Injunction re basis for preliminary injunction (.8 NO CHARGE)		0.00	0.80
5/29/2014	PA	emails from and to A,C, Johnston re corrections to discovery requests (.1); emails from and to G. Thornton re discovery (.1)	0.20	139.00	
5/29/2014	CWB	incorporate edits and revisions from G. Thornton, MoFo team and P. Alston and finalize discovery requests (1.4), discussion w/KAL to coordinate service and filing (.1)	1.50	337.50	
5/30/2014	CWB	review/analyze document requests from HDHS (.7); review HDHS letter to Judge Kobayashi and outline response (1.2); initial review of draft preliminary injunction motion (.5)	2.40	540.00	
6/1/2014	PA	review email from J. Hancock re draft opposition to HDHS's motion to dismiss (.1); email to C. Black re preliminary injunction motion (.1)	0.20	139.00	
6/1/2014	CWB	review draft opposition to HDHS motion to dismiss (.4); email to and from P. Alston re draft opposition (.1)	0.50	112.50	
6/2/2014	PA	review plaintiffs' first request for production of documents and first request for answers to interrogatories to defendant	0.20	139.00	
6/2/2014	KKMG	work on plaintiffs' draft discovery responses	0.50	62.50	
6/3/2014	PA	emails from and to C. Black re emails from A.C. Johnston and G. Thornton re trial date strategy and discovery issues (.1); emails from and to C. Black re State's response to discovery requests before discovery cutoff (.1); emails from and to C. Black re status conference (.1); prepare for and attend status conference (.8)	1.10	764.50	
6/3/2014	KKMG	continue work on plaintiffs' discovery responses	1.20	150.00	
6/3/2014	CWB	prepare for (.4) and attend (.8) status conference before Judge Chang from 8:55-9:45 a.m.; email status update to A.C. Johnson, J. Hancock, J. Kanada, P. Alston, G. Thornton re status conference (.2); email to P. Alston re discovery deadlines (.1); review HDHS discovery requests to plaintiffs (.6); review scheduling conference order (.1); multiple emails (12) from G. Thornton and A.C. Johnston re litigation strategy (.3)	2.50	562.50	
6/4/2014	CWB	call with A.C. Johnston, J. Kanada, J. Hancock, G. Thornton re discovery requests and 30(b)(6) topics (.6); research and email summary to G. Thornton re foster care maintenance payment case law (1.1)	1.70	382.50	
6/5/2014	PA	emails from and to G. Thornton re list of potential 30(b)(6) topics	0.10	69.50	
6/5/2014	CWB	email from G. Thornton re potential 30(b)(6) topics to HDHS (.3); draft notice to HDHS (.8); review and revise draft preliminary injunction motion (1.1)	2.20	495.00	
6/6/2014	JOMI	evaluate applicable authorities re FRCP 30b6 depositions for analysis to use in countering anticipated objections at deposition	3.10	387.50	
6/6/2014	CWB	emails (4) to and from J. Hancock re opposition to HDHS motion to dismiss and filing deadlines (.4); emails from P. Alston and AC Johnston re potential 30(b)(6) topics (.2); review and analyze defendants' motion to dismiss and draft opposition brief (.8)	1.40	315.00	
6/10/2014	PA	prepare for and attend further status conference	0.80	556.00	
6/10/2014	CWB	email to G. Thornton re status conference discussion topics (.4); prepare for (.2) and attend (.2) status conference with Judge Chang; review/revise plaintiffs' opposition to motion to dismiss (.6)	1.40	315.00	
6/11/2014	PA	emails from and to G. Thornton re status and strategy and new trial date	0.10	69.50	
6/12/2014	PA	emails from and to C. Black re foster care discovery	0.10	69.50	
6/13/2014	MIHO	telephone conference with L.B. regarding potential participation in foster care suit	0.10	17.50	
6/16/2014	CWB	edit/finalize (1.0) and supervise (.1) filing of opposition to HDHS motion to dismiss	1.10	247.50	
6/18/2014	PA	review plaintiffs' memorandum of points and authorities in opposition to defendant's motion to dismiss plaintiff Raynette Ah Chong	0.20	139.00	
6/18/2014	PA	emails from and to Joe Kanada re proposed topics for the initial 30(b)(6) exam	0.20	139.00	
6/18/2014	CWB	conference call with A.C. Johnston, J. Kanada, J. Hancock, P. Alston, G. Thornton re proposed 30(b)(6) topics (.6) review/revise topics for 30(b)(6) topics and draft notice (.5)	1.10	247.50	
6/19/2014	PA	emails from and to James Hancock re list of 30(b)(6)topics	0.20	139.00	
6/20/2014	PA	emails from and to A.C. Johnston re status conference report and 30(b)(6) depositions	0.20	139.00	
6/20/2014	CWB	work on 30(b)(6) notice to Defendants (1.8); email to P. Alston re HDHS position on multiple 30(b)(6) notices (.1); edit/revise responses to discovery requests (1.3)	3.20	720.00	
6/23/2014	PA	review of: plaintiffs' notice of taking 30(b)(6) deposition of the Department of Human Services; defendant's reply to plaintiffs' memorandum of points and authorities; and amended rule 16 scheduling order	0.10	69.50	
6/24/2014	CWB	review/analyze Defendant's reply brief re motion to dismiss and cases cited (.5); work on revisions to discovery requests and written responses (1.6)	2.10	472.50	
6/29/2014	PA	emails from and to A.C. Johnston re motion for class certification	0.20	139.00	
6/30/2014	CWB	email response to and from J. Molay re meet and confer re 30(b)(6) topics (.2); work on written responses to discovery requests (1.3)	1.50	337.50	
7/1/2014	PA	review of: defendant's response to plaintiffs' first set of interrogatories and defendant's response to plaintiffs' request for production of documents	0.20	139.00	
7/1/2014	CWB	emails (3) to and from opposing counsel J. Molay re request and confirmation re extension of discovery request response deadline (.1); emails (2) to MoFo team re discovery responses (.2); review HDHS discovery requests and outline responses and items to discuss with plaintiffs (.5); review revisions to draft class certification motion (.4)	1.20	270.00	
7/3/2014	CWB	call with LEJ and MoFo legal team re discovery responses and to discuss Defendant's meet and confer request (.2); email to MoFo attaching state prior discovery responses (.1); review and analyze email and letter from opposing counsel J. Molay re responses and objections to 30(b)(6) topics (.3); draft discovery objections (.4)	1.00	225.00	
7/4/2014	CWB	email response to opposing counsel re meet and confer request	0.10	22.50	
7/6/2014	CWB	draft discovery responses to HDHS request for admissions and answers to interrogatories and confer w/Sheeheys (.9), research re discovery response obligations and objections (.5)	1.40	315.00	
7/7/2014	PA	telephone conference with co-counsel re settlement proposals	0.20	139.00	
7/6/2014	CWB	review pleadings and authorities cited in preparation for hearing on motion to dismiss first amended complaint	1.50	337.50	
7/7/2014	CWB	call with LEJ and MoFo team re discovery and meet and confer request (.4); emails to and from J. Molay re defendant's meet and confer request (.2); prepare for (1.7) and argue at (.8) hearing on motion to dismiss	3.10	697.50	
7/8/2014	CWB	draft and send email summary of hearing to MoFo and LEJ team (.2); emails (4) to and from P. Day/J. Hancock (MoFo) re open discovery items and documents (.4); review documents from Ms. Ah Chong (.5)	1.10	247.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
7/10/2014	CWB	meet and confer with J. Molay, D. Barbata, D. Kalama re discovery (.8); emails to and from J. Molay re multiple 30(b)(6) depositions and topics for initial deposition (.3); draft and send letter to J. Molay re discovery deadline (.5)	1.60	360.00	
7/11/2014	PA	review letter to J. Molay re extension of time to respond to discovery requests	0.10	69.50	
7/14/2014	CWB	draft discovery responses to defendants' requests for interrogatory responses and admissions	1.70	382.50	
7/15/2014	CWB	revise discovery responses (1.5) and draft detailed email to Mr. and Mrs. Sheehey re answers to interrogatories (.5); coordinate re telephone discussion (.3)	2.30	517.50	
7/16/2014	PA	review letter from J. Molay re discovery responses; emails to and from C. Black re email from P. Day re discovery responses	0.30	208.50	
7/16/2014	KAL	review and respond to emails from C. Black re response to admissions	0.20	25.00	
7/16/2014	CWB	emails (10+) to and from G. Thornton, J. Hancock and P. Day re discovery responses (.5); emails to K. Guadagno re finalizing discovery responses (.2); call with P. Day and J. Hancock re Molay letter (.2); emails (4) to Mr. and Mrs. Sheehey re follow up questions regarding discovery responses (.8); review email correspondence and draft response to Molay (.5); research re waiver of objections (.6); revise discovery responses (1.3)	4.10	922.50	
7/17/2014	PA	emails from and to C. Black re discovery responses	0.20	139.00	
7/17/2014	KKMG	multiple communications from and to C. Black and review multiple drafts to work on finalizing draft responses to defendant's requests for production of documents, requests for answers to interrogatories and requests for admissions	2.30	287.50	
7/17/2014	CWB	emails (3) to and from Mr. and Mrs. Sheehey re finalizing discovery responses (.4); emails (10+) to and from K. Guadagno re final discovery responses for service and filing (.5); email to J. Molay re discovery deadlines (.3); revise discovery responses to incorporate comments from MoFo and P. Alston (.8)	2.00	450.00	
7/18/2014	PA	review: plaintiff's responses and objections to defendant's first set of request for production of documents; plaintiff's response to defendant's first set of interrogatories; and plaintiff's response to defendant's first request for admissions	0.20	139.00	
7/18/2014	KKMG	emails to C. Black re meeting re discovery responses (.3); prepare and finalize certificates of service (.2); prepare email to defense counsel re executed verification pages (.2); emails to and from client re discovery and verifications (.3); email to D. Garzona re notary (.1)	1.10	137.50	
7/18/2014	CWB	emails to K. Guadagno and Sheeheys re notarization of verification	0.40	90.00	
7/21/2014	JB	work on updating substantive pleadings and discovery binder	0.80	40.00	
7/21/2014	PA	email to C. Black re status on the motion for class certification	0.10	69.50	
7/21/2014	KKMG	discussions with J. Bunch re case binder	0.20	25.00	
7/21/2014	CWB	email to P. Alston re Ah Chong class certification (.1); review/research additional case law regarding typicality and commonality (1.1)	1.20	270.00	
7/22/2014	JB	continue work on updating case, substantive pleadings and discovery binder	2.20	110.00	
7/23/2014	CWB	research and prepare materials for 30(b)(6) on new payment rates	1.80	405.00	
7/24/2014	PA	review order denying defendant's motion to dismiss plaintiff from first amended complaint (.1); emails from and to C. Black re 30(b)(6) depo (.1); emails from and to M. Holden re assistance from LASH (.1)	0.30	208.50	
7/24/2014	CWB	email from J. Molay re 30(b)(6) deposition (.1); email to G. Thornton re 30(b)(6) deposition issues (.1)	0.20	45.00	
7/25/2014	PA	review defendant's motion for reconsideration of order denying motion to dismiss Raynette Ah Chong from first amended complaint (.1); email to C. Black re waiver of arguments and email to C. Black re status of motion for class certification (.1); emails from and to A.C. Johnston re 30(b)(6) depo (.1)	0.30	208.50	
7/25/2014	CWB	review HDHS motion for reconsideration re order refusing to dismiss case (.4); review hearing transcript re same (.4)	0.80	180.00	
7/26/2014	PA	emails from and to A.C. Johnston re appearance of designated representative (.1); emails to and from J. Molay re witness testimony (.2)	0.30	208.50	
7/30/2014	KKMG	review communication between parties re 30(b)(6) designated state representatives and testimony (.1); multiple discussions with C. Black re topics (.1); work on drafting amended 30(b)(6) deposition notice with revisions discussed with C. Black (.3)	0.50	62.50	
7/30/2014	CWB	revise/finalize 30(b)(6) deposition noticing topics re new payments	0.90	202.50	
7/31/2014	PA	review plaintiffs' amended notice of taking 30(b)(6) deposition	0.10	69.50	
7/31/2014	KKMG	emails and multiple discussions with C. Black and D. Garzona re upcoming 30(b)(6) deposition and videotaping options	0.20	25.00	
8/2/2014	PA	emails from and to S.K. re background information re daughter's learning disability and difficulty of care (DOC) benefits (.1); emails to and from S.K. re follow up questions (.1)	0.20	139.00	
8/3/2014	PA	email to S.K. re class action lawsuit	0.10	69.50	
8/6/2014	KKMG	review email from C. Black inquiring re documents produced by plaintiffs (.1); research same (.2)	0.30	37.50	
8/6/2014	CWB	finalize discovery dispute letter to Molay for delivery (.4); telephone conference with MoFo team and G. Thornton re outstanding discovery issues (.3)	0.70	157.50	
8/7/2014	PA	review defendant's answer to first amended complaint (.1); review letter to J. Molay re meet and confer process and discovery issues (.1)	0.20	139.00	
8/7/2014	KKMG	discussions and emails to and from M. Comeau re status (.2); research re procedural requirements (.3); work on draft declaration of C. Black in support of memo (.5)	1.00	125.00	
8/7/2014	PA	emails from and to C. Black re complaint and status of litigation (.1); emails from and to W. Kaneko re same (.2)	0.30	208.50	
8/7/2014	CWB	meet and confer re discovery responses with J. Molay, D. Barbata, D. Kalama, G. Thornton (.1); emails (2) to MoFo team (P. Day, J. Hancock) re same (.1)	0.20	45.00	
8/8/2014	PA	emails from and to G. Thornton re memo in opposition to motion for reconsideration of order denying motion to dismiss (.1); review and revise opposition (.2)	0.30	208.50	
8/8/2014	CWB	email to J. Hancock, P. Day re motion to compel and calculation of deadlines under local rules (.2)	0.20	45.00	
8/8/2014	CWB	revise and edit reply brief re motion for protective order, Black declaration in support, exhibits, and e-file same (.1 NO CHARGE FOR E-FILING)	3.80	855.00	0.10
8/9/2014	PA	emails from and to G. Thornton re email from James Hancock re draft opposition to motion for reconsideration (.1); emails from and to A.C. Johnston re comments (.1)	0.20	139.00	
8/11/2014	PA	review defendant's motion to compel answers to defendant's first set of interrogatories	0.20	139.00	
8/11/2014	CWB	finalize opposition to HDHS motion for reconsideration (.8)/supervise filing re same (.2 NO CHARGE)	0.80	180.00	0.20
8/12/2014	PA	review plaintiffs' memorandum of points and authorities in opposition to defendant's motion for reconsideration of order denying defendants' motion to dismiss	0.10	69.50	
8/12/2014	KKMG	discussions w/legal team re procedural and filing requirements for case	0.40	50.00	
8/12/2014	CWB	email to J. Molay re 30(b)(6) scheduling (.1); email to P. Day re Molay response to discovery letter (.1); review additional materials relating to HDHS payments in preparation for 30(b)(6) deposition (1.2)	1.40	315.00	
8/13/2014	KKMG	work on updating case files	1.10	137.50	
8/13/2014	CWB	emails to opposing counsel and co-counsel re scheduling 30(b)(6) on HDHS foster care payments	0.40	90.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
8/14/2014	CWB	review and analyze HDHS production of 900+ pages of documents	2.10	472.50	
8/16/2014	PA	review defendant's first request for production of documents (.1); review defendant's motion for partial judgment on the pleadings (.1)	0.20	139.00	
8/19/2014	KKMG	follow up with C. Black re documents produced by defendants	0.10	12.50	
8/19/2014	KKMG	follow up re upcoming 30(b)(6) deposition of representative from State of Hawaii department of human services	0.10	12.50	
8/19/2014	CWB	further review/analysis re HDHS production of 900+ pages of documents (.9); research re additional information regarding foster care maintenance payments and federal requirements re same raised by HDHS document production (.6)	1.50	337.50	
8/20/2014	KKMG	review email from C. Black re 30(b)(6) deposition and email to D. Garzona re drafting second amended notice	0.10	12.50	
8/20/2014	CWB	emails to D. Barbata re deposition scheduling (.2); research re cost of living in Hawaii and email re same to MoFo team (1.3)	1.50	337.50	
8/21/2014	KKMG	discussions with D. Garzona re draft second amended 30(b)(6) notice	0.10	12.50	
8/21/2014	CWB	review and revise amended 30(b)(6) notices on HDHS	0.50	112.50	
8/22/2014	KKMG	review documents produced by defendant responsive to plaintiffs' first request for production of documents and process for attorney review on shared drive	0.40	50.00	
8/25/2014	PA	review plaintiffs' second amended notice of taking videotaped deposition of Department of Human Services	0.10	69.50	
8/27/2014	CWB	conference call with MoFo Team and G. Thornton re next steps, upcoming motions and depositions (.3); research re other states' foster care payments and email to G. Thornton re same (.6)	0.90	202.50	
8/31/2014	CWB	research re federal vs. state foster care maintenance payments (.7), analyze and compare HDHS documents and documents from client (.4) and being drafting deposition outline (1.0)	2.10	472.50	
9/2/2014	PA	emails from and to P. Brewbaker re updated report	0.20	139.00	
9/3/2014	CWB	further review/analysis re HDHS first production of (900+ pages of) documents and compare produced documents to publicly available data for discrepancies	1.80	405.00	
9/4/2014	CWB	emails (4) from J. Molay and P. Day (MoFo) re meet and confer request (.1); research and analyze cost of living analyses comparing Hawaii to mainland states and review draft expert report from P. Brewbaker (1.8)	1.90	427.50	
9/9/2014	CWB	review MoFo letter to AG summarizing meet and confer	0.30	67.50	
9/10/2014	CWB	review AG response to MoFo letter summarizing meet and confer	0.20	45.00	
9/11/2014	PA	emails from and to C. Black re follow up on Ah Chong 30(b)(6) deposition	0.10	69.50	
9/11/2014	CWB	edit MoFo draft brief in opposition to HDHS motion to compel (.4); draft fact section re Plaintiffs' opposition to HDHS motion to compel (1.9)	2.30	517.50	
9/12/2014	CWB	revise and finalize Plaintiffs' opposition to motion to compel (2.3) and supervise filing of same (.2 NO CHARGE), emails to and from G. Thornton re brief (.2); review G. Thornton memo re analysis of cost of living adjustment factors (.8)	3.30	742.50	0.20
9/15/2014	KKMG	discussion with C. Black re documents produced by defendants (.1); research same (.1)	0.20	25.00	
9/15/2014	CWB	research regarding publicly available information re HI foster care rates for 30(b)(6) deposition (.8); analyze HDHS second production of 500 pages of documents in preparation for 30(b)(6) deposition (3.8)	4.60	1,035.00	
9/16/2014	KKMG	review email from C. Black re defendants second production of documents and prepare same for counsel	0.30	37.50	
9/16/2014	CWB	continue to review HDHS document production (analysis of 60 pages of HDHS handbook materials) (1.3) and work on deposition outline (3.0)	4.30	967.50	
9/17/2014	KKMG	review multiple emails from and discussions with C. Black re 30(b)(6) deposition of DHS representative, research same and assist in preparing for deposition	1.30	162.50	
9/17/2014	PA	emails from and to C. Black re Designees topics (.1)(; review State's discovery responses and follow up; emails from and to C. Black re outline (.1)	0.20	139.00	
9/17/2014	CWB	finalize and email deposition outline to P. Alston with exhibits and annotations (3.1), finalize exhibits for deposition (.5); revised deposition outline to P. Alston with additional notes (.8); email to MoFo team re 30(b)(6) deposition and outline (.1); background research re HDHS designees and email to P. Alston re same (.5)	5.00	1,125.00	
9/18/2014	PA	prepare for and participate in deposition of HDHS (2.2); follow up call re strategy with C. Black (.3)	2.50	1,737.50	
9/18/2014	CWB	prepare (1.7) for and assist with video 30(b)(6) deposition of HDHS (2.2); email summary of deposition to MoFo team (.2)	4.10	922.50	
9/19/2014	CWB	review/analyze reply memorandum re motion to compel responses to discovery and outline response for hearing	0.80	180.00	
9/21/2014	PA	review defendant's reply re motion to compel answers to defendant's first set of interrogatories	0.10	69.50	
9/23/2014	KKMG	review correspondence and attachments from state re notifying class members	0.10	12.50	
9/23/2014	PA	review Hanai Training for resource families trainer's guide from J. Molay	0.10	69.50	
9/25/2014	KKMG	discussions with C. Black re state production re Hanai Training and review recording (.1); review emails re depositions of 30(b)(6) deposition of L. Kazama and C. Goss (.2); telephone call to Ralph Rosenbergs re transcripts (.1); email team re same (.1)	0.50	62.50	
9/25/2014	PA	review deposition transcript of Cynthia Goss; review deposition transcript of Lynne Kazama	0.10	69.50	
9/25/2014	CWB	review HDHS production of documents and things (documents and training videos and audios) (3.1); emails to K. Guadagno and P. Day (MoFo) re same (.3)	3.40	765.00	
9/26/2014	PA	review defendant Patricia McManaman's motion for protective order	0.20	139.00	
9/26/2014	CWB	review and analyze deposition transcript of HDHS 30(b)(6) designees and outline deficiencies (.9); review and analyze motion for protective order (1.1) research re motion to compel/motion for protective order (.8)	2.80	630.00	
9/29/2014	CWB	review/analyze order denying defendants' motion for reconsideration	0.50	112.50	
9/30/2014	CWB	continue review of HDHS document productions (1.8), research regarding USDA statistical data for cost of living analyses (.6); research re potential summary judgment motion (1.2)	3.60	810.00	
10/1/2014	KKMG	review deposition transcripts of state 30(b)(6) witnesses and exhibits and discussions with C. Black re same	0.20	25.00	
10/1/2014	CWB	review and analyze 30(b)(6) deposition transcripts of L. Kazama and C. Goss (.5); review SOH produced audio and video files (.7); email to and from G. Thornton re hearing on motion re interrogatories (.1); review pleadings on motion re supplemental interrogatory responses (.5)	1.80	405.00	
10/2/2014	KKMG	review and work on uploading defendant's production of documents to share drive for attorney review (.3); email instruction to D. Garzona re providing document requested by Judge Chang's chambers (.1); review documents on K drive to assure not corrupted and replace accordingly (1.1); discussions with C. Black re preparing client documents for production and work on same (.3)	1.80	225.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
10/2/2014	CWB	emails to and from A. Lum re courtesy copies to Judge Chang for Ah Chong motion to compel interrogatory responses (.1 NO CHARGE FOR COMMUNICATION W/COURT); review Ah Chong documents for responsiveness, privilege and production (.7); emails to P. Day, J. Hancock, G. Thornton re same (.1); review and research USDA cost of food reports and draft section on inadequacy of current foster care maintenance rate (.7)	1.50	337.50	0.10
10/3/2014	KKMG	continue work on document production (.6); email to S. Lee to prepare electronic copy on disc and prepare and finalize transmittal re same (.1)	0.70	87.50	
10/3/2014	PA	conference with C. Black re motion to compel	0.20	139.00	
10/3/2014	CWB	prepare for (1.0) and attend (.2) hearing on motion to compel answers to interrogatories; discussion with G. Thornton re supplemental responses (.1); email summary to A.C. Johnston, P. Day, J. Hancock (MoFo), G. Thornton (LEJ) and P. Alston (AHFI) re same (.2); review and supervise finalization of production of Ah Chong documents (.6)	2.10	472.50	
10/6/2014	KKMG	review defendant's third production of documents and upload same to shared drive for attorney reference and review	0.20	25.00	
10/6/2014	CWB	email to opposing counsel D. Barbata re insufficient privilege log (.1); email to opposing counsel D. Barbata re proposed order on motion to compel response to interrogatories (.1); research re Hawai`i cost of living and review/evaluate draft expert report (.8) in order to draft (.6) supplemental interrogatory responses	1.60	360.00	
10/7/2014	PA	review order denying defendant's motion for reconsideration of order denying defendant's motion to dismiss (.1); review defendants' third set of responsive documents to plaintiffs first request for production of documents (.1)	0.20	139.00	
10/8/2014	KKMG	work on processing deposition transcripts of 30(b)(6) representatives L. Hanami and C. Goss to upload transcripts and exhibits to shared drive for attorney review and access (.7); email to J. Bunch re preparing deposition transcript and exhibit binder and provide link to documents (.1)	0.80	100.00	
10/9/2014	KKMG	review multiple emails from legal team re state's mis-numbering of document production (.1); work uploading correct set to shared drive (.1)	0.20	25.00	
10/9/2014	PA	review defendant's third production of documents with corrected bates numbers	0.10	69.50	
10/10/2014	JB	work on preparing/updating condensed deposition and deposition exhibits binder with oral depositions of Lynne Kazama (9/18/14) and Cynthia Goss (9/18/14)	1.10	55.00	
10/12/2014	PA	emails from and to C. Black re memo from Gavin Thornton on foster care payment analysis	0.20	139.00	
10/13/2014	KKMG	discussions with B. Kawagoe re defendant's third production of documents	0.10	12.50	
10/13/2014	CWB	continue drafting Plaintiffs' supplemental interrogatory responses with reference to research re cost of living reports and studies	1.10	247.50	
10/14/2014	CWB	review opposing counsel's proposed order re supplement interrogatory responses (.3); email to P. Day, A.C. Johnston, J. Hancock (MoFo team) and G. Thornton (LEJ) re same (.1)	0.40	90.00	
10/15/2014	KKMG	review transmittal to defendants re signed order re discovery	0.10	12.50	
10/15/2014	CWB	email to D. Barbata attaching executed proposed order (.1); continue drafting supplemental interrogatory responses (.8); research, review and analysis of case law cited by defendants' motion for judgment on the pleadings and motion for protective order (1.1)	2.00	450.00	
10/16/2014	KKMG	review email from C. Black re supplemental responses to first set of interrogatories and work on identifying and compiling supporting documents	0.80	100.00	
10/16/2014	CWB	review/evaluate G. Thornton draft interrogatory responses to merge into current draft (1.3); email to A.C. Johnston, P. Day, J. Hancock (MoFo team) and G. Thornton (LEJ) re supplemental interrogatory responses (.4); further discussion with Sheeheys re supplemental interrogatory responses (.3); begin drafting opposition to motion for protective order (.8)	2.80	630.00	
10/17/2014	PA	emails from and to C. Black re email from A.C. Johnston re comments to the supplemental interrogatory responses (.1); emails from and to C. Black re email from P. Day re draft opposition to defendant's motion for protective order and comments to opposition (.1); review and revise opposition (1.2)	1.40	973.00	
10/17/2014	CWB	emails (5) to A.C. Johnston, J. Hancock, P. Day, G. Thornton re edits to interrogatory responses (.8); email to D. Barbata re supplemental interrogatory responses (.1); revise and incorporate edits to interrogatory responses (2.1); communications with Sheeheys re supplemental interrogatory responses and approval re same (.4); revise opposition to motion for protective order (1.3); review/evaluate deposition transcript for excerpts in support of motion (.4); emails to and from P. Alston re opposition (.2); finalize opposition and incorporate revisions and edits from team (.8); electronically file opposition (.3 NO CHARGE); serve supplemental interrogatory responses on defendants (.4 NO CHARGE)	6.10	1,372.50	0.70
10/20/2014	KKMG	review third set of documents produced by defendants	0.20	25.00	
10/20/2014	PA	emails from and to C. Black re opposition to defendant's motion for judgment on the pleadings (.1); emails from and to J. Hancock and G. Thornton re comments (.1); review and revise opposition (.3); emails from and to C. Black re request for judicial notice issue (.1); telephone call to C. Black re motion (.1)	0.70	486.50	
10/20/2014	PA	emails from and to C. Black re draft memo in opposition	0.20	139.00	
10/20/2014	CWB	revise opposition to defendants' motion for judgment on the pleadings (3.6); emails to and from P. Alston re draft opposition (.2); call from P. Alston re draft opposition (.1); multiple emails to G. Thornton, P. Day, J. Hancock, A.C. Johnston re revisions to draft opposition (.2) email to D. Barbata attaching copy of supplemental responses (.1); electronically file opposition to defendants' motion for judgment on the pleadings (.3 NO CHARGE)	4.20	945.00	0.30
10/24/2014	CWB	review reply memorandum in response to motion for protective order (.5); analyze/evaluate case law cited in memorandum (1.1); draft oral argument outline (.5)	2.10	472.50	
10/27/2014	PA	review: order granting in part and denying in part defendant's motion to compel; plaintiffs' memorandum of points and authorities in opposition to defendant's motion for partial summary judgment; plaintiffs' supplemental response to defendant's first set of interrogatories (.2); emails from and to C. Black re reply re motion to dismiss and file a motion to supplement the complaint (.1)	0.30	208.50	
10/27/2014	CWB	continue evaluation re HDHS's reply in support of motion for partial judgment on the pleadings and case law cited to outline argument in response	1.50	337.50	
10/28/2014	CWB	research re consumer expenditure survey (CES) and Hawaii comparables in connection with draft expert report	0.80	180.00	
10/29/2014	PA	review defendant's reply in support of motion for protective order (.1); review defendant's reply in support of motion for partial summary judgment (.1)	0.20	139.00	
10/29/2014	CWB	analysis/comment re expert report	1.20	270.00	
11/4/2014	CWB	review and analyze court order denying motion for partial judgment on the pleadings	0.30	67.50	
11/7/2014	CWB	prepare for (1.3) and argue (.3) motion on hearing for protective order; conference with opposing counsel re next steps and meet and confer (.1); review request for audio transcript of hearing to prepare order (.1); email to AHFI, MOFO and LEJ teams re hearing disposition and next steps (.4)	2.20	495.00	
11/8/2014	PA	review order denying defendant's motion for partial judgment on the pleadings	0.10	69.50	
11/10/2014	PA	review order denying defendant's motion for protective order, emails from and to C. Black re proposed order, emails from and to G. Thornton re Brewbaker's/DHS's analysis of foster care payments (.1); conference with co-counsel and follow up re strategy (.1)	0.20	139.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
11/10/2014	CWB	conference with A.C. Johnston, P. Day, J. Hancock, G. Thornton, P. Alston re case strategy and expert report (.4); email to G Thornton attaching comments re memo on adequacy of payments (.1); draft and circulate proposed order re HDHS protective order motion (.5); analyze memo from G. Thornton regarding foster payment methodologies (.8); research regarding foster care case law and rate methodologies employed in other jurisdictions (1.7)	3.50	787.50	
11/11/2014	CWB	email to HDHS attaching proposed order re motion for protective order (.l); email from P. Alston re expert report (.1); email from G. Thronton re documentary evidence from Plaintiffs (.1); review Brewbaker revised report and compare to G. Thornton analysis of methodologies from other jurisdictions (.8)	1.10	247.50	
11/12/2014	KKMG	work on preparing documents requested by G. Thornton	0.20	25.00	
11/12/2014	CWB	emails to K. Guadagno re Plaintiffs' documents to transmit to LEJ (.1); email from Gavin re next steps and discovery follow up items (.2)	0.30	67.50	
11/13/2014	KKMG	continue to compile documents requested by G. Thornton and prepare instruction to S. Lee to prepare disc	0.30	37.50	
11/18/2014	PA	emails from and to A.C. Johnston re expert	0.10	69.50	
11/25/2014	PA	review order denying defendant's motion for protective order	0.20	139.00	
12/2/2014	PA	emails from and to C. Black re meet and confer meeting	0.10	69.50	
12/3/2014	CWB	meet and confer with HDHS (Donna Kalama) and G. Thornton (.2); call with P. Day (MoFo) re meet and confer and next steps (.2)	0.40	90.00	
12/9/2014	PA	emails from and to C. Black re status of the motion for class certification	0.20	139.00	
12/9/2014	CWB	emails to and from J. Hancock re discovery from HDHS and meet and confer/discovery dispute letters (.5)	0.50	112.50	
12/15/2014	SWL	work on updating discovery binder re Plaintiffs Patricia Sheehey and Patrick Sheehey's Supplemental Response to Defendant's 1st Set of RFI dated 5/30/14	0.30	15.00	
12/17/2014	KKMG	review correspondence from state defendant re supplemental production; email to C. Black re same (.1); multiple telephone calls to R. Kondo and from re production of poster size sheets (.1); telephone calls to professional image re same (.2)	0.40	50.00	
12/18/2014	KKMG	review documents produced by state and prepare ftp link to provide same to co-counsel	0.20	25.00	
1/7/2015	CWB	multiple emails to J. Kanada, A.C. Johnston (MoFo) re LR37.1 process and HDHS's discovery dispute	0.30	67.50	
1/9/2015	KKMG	discussions with C. Black re defendant's document production	0.10	12.50	
1/12/2015	KKMG	telephone call to Abraham at Professional Image re reduction of enlarged prints of HDHS foster parent meetings to letter size (.1); provide instruction to J. Bunch re delivery of same (.1); review and revise draft instructions re same (.1)	0.30	37.50	
1/12/2015	PA	emails from and to C. Black re Rule 37.1 letter brief to Judge Chang (.1); emails from and to J. Hancock re revisions (.1); review email from A. Clifton re letter brief to Judge Chang; email to C. Black re same (.1)	0.30	208.50	
1/12/2015	CWB	revise LR37.1 letter brief to Judge Chang re depositions and 30(b)(6) topics (1.8); review HDHS letter brief in response re outstanding discovery issues and 30(b)(6) topics (.4)	2.20	495.00	
1/13/2015	CWB	multiple emails from J. Kanada (MoFo) and G. Thornton (LEJ) re draft letter to HDHS regarding discovery dispute	0.30	67.50	
1/14/2015	CWB	review/revise letter to opposing counsel re discovery dispute	0.20	45.00	
1/15/2015	PA	emails from and to J. Hancock re letter brief to Judge Chang (.1); emails from and to G. Thornton re discovery dispute (.1)	0.20	139.00	
1/15/2015	CWB	emails (15) to and from MoFo and LEJ re letter update to Judge Chang regarding discovery dispute	0.40	90.00	
1/19/2015	CWB	research re class certification and individualized damages (1.3); review/analyze draft motion for class certification (1.1)	2.40	540.00	
1/21/2015	CWB	review 2-page letter from D. Barbata re discovery dispute	0.10	22.50	
1/22/2015	PA	emails from and to G. Thornton re discovery issues	0.10	69.50	
1/26/2015	PA	review letter to Judge Chang re discovery disputes (.1);	0.20	139.00	
1/28/2015	CWB	email from J. Kanada re depo dates (.1); revise class certification motion (1.4)	1.50	337.50	
2/3/2015	CWB	review HDHS first supplemental response to RPOD (.1); email to MoFo and LEJ teams regarding HDHS most recent document production (.3)	0.40	90.00	
2/5/2015	PA	emails from and to C. Black re email from J. Hancock re status of letter to Judge Molay (.2); emails from and to C. Black re revisions to complaint re allegations to damages (.1)	0.30	208.50	
2/9/2015	CWB	email to J. Hancock re deposition scheduling (.1); review discovery requests to date and revise draft class certification memo (1.1); review/analyze documents produced by HDHS relating to payments to foster parents and calculation of same (2.3)	3.50	787.50	
2/10/2015	KKMG	review email and supplement discovery response and research documents produced by defendant; email to C. Black re same	0.10	12.50	
2/11/2015	KKMG	discussions with C. Black re defendant's document production (SOH 01958 - 04994)(.2); work on processing same for team;(.1); email to G. Thornton re same (.1)	0.40	50.00	
2/11/2015	CWB	review 2/9 letter from opposing counsel enclosing documents (.1); email to K. Guadagno re HDHS production and transmittal to LEJ/MoFo teams (.1)	0.20	45.00	
2/12/2015	PA	review defendant's first supplemental response to plaintiffs' request for production of documents	0.20	139.00	
2/12/2015	CWB	review email from J. Kanada re status of discovery and attached charts relating to CWA costs and data (.5); research in CES database (.8); review revised draft discovery requests (.4)	1.70	382.50	
2/13/2015	PA	work on settlement proposal	0.20	139.00	
2/13/2015	CWB	email to P. Alston re settlement proposal by new HDHS director (.1); email to Mofo and LEJ team with proposed settlement terms (.2); review publicly available foster rate reports, USDA children's expenditures reports, McManaman testimony, draft Brewbaker analysis and CES data and prepare outline of Plaintiffs' settlement proposal (1.2)	1.50	337.50	
2/15/2015	CWB	review 575 pages of HDHS 2/11 production of documents (3.8); email to docket clerks re additional HDHS production dated 2/13 (.1)	3.90	877.50	
2/16/2015	PA	emails from and to C. Black re 2007 MARC report includes Hawaii (.3); emails from and to M. Hunsaker re MARC analysis (.3); email to M. Hunsaker re timeline and budget (.1)	0.70	486.50	
2/16/2015	CWB	review/analyze +/-1000 pages of HDHS documents produced on 2/11	5.10	1,147.50	
2/17/2015	PA	prepare for and participate in conference call with all counsel re case strategy	0.60	417.00	
2/18/2015	CWB	multiple emails (3) from opposing counsel re status conference on settlement; emails to MoFo team and LEJ re status conference and settlement proposal (.2)	0.20	45.00	
2/19/2015	PA	emails from and to C. Black re letter to J. Molay re settlement	0.20	139.00	
2/19/2015	CWB	email to opposing counsel re availability for status conference re settlement (.1); email to P. Alston re Brewbaker draft report (.8); review/analyze 800 pages of HDHS February 11 production of documents (3.7)	4.60	1,035.00	
2/20/2015	PA	emails from and to C. Black re settlement letter (.1); review and revise letter (.1)	0.20	139.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
2/20/2015	CWB	revise Ah Chong settlement proposal draft letter (1.1), email to P. Alston re same (.1); email to MoFo and LEJ team attaching draft letter and exhibits relating to settlement proposal (.4)	1.60	360.00	
2/23/2015	CWB	revise settlement proposal letter to HDHS and Judge Chang (1.1); 8 emails from MoFo and LEJ team re same (.2)	1.30	292.50	
2/24/2015	CWB	revise Ah Chong letter to Molay and Judge Chang re settlement (.7); review/analyze approx 200 pages of 2/11 production by HDHS (1.4)	2.10	472.50	
2/26/2015	KKMG	discussions with B. Kawagoe re documents produced by state defendants on February 13, 2015 (SOH 04495 - 05295) (.1); work on processing same for shared drive for attorney review and access (.4)	0.50	62.50	
2/26/2015	PA	emails from and to G. Thornton re class representative and scheduling conference call (.1); emails from and to A.C. Johnston re scheduling (.1); prepare for and attend settlement conference (.5)	0.70	486.50	
2/26/2015	CWB	attend status conference re further settlement conference (.4); email summary to MoFo and LEJ teams re status conference and Rule 16 scheduling order upcoming deadlines (.2); email to P. Alston re fees incurred in action so far (.1); 13 emails from MoFo and LEJ teams re settlement conference and updated settlement proposal criteria (.3)	1.00	225.00	
2/27/2015	KKMG	work on processing oversized colored note sheets for attorney review and uploading to shared drive	0.20	25.00	
2/27/2015	PA	review letter from D. Barbata re SOH's document production	0.10	69.50	
3/2/2015	PA	emails from and to C. Black re telephone conference	0.10	69.50	
3/2/2015	CWB	teleconference with MoFo and LEJ teams re settlement strategy and discovery next steps	0.60	135.00	
3/2/2015	CWB	summary of review/analysis of HDHS 2/11 production by HDHS (.4); emails to K. Guadagno re gap in defendant's' Bates ranges (.1); email to K. Guadagno re draft interrogatories and requests for admissions (.1)	0.60	135.00	
3/3/2015	KKMG	review email from J. Hancock re documents produced by the state (.1); research issue re inconsistencies in Bates numbering (2.0)	2.10	262.50	
3/4/2015	KKMG	continue review of documents produced by state to research issue re inconsistencies in Bates numbering (.8); work on draft requests for admissions and requests for answers to interrogatories and email to C. Black re same (1.5)	2.30	287.50	
3/4/2015	PA	emails from and to J. Hancock re meet and confer letter (.1); email to P. Brewbaker re status of review of the CES data for Hawai`i figures (.1)	0.20	139.00	
3/4/2015	CWB	email to J. Hancock re meet and confer letter and task list	0.10	22.50	
3/5/2015	KKMG	discussions with J. Bunch re case caption and appointment (.2); email to C. Black re same (.1); email to C. Black re documents produced by state and findings re missing Bates numbered documents and prepare table re same (.1); review communications re deposition of S. Haneberg (.5); work on amended notice of taking deposition of same (.4)	1.30	162.50	
3/6/2015	KKMG	work on compiling and preparing state documents for transmission to J. Hancock	0.40	50.00	
3/6/2015	PA	emails from and to J. Kanada re change of name of defendant and discovery status (.1); emails from and to C. Black re admissions and interrogatories (.1)	0.20	139.00	
3/9/2015	PA	email to P. Brewbaker re Honolulu CES data; emails from and to J. Kanada re settlement conference and settlement statement (.1); telephone call to P. Brewbaker (.1); conference with C. Black re motions and settlement (.1)	0.30	208.50	
3/10/2015	PA	emails from and to C. Black re settlement conference statement (.1); review and respond to email from P. Brewbaker re HDHS CES data report (.1); review and revise settlement conference statement (.1); telephone call to C. Black re discovery issues (.1)	0.40	278.00	
3/10/2015	CWB	draft settlement conference statement (4.1); email and discussion with P. Alston (.1); circulate settlement conference statement to MoFo and LEJ teams (.1); evaluate/select exhibits in support (.6)	4.90	1,102.50	
3/11/2015	KKMG	assist C. Black in preparing draft settlement conference statement (.3); research cites and discrepancies to confirm supporting exhibits (.7); review state's document production (.6); email to C. Black re findings (.1)	1.70	212.50	
3/12/2015	KKMG	continue to work on draft settlement conference statement (1.0); assist in finalizing same (.2)	1.20	150.00	
3/12/2015	PA	work on confidential settlement conference letter to Judge Chang	0.20	139.00	
3/12/2015	CWB	edit and finalize settlement conference statement and exhibits (2.1); emails to MoFo and LEJ team and telephone call to discuss edits and revisions (.3)	2.40	540.00	
3/13/2015	PA	telephone calls from and to P. Brewbaker	0.30	208.50	
3/14/2015	PA	email to P. Brewbaker re email re calculation of CES data (.1); emails from and to P. Brewbaker re BLS web site on the Consumer Expenditure Survey for States (.2)	0.30	208.50	
3/15/2015	PA	review plaintiffs' first request for admissions (.1); review plaintiffs' second set of interrogatories to defendant Rachael Wong (.1)	0.20	139.00	
3/16/2015	PA	email to C. Black and G. Thornton re filing of the motion for class certification (.1); emails from and to James Hancock re deadline to amend complaint (.1); emails from and to J. Kanada re revised draft of motion for class certification (.1)	0.30	208.50	
3/18/2015	KKMG	review correspondence and documents received from state on February 9, 2015 (SOH 01958-04994)	0.20	25.00	
3/18/2015	CWB	revise class certification motion with reference to HDHS document production for information to support class size and FRCP 23 requirements	2.10	472.50	
3/19/2015	PA	prepare for and participate in settlement conference (.5); review documents from DHS (.3)	0.80	556.00	
3/19/2015	CWB	finalize revisions to class certification motion and email to LEJ and MoFo teams	1.30	292.50	
3/24/2015	CWB	call re class certification, settlement and other pending issues with MoFo and LEJ teams (.5); research re federal funding for Title IV-E eligible foster children and reporting, audit, certification requirements re same (2.1)	2.60	585.00	
3/25/2015	KKMG	email to C. Black re Ah Chong documents	0.10	12.50	
3/30/2015	PA	review and respond to J. Molay email re delaying settlement conference (.1); emails from and to C. Black re request for continuance of the settlement conference (.1)	0.20	139.00	
3/30/2015	CWB	emails re rescheduling settlement conference with MoFO and LEJ teams and opposing counsel	0.20	45.00	
4/1/2015	PA	emails from and to J. Kanada re status on Paul Brewbaker	0.20	139.00	
4/2/2015	CWB	analysis of 200 pages of HDHS documents (1.5); email summary re same to MoFo/LEJ teams (.3); summary re foster payments and Title IV-E federal reimbursement (.7)	2.50	562.50	
4/2/2015	PA	emails from and to C. Black re request for extension of additional time for P. Brewbaker report	0.20	139.00	
4/3/2015	CWB	continue reviewing HDHS document production to evaluate and compile materials for expert review	2.50	562.50	
4/7/2015	PA	work on damages calculations with expert	0.50	347.50	
4/8/2015	PA	emails from and to C. Black re preparation for settlement conference (.1); emails from and to D. Kalama re letter re settlement proposal (.1); emails from and to C. Black re email from Dana Barbata re status re document production and updated privilege log and extension of expert report deadline (.2); email to P. Brewbaker re follow up (.1)	0.50	347.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
4/9/2015	CWB	prepare for (.5) and attend (.4) settlement conference before Judge Chang; email to MoFo team re settlement conference (.1); emails from G. Thornton and P. Alston re 30(b)(6) and class certification motion (.2); call with P. Alston re settlement conference, next steps and call with P. Brewbaker (.1); review HDHS document production for data regarding foster rate setting and cost comparisons (1.6); call with P. Alston and P. Brewbaker (.5); research re regional price parity and effect on consumer product costs in Hawai`i as compared to US Urban West states (.7)	4.10	922.50	
4/9/2015	PA	emails from and to P. Brewbaker (.1); emails from and to G. Thornton re motions (.1); emails from and to C. Black re report on settlement conference (.1); emails from and to C. Black re regional price parity information (.1); work with expert on damage calculations (.2)	0.60	417.00	
4/10/2015	CWB	review/evaluate HDHS document production for revised 30(b)(6) depositions and further discovery (2.0); draft stipulation and order (.5); email to MoFo and LEJ teams re revisions to stipulation and order and responses (3) from P. Alston, J. Kanada, G. Thornton (.1); email to D. Barbata attaching stipulation and order (.1); email to Court re stipulation and order for approval (.1 NO CHARGE FOR COMMUNICATION W/COURT); discussion with P. Alston re anecdotal evidence and further discovery (.2)	2.90	652.50	0.10
4/10/2015	PA	emails from and to C. Black re stipulation and order re expert and dispositive motions deadlines (.1); telephone calls from and to P. Brewbaker re expert report (.2); review financial documents (.6)	0.90	625.50	
4/11/2015	PA	email to Dana Barbata re discovery issues (.1); work on damage issues (.2)	0.30	208.50	
4/12/2015	CWB	continue review/analysis re HDHS document production (1.4); evaluate/compile materials for P. Brewbaker (expert) review (2.5); analysis/summary of key documents produced by HDHS (2.0)	5.90	1,327.50	
4/13/2015	KKMG	emails from and to C. Black re motion for class certification and draft (.2); work on identifying and compiling supporting facts and exhibits to same (1.1)	1.30	162.50	
4/13/2015	MIHO	telephone conference with R. Ah Chong regarding declaration; email to R. Ah Chong regarding declaration	0.10	17.50	
4/13/2015	PA	emails from and to D. Barbata re status of discovery deadlines (.1); emails from and to C. Black re deadlines (.1); emails from and to C. Black re motion for class certification (.1); review and revise motion (.2)	0.50	347.50	
4/14/2015	CWB	revise class certification motion (1.8) and draft declarations of named plaintiffs based on interview notes (.9); select and review exhibits in support in motion (.5); email circulating certification motion documents to team (.1)	3.30	742.50	
4/14/2015	PA	emails from and to J. Kanada re insert to the class certification motion (.1); review and respond to emails from J. Hancock re meet and confer re discovery issues (.2); emails from and to J. Hancock re class certification motion (.2)	0.50	347.50	
4/15/2015	KKMG	discussions with C. Black re identifying and compiling materials for expert witness P. Brewbaker (.2); work on processing supplemental documents produced by state (SOH 05531-6102) and prepare secure file transfer link for same to co-counsel (.5)	0.70	87.50	
4/15/2015	CWB	discussion w/legal team re summary judgment, class certification, and strategy re upcoming discovery and meet and confer (.9); review SOH document retention policy re archive documents (.3); review HDHS document production for expert materials (1.3)	2.50	562.50	
4/15/2015	PA	multiple emails from and to G. Thornton re calculation of school meals issue (.2); email to C. Black re interrogatory responses (.1); prepare for and participate in conference call with co-counsel (.1)	0.40	278.00	
4/16/2015	CWB	prepare for meet and confer (.4); meet and confer with D. Barbata and D. Kalama regarding privilege log dispute, document production, expert deadlines, interrogatory responses and 30(b)(6) deposition scheduling (.8); discussion with P. Alston re interrogatories and amended 30(b)(6) notice (.1); review state plan and HDHS manual relating to foster and adoptive payments (.7);	2.00	450.00	
4/16/2015	PA	attend discovery conference	0.10	69.50	
4/17/2015	KKMG	work on compiling documents for expert witness P. Brewbaker	5.70	712.50	
4/17/2015	CWB	review/analyze April 15 production of 500+ pages for materials for expert review, improper redactions and fact investigation	2.10	472.50	
4/19/2015	CWB	revise class certification motion (.6); revise Sheehey declaration (.3); revise Ah Chong declaration (.4); emails (4) to G. Thornton, M. Holden, J. Kanada, J. Hancock re revisions to class certification motion and declarations, HDHS document production issues, and Brewbaker expert report materials (.3); draft document requests, third interrogatories, second requests for admissions (1.5); begin review/analysis of HDHS April 15 production of 500+ pages of documents (1.0) and update Brewbaker expert materials (.3)	4.40	990.00	
4/19/2015	PA	conference with C. Black re discovery (.2); review documents from State of Hawaii (.4)	0.60	417.00	
4/20/2015	KKMG	review email from C. Black re additional documents to compile for expert witness P. Brewbaker (.2); work on same (1.0); review email from C. Black re motion for class certification and additional exhibits (.2); work on same (1.0); work on preparing transmittal declaration of C. Black re motion for class certification (.4); work on preparing draft requests for admissions, requests for production of documents, and requests for answers to interrogatories (.6)	3.40	425.00	
4/20/2015	PA	emails from and to C. Black re plaintiffs' third request for answers to interrogatories to Rachael Wong (.1); review and revise request (.1); emails from and to C. Black re Ah Chong's declaration re class certification motion (.1)	0.30	208.50	
4/20/2015	CWB	continue to draft interrogatories, requests for admissions and document requests relating to foster care maintenance payment allocations (1.1); email to team re review and revisions (.1); final revisions to Ah Chong declaration and Sheehey declaration in support of class certification and circulate same to team (.6)	1.80	405.00	
4/21/2015	MIHO	email to P. and P. Sheehey regarding declaration; review revised declaration of R. Ah Chong; email to R. Ah Chong regarding revised declaration	0.10	17.50	
4/21/2015	KKMG	discussions with J. Bunch re draft discovery requests	0.10	12.50	
4/21/2015	CWB	conference with A.C. Johnston, J. Kanada, J. Hancock re draft discovery requests (.2); conference with G. Thornton re draft discovery requests (.1); follow up with named plaintiff clients regarding declarations in support (.3)	0.60	135.00	
4/21/2015	PA	review amended notice of hearing re defendant State of Hawaii's motion to dismiss (.1); emails from and to J. Kanada re discovery requests (.2); emails from and to M. Holden re changes to declaration of Raynette Ah Chong (.1)	0.40	278.00	
4/22/2015	KKMG	work on processing defendant's document production and updated privilege log for attorney access and review (.1); prepare secure file transfer for same (.1)	0.20	25.00	
4/22/2015	CWB	conference with J. Kanada re open discovery issues (.2); review letter from HDHS counsel re meet and confer (.2); email to J. Kanada re document production errors (.5); review and analyze HDHS April 20 document production to update expert and potential deposition materials (1.3) and email to G. Thornton and P. Alston re McManaman and Chandler decisions re foster care costs and department budget (.2)	2.40	540.00	
4/22/2015	MIHO	telephone conference with R. Ah Chong regarding declaration; email to R. Ah Chong regarding declaration	0.10	17.50	
4/22/2015	PA	review defendant's response to plaintiffs' second set of interrogatories and response to plaintiffs' first request for admissions	0.30	208.50	
4/23/2015	KKMG	discussions with B. Kawagoe re state's document production and segregation of same	0.10	12.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
4/23/2015	CWB	call to J. Kanada regarding HDHS discovery, insufficiency of privilege log, and production of documents (.1); emails to team re Ah Chong foster children (.1); edit and finalize class certification motion, declarations, and exhibits for filing (.8); revise interrogatories to HDHS (.7); revise document requests to HDHS (.3); work on meet and confer issues and 30(b)(6) topics (1.0); prepare notification to opposing counsel (.1)	3.10	697.50	
4/23/2015	PA	emails from and to C. Black re revised third set of interrogatories to Rachael Wong	0.20	139.00	
4/24/2015	CWB	revise plaintiffs' third request for interrogatories; second admissions; and second request for documents (1.8); emails to and from J. Kanada and J. Hancock re outstanding discovery issues (.4); emails to A.C. Johnston, P. Alston, G. Thornton, J. Kanada and J. Hancock re meet and confer letter; revisions to discovery requests and response to HDHS prior set of discovery responses (.5); communications from AG's office regarding incorrect production (.3); work on exhibits for 30(b)(6) deposition (.5)	3.50	787.50	
4/27/2015	CWB	telephone call from opposing counsel, D. Kalama, re HDHS supplemental responses to interrogatories	0.50	112.50	
4/27/2015	KKMG	discussions with B. Kawagoe re state's recent document production and segregating files from same	0.10	12.50	
4/27/2015	PA	review motion for class certification (.1); emails from and to J. Kanada re email from C. Black re telephone call from Donna Kalama re HDHS's responses to our interrogatories (.1)	0.20	139.00	
4/28/2015	CWB	email to D. Barbata re outstanding discovery issues (.4); call with J. Kanada re discovery disputes and proposed responses (.3); revise second stipulation to extend expert deadline and email to P. Alston, G. Thornton, MoFo with comments (.4)	1.10	247.50	
4/29/2015	PA	emails from and to G. Thornton re privileged documents (.1); emails from and to C. Black re additional discovery from D. Kalama (.1)	0.20	139.00	
4/29/2015	CWB	review CD of CWS manual and updated forms (1.3); email to P. Alston, G. Thornton, MoFo team re production and sufficiency of responses to interrogatories (.4)	1.70	382.50	
4/30/2015	KKMG	discussions with C. Black re state's retracting documents produced (.1); work on processing additional documents produced by state on April 29, 2015 (SOH 011890 - SOH 012778) (.5); review email from C. Black re privileged documents from state and work on extracting and deleting same (.5); email confirmation of deletion to C. Black (.1); discussions with C. Black re preparing hot documents folder and index for depositions and work on same (.1)	1.30	162.50	
4/30/2015	PA	emails from and to C. Black re discovery	0.10	69.50	
4/30/2015	CWB	confirm w/KKMG deletion of emails identified in D. Barbata response (.2); review HDHS April 20 corrected production of documents (1.5); draft outline of key HDHS documents (.7); revisions to J. Kanada draft clarifications of 30(b)(6) topics (.7); emails (3) to G. Thornton, MoFo, P. Alston re stipulation signed by AG's office (.2); review stipulation and sign (.1); conference with J. Kanada re discovery schedule and issues (.2)	3.60	810.00	
5/1/2015	KKMG	continue assisting in compiling hot documents identified by co-counsel during review and discussions with J. Bunch re same	0.60	75.00	
5/1/2015	CWB	evaluate/analyze documents identified as potential 30(b)(6) deposition exhibits from Defendants' latest production of documents	1.10	247.50	
5/2/2015	PA	emails from and to K. Guadagno re "hot docs"	0.20	139.00	
5/3/2015	KKMG	review hot documents and work on preparing index/chronology of same	0.50	62.50	
5/4/2015	CWB	call from J. Hancock re outstanding discovery expected from HDHS, 30(b)(6) topic clarification, and stipulation regarding expert deadlines (.1); email to J. Hancock following up on second stipulation regarding expert deadlines (.1)	0.20	45.00	
5/4/2015	PA	email to C. Black re finalize 30(b)(6) deposition topics and scheduling	0.20	139.00	
5/4/2015	CWB	email from opposing counsel D. Barbata re privilege log (.1); review filed stipulation and order re expert deadlines (.1); email from P. Alston re clarification of 30(b)(6) topics to HDHS (.1)	0.30	67.50	
5/5/2015	KKMG	continue working on hot docs index and excerpting additional documents (1.5); review and process documents produced by state defendants (SOH 00069 ; SOH 005232) (1.8); prepare secure link for transfer to Morrison & Foerster (.1)	3.40	425.00	
5/5/2015	CWB	email from opposing counsel D. Barbata re HDHS privilege log (.1); review and revise email to HDHS clarifying 30(b)(6) topics (.5); email from J. Kanada re potential motion to compel and discovery strategy (.2)	0.80	180.00	
5/6/2015	KKMG	prepare documents requested by Morrison Foerster LLP via secure file transfer (.2); continue work on hot documents including reviewing additional identified documents for index (.76; discussions with J. Bunch re same (.1)	0.90	112.50	
5/6/2015	CWB	review/analyze CD of approximately 130 pages documents from HDHS re supplement to Plaintiffs' 5/29 request for documents	1.10	247.50	
5/7/2015	KKMG	work on processing documents produced by Defendants (SOH 012779 - SOH 012844) and prepare secure file link to co-counsel	0.10	12.50	
5/7/2015	CWB	review/analyze approximately 60 pages of documents produced by HDHS on 5/7 via CD	0.50	112.50	
5/8/2015	PA	review defendant's first supplemental response to plaintiffs' first set of interrogatories	0.20	139.00	
5/8/2015	PA	emails from and to G. Thornton re progress of Brewbaker's work (.1); emails to and from P. Brewbaker re expert on foster care premium; email to C. Black and G. Thornton re expert on McHugh factors (.1)	0.20	139.00	
5/8/2015	CWB	emails from G. Thornton to A.C. Johnston, J. Hancock, J. Kanada, P. Alston re expert report and McHugh adjustments (.2); research re state foster care rates and use of McHugh adjustment factors (.5); emails (2) from P. Alston to P. Brewbaker re foster rate expert report (.2)	0.90	202.50	
5/9/2015	PA	multiple emails from and to P. Brewbaker re materials (.2); emails from and to P. Brewbaker re J.M. (Consuelo Foundation) re recommendation (.2); emails from and to L.W. re J.M. (.2); email to J.M. re expert to address costs of providing foster care in Hawai`i (.2)	0.80	556.00	
5/9/2015	CWB	emails (2) from P. Alston re foster care premium additional experts (.3)	0.30	67.50	
5/10/2015	PA	emails from and to J.M. re expert referral (.1); email to L.W. re contact information re K.B. (.1); emails from and to C. Black re Hawaii Family Support Institute (.1); email to K.W. re expert services (.1); emails from and to P. Brewbaker re receipt of materials (.2)	0.60	417.00	
5/10/2015	CWB	emails to and from P. Alston re Hawai`i foster care groups and experts regarding child care and McHugh adjustments	0.20	45.00	
5/11/2015	KKMG	work on processing additional documents produced by the State on May 7, 2015 (SOH 05584 ; SOH 06348) (.2); discussions with C. Black and J. Bunch re hot docs (.1)	0.30	37.50	
5/11/2015	PA	review second stipulation and order re expert disclosure and dispositive motions deadlines	0.20	139.00	
5/12/2015	KKMG	work on table of state defendants' document production to incorporate supplemental production Bates numbers and new documents produced	0.40	50.00	
5/12/2015	PA	emails from and to C. Black re HDHS first state survey summary re MARC report (.1); email to G. Thornton re MARC report acknowledges McHugh (.1); emails from and to Katherine Bennett re Susan Chandler's report (.1)	0.30	208.50	
5/12/2015	CWB	emails from K.B. re foster care groups and foster rates	0.20	45.00	
5/12/2015	CWB	review and analyze fifty state survey re foster rates from childtrends.org (.8); email to MoFo, LEJ and AHFI team re report and McHugh multipliers (.1); work on Brewbaker expert report (1.3); discussion with P. Alston and email response to J. Kanada re potential discovery motions (.1)	2.30	517.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
5/13/2015	KKMG	work on preparing rule 45 production of document and subpoena to S. Chandler (.5); finalize same (.1); discussions with J. Bunch re service of same (.1); review table re documents produced by state defendants and noted privileged documents (.5); email to C. Black re same (.1); discussions with C. Black and J. Bunch re hot document index and chronology of same (.1); work on chronology/index(.1)	1.50	187.50	
5/13/2015	CWB	review, revise and finalize subpoena on Susan Chandler (.3); email to and from opposing counsel D. Barbata re 30(b)(6) deposition topics, witnesses and dates (.2)	0.50	112.50	
5/15/2015	KKMG	discussions with J. Bunch re service of subpoena on S. Chandler	0.10	12.50	
5/15/2015	PA	emails from and to K.B. re expert	0.20	139.00	
5/15/2015	CWB	email from P. Alston re oral deposition of S. Chandler	0.10	22.50	
5/17/2015	CWB	continue review of documents identified by MoFo team for 30(b)(6) deposition and prepare deposition outline	1.80	405.00	
5/18/2015	KKMG	work on preparing oral deposition notice and subpoena for S. Chandler (.2); email to C. Black re same (.1); review email from C. Black re hot documents identified by Morrison Foerster (.2); discussions with J. Bunch re same (.2)	0.70	87.50	
5/18/2015	PA	review plaintiffs' subpoenas to produce to documents (.1); review letter from D. Kalama re SOH's document production (.1); review plaintiffs' notice of subpoena for production of documents of Susan Chandler (.1); emails from and to C. Black re Chandler oral deposition notice (.1)	0.40	278.00	
5/18/2015	CWB	revise and finalize Chandler oral deposition subpoena (.2); email to J. Kanada and J. Hancock re same (.1)	0.30	67.50	
5/19/2015	KKMG	work on extracting hot documents for attorney review and access	0.40	50.00	
5/20/2015	KKMG	discussions with J. Bunch re deposition of S. Chandler	0.10	12.50	
5/21/2015	KKMG	research re other addresses for S. Chandler for service of subpoena (.3); email to J. Bunch re same (.1); discussions with J. Bunch re videographer (.1)	0.50	62.50	
5/21/2015	CWB	email from MoFo re Chandler deposition preparation materials (.1); review 3 binders of Chandler materials (1.1) and prepare outline for Chandler deposition (1.3)	2.50	562.50	
5/22/2015	KKMG	review email from C. Black re S. Chandler service (.1); provide supporting documents re deposition and duces tecum to A. Meyer (.1 NO CHARGE); discussions with J. Bunch re service upon S. Chandler (.1)	0.20	25.00	0.10
5/22/2015	PA	review plaintiffs' notice of taking oral depositions (.1); review defendants' reply to plaintiffs' response to discuss threshold matter (.1)	0.20	139.00	
5/22/2015	PA	emails from and to A. Meyer re email to R. Akamine re Susan Chandler subpoena and depo notice	0.10	69.50	
5/22/2015	CWB	emails (5) to and from A. Meyer re subpoenas on Susan Chandler (.3); calls (2) from University of Hawaii's office of general counsel re Chandler subpoenas (.2);	0.50	112.50	
5/22/2015	CWB	email to A. Meyer re subpoena on Chandler; emails to P. Alston re Chandler subpoena; call with UH general counsel's office, Christine Tamashiro, re subpoena on Chandler	0.50	112.50	
5/23/2015	PA	emails from and to C. Black re documents from Susan Chandler	0.20	139.00	
5/24/2015	PA	emails from and to C. Black re study of foster care in Hawai`i from 1990 (.1); email to and from C. Black re number of children cared by Sheeheys (.1); email to C. Black and M. Comeau re searchable copy of Chapter 1617 relating to foster care maintenance and related payments (.1)	0.30	208.50	
5/26/2015	PA	review DHS Benefit, Employment & Support Services (.1); email to C. Black and G. Thornton (.1); conference with C. Black re settlement (.2)	0.40	278.00	
5/27/2015	CWB	email from D. Kalama re Chandler documents production Bates range (.1)	0.10	22.50	
5/28/2015	CWB	calls to and from C. Tamashiro (UH General Counsel's office) re Chandler document and deposition subpoenas (.2); analyze documents in preparation for Chandler deposition (1.7)	1.90	427.50	
6/1/2015	KKMG	email to and from C. Black re Susan Chandler documents	0.10	12.50	
6/1/2015	CWB	emails from J. Kanada re 30(b)(6) deposition, Chandler deposition and expert report, email from D. Kalama re 30(b)(6) designees (.1); analyze numerous drafts of Chandler rate reports and documents produced by HDHS from S. Chandler's files and work on deposition outline (4.1)	4.20	945.00	
6/2/2015	KKMG	review and process documents produced by S. Chandler on June 1, 2015; discussions with H. Chun re same	0.40	50.00	
6/2/2015	PA	emails from and to C. Black re new report by the National Low Incoming Housing Coalition (.5); email to P. Brewbaker re cost of housing information (.1)	0.60	417.00	
6/2/2015	CWB	email from UH general counsel's office (C. Tamashiro) enclosing Chandler documents (.1); review Chandler declaration and zip file of documents produced by S. Chandler in response to subpoena (2.8); emails (2) to and from D. Kalama (opposing counsel) re scheduling 30(b)(6) deposition (.1); emails to J. Bunch re amended 30(b)(6) notice to HDHS (.1)	3.10	697.50	
6/3/2015	KKMG	discussions with H. Chun re saving S. Chandler documents on server (.2); prepare same for secure file transfer to Morrison & Foerster (NO CHARGE .2)	0.20	25.00	0.20
6/3/2015	KKMG	email to C. Black re S. Chandler deposition	0.10	12.50	
6/3/2015	PA	emails from and to D. Kalama re topics of testimony by DHS representatives (.1); emails from and to J. Kanada re list of topics/questions for Chandler (.1); work on deposition preparation (.2)	0.40	278.00	
6/3/2015	CWB	email from D. Kalama (opposing counsel) re clarification of 30(b)(6) topics and designees (.1); review hot documents identified by J. Kanada, J. Hancock (.8); follow up emails from P. Alston, D. Kalama re requests made and denied by foster parents (.1); continue work on Chandler deposition outline and review questions from J. Kanada, J. Hancock re Chandler deposition (3.5)	4.50	1,012.50	
6/4/2015	KKMG	assist in preparing for deposition of S. Chandler (.5); discussions with J. Bunch re same (.1)	0.60	75.00	
6/4/2015	PA	email to C. Black re 30b6 deposition topics; emails from and to C. Black re Chandler deposition outline (.1); review and revise outline (.1)	0.20	139.00	
6/4/2015	PA	emails to and from M. Broderick re free A+ program enrollment to foster children (.1); emails from and to K.D. re Epic Ohana (.1); emails to and from M. Broderick re agreement with the Y re all foster children receive free A+ enrollment (.1); email to C. Black re A+ for foster children (.1)	0.40	278.00	
6/4/2015	CWB	continue preparation for S. Chandler deposition (outline and proposed exhibits for P. Alston; analysis of 13+ drafts of Chandler foster rate report, report to legislature and HDHS response and edits to same) (4.1); review/evaluate documents identified for Chandler deposition questioning by MoFo (.3); emails (2) from P. Alston re A+ program (.1) and research re same (.3); emails (3) to S. Chandler and D. Kalama re later start time for Chandler deposition (.1)	4.90	1,102.50	
6/5/2015	PA	emails from and to D.T. re Y free A+ program enrollment to foster children (.2); prepare for and attend deposition of S. Chandler (4.8)	5.00	3,475.00	
6/5/2015	CWB	attend/assist at deposition of Susan Chandler (1.5); review and revise notice of continued 30(b)(6) deposition of HDHS (.2); being work on continued 30(b)(6) deposition of HDHS (1.1)	2.80	630.00	
6/8/2015	CWB	email summary to A.C. Johnson, J. Kanada, J. Hancock, G. Thornton re Chandler deposition	0.30	67.50	
6/9/2015	JADI	revising memorandum regarding scope of questions at rule 30(b)(6) depositions	1.00	125.00	
6/9/2015	PA	review defendant's responsive pretrial statement; prepare for 30(b)(6) deposition	0.40	278.00	
6/9/2015	PA	emails from and to D. Kalama re log of requests	0.20	139.00	
6/9/2015	CWB	work on 30(b)(6) deposition of HDHS topics and outline (3.1) including analysis of document production for relevant communications regarding additional payments; conference with law clerk re research on scope of 30(b)(6) deposition (.5)	3.60	810.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
6/10/2015	PA	emails from and to C. Black re memo on Rule 30(b)(6) scope of inquiry	0.20	139.00	
6/10/2015	CWB	work on 30(b)(6) deposition re additional payments provided by HDHS to foster parents	2.10	472.50	
6/11/2015	PA	email to C. Black re research all states in the ninth circuit re current reimbursement rates and how many foster kids are in each state	0.20	139.00	
6/12/2015	CWB	work on 30(b)(6) deposition of HDHS and topics relating to methodology for increasing rates	3.90	877.50	
6/15/2015	BRMO	research foster care maintenance payment rates of states within Ninth Circuit	3.70	462.50	
6/15/2015	PA	emails from and to C. Black re ninth circuit cases	0.10	69.50	
6/15/2015	CWB	work on 30(b)(6) deposition outline including review of law clerk research on foster rates in USDA Urban West states, review of Ninth Circuit states' foster rates, and analysis of Hawaii DBEDT report on self sufficiency	4.80	1,080.00	
6/16/2015	BRMO	research state reimbursement policies for foster care	4.60	575.00	
6/16/2015	CWB	work on 30(b)(6) deposition, including topics related to additional payments, research and analysis re BESSD child care payments purportedly available to foster families	3.20	720.00	
6/17/2015	BRMO	research state reimbursement policies for foster care	1.30	162.50	
6/17/2015	PA	emails from and to C. Black re research on source of information for reimbursements (.1); emails from and to C. Black re motion to approve settlement (.1); emails from and to J. Hancock re HDHS 30(b)(6) deposition issues and topics (.1)	0.30	208.50	
6/17/2015	CWB	prepare for 30(b)(6) deposition (1.3); outline potential summary judgment motion (1.4)	2.70	607.50	
6/18/2015	KKMG	work on preparing exhibits for upcoming 30(b)(6) deposition	1.70	212.50	
6/18/2015	BRMO	research state reimbursement policies for foster care cases and research re CB496 forms of Ninth Circuit states	3.70	462.50	
6/18/2015	CWB	revise and finalize deposition outline and exhibits for 30(b)(6) deposition of HDHS	2.90	652.50	
6/19/2015	PA	prepare for and attend deposition of DHS	5.50	3,822.50	
6/19/2015	CWB	prepare for, attend/assist in 30(b)(6) deposition of HDHS (L. Nakao and K. Perez designees)	6.50	1,462.50	
6/20/2015	CWB	continue preparations for continued 30(b)(6) deposition of HDHS	2.50	562.50	
6/22/2015	KKMG	discussions with C. Black and J. Bunch re S. Chandler and 30(b)(6) deposition transcripts (.1); multiple telephone calls and emails from and to to Andy at Rosenberg's re same (.2)	0.30	37.50	
6/22/2015	CWB	continue preparation for 30(b)(6) deposition of HDHS (1.0); draft summary judgment motion (1.7)	2.70	607.50	
6/23/2015	KKMG	follow up telephone call to Andy at Rosenbergs re S. Chandler deposition	0.10	12.50	
6/23/2015	PA	emails from and to C. Black re settlement proposal (.1); emails from and to C. Black re update to 2015 (.1)	0.20	139.00	
6/23/2015	CWB	draft settlement proposal to HDHS pursuant to Amended Rule 16 order and local rule (.6); call with J. Hancock re upcoming items (.2); review rough transcript of initial and first half of continued 30(b)(6) deposition of HDHS and revise deposition outline and prepare exhibits for same (3.6); draft settlement conference statement (1.1)	5.50	1,237.50	
6/24/2015	PA	emails from and to Joe Kanada re depo scheduling (.1); debrief with C. Black re DHS Deposition (.1)	0.20	139.00	
6/24/2015	CWB	finalize preparation for (1.3) and take 30(b)(6) deposition of HDHS (K. Perez designee) (3.0); finalize settlement proposal letter to HDHS (.7); draft settlement conference statement to Judge Chang and review and analyze Chandler deposition transcript for inclusion in same (1.8)	6.80	1,530.00	
6/25/2015	KKMG	work on processing deposition transcript and exhibits re S. Chandler and prepare secure file transfer of same to co-counsel	0.30	37.50	
6/25/2015	PA	review letter to D. Barbata re written settlement offer	0.10	69.50	
6/25/2015	CWB	revise and finalize settlement conference statement and exhibits thereto (2.0); emails to A.C. Johnson, G. Thornton, J. Kanada and J. Hancock re same (.4); revise chart summarizing different recommendations for foster rate in various draft Chandler reports for possible inclusion in settlement conference statement (.8)	3.20	720.00	
6/26/2015	PA	review letter from D. Barbata re response to settlement offer (.2); work on confidential settlement letter to Judge Chang (.2)	0.40	278.00	
6/30/2015	CWB	review/analyze opposition to class certification brief and authorities cited (.7); work on outline of reply brief (2.3) and call to J. Kanada re same (.1)	3.10	697.50	
7/1/2015	PA	emails from and to C. Black re further settlement conference (.1); emails from and to A.C. Johnston re comments (.1); email to P. Brewbaker re analysis (.1); emails from and to G. Thornton re maintenance payments issue and strategy re memo in opposition to State's motion to dismiss (.2); email to P. Brewbaker re report deadline (.1)	0.60	417.00	
7/1/2015	CWB	further review/analysis re HDHS opposition to motion for class certification, exhibits in support; and review/analysis re errata and additional declaration submitted by HDHS (1.1); emails to G. Thornton re L. Sai request regarding cancellation of settlement conference (.2); email to L. Sai (Judge Chang's chambers) re inquiry on cancelling settlement conference (.1 NO CHARGE FOR COMMUNICATION TO COURT); email to G. Thornton, J. Hancock, J. Kamada re upcoming deadlines and planned motions (.3); communications with named foster parents regarding declarations and facts alleged in Kazama declaration (.5)	2.10	472.50	0.10
7/1/2015	CWB	work on summary judgment motion facts: review/evaluate HDHS documents and public files relating to any and all payments made to foster and adoptive parents	2.30	517.50	
7/2/2015	PA	review defendant's memorandum in opposition to plaintiffs' motion for class certification (.4); review errata to defendant's memorandum in opposition to plaintiffs' motion for class certification (.2); review and respond to emails from A. C. Johnston and G. Thornton re report on settlement conference and strategy re settlement and class certification motion (.2)	0.80	556.00	
7/2/2015	MIHO	review declaration of L. Kazama (.1); telephone conference with R. Ah Chong (.2); left messages for P. & P. Sheehey (.1); email to R. Ah Chong; email to P.& P. Sheehey; telephone conference with P. Sheehey (.2)	0.60	105.00	
7/2/2015	CWB	settlement conference preparation (select materials and summarize expert payment calculations for settlement conference) (1.6); emails (3) to and from G. Thornton, J. Kanada, J. Hancock re facts alleged in Kazama declaration and named plaintiffs' responses (.4); attend settlement conference (1.1)	3.10	697.50	
7/2/2015	CWB	work on summary judgment facts: continue review/analysis of HDHS produced and publicly available documents relating to foster care payments in support of summary judgment motion	2.60	585.00	
7/3/2015	PA	emails from and to J. Hancock re reply brief in support of motion for class certification (.1); review reply and email to C. Black re focus on adequacy of basic maintenance clothing and other core items (.2)	0.30	208.50	
7/4/2015	PA	work on reply memo in support of motion for class certification (.2); email to C. Black re reply (.1); review depo transcript of Kayle Perez (.2); email to P. Brewbaker re draft report (.2)	0.70	486.50	
7/4/2015	CWB	review/analyze K. Perez deposition transcript and select excerpts in support of summary judgment motion	1.80	405.00	
7/6/2015	MIHO	review and respond to email from R. Ah Chong	0.10	17.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
7/6/2015	KKMG	assist C. Black in working on draft reply to our motion for class certification (2.5); multiple email discussions and telephone calls re same (.3); review draft reply, identify cites and compile documents and review 30(b)(6) testimony and exhibits to support same (1.8); prepare draft transmittal declaration of C. Black (.5)	5.10	637.50	
7/6/2015	PA	review plaintiffs' reply memorandum in support of motion for class certification (.2); email to all re new draft of the reply (.1); emails from and to P. Brewbaker re Foster Child Care June 2015 expert report (.2); email to C. Black; emails from and to A.C. Johnston re comments to new version of the reply (.1); emails from and to J. Hancock re definition of "foster care maintenance payment" (.1); emails from and to P. Brewbaker re update on report (.1); emails from and to C. Black re comments re reply brief (.1)	0.90	625.50	
7/6/2015	CWB	additional emails to and from MoFo and LEJ teams re facts alleged in Kazama declaration (.5); emails with MoFo and LEJ teams re revisions to class cert reply brief; revise draft reply brief (4.7); select additional exhibits and review/analyze exhibits to reply brief; emails (9) to and from K. Guadagno re exhibits to reply brief (.6); edit and finalize reply brief to incorporate further revisions by A.C. Johnson, P. Alston re adoption assistance and difficulty of care payments (2.5); finalize and file brief (.5 NO CHARGE FOR E-FILING DOCUMENT)	8.30	1,867.50	0.50
7/7/2015	MIHO	review reply memorandum in support of class certification	0.20	35.00	
7/7/2015	PA	emails from and to A.C. Johnston re final version of the class certification reply (.1); email to C. Black re Brewbaker expert report (.1); emails to and from P. Brewbaker re changes to expert (.2) report; review report (.6)	1.00	695.00	
7/7/2015	CWB	review/analysis of and comments to Brewbaker report (3.5); multiple emails to P. Brewbaker re information required by Rule 26 for expert reports (prior testimony etc.,) (.7); review and analysis of P. Alston comments to expert report (.8); discussion with P. Brewbaker regarding expert report (.4)	5.40	1,215.00	
7/8/2015	KKMG	assist in compiling documents for Brewbaker's expert report	0.10	12.50	
7/8/2015	PA	email to P. Brewbaker re status of report (.1); emails from and to P. Brewbaker re final report (.2); review and revise report (1.4); emails to and from C. Black re comments (.1); emails from and to J. Kanada re report (.1); emails from and to C. Black re revised footnote in report (.1); telephone calls from and to P. Brewbaker (.2); review and suggest revisions to report (.1)	2.30	1,598.50	
7/8/2015	CWB	work on expert report: multiple calls with P. Brewbaker regarding expert report (2.1); work on analysis of foster care payment rate for expert report (2.3); emails to MoFo and LEJ teams re Brewbaker report (.5); finalize (2.5 NO CHARGE) and serve (.3 NO CHARGE) expert report	4.90	1,102.50	2.80
7/9/2015	PA	review draft expert report of Paul Brewbaker	0.10	69.50	
7/10/2015	CWB	review/analyze all discovery requests and responses in order to update discovery requests prior to deadline and request meet and confer re same (2.1); draft list of to do items before discovery deadline including depositions (.4); draft summary judgment motion background section (1.8)	4.30	967.50	
7/13/2015	CWB	review additional deposition transcripts of K. Perez and L. Nakao for testimony in support of summary judgment (1.3); review additional documents for support regarding insufficient additional payments (1.1)	2.40	540.00	
7/14/2015	PA	emails from and to J. Kanada re discovery issues	0.20	139.00	
7/15/2015	PA	email to team re end of fact discovery (.1); emails from and to A.C. Johnston and G. Thornton re strategy (.2)	0.30	208.50	
7/15/2015	CWB	work on additional discovery to HDHS and follow up re meet and confer requests to HDHS	1.80	405.00	
7/16/2015	PA	emails from and to B. Oshiro re conversation with D. Barbata (.1); emails from and to C. Black re additional interrogatories (.1)	0.20	139.00	
7/16/2015	CWB	email to J. Kanada re status of fact discovery (.1); compile deposition kits for depositions of L. Kazama, M. Maehara, B. Yamashita, P. McManaman (4.1); work on additional interrogatories and follow up analysis of current interrogatory responses (1.1)	5.30	1,192.50	
7/17/2015	PA	emails from and to C. Black re third set of interrogatories to defendant Rachel Wong (.1); review and revise interrogatories (.2)	0.30	208.50	
7/17/2015	CWB	work on revised interrogatory requests and requests for admissions and review document production to update discovery requests (3.1); email to MoFo and LEJ teams regarding outstanding depositions and schedule (.1)	3.20	720.00	
7/18/2015	PA	emails from and to J. Hancock re revised draft of the reply brief	0.20	139.00	
7/19/2015	CWB	review/evaluate case law cited in all certification related briefs (2.8); outline oral argument for class certification (1.1)	3.90	877.50	
7/20/2015	KKMG	work on draft shell deposition notice (.1); work on draft request for admissions re hot documents (1.6)	1.70	212.50	
7/20/2015	CWB	prepare for (1.5) and argue (.9) class certification motion; email analysis to MoFo and LEJ teams re same (.4)	2.80	630.00	
7/21/2015	KKMG	continue work on draft request for admissions re hot documents	0.40	50.00	
7/21/2015	CWB	additional revisions and updates to interrogatories, document request and request for admissions	2.10	472.50	
7/22/2015	KKMG	assist in finalizing discovery requests	0.40	50.00	
7/22/2015	PA	emails from and to C. Black re revised interrogatories (.1); emails from and to A.C. Johnston re 30(b)(6) depositions (.1)	0.20	139.00	
7/22/2015	CWB	revise and incorporate all edits to discovery responses (1.8); emails to MoFo and LEJ teams re edits and revisions (.3); finalize for service (.1 NO CHARGE FOR SERVICE)	2.10	472.50	0.10
7/23/2015	MIHO	telephone conference with R. Ah Chong regarding deposition	0.10	17.50	
7/23/2015	CWB	email to opposing counsel regarding deposition schedules (.1); emails (4) to MoFo and LEJ teams regarding deposition scheduling (.2); review HDHS discovery responses and documents related to additional payments for meet and confer (.5)	0.80	180.00	
7/23/2015	CWB	work on deposition outlines and potential exhibits for deponents Maehara, Kazama, McManaman, Yamashita	2.40	540.00	
7/24/2015	CWB	review and analyze Brewbaker report for revisions to same per A.C. Johnston comment	2.50	562.50	
7/27/2015	PA	review plaintiffs' second request for admissions and third set of interrogatories to defendant Rachael Wong	0.20	139.00	
7/28/2015	CWB	email to D. Barbata re discovery requests, outstanding discovery, and meet and confer	0.20	45.00	
7/30/2015	PA	emails from and to G. Thornton re comments to email from C. Black re payment information provided by DHS	0.20	139.00	
7/30/2015	CWB	meet and confer with SOH re discovery (.4); emails to J. Hancock and G. Thornton re same (.2); emails re scheduling depositions (.2); call from Ms. Ah Chong (.1)	0.90	202.50	
7/30/2015	CWB	review and analyze Minutes re class certification (.1), email to MoFo and LEJ teams comments re same (.1)	0.20	45.00	
7/31/2015	PA	emails from and to G. Thornton re foster parent class certification (.1); review minute order (.1)	0.20	139.00	
8/3/2015	PA	emails from and to D. Barbata re deposition scheduling (.1); emails from and to C. Black re depo schedule; emails from and to A.C. Johnston re scheduling expert depositions (.1)	0.20	139.00	
8/3/2015	CWB	prepare materials for client interviews and deposition preparation (2.3)	2.30	517.50	
8/3/2015	CWB	emails (3) to LEJ and MOFO teams regarding deposition scheduling (.2); email to P. Brewbaker regarding deposition scheduling (.1); email to P. Alston re deposition scheduling and additional deponents (.1)	0.40	90.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
8/4/2015	MIHO	follow up on deposition scheduling; left messages for P. and P. Sheehey (.1); telephone conference with R. Ah Chong (.1)	0.20	35.00	
8/4/2015	CWB	continue drafting summary judgment motion facts and argument (5.1); emails to D. Barbata re deposition scheduling (.2); emails to M. Holden re R. Ah Chong and P. Sheehey deposition scheduling (.2);	5.50	1,237.50	
8/5/2015	CWB	emails re Chandler and 30(b)(6) deposition exhibits (.2); teleconference with J.Hancock re deposition scheduling and strategy (.3)	0.50	112.50	
8/6/2015	KP	emails from/to D. Visitacion re deposition transcripts (.1); review documents produced by SOH (.1); work on exhibits for motion for summary judgment (.1)	0.30	37.50	
8/6/2015	CWB	meet with R. Ah Chong and G. Thornton to prepare for deposition (2.1); emails to P. Brewbaker re deposition scheduling (.1); emails to MoFo and LEJ team re Harvard Club brownbag discussion by DHS director R. Wong, potential settlement, deposition scheduling (.2); emails to P. Sheehey re deposition scheduling (.1); emails (2) to AG's office re deposition scheduling and receipt of password (.1); emails (3) to IT department and co-counsel re excel spreadsheets produced by state (.1); edit and revise summary judgment motion concise statement and potential evidentiary support (3.5)	6.20	1,395.00	
8/7/2015	KP	work on gathering exhibits to motion for summary judgment (3.2); conference with C. Black re same (.2)	3.40	425.00	
8/7/2015	MIHO	review emails regarding Ah Chong deposition	0.10	17.50	
8/7/2015	PA	multiple emails from and to C. Black re motion for summary judgment	0.20	139.00	
8/7/2015	CWB	revise and finalize summary judgment motion, concise statement of material facts, and Black declaration (4.8), finalize exhibits in support of concise statement (.5), revise and incorporate edits from G. Thornton (1.1) and A.C. Johnston/J. Kanada (.6); discussion with P. Alston regarding proposed edits from co-counsel (.1); discussion with K. Patoc regarding MSJ exhibits and deposition transcript excerpts (.2); emails (2) to P. Sheehey regarding deposition scheduling (.1); email to MoFo and LEJ teams regarding HDHS 3 expert reports (.1); review HDHS motion for summary judgment and email to MoFo and LEJ re same (.5); file summary judgment motion (.4 NO CHARGE FOR FILING)	8.00	1,800.00	0.40
8/8/2015	PA	review and respond to emails from A.C. Johnston and C. Black re Brewbaker's deposition schedule and submission of expert report (.1); review and respond to email from D. Barbata re extension of discovery cut off to take depositions (.1); emails from and to C. Black re HDHS's expert reports and forward to P. Brewbaker (.1)	0.30	208.50	
8/8/2015	CWB	emails (5) from P. Alston re discovery cutoff extension and depositions of experts (.3); review and analyze Udinsky (state) expert report (1.3); research regarding Udinsky (1.0)	2.60	585.00	
8/9/2015	CWB	email to Plaintiff Mrs. Sheehey re deposition preparation and scheduling (.1); continue analysis of Udinsky expert report and compare to Brewbaker report (1.5)	1.60	360.00	
8/10/2015	KP	begin drafting notices of taking videotaped depositions of B. Yamashita, P. McManaman, M. Maehara and L. Kazama (1.4); emails from/to C. Black re same (.2)	1.60	200.00	
8/10/2015	CWB	emails to MoFo and LEJ teams and P. Alston re deposition scheduling (.1); emails to P. Sheehey re deposition scheduling (.1); emails to P. Brewbaker re deposition scheduling and expert rebuttals (.2); emails to R. Ah Chong regarding deposition (.1); emails to opposing counsel D. Barbata and D. Kalama re deposition scheduling, stipulations, and unsigned motion for summary judgment (.2)	0.70	157.50	
8/10/2015	PA	work on plaintiffs' motion for summary judgment and concise statement (.2); review defendant's notice of taking oral deposition of Raynette Ah Chong (.1); emails from and to A.C. Johnston and C. Black re depo scheduling (.1); emails from and to A.C. Johnston re conference call to discuss defendant's expert reports and strategy (.1); email to P. Brewbaker re expert reports from the State and follow up re rebuttal; emails from and to P. Brewbaker re scheduling rebuttal preparation meeting (.1)	0.60	417.00	
8/11/2015	CWB	defend deposition of R. Ah Chong (2.5); emails (3) to opposing counsel regarding stipulation to extend discovery (.3); call to court regarding hearing on motions for summary judgment (.1 NO CHARGE FOR COMMUNICATION W/COURT); email to D. Barbata re deposition schedule and Maehara deposition (.2); email summary of Ah Chong deposition and deposition schedules to MoFo and LEJ teams (.4);	3.40	765.00	0.10
8/12/2015	PA	review defendant's motion for summary judgment and concise statement of facts (.4); emails from and to C. Black re follow up on advance motion for summary judgment hearing and not continue trial date (.1)	0.50	347.50	
8/12/2015	CWB	review and analyze Burke and Schmidt expert reports and critique of Brewbaker analysis, review documents and exhibits in support of analysis and research re experts (3.5); analyze and prepare potential materials for depositions of M. Maehara, B. Yamashita, P. McManaman (2.8); email to LEJ and MoFo teams re Udinsky deposition dates (.1); email from opposing counsel regarding expert depositions (.1); email to P. Alston regarding advancing hearing on MSJ vs. continuing trial (.1);	6.60	1,485.00	
8/13/2015	KP	finalize notice of video taped deposition of B. Yamashita, P. McManaman and M. Maehara (.7); draft subpoena to P. McManaman (.5)	1.20	150.00	
8/13/2015	PA	emails from and to C. Black re status update re experts (.1); emails from and to C. Black re trial date (.1)	0.20	139.00	
8/13/2015	CWB	email to and from J. Kanada re Udinsky deposition (.1); email to D. Barbata (HDHS counsel) re depositions (.1); email to P. Sheehey regarding deposition preparation and scheduling (.1); revise deposition notices and subpoena re Yamashita, McManaman, Maehara, Kazama (.6); email from W. Nakamura re advancement of hearing (.1 NO CHARGE FOR COMMUNICATION W/COURT); email to P. Alston re response to HDHS experts (.3); email to H. Chun (IT department) regarding HDHS spreadsheets, large file transfer and set up for videoconferencing deposition (.2); continue analysis and research re HDHS experts and reports (1.4); email to J. Hancock and J. Kanada attaching Chandler deposition outline and document indices (.2); work on deposition materials for Maehara, Yamashita, McManaman and Kazama (1.8)	4.90	1,102.50	0.10
8/14/2015	KP	follow up re service of subpoena (.1); telephone conference with S. Ross (court reporter) re upcoming "real time" deposition (.2); conference with H. Chun re same (.2); emails from A. Rosenberg re scheduling of reporter and videographer (.1); work on additional document production by SOH (1.1); conference with H. Chun re same (.1)	1.80	225.00	
8/14/2015	PA	review letter from D. Barbata re child care monthly payment data and CWS annual payment data (.1); email to C. Black re extension of time to file rebuttal reports (.1); multiple emails from and C. Black re request for information/documents relied upon by State's experts (.1); emails from and to C. Black re comparison of other states re costs for food, shelter and personal items (.1)	0.40	278.00	
8/14/2015	CWB	call with A.C. Johnston, J. Kanada, J. Hancock re upcoming depositions and expert reports (.8); email to MoFo team with additional documents to use at depositions (.3); coordinate video deposition with AHFI and MoFo IT departments (.3); review HDHS expert report documents relied upon appendix and email HDHS counsel regarding excel spreadsheets (.8); emails (6) to and from P. Alston re HDHS expert documents relied upon (.3); analysis of 49 other states' rates as compared to Hawai`i (1.1) and email to P. Alston and LEJ/MoFo teams re same (.2);	3.80	855.00	
8/15/2015	PA	email to C. Black re document request for all documents relating to Raynette	0.10	69.50	
8/16/2015	CWB	email to MoFo and LEJ teams re HDHS decision to adopt 95% of USDA cost estimates (.2); review HDHS 2015 fiscal budget and documents produced by HDHS re adoption of new rate (1.7); work on McManaman deposition (4.0)	5.90	1,327.50	
8/17/2015	MIHO	telephone conference with R. Ah Chong	0.10	17.50	
8/17/2015	KP	work on organizing deposition exhibits	1.40	175.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
8/17/2015	PA	telephone call to C. Black re discovery (.1); review plaintiff's notice of taking oral depositions; State of Hawai`i's petition for permission to appeal order re class certification (.1); emails from and to C. Black re request for all documents relating to R. Ah Chong and follow up (.1); emails from and to C. Black re June 23, 2011 minute order and case authority (.1)	0.40	278.00	
8/17/2015	CWB	work on potential exhibits for deposition (1.4); email to P. Sheehey regarding deposition preparation (.1); attend and assist with deposition of M. Maehara (3.5); review/analyze Court's order on class certification (.4); discussion with opposing counsel re Ninth Circuit case dismissing appeal of minute order for lack of jurisdiction (.1); meeting with P. Sheehey re deposition (2.0)	7.50	1,687.50	
8/18/2015	KP	begin gathering and organizing exhibits for Yamashita deposition	0.70	87.50	
8/18/2015	SWL	work on downloading 6 pdf documents re Yamashita depo prep materials from Morrison Foerster secured website for attorney review	0.40	20.00	
8/18/2015	PA	telephone call to C. Black re discovery (.2); emails from and to G. Thornton re email fro J. Kanada re potential problems with expert analysis (.1); emails from and to J. Hancock re conference call with M. Hansen (.1); emails from and to C. Black re conversation with D. Babarta and D. Kalama re status of State's experts' files and request a status conference re issue of rebuttal timing (.2)	0.60	417.00	
8/18/2015	CWB	review Maehara rough and incorporate testimony into McManaman deposition outline (.8); review/analyze additional potential deposition exhibits for P. McManaman (2.1); revise and finalize McManaman deposition outline (5.9); emails to J. Hancock re calls with experts (.1); work on Yamashita deposition potential exhibits from A.C. Johnston (1.3); emails to D. Barbata re Yamashita deposition (.1); call from HDHS counsel regarding expert documents (.2); email summary to P. Alston, A.C. Johnston, G. Thornton, J. Hancock, J. Kanada re call with HDHS counsel (.2); email to and from D. Kalama (AG's office) regarding call with Judge Chang regarding deposition dispute (.1); email to A.C. Johnston re documents discussing difficulty of care rates (.1);	10.90	2,452.50	
8/19/2015	KP	work on gathering exhibits in preparation for upcoming depositions; conference with court reporter re live feed issues	3.60	450.00	
8/19/2015	PA	review petition for permission to appeal order re class certification (.1); review motion to withdraw petition for permission to appeal order re class certification (.1); review court notice re motion to dismiss second amended complaint taken under advisement (.1); emails from and to K. Holland re motion hearing; multiple emails from and to J. Hancock re conference call schedule with Lorraine Barrick and dial-in information (.1)	0.40	278.00	
8/19/2015	CWB	prepare for (2.4) and depose (5.3) P. McManaman; call with J. Hancock, J. Kanada regarding McManaman testimony, Yamashita deposition, experts and new information regarding HDHS budget request and rate increase (.5); email to team regarding HDHS budget request Form A (.1)	8.30	1,867.50	
8/20/2015	KP	attend deposition of B. Yamashita	1.10	137.50	
8/20/2015	PA	emails from and to C. Black re extension for rebuttal report (.1); review defendant-petitioner's motion to withdraw petition for permission to appeal order re class certification (.1); conference with co-counsel re strategy (.5); telephone call to P. Brewbaker (.1)	0.80	556.00	
8/20/2015	CWB	defend deposition of Patricia Sheehey (2.0); emails to J. Hancock re documents previously entered as deposition exhibits (.3); attend and assist at Yamashita deposition (3.0); emails (6) to J. Hancock re Yamashita testimony (.3); emails with MoFo and LEJ teams re depositions and expert rebuttals (.2); email to opposing counsel regarding documents relied upon in expert reports (.3)	6.10	1,372.50	
8/21/2015	PA	emails from and to J. Hancock re status re conference call with experts (.1); telephone call from and to C. Black re motions (.3)	0.40	278.00	
8/21/2015	CWB	analyze/evaluate Quigley expert reports and Daubert motions (1.2); compare and analyze Burke and Schmidt reports in Quigley against reports in Ah Chong (.8); emails to and from P. Brewbaker regarding data and backup for analysis of rates (.4); email to J. Hancock re expert retainers (.1)	2.50	562.50	
8/23/2015	PA	email to P. Brewbaker re follow up	0.20	139.00	
8/24/2015	PA	email to all re report re follow up wiry P. Brewbaker; review and comment on experts' reports (2.2); telephone call from and to P. Brewbaker (.4)	2.60	1,807.00	
8/24/2015	CWB	analysis of HDHS production in light of new testimony regarding work of Dr. Chandler and budget driven decision to raise rates (4.2); review amended Rule 16 scheduling order (.1); review P. Alston comments on Udinsky and comments on Burke (.4); scheduled call with L. Barrick and discussion with MoFo and LEJ teams regarding expert rebuttal reports (.3); emails and calls to P. Brewbaker regarding rebuttal reports (.2); analysis of additional documents provided by HDHS relied upon by experts and compare to Quigley reports (1.1)	6.30	1,417.50	
8/25/2015	CWB	continue work and research regarding expert rebuttal reports (.8); analysis of defendant's production to confirm/debunk DHS testimony regarding budget request and decision to raise rates (1.7)	2.50	562.50	
8/26/2015	CWB	review/evaluate plaintiff Ah Chong documents (.8); call with MoFo and LEJ teams regarding experts (.3); calls to P. Brewbaker regarding expert rebuttals (.3); work on motion to strike Defendant's expert rebuttals (1.7); call with B. Kappell (.2) regarding potential expert work; outline re summary judgment opposition (1.1); analysis of federal DHHS child welfare manual regarding Title IV-E payments (1.2)	5.60	1,260.00	
8/27/2015	CWB	email to J. Hancock with additional documents for M. Hansen review (.4); emails re S. LaCroix (.1); call with S. LaCroix (.2); call from and email to opposing counsel regarding extension of time for discovery responses (.1); review La Croix information (.1); call and email to P. Brewbaker regarding rebuttal reports (.1)	1.00	225.00	
8/28/2015	CWB	outline issues for expert rebuttal in preparation for meeting with P. Brewbaker (3.5); work on motion to strike expert rebuttals (1.1); review McManaman and Yamashita testimony and analyze HDHS production for documents to confirm or rebut testimony (1.4); emails to and from P. Brewbaker (.1)	6.10	1,372.50	
8/29/2015	CWB	continue analysis of federal child welfare manual provisions regarding Title IV-E payments (1.8); review and analyze HDHS payment data and documents relied upon by experts (1.4); review withdrawal of petition to appeal class certification order (.3); review additional cost of living data discussed amongst HDHS personnel and analyze HDHS communications regarding rate increase for summary judgment opposition (1.7)	5.20	1,170.00	
8/31/2015	PA	emails from and to J. Hancock re schedule conference call with Mary Hansen (.1); review email from M. Hansen (.1)	0.20	139.00	
8/31/2015	CWB	review/analyze Maehara final deposition transcript (.4); outline additional areas to cover for continued Yamashita deposition (.8); emails to and call from P. Brewbaker (.2); draft motion to strike State's expert reports (1.5)	2.90	652.50	
9/1/2015	SWL	Downloading 60 documents re Udinsky documents from secured website for attorney review	0.80	40.00	
9/1/2015	PA	conference with C. Black re experts	0.20	139.00	
9/1/2015	CWB	review order re motion to withdraw petition for permission to appeal (.1); continue review/analysis of HDHS expert files and documents relied upon (3.1); call with J. Hancock re expert reports (.1)	3.30	742.50	
9/2/2015	PA	review notice of hearing on motion for summary judgment	0.20	139.00	
9/2/2015	CWB	call with M. Hansen (.2); review/analyze Defendants' responses to discovery requests (.4); respond to inquiries from J. Hancock re HDHS manual and county housing codes (.8); review CWS manual requirements re foster home licensing requirements (.5); continue review and analysis of documents reviewed and relied upon by DHS experts and payment spreadsheets (1.9)	3.80	855.00	
9/3/2015	CWB	emails to and from P. Brewbaker re rebuttal and supplemental report (.3); emails to and from J. Hancock re DHS resource training materials to foster parents (.3)	0.60	135.00	
9/4/2015	CWB	emails (3) from P. Brewbaker re supplemental and rebuttal report	0.30	67.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
9/7/2015	CWB	review/analyze DHS expert materials relied upon and expert reports relating to *supplemental (not basic board)* payments and difficulty of care (DOC) payments and analyze DHS document production for documents relating to same	4.40	990.00	
9/9/2015	PA	review defendant's answers to third set of interrogatories, response to plaintiffs' second request for production of documents and response to plaintiffs' second request for admissions	0.20	139.00	
9/9/2015	CWB	review/analyze Plaintiffs' deposition transcripts for accuracy, errata (1.0); analyze Burke report and compare to DHS spreadsheets re payment information (2.3); emails to and from opposing counsel (D. Barbata) re deposition scheduling (.1)	3.40	765.00	
9/10/2015	PA	telephone conference with P. Brewbaker (.7); telephone conference with MoFo lawyers (.1)	0.80	556.00	
9/10/2015	CWB	conference call with P. Brewbaker re expert rebuttals (1.0); emails (3) to and from P. Brewbaker re expert reports (.2); analyze cost of living data and compile relevant cost-of-living analyses from Defendants' expert reports for discussion with Brewbaker (2.1)	3.30	742.50	
9/15/2015	PA	conference with C. Black re experts	0.20	139.00	
9/15/2015	CWB	email from D. Barbata re Brewbaker deposition scheduling (.1); emails to and from J. Hancock re JM analyses (.2); work on Brewbaker rebuttal and supplement discussion points (3.1)	3.40	765.00	
9/16/2015	PA	review and revise Brewbaker outline (.3); email to C. Black re Brewbaker (.1)	0.40	278.00	
9/16/2015	CWB	emails to and from J. Hancock re Hansen analysis and rebuttal re DHS experts (.2); review and analyze Burke and Hansen reports in Quigley litigation (2.3); email to J. Hancock collecting and analyzing DHS documents relating to after school care and additional supplements provided to foster families (.4)	2.90	652.50	
9/16/2015	CWB	email to P. Sheehey re binder of DHS documents	0.10	22.50	
9/17/2015	PA	emails from and to C. Black re deposition of Brewbaker	0.10	69.50	
9/17/2015	CWB	meeting with P. Brewbaker re rebuttal and supplemental report (4.8); review/analyze Hansen draft report (1.3); review/compile DHS and publicly-available documents relating to issues outlined in draft expert rebuttal (2.1)	8.20	1,845.00	
9/17/2015	CWB	emails (2) to P. Brewbaker re free school lunch	0.20	45.00	
9/18/2015	PA	emails from and to J. Kanada re taking deposition of Brewbaker	0.20	139.00	
9/18/2015	CWB	emails to and from D. Barbata J. Kanada re Brewbaker deposition (.2); emails to and from J. Hancock and J. Kanada re motions relating to experts and discovery responses (.2); review MoFo comments re Hansen report and work on comments re same (2.1); work on discussion points with Brewbaker re RPP analysis and cost of living adjustment (1.5)	4.00	900.00	
9/20/2015	CWB	outline/continue drafting motion to strike HDHS rebuttal reports (1.1); work on summary judgment opposition and countermotion outline and counterstatement of facts (1.6)	2.70	607.50	
9/21/2015	PA	conference with C. Black re experts	0.20	139.00	
9/21/2015	CWB	call with M. Hansen (.9); gather additional documents for Hansen review and email re same (.8)	1.70	382.50	
9/22/2015	CWB	work on expert report discussion points (2.3); emails to and from J. Hancock re HDHS spreadsheets and payment data and related discovery responses (.2); work on analysis of payment data (.8); continue working on summary judgment countermotion (2.0)	5.30	1,192.50	
9/24/2015	CWB	review Hansen draft rebuttal report and MoFo comments (1.3); analyze/compile RPP data, cost of living differential data and underlying analyses for discussion with Brewbaker (1.8); emails (3) with P. Brewbaker re rebuttal and supplement (.4)	3.50	787.50	
9/25/2015	PA	emails from and to C. Black re Brewbaker re RPP	0.20	139.00	
9/25/2015	CWB	review MoFo comments to draft Hansen report (.7); emails (7) to and from J. Hancock and P. Alston re rebuttal and supplemental reports and RPP-Based USDA adjustments (.4); call with M. Hansen, A.C. Johnston, J. Hancock, J. Kanada (.9); call with M. Hansen, P. Brewbaker, A.C. Johnston, J. Hancock, J. Kanada (1.00); meeting with Brewbaker (5.9)	8.90	2,002.50	
9/26/2015	PA	emails from and to J. Hancock re comments to draft from M. Hansen	0.20	139.00	
9/26/2015	CWB	Review and prepare comments to M. Hansen draft rebuttal (2.1); review and prepare comments to P. Brewbaker rebuttal and supplement (1.3)	3.40	765.00	
9/27/2015	PA	emails from and to P. Brewbaker re September report update (.2); review and revise report (.3); emails to and from C. Black re suggested revisions (.1); email to P. Brewbaker re comments (.1); emails from and to A.C. Johnston re report (.1); emails from and to C. Black re comments to Hansen report and referenced documents (.1); conference with C. Johnston re Hanson and Brewbaker reports (.2); telephone call to C. Black re same; telephone call from and to A. C. Johnston and C. Black re reports (.1)	1.20	834.00	
9/27/2015	CWB	Review P. Alston comments to P. Brewbaker rebuttal and supplement (.5); further work on comments to P. Brewbaker rebuttal and supplement (1.6); emails (6) to and from P. Alston re Brewbaker draft (.4); emails (2) from A.C. Johnston re comments to Hansen rebuttal report and RPP-based USDA adjustments (.5); email to MoFo re comments to Hansen rebuttal report (.1); review DHS production and publicly available sources relating to foster care maintenance payments (2.7); emails (2) from P. Alston re Hansen draft rebuttal (.1)	5.90	1,327.50	
9/28/2015	PA	prepare for and participate in conference call with M. Hanson re expert report (.6); finalize letter to Dr. Hansen (.1); emails from and to C. Black re Brewbaker's revised report (.2)	0.90	625.50	
9/28/2015	CWB	call with M. Hansen re rebuttal report (.9); calls to J. Hancock and J. Kanada re Brewbaker report (.7); meeting with P. Brewbaker re rebuttal and supplemental report (7.3); review and analysis of DHS documents relating to foster care maintenance payment for additional information relating to same (1.6)	10.50	2,362.50	
9/29/2015	KP	do erratas to depositions of K. Perez, L. Nakao and S. Chandler	0.80	100.00	
9/29/2015	PA	emails from and to C. Black re Hansen report	0.30	208.50	
10/1/2015	CWB	review and analyze P. McManaman (5pp) and B. Yamashita (9pp) deposition transcript corrections and compare with transcript	0.80	180.00	
10/2/2015	CWB	email from D. Barbara re Hansen rebuttal (.1); emails (2) from J. Hancock, J. Kanada re expert depositions (.2); review/analyze M. Hansen deposition testimony (127pp) in Quigley foster care litigation (1.3)	1.60	360.00	
10/5/2015	CWB	emails (6) from D. Barbata and J. Hancock re expert depositions (.4)	0.40	90.00	
10/6/2015	PA	emails from and to D. Barbata re depo scheduling of Dr. Hansen and motion to strike Hansen's rebuttal report; emails from and to J. Hancock re Dr. Hansen's available dates for deposition; emails from and to D. Barbata re strike portions of the rebuttal report; emails from and to D. Barbata re request to shorten time for hearing on motion to strike	0.20	139.00	
10/6/2015	CWB	emails (6) from D. Barbata and P. Alston re agreeing to postpone motions for summary judgment (.4); review HDHS motion to strike experts and ex parte motion to shorten time and outline opposition strategies (1.8); email to J. Hancock re Yamashita deposition transcript (.2); continue review of M. Hansen deposition testimony and compare to prior expert report in Quigley foster care action (1.3)	3.70	832.50	
10/7/2015	PA	review motion to strike experts' reports (.1); work on strategy for response (.1)	0.20	139.00	
10/7/2015	CWB	finalize production of Sheehey binder of training materials and produce to HDHS (1.1); discussion with J. Hancock re opposition to motion to strike (.2); review MoFo draft opposition to motion to shorten time (.5) and revise/edit same (1.8)	3.60	810.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
10/8/2015	PA	review and revise plaintiffs' opposition to defendant's ex parte motion to advance hearing on motion to strike plaintiffs' rebuttal reports (.3); email to C. Black re changes and comments (.1); work on opposition to motion re experts (.4)	0.80	556.00	
10/8/2015	CWB	emails (27) to MoFo and AHFI teams re opposition to motion to shorten time (.6); review J. Kanada comments re opposition to motion to shorten time and research re facts to support additional contentions (1.1); edit/revise opposition brief and review (3.8) evaluate/finalize exhibits in support of opposition (.7); review/analyze HDHS reply brief in support of ex parte motion to shorten time (.5)	6.70	1,507.50	
10/9/2015	PA	work on expert discovery	0.30	208.50	
10/9/2015	CWB	review Yamashita (first half) deposition transcript and compare to outline of issues to cover (1.1); emails (5) to and from P. Brewbaker re preparation for deposition (.2); discussion with J. Kanada and J. Hancock re Brewbaker prep items (.2); emails from J. Kanada re Brewbaker prep items (.1); outline Brewbaker deposition preparation (.6)	2.20	495.00	
10/11/2015	CWB	Prepare for (2.7) and meet with (2.80) P. Brewbaker to prepare for expert deposition	5.50	1,237.50	
10/12/2015	KP	calculate duration of B. Yamashia deposition (.3); emails from/to C. Black re same (.2)	0.40	50.00	
10/12/2015	PA	review defendant's reply in support of ex parte motion to advance hearing date (.1); emails from and to D. Barbata re Dr. Hansen's deposition and arrangements for compensation to Brewbaker and Hansen for discovery responses (.2)	0.30	208.50	
10/12/2015	CWB	emails (5) from D. Barbata, J. Kanada, P. Alston re Hansen and Brewbaker depositions (.2); emails to K. Patoc re Yamashita continuation and time expended (.1); work on summary judgment opposition facts relating to supplemental payments (2.8)	3.10	697.50	
10/13/2015	PA	email to C. Black re Brewbaker depo notice to court reporter (.1); prepare for and attend deposition of P. Brewbaker (2.5); conference with P. Brewbaker (.5)	3.10	2,154.50	
10/13/2015	CWB	Brewbaker Depo: prepare for and assist with P. Alston defense of Plaintiffs' expert Paul Brewbaker at deposition (1.8); emails (5) from D. Barbata and J. Hancock re Hansen and Yamashita continuation depositions (.2)	2.00	450.00	
10/14/2015	CWB	continue review and analysis re HDHS production and deposition testimony re material facts or disputes re same for summary judgment opposition	2.30	517.50	
10/15/2015	CWB	finalize and supervise production of Sheehey binder of training materials (.8); emails (8) to and from K. Patoc re Brewbaker transcript (.2); emails (3) from J. Hancock re video depositions of 11/5 and 10/27 (.3); work on continued deposition of B. Yamashita (1.1)	2.40	540.00	
10/16/2015	KP	work on supplemental document production; prepare transmittal to attorney general's office re same	0.80	100.00	
10/16/2015	PA	work on motions and expert issues (.2); emails from and to C. Black re Sheehey binder of HANAI training materials (.1)	0.30	208.50	
10/16/2015	CWB	review/analyze Burke deposition testimony (246pp) in Quigley (Washington foster care litigation) and compare to prior and current expert reports (2.9); review and comment re MoFo draft opp to motion to strike experts (.6); email from J. Kanada regarding upcoming HDHS projects and strategy (.4)	3.90	877.50	
10/18/2015	CWB	emails (5) from MoFo re video depositions (.2); review Hansen deposition notice (.1)	0.30	67.50	
10/19/2015	PA	emails from and to D. Barbata re request to continue hearing on motions for summary judgment	0.20	139.00	
10/19/2015	CWB	review and comment re revised MoFo draft opposition to motion to strike experts (.8); review court order denying HDHS motion to shorten time re experts (.1); email to MoFo and AHFI teams regarding briefing schedule on motion to strike experts and strategy (.3); continue review/analysis of Burke 240+page testimony in Quigley foster care action and compare to prior and current expert reports (1.6)	2.80	630.00	
10/20/2015	CWB	review case law from J. Kanada re experts and unsworn statements (.3); conduct additional research re same and re expert rebuttal reports and parties' obligation to anticipate opponents' arguments in opening report (1.5); analyze Burke, Schmidt and Udinsky reports and Brewbaker and Hansen rebuttals regarding claims of direct rebuttal in opposition brief (.9)	2.70	607.50	
10/21/2015	CWB	analyze evidence cited in support of HDHS summary judgment brief and concise statement of purported facts (2.1); work on plaintiffs' concise counterstatement of facts and additional material facts in opposition to defendant's summary judgment motion and citations in support thereof (3.5)	5.60	1,260.00	
10/22/2015	PA	review defendant's notice of taking oral deposition of M. Hansen (.1); telephone calls from and to C. Black re motions (.3)	0.40	278.00	
10/22/2015	CWB	continue drafting Plaintiffs' concise counterstatement of material fact and dispute of defendant's facts with reference to HDHS-produced documents and deposition testimony	6.30	1,417.50	
10/23/2015	CWB	revise draft summary judgment opposition (5.3); evaluate/analyze federal foster care policy manual (200+pages) for authority relating to supplemental payments for foster care maintenance (2.1)	7.40	1,665.00	
10/25/2015	CWB	continue work on summary judgment opposition brief, concise counterstatement, and exhibits in opposition to HDHS motion for summary judgment	3.70	832.50	
10/26/2015	KP	review memo in opposition to defendant's motion for summary judgment; compile and organize exhibits for same; conference with C. Black re same	1.80	225.00	
10/26/2015	PA	emails from and to C. Black re edits to the opposition to motion for summary judgment	0.20	139.00	
10/26/2015	CWB	edit and revise summary judgment opposition, finalize concise counterstatement and evidentiary citations from record and correlate with statement of facts in memorandum (4.8); evaluate/finalize exhibits in support of concise counterstatement (2.1); review and select edits to incorporate from P. Alston, A.C. Johnston, J. Kanada, J. Hancock and revise concise counterstatement and exhibit citations to conform with same (2.3); discussion with P. Brewbaker regarding additional spreadsheets from HDHS (.2); review and comment re Hansen declaration (.4); finalize and electronically file (.5 NO CHARGE FOR FILING)	9.80	2,205.00	0.50
10/27/2015	KP	review production documents re SB 2772 and HB 1576 (.5); emails from/to D. Visitacion re same (.2); email C. Black re same (.1)	0.80	100.00	
10/27/2015	PA	review defendant's opposition to plaintiffs' motion for summary judgment (.2); emails from and to C. Black re opposition to defendant's motion to partially strike plaintiffs' expert rebuttal reports (.1); review and revise opposition (.2)	0.50	347.50	
10/27/2015	CWB	edit/revise draft opposition to motion to strike expert reports (3.1); research re plaintiffs' obligation to anticipate defense arguments in opening expert report (.6); review/analyze exhibits in support of opposition to motion to strike (.9); draft attorney declaration (.4); discussion with J. Kanada, J. Hancock re arguments and edits (.3); incorporate edits and comments from A.C. Johnston, P. Alston, J. Hancock, J. Kanada (.7); finalize and electronically file (.5 NO CHARGE FOR E-FILING)	6.00	1,350.00	0.50
10/28/2015	KP	prepare exhibits for deposition of B. Yamashita	0.60	75.00	
10/28/2015	PA	review plaintiffs' opposition to defendants' motion for summary judgment and concise statement of facts (.1); telephone call from D. Barbata (.1)	0.20	139.00	
10/28/2015	CWB	research re facts deemed admitted on summary judgment where not contradicted by concise counterstatement (.8); discussion with J. Kanada re same (.3); emails (8) relating to Yamashita deposition with A.C. Johnston, K. Patoc (.3); prepare materials for Yamashita deposition (1.3); review/analyze HDHS's summary judgment opposition and outline response to same (1.5)	4.20	945.00	
10/29/2015	KP	prepare additional exhibits for continuation of B. Yamashita deposition	0.60	75.00	
10/29/2015	CWB	email to A.C. Johnston regarding line of questioning for Yamashita deposition (.3); prepare for (3.2) and assist in videoconference deposition (4.10) of B. Yamashita by A.C. Johnston (MoFo)	7.60	1,710.00	
10/29/2015	CWB	further analysis of federal foster care manual and email summary re same to J. Kanada, J. Hancock	1.10	247.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
10/30/2015	CWB	analyze HDHS summary judgment opposition and draft reply in support of summary judgment (7.5); review/analyze Udinsky rebuttal report (1.0); emails to and from G. Thornton, J. Kanada, J. Hancock re difficulty of care payments (.4)	8.90	2,002.50	
10/31/2015	CWB	review/analyze voluminous legislative history and floor statements relating to foster care bill passed through legislature in 2014 (2.3); continue work on summary judgment reply (3.8) and comparison of HDHS facts to Plaintiffs' material facts (2.7)	8.80	1,980.00	
11/2/2015	PA	review report of Dr. Jerald Udinsky (.2); review order re briefing schedule re summary judgment motions (.1); review and revise reply memorandum in support of motion for summary judgment (.6); review DHS' memorandum in support of its motion for summary judgment (.3); email to C. Black re revisions to reply memo (.2)	1.40	973.00	
11/2/2015	CWB	revise/finalize Plaintiffs' reply memorandum in support of summary judgment and exhibits to same (4.8); review and annotate Yamashita transcript (.7); preliminary review of Defendant's reply in support of their motion for summary judgment (.5); additional research re and analysis of federal child welfare manual for relevant guidance to include in summary judgment reply (.8); email and discussion with P. Alston re reply brief (.2); edit reply brief chart of CWA items and non-CWA payments and revise explanation of same (.7)	7.70	1,732.50	
11/3/2015	PA	review defendant's reply memorandum in support of motion for summary judgment (.2); review plaintiffs' reply memorandum in support of their motion for summary judgment (.1); review opposition to strike experts (2.0)	2.30	1,598.50	
11/3/2015	CWB	analyze Defendants' summary judgment reply and summarize for oral argument (.5); review/analyze Defendant's reply in support of motion to strike expert reports and summarize response (.8); email discussion with J. Kanada re outstanding issues and strategy for Hansen deposition prep (.3)	1.60	360.00	
11/4/2015	PA	review defendant's reply in support of motion to partially strike plaintiffs' expert rebuttal reports	0.20	139.00	
11/4/2015	CWB	discussion and emails (4) to and from mainland co-counsel re Hansen deposition preparation and strategy (.3); emails (2) to opposing counsel D. Kalama re Hansen deposition (.1); preparation of issues for Hansen deposition and review and analysis of Hansen rebuttal and Defendant's expert report points (1.8)	2.20	495.00	
11/4/2015	CWB	emails (3) to and from J. Hancock re difficulty of care payment worksheets and analysis of Defendant's document production re same	0.50	112.50	
11/5/2015	CWB	attend (via videoconference) deposition of M. Hansen, emails (7) and telephone calls to J. Hancock re deposition progress and objections (5.3)	5.30	1,192.50	
11/6/2015	CWB	continue analysis of federal child welfare manual (300+ pages) for relevant guidance for non-summary judgment (i.e., trial) issues and compare to Yamashita testimony regarding Title IV-E reimbursable payments	1.80	405.00	
11/9/2015	PA	emails from and to C. Black re proposed expert deposition schedule from defendant	0.20	139.00	
11/9/2015	CWB	emails (2) regarding proposed expert deposition schedule (.1); begin work on Burke deposition outline (2.5)	2.60	585.00	
11/10/2015	CWB	emails (4) to and from opposing counsel re expert deposition scheduling (.4); emails (1) to K. Patoc re updating document database with deposition exhibits for trial (.2); continue work on Burke deposition outline (background research, prior testimony, Lexis search) and incorporate into outline (3.1)	3.70	832.50	
11/11/2015	PA	review order re continuance of pretrial conference from 12/29/2015 to 1/5/2016 (.1); work on issues arising out of motions for summary judgment (.3); emails from and to C. Black re federal foster care policy manual (.1)	0.50	347.50	
11/11/2015	CWB	summarize and analyze MSJ pleadings and draft matrix of key questions of law and answers with record citations for hearing (3.1); emails (2) to P. Alston re MSJ oral argument (.1); email to G. Thornton attaching draft matrix (.1); emails to J. Hancock and J. Kanada re questions of law on summary judgment (.1); email to D. Barbata, D. Kalama re expert deposition scheduling (.1)	3.50	787.50	
11/11/2015	CWB	research re other foster care litigation cases' experts and continue drafting Burke outline	2.30	517.50	
11/12/2015	PA	work on preparation for motion for summary judgment (.7); emails from and to C. Black re list of issues (questions for the judge) re summary judgment motion and oral argument (.2)	0.90	625.50	
11/12/2015	CWB	emails (2) to D. Barbata, D. Kalama re expert depositions (.1); research and summary emails to P. Alston re shelter vs. housing as CWA cost item (1.6); emails (2) to J. Kanada re MSJ oral argument timing and strategy (.1); research and outline Daubert motions for Burke, Udinsky and Schmidt (2.3)	4.10	922.50	
11/13/2015	PA	conference with C. Black re motions	0.20	139.00	
11/13/2015	CWB	emails (10) re expert deposition scheduling to J. Kanada, J. Hancock (timing and location of Udinsky); D. Barbata and D. Kalama (timing and location of all experts); K. Patoc and N. Kacprowski (deposition notices and availability of Kirkland for Chicago depo) (.5); work on Udinsky and Schmidt list of issues for deposition and motion to strike (3.1)	3.60	810.00	
11/16/2015	KP	draft deposition notices for defendant's experts Udinsky, Burke & Schmidt; conference with C. Black re necessity of subpoenas	1.30	162.50	
11/16/2015	PA	emails from and to C. Black re email from D. Barbata re experts deposition scheduling	0.20	139.00	
11/16/2015	CWB	emails (9) to D. Barbata, D. Kalama, J. Hancock re expert depositions (.4); research re location of depositions and objections to same (.5); review/analyze Brewbaker and Hansen rebuttals and cross reference with Defendant's expert reports in preparation for hearing on motion to strike experts (2.2)	3.10	697.50	
11/17/2015	PA	review order denying defendant's motion to strike plaintiffs' expert rebuttal reports; prepare for and appear at hearing on motion to strike reports (.6); conference with C. Black re strategy (.2)	0.80	556.00	
11/17/2015	CWB	prepare for (1.1) and attend hearing on Defendant's motion to strike experts (.7); emails regarding audio transcript of hearing to prepare order (.2); email to G. Thornton re incremental costs (.3); work on motion to strike Defendant's expert reports (2.3)	4.60	1,035.00	
11/18/2015	PA	emails from and to C. Black re scheduling conference call re motion for summary judgment	0.20	139.00	
11/18/2015	CWB	call with J. Kanada, J. Hancock re outstanding items to follow up with defendant, authentication for state's documents, analysis of Udinsky and Schmidt's calculations, and upcoming summary judgment oral argument (.6); emails (5) re summary judgment motion discussion (.2); continue work on summary judgment oral argument outline with record annotations and demonstratives (1.3); work on expert deposition outline for B. Burke (2.1)	4.20	945.00	
11/20/2015	PA	emails from and to Matthew Justice re conference call (.1); prepare for and participate in conference call with MoFo attorneys re motion for summary judgment hearing (.1)	0.20	139.00	
11/20/2015	CWB	discussion with P. Alston, A.C. Johnston, J. Kanada, J. Hancock re summary judgment strategy (.8); work on summary judgment outline (.6); continue work on expert outline for Burke deposition (1.8); research and email response to P. Alston re difficulty of care issues raised in MSJ (.6)	3.80	855.00	
11/25/2015	CWB	review/analyze Burke prior expert testimony in Washington foster care litigation and motion to strike same and work on deposition outline and motion to strike (2.2); revise and email to K. Patoc deposition notice re defendant's experts (.5); draft proposed order re motion to strike expert testimony (.5); email proposed order to opposing counsel (.1)	3.30	742.50	
11/27/2015	PA	emails from and to A. C. Johnston re comments to motion for summary judgment	0.20	139.00	
11/27/2015	CWB	review and annotate MSJ outline notes from A.C. Johnston (.8); continue drafting motion to strike Schmidt expert report (2.4)	3.20	720.00	
11/30/2015	PA	emails from and to A.C. Johnston re report on summary judgment hearing (.1); prepare for (2.0) and appear at hearing on cross-motions for summary judgment (1.4); telephone conference with co-counsel (.3); conference with opposing counsel (.1); telephone calls from and to C. Rose re school lunch issues (.2)	4.10	2,849.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
11/30/2015	CWB	prepare for (2.2) and attend (1.0) hearing on motion for summary judgment; teleconference discussion re MSJ hearing and trial strategy with P. Alston, A.C. Johnston, G. Thornton, M. Justice (LEJ); J. Kanada, J. Hancock (.5); research re free school lunch and difficulty of care under federal guidance (.6); discussion with D. Barbata, D. Kalama re expert deposition scheduling (.1)	4.40	990.00	
12/1/2015	PA	emails from and to C. Black re research re difficulty of care as Title IV-E allowable cost (.2); email to C. Black re statute relating to school meals (.1)	0.30	208.50	
12/1/2015	CWB	email to D. Barbata re expert depositions (.1); review federal CWA child welfare manual re difficulty of care provisions (1.3); emails to J. Hancock, J. Kanada re Udinsky deposition (.2); email to P. Alston re letter to court attaching difficulty of care authority discussed at MSJ hearing (.1); continue analysis of DHS-produced documents for use as trial exhibits (3.2)	4.90	1,102.50	
12/2/2015	PA	emails from and to C. Black re letter to Judge Kobayashi re submission of excerpts from the federal Child Welfare Policy Manual re difficulty of care issue (.2); review and revise letter (.1)	0.30	208.50	
12/2/2015	CWB	draft letter to court re federal authority re difficulty of care payments discussed at MSJ hearing (.5); continue review of DHS-produced documents for use at trial (1.8)	2.30	517.50	
12/4/2015	CWB	emails (5) to D. Barbata, D. Kalama re discovery responses, expert depositions, proposed order re motion to strike, and case status (.5)	0.50	112.50	
12/4/2015	PA	review plaintiffs' notice of taking oral depositions (.1); review letter to Judge Kobayashi re excerpts from the Federal Child Welfare Policy Manual (.1)	0.20	139.00	
12/8/2015	CWB	follow up email to and from D. Barbata re authenticity of DHS documents (.2); emails to A.C. Johnston, J. Kanada, J. Hancock, G. Thornton re notification from court re trial date off (.1); continue review of DHS produced documents for trial and consider deposing L. Kazama re authenticity/admissibility in light of DHS refusal to stipulate (2.6)	2.90	652.50	
12/9/2015	PA	review letter from D. Kalama to Judge Kobayashi re objection to plaintiffs' submissions re motions for summary judgment (.1); review order vacating final pretrial conference (.1); emails from and to C. Black re second amended rule 16 scheduling order re deadline to file pretrial statement (.2)	0.40	278.00	
12/9/2015	CWB	review/annotate MSJ transcript (.8); call with J. Kanada and J. Hancock re expert review of documents (.4); email to G. Thornton re Imua Kakou program and board payments (.2); email to team re Rule 16 pre-trial statement deadline strategy and possible stipulation to extend same (.4)	1.80	405.00	
12/10/2015	CWB	work on proposed order re DHS motion to strike experts (.5); email re trial conference statement to opposing counsel D. Barbata and D. Kalama (.1); continue review of DHS-produced documents for use at trial and for Kazama authenticating deposition (1.1)	1.70	382.50	
12/11/2015	CWB	email to Kirkland & Ellis re expert deposition location and scheduling (.1); email to D. Barbata re order on motion to strike experts and revision of proposed order (.5); finalize proposed order for submission to court (.2); continue review of DHS-produced documents for use at trial and for Kazama authenticating deposition (1.8)	2.60	585.00	
12/14/2015	CWB	email to D. Barbata, D. Kalama re pretrial statement deadline (.2); draft stipulation and email to same (.6); continue review of DHS-produced documents for use at trial and for Kazama authenticating deposition (1.8)	2.60	585.00	
12/16/2015	PA	review stipulation and order re pretrial statement submission deadline	0.10	69.50	
12/16/2015	CWB	email from J. Kanada and J. Hancock re expert spreadsheets (.2); work on trial exhibits and expert depositions (2.1)	2.30	517.50	
12/17/2015	CWB	continue review of DHS-produced documents for use at trial and for Kazama authenticating deposition (3.1)	3.10	697.50	
12/22/2015	CWB	review/analyze HDHS 2016 budget and circulate to A.C. Johnston, J. Kanada, J. Hancock, G. Thornton w/comments	1.00	225.00	
12/30/2015	PA	review summary judgment order (.1); conference with C. Black re order (.1)	0.20	139.00	
12/30/2015	CWB	analyze/annotate 40+ page order re motions for summary judgment from federal court (1.1); email to P. Alston re analysis (.1); outline outstanding issues for trial and proof obtained and required re same (2.3)	3.50	787.50	
12/31/2015	CWB	review and analyze DHS expert reports and key documents (1000+pages) in light of MSJ order and map out trial issues	4.40	990.00	
1/4/2016	CWB	review B. Yamashita witness correction sheet (.1); further analyze MSJ order re shelter costs (.8) and outline trial (1.3) and expert issues including potential grounds to strike current DHS expert reports (3.5)	5.70	1,282.50	
1/5/2016	CWB	research re CWA shelter cost category authority in case law, regulations, state provisions, and other federal and state guidance including self-sufficiency analysis by DBEDT (2.8); analyze and annotate 5 experts' reports treatment of housing and shelter costs (1.5)	4.30	967.50	
1/7/2016	CWB	call with J. Kanada re MSJ order and trial strategy (.2); emails (3) from J. Hancock and G. Thornton re CWA cost factors and guidance in HAR, MARC and other authorities (.2); research re other states' treatment of CWA categories and shelter costs in basic rate (2.4); gather additional information for supplemental expert reports (1.1)	3.90	877.50	
1/7/2016	PA	emails from and to J. Kanada re scheduling conference call re motion for summary judgment order and trial preparation issues	0.20	139.00	
1/8/2016	CWB	email discussion with opposing counsel re exhibit exchange deadlines	0.10	22.50	
1/9/2016	PA	review notice of status conference	0.10	69.50	
1/11/2016	PA	review plaintiffs' letter to Judge Kobayashi re request for mainland counsel to appear telephonically (.1); review order granting in part and denying in part defendant's motion for summary judgment; prepare for status conference (.2); review motion for summary judgment ruling (.2)	0.50	347.50	
1/11/2016	CWB	prepare for and attend conference call with P. Alston, A.C. Johnston, J. Hancock, J. Kanada, G. Thornton, A. Gotz re MSJ order and trial issues (.8); analysis of rules re expert supplementation and other near trial deadlines (.4); draft letter to court re telephonic attendance at status conference (.3); emails to and from J. Kanada re trial strategy (.1); research re follow up trial issues, including discovery cut-off, permissible expert supplementation as compared to new opinions, and preclusionary sanctions (1.3)	2.90	652.50	
1/12/2016	CWB	review court orders regarding status conference (.1); emails (4) to and from J. Hancock, G. Thornton, A.C. Johnston re trial setting (.2); revise outline of trial issues identified in MSJ order and portions of existing expert opinions related to same in preparation for court conference and discussion with counsel (.9)	1.20	270.00	
1/13/2016	PA	prepare for (.2) and attend (.2) status conference with Judge Kobayashi; telephone conference with A.C. Johnston and J. Kanada (1.1)	1.50	1,042.50	
1/13/2016	CWB	attend trial setting status conference (.2); discussion with Deputy Attorneys General (Barbata, Kalama) re reopening expert deadlines (.1); discussion with co-counsel regarding trial strategy and experts (.4); discussion with P. Alston re trial research issues (.1); continue research re CWA legislative history concerning cost factors, in particular shelter (3.1)	3.90	877.50	
1/14/2016	CWB	review and analyze 20 page proof chart from J. Kanada re trial issues and annotate response to same (1.8); email to A.C. Johnston, G. Thornton, P. Alston, J. Hancock, J. Kanada re additional comments to proof chart (.2); review Barrick analysis regarding payments (.4) and file correspondence re state data (.5); research supporting difficulty of care underpayment and applicability to child care CWA cost factor only in statute, regulations, and other federal guidance (2.5)	5.40	1,215.00	
1/15/2016	CWB	analyze HDHS document production (800/10,000+ pages) in light of MSJ order and new trial issues, particularly court allowance of piecemeal reimbursements (3.1)	3.10	697.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
1/18/2016	CWB	continue analysis of HDHS documents (3,000 of 10,000+ pages) in light of new trial issues identified by MSJ	3.50	787.50	
1/19/2016	PA	emails from and to J. Kanada re results of research whether expert reports can use depositions to offer new opinions	0.20	139.00	
1/19/2016	CWB	continue research regarding shelter and difficulty of care (1.1); collate and analyze research materials in preparation for expert supplementation (.9); outline topics and materials for meeting with expert P. Brewbaker and discussion re same with J. Hancock and J. Kanada (1.4); emails (2) to J. Kanada enclosing analysis of new and supplemental expert opinions and Rule 26(e)(2) (.7)	4.10	922.50	
1/20/2016	PA	emails from and to J. Kanada re meet and confer letter	0.10	69.50	
1/20/2016	CWB	draft meet and confer letter regarding expert supplements and new opinions pursuant to court minute order regarding trial issues (.8); review J. Hancock, J. Kanada research regarding proffer of entirely new opinions at expert deposition in response to issue raised by defendant (.6); continue analysis of HDHS documents (2,500 of 10,000+) in light of MSJ order and HDHS discovery objections (3.4)	4.80	1,080.00	
1/21/2016	PA	emails from and to D. Barbata re meet and confer re expert issue	0.20	139.00	
1/21/2016	CWB	emails (3) to and from opposing counsel D. Barbata re meet and confer on expert deadlines (.1); email to G. Thornton, A. Gotz, J. Kanada, J. Hancock re meet and confer and analysis of MSJ order and additional expert supplementation regarding payment analysis (.6); draft email re foster care litigation and help researching shelter issues (1.0); discussion with P. Alston re expert and trial strategy and research issues (.2); continue analysis of HDHS documents (1,000 of 10,000+) concentrating on state child welfare services manual in light of MSJ order for trial exhibits and expert review for supplemental opinion (2.6)	4.50	1,012.50	
1/22/2016	PA	email re request for assistance re established meaning of the term "shelter" under the federal Child Welfare Act	0.20	139.00	
1/22/2016	CWB	research re authority, comment, and treatment of "housing" vs. "shelter" vs. "room and board" under Title IV-E, Title IV-B and federal guidance; begin review and analysis of all references to same (housing, shelter, room and board) in federal child welfare services database, and analyze federal review of Hawai`i eligibility determinations (5.3 HOURS TOTAL-NO CHARGE FOR TIME BEYOND 2.5 HOURS)	2.50	562.50	5.30
1/25/2016	PA	telephone calls from and to C. Black re experts	0.20	139.00	
1/26/2016	PA	emails from and to C. Black re summary of meet and confer	0.20	139.00	
1/26/2016	CWB	prepare for (.3) and meet and confer (.4) with D. Barbata, D. Kalama, J. Hancock re expert deadlines; email summary re meet and confer to D. Kalama, D. Barbata (.4); discussion with J. Hancock re expert deadlines (.1)	1.20	270.00	
1/27/2016	CWB	draft proposed stipulation and order (.5); email proposed stipulation to J. Hancock, J. Kanada, A.C. Johnston, G. Thornton, P. Alston with comment (.1); email stipulation to opposing counsel for review and approval (.1); collate research materials and HDHS in preparation for expert supplementation (1.8); review database re L. Kazama for strategy re Kazama deposition (1.3)	3.80	855.00	
1/29/2016	CWB	emails (4) to and from D. Kalama re stipulation and statement re issues for trial (.4); draft statement of issues regarding trial for filing (.5); work on motions in limine (1.3)	2.20	495.00	
1/30/2016	CWB	continue work on motions in limine and areas to limit expert and trial testimony based on HDHS discovery objections	1.50	337.50	
2/1/2016	PA	emails from and to C. Black re email from D. Barbata re scheduling expert depositions (.1); review plaintiffs' statement pursuant to 1/13/16 minute order (.1)	0.20	139.00	
2/1/2016	CWB	prepare for (.4) and attend (.1) trial setting status conference before Judge Kobayashi; discussion with D. Barbata, D. Kalama re expert depositions (.1); call with J. Kanada re expert depositions and trial strategies (.2); review near trial deadline list and communicate with team regarding same (.1); review and analyze HDHS discovery responses in preparation for MILs to exclude categories of information HDHS refused to produce (.9); continue to outline expert issues to address in opening reports (.8)	2.60	585.00	
2/2/2016	PA	conference with C. Black re discovery (.1); telephone call from A. C. Johnston (.2)	0.30	208.50	
2/2/2016	CWB	prepare for (.1) and attend conference call with J. Kanada, J. Hancock and G. Thornton re trial and expert strategy (1.1); draft 6-page analysis of all information/references relating to Child Welfare Act costs from 300+ pp. federal manual and supporting documents and email same to MoFo and Gavin (1.1); strategize re additional near trial deadlines and updated responses (.4); update research re Rules 37 and 26(e)(1) and pre-trial motions (.3); research and analysis re legislative history of Child Welfare Act and evidence of intent in same re shelter costs (2.1)	5.10	1,147.50	
2/3/2016	PA	review stipulation and order re expert disclosure deadlines (.1); review amended rule 16 scheduling order (.1); work on deposition strategy (.1); telephone call from A. C. Johnston (.5); telephone call from A. Winer (.2)	1.00	695.00	
2/3/2016	CWB	analyze and summarize relevant provisions of federal law, guidance, and regulations in light of MSJ order and compile supporting documents to circulate to team (1.3); analyze/evaluate law clerk additional research regarding legislative history of Child Welfare Act and treatment of shelter costs (1.1); discussion with P. Alston re room and board research (.1)	2.50	562.50	
2/4/2016	PA	emails from and to James Hancock re short term placement issue; email re calculations for shelter (.1); work on discovery issues (.2); telephone call from A. Winer (.1)	0.40	278.00	
2/4/2016	CWB	email from J. Kanada re Hansen analysis of Title IV-E foster placements (.1); analyze key documents produced and draft supplemental updated discovery disclosures incorporating same (2.3)	2.40	540.00	
2/5/2016	CWB	work on updated discussion points and analysis/compilation of supporting documents for P. Brewbaker report re costs and housing	2.30	517.50	
2/9/2016	MIHO	confer with C. Black re trial declarations	0.20	35.00	
2/9/2016	CWB	discussion with M. Holden re foster parents and potential testimony (.4); research and comparison re state payments relating to shelter, housing, and room and board (1.3)	1.70	382.50	
2/11/2016	MIHO	meeting with foster parent J.M. (1.7); confer with C. Black re meeting and future strategy (.2)	1.90	332.50	
2/11/2016	PA	emails from and to C. Black re potential witness and declaration of foster parents re DHS reimbursements	0.10	69.50	
2/11/2016	CWB	email analysis of meeting with foster parent to J. Hancock, J. Kanada, G. Thornton (.6); discussion with M. Holden re foster parent testimony (.4); review and analyze HDHS spreadsheets and respond to inquiry from J. Kanada re categories of costs used in HDHS experts' analysis (.8); email to P. Alston re additional class members' testimony (.3)	2.10	472.50	
2/15/2016	CWB	work on supplemental discovery updates pursuant to Rule 26 and incorporation of documents produced; research and begin drafting MIL re child care costs	2.20	495.00	
2/16/2016	MIHO	confer with C. Black re litigation issues (.1); telephone conference with J.M. and email to same re trial testimony (.1)	0.20	35.00	
2/17/2016	CWB	research re potential class members to submit testimony at trial (.8); review Hawaii Business Magazine article re foster care and email to J. Kanada re same (.4); analysis of publicly available and produced documents re categories of housing organizations providing foster care in Hawai`i and reimbursement rates for same (1.3)	2.50	562.50	
2/22/2016	CWB	review and analyze HDHS child welfare manual re foster care payments and procedures re issuing same and compare to federal requirements (2.3); continue work on expert reports (1.5)	3.80	855.00	
2/23/2016	CWB	continue work on expert reports and analysis of HDHS child welfare manual distinctions between different child foster housing organizations/options and effect on CWA mandated costs	5.20	1,170.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
2/24/2016	CWB	discussion with J. Kanada re registration of foster homes in HDHS system and reimbursement and eligibility procedures re same for expert report analysis (.3); evaluate/analyze expert spreadsheets and database re treatment of SLR, SLH, UNL, OTH, ESH, CPO, CFH, and CCI for consistency and accuracy (1.4); revise and finalize supplemental discovery responses (1.4)	3.10	697.50	
2/26/2016	CWB	review documents from J. Kanada re analysis of clients hosted by provider and grouped by facility type	0.80	180.00	
2/29/2016	CWB	analyze and summarize housing cost considerations and review Brewbaker deposition testimony re updates to and further analysis in expert reports (3.1); discussion with D. Barbara (.1) re expert documents and scheduling of depositions	3.20	720.00	
3/1/2016	CWB	email from D. Barbata re HDHS expert files and email to J. Kanada re same (.1); review and analyze HDHS expert zip files (3.1)	3.20	720.00	
3/2/2016	CWB	compile trial and deposition (HDHS experts and HDHS administrator Kazama) exhibits; analysis and comments re expert analysis for supplemental or updated report (2.6); multiple emails to D. Barbata and D. Kalama re expert deposition scheduling (.2)	2.80	630.00	
3/3/2016	CWB	discussion with D. Barbata re expert depositions (.1); email to J. Kanada re same (.1); refresh work on deposition outline and motion to exclude HDHS expert in light of MSJ ruling invalidating HDHS theories re payment (2.1)	2.30	517.50	
3/4/2016	CWB	discussion with D. Barbata and D. Kalama re potential request to reset trial (.2); emails (3) to A.C. Johnston, G. Thornton, J. Kanada, J. Hancock, P. Alston re same (.1); discussion re trial with P. Alston (.1); joint call to court with AG's office (.1); discussion with W. Nakamura and AG's office re letter request to court (.1); work on outline for expert reports and summary of issues relating to payment data (.8); analyze HDHS document production re trial exhibits and respond to requests for supporting information re same (1.2)	2.60	585.00	
3/7/2016	CWB	discussion with foster parent re issues relating to case workers and availability of benefits (1.2); analyze HDHS document production and publicly available data re inconsistencies in criteria for allowing or disallowing requests for additional payments (2.3)	3.50	787.50	
3/8/2016	PA	email re request for help for foster children	0.20	139.00	
3/9/2016	MIHO	email to J.M. re contact and testimony	0.10	17.50	
3/9/2016	CWB	email to P. Alston re federal foster care attaching annotated summary judgment order (.4)	0.40	90.00	
3/9/2016	PA	emails from and to A. Winer re Judge Kobayashi decision (.1); email to C. Black re decision (.1)	0.20	139.00	
3/9/2016	CWB	emails to MoFo team and Brewbaker re formulas for expert spreadsheets (.2); emails to and from D. Barbata re expert data (.2); analyze HDHS experts' formulas and compare to three experts' reports (1.1); review L. Barrick analysis of payments and compare to Udinsky purported analysis of same (.9); outline issues for Brewbaker analysis in light of HDHS data and underlying formulas and Barrick analysis (.6); review payment HDHS criteria according to discovery responses and document production (.8)	3.80	855.00	
3/10/2016	MIHO	follow up with J.M. re trial testimony	0.10	17.50	
3/10/2016	CWB	review order denying request to reschedule trial (.1); emails to and from A.C. Johnston, G. Thornton, J. Hancock, J. Kanada, P. Alston re trial scheduling (.2); emails to and from D. Barbata and D. Kalama re trial scheduling (.4); email to M. Holden re Catholic Charities and foster parent training (.1); emails to P. Brewbaker re expert reports (.1); conference call with A.C. Johnston, J. Kanada re trial issues and expert reports (1.0); continue work compiling documents with facts to support expert analyses in light of MSJ ruling (1.5); analyze MSJ ruling and effect on subclasses and compare to data analysis by L. Barrick (.7); emails to and from P. Alston and A. Grace re shelter component of foster care maintenance payment (.2); research re non-profit organizations contracted to provide services to HDHS on behalf of foster parents (.4)	4.70	1,057.50	
3/10/2016	PA	emails from and to A. Winer re foster care issues (.1); email to A. Grace re same (.1)	0.20	139.00	
3/11/2016	CWB	emails to and from D. Barbata re trial and deposition scheduling (.2); continue work on identifying additional supporting documents for expert reports and trial exhibits pursuant to MSJ order clarifying issues (2.0); draft supplemental disclosures (.7)	2.90	652.50	
3/14/2016	CWB	emails to and from J. Kanada re Hansen and Brewbaker working files (.2); analyze/compare spreadsheet data used by plaintiffs and DHS experts (.7); update research re pending bills relating to foster care and potential impact on litigation (.6); review and analyze facts reported by HDHS to federal government relating to Waiver Project and Title IV-E claims for reimbursement for depositions and trial (.8)	2.30	517.50	
3/15/2016	PA	review order denying request to continue trial	0.10	69.50	
3/15/2016	CWB	emails to and from D. Barbata re Hansen and Brewbaker formulas (.2); emails to AG's office and MoFo team re deposition scheduling for experts (.2); emails to P. Brewbaker re expert analysis (.2); work on identification potential trial exhibits in light of MSJ order and issues relating to HDHS refusal to admit to authenticity re same (1.8)	2.40	540.00	
3/16/2016	PA	emails from and to C. Black re email from G. Thornton re invitation to speak at a resource family support group in Hilo	0.30	208.50	
3/16/2016	CWB	emails to and from G. Thornton re invitation to update foster parent groups regarding litigation (.3); emails to P. Brewbaker re updated expert analysis and outstanding issues (.1); follow up research re factual points raised by Brewbaker report and deposition testimony (1.5)	1.90	427.50	
3/17/2016	CWB	telephone call to class member re invitation to speak to foster care resource group and foster parents (.4); continue analysis of HDHS documents in connection with compilation of trial exhibits and for facts supporting new round of expert reports (2.4)	2.80	630.00	
3/18/2016	CWB	review MSJ order and DHS child welfare manual in preparation for meeting with foster parents in Hilo (1.4); calls to and from foster parent relating to invitation to speak to foster families re lawsuit (.2); emails to and from D. Barbata re Kazama deposition (.2); compile and cursorily review HDHS documents relating to Kazama for deposition prep and scheduling decisions (1.1)	2.90	652.50	
3/19/2016	PA	emails from and to C. Black re foster care meeting	0.20	139.00	
3/19/2016	CWB	prepare for (.8) and meet (2.0) with foster parent resource group in Hilo re update to lawsuit and call for assistance relating to individual experience obtaining additional foster care related payments and benefits (3.0 NO CHARGE NO SHOW FOR TRAVEL TIME)	2.80	630.00	3.00
3/20/2016	PA	emails from and to G. Thornton re foster care meetings	0.20	139.00	
3/21/2016	PA	review defendant's notice of taking oral deposition of Mary Eschelbach Hansen PhD (.1); work on strategy re experts (.1)	0.20	139.00	
3/21/2016	CWB	research publicly available databases for HDHS contracts with organizations for the administration of foster care and analysis re contracts (2.3); communications to and from D. Barbata and J. Kanada re HDHS excel data provided to experts and request for output files re same (.3); analyze and compare HDHS spreadsheets with data from document production and update trial outline re same (1.3); call with A. Grace re foster care shelter costs (.2)	4.10	922.50	
3/21/2016	CWB	calls from foster parents (4) relating to problems and issues with HDHS and fear of retaliation of testimony provided at trial (1.3); research into standard for anonymity re trial witnesses and potential retaliation (.3)	1.60	360.00	
3/22/2016	CWB	emails to and from J. Kanada re foster children demographics and distribution across islands (.4); continue analysis and compilation of HDHS production for trial exhibits and work out MILs (3.2); call from foster parent requesting anonymity and sharing personal experiences with HDHS retaliation for requesting additional payments (.5)	4.10	922.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
3/25/2016	CWB	discussion with foster parents requesting anonymity because of fear of reprisal from DHS and DHS-contracted organizations (1.1); review and research request from J. Kanada re foster child physicals and DOC payments (.8); continue research re anonymity for trial witnesses and other available protections (.8)	2.70	607.50	
3/28/2016	CWB	analyze and comment re 40+pp Hansen draft report and cross reference with HDHS document production and data (3.8); review and follow up re J. Kanada email requests re DOC payments and foster child physical examinations (.6); research and summarize history of DOC payments to J. Kanada (.7); emails (2) from G. Thornton re physical exams and Hansen draft (.1); revise issue outline for meeting with Brewbaker (1.4)	6.60	1,485.00	
3/29/2016	CWB	analysis and notes to Hansen report (3.1); emails (3) to and from J. Kanada re Hansen report (.1); analyze Hansen revisions re report (.3); review and analyze Brewbaker deposition, MSJ order, and Brewbaker June and September 2015 reports in preparation for meeting with Brewbaker and annotate notes re same (1.1); meeting with P. Brewbaker (1.0); continue work on Brewbaker supplemental analysis (1.3); email to D. Barbata re expert files and depositions (.1); emails to and from P. Brewbaker re expert analysis (.2); emails to and from foster parent regarding experiences with HDHS (.2)	7.40	1,665.00	
3/29/2016	PA	emails from and to C. Black re email from Joe Kanada re Hansen's draft report on Hawai`i's payments to its foster parents and the cost of caring for children in Hawai`i foster care (.2); email to C. Black re comments on difficulty of care issues (.2)	0.40	278.00	
3/29/2016	PA	review expert report; conference with C. Black	0.70	486.50	
3/30/2016	MIHO	telephone conference with K.J. re foster services	0.30	52.50	
3/30/2016	CWB	call with J. Kanada, A.C. Johnston, A. Hwang (MoFo) and G. Thornton (LEJ) re Hansen expert report (.7); emails (8) from J. Kanada, G. Thornton and P. Alston re discrepancy between HDHS data and publicly reported data to feds (.7); emails (6) to J. Kanada re HDHS payment data analysis (.6); email to D. Barbata re HDHS deposition scheduling (.1); analysis of HDHS Title IV-E claims to federal government and payment processes to foster parents and compare HDHS production to publicly available sources (1.9); continue work on Brewbaker expert analysis (1.1)	5.10	1,147.50	
3/30/2016	PA	emails from and to Joe Kanada re email from M. Hansen re summary re public use data (.1); review and revise summary (.1)	0.20	139.00	
3/31/2016	CWB	meeting with P. Brewbaker re expert report (2.3); call with J. Kanada, M. Hansen, L. Barrick, S. Lacroix re expert analysis and report (2.1); emails (3) to J. Kanada re documentary support for factual statements (.9); analysis and email to C. Crawford re foster parent focus group summaries for M. Hansen review (.4)	5.70	1,282.50	
4/1/2016	CWB	evaluate/compile documents for expert review and discussion with J. Kanada re same (.4); prepare for and meet with expert P. Brewbaker re analysis of foster care maintenance payments and Hawai`i cost of living differential (2.5); emails from P. Brewbaker re data used for expert analysis (.2); analyze and respond to M. Hansen draft expert analysis (2.7); review A.C. Johnston annotations to expert analysis (.8); emails (3) to and from D. Barbata re parameters of data relied upon by HDHS experts (.3)	6.90	1,552.50	
4/2/2016	CWB	emails (4) to and from P. Brewbaker discussing expert analysis (.8); review and respond to draft updated analysis (1.3)	2.10	472.50	
4/3/2016	CWB	review, analyze, and annotate P. Brewbaker draft updated report and calculations	5.20	1,170.00	
4/4/2016	PA	emails from and to J. Kanada re current draft of Hansen's report and supporting tables and exhibits (.1); emails from and to J. Kanada re alternative version of draft (.1)	0.20	139.00	
4/4/2016	CWB	review and revise expert deposition notices (.3); discussion with P. Alston re housing costs (.2); analyze and prepare comments re Hansen 90+ page expert analyses and Barrick and LaCroix supporting materials and compare to Brewbaker analysis (2.8); emails (9) from J. Kanada re Hansen experts' analyses (1.3); emails to and discussion with P. Brewbaker re revisions to expert report and work on same (3.1)	7.70	1,732.50	
4/5/2016	PA	review defendant's notice of taking oral deposition of Paul Brewbaker (.1); telephone calls re research (.1)	0.20	139.00	
4/5/2016	PA	email to C. Black re shelter; emails from and to C. Black re Brewbaker's foster child care update	0.10	69.50	
4/5/2016	CWB	work on edits to and finalizing M. Hansen and P. Brewbaker expert reports, tables, calculations and supporting documents for service on State (3.7); emails (9) from P. Brewbaker re expert analysis (1.5); emails (2) from J. Kanada re expert analyses and revisions to same (.2)	5.40	1,215.00	
4/6/2016	PA	emails from and to C. Black re email from Brewbaker re opinion on shelter cost reimbursement issue (.1); emails to and from P. Brewbaker re home price and living cost differential data (.2); emails from and to P. Brewbaker re fair comparison--cheapest v. cheapest or mid-market v. mid-market (.1)	0.40	278.00	
4/6/2016	CWB	call with J. Kanada re expert reports and cost of living indices (.2); emails (8) from P. Brewbaker and P. Alston re cost of living differentials for consumer goods as compared to services and housing costs (.8); work on hypothetical basket of goods for comparison (.3); analyze and annotate Udinsky supplemental expert report and compare to initial report and outline issues for expert deposition and Daubert (2.7)	4.00	900.00	
4/7/2016	CWB	continue analysis of Udinsky expert report and compare to Hansen and Brewbaker conclusions, outline deposition issues and review HDHS data re 27,000+ payments relating to foster children (2.3); email discussion with P. Brewbaker re housing cost issues and summary judgment order (.7); email to Hawaii Community Foundation personnel re Title IV-E analysis (.1); review errata to Schmidt expert report/analyze expert reports (.1); review and outline Schmidt report issues (.4)	3.60	810.00	
4/8/2016	PA	review supplement expert report of Brendan Burke (.1); review expert report of Nicholas Schmidt (.1); review supplemental analysis of Foster Care payments and exhibits (.1); review errata to expert report of Nicholas Schmidt (.1)	0.40	278.00	
4/11/2016	CWB	email from J. Kanada re cost of living comparison (pre school costs) (.1); review cost of living indices and Civil Beat cost of paradise article and supporting data (.8); analyze and outline issues relating to Schmidt and Burke reports and comparisons to Hansen and Brewbaker conclusions (4.2)	5.10	1,147.50	
4/12/2016	CWB	work on email request from. J. Kanada re communications on expert scheduling with State (.5); emails to and from A. Hwang and J. Kanada re expert depositions strategy (.2); emails to and from P. Brewbaker re expert data and files (.3); analyze and compare Schmidt and Burke supplemental reports to prior reports and outline deposition issues and potential Daubert (2.3); analyze regulations and studies re Title IV-E participation and payments relating to foster children (2.1)	5.40	1,215.00	
4/13/2016	PA	telephone calls from and to C. Black re experts	0.30	208.50	
4/13/2016	PA	emails from and to C. Black re summary of meeting with DHS and strategy	0.20	139.00	
4/13/2016	CWB	meeting with HDHS to discuss maximizing Title IV-E reimbursements across state agencies (0.5 NO CHARGE); emails (3) to HCF staff and former staff re Hawai`i specific Title IV-E studies (.2); draft summary of Title IV-E expenditures and potential additional reimbursements to MoFo, LEJ and P. Alston (.4); emails (4) from P. Brewbaker re expert analysis and data (.2); finalize Udinsky deposition notice and email to J. Kanada re same (.2); analyze parameters of federal Title IV-E participation re state expenditures for foster care maintenance payments and administrative costs (1.4)	2.40	540.00	0.50
4/14/2016	CWB	call with K.U. re HDHS foster care issues and retaliation against parents (.5); emails (3) to and from P. Brewbaker re expert analyses and working files (.1); emails (2) from D. Barbata re expert depositions (.2); review and analyze document production and discovery files for references to case worker procedures re denial of payments (2.3); emails to J. Kanada re expert files and deposition issues and limits (.2); emails to D. Barbata re expert deposition (.1)	3.40	765.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
4/15/2016	CWB	emails (3) to and from D. Barbata re expert depositions limitations and issues (.5); email from J. Kanada re expert deposition limitations (.2); emails (16) to and from P. Brewbaker, J. Kanada, M. Hansen re expert data (.5); email to D. Barbata proposing stipulation re cost of living differential (.4); compile and summarize Hawai`i cost of living differential materials for proposal (1.2); emails to Collaborative Leaders Network (CLN) regarding foster care and federal funding issues (.3); emails to P. Brewbaker regarding additional expert files and discussion regarding cost of living conclusion (.2); review and analyze MoFo chart of expert conclusions (.8)	4.10	922.50	
4/16/2016	CWB	email to and from P. Brewbaker re expert analysis and data relied upon	0.10	22.50	
4/17/2016	CWB	further email discussion with P. Brewbaker re expert analysis and data relied upon	0.10	22.50	
4/18/2016	PA	emails from and to C. Black re email from D. Barbata re experts' reports and documents and stipulation re COL	0.20	139.00	
4/18/2016	CWB	discussion with P. Brewbaker re expert conclusions (.2); email from D. Barbata re expert data (.1); follow up email to D. Barbata re request to stipulate to cost of living differential (.1); email to and from J. Kanada re plaintiffs' request for DHS expert data (.1); discussion with J. Kanada re stipulation to cost of living differential (.2); email to P. Alston re cost of living differential and stipulation re same (.2); outline rebuttal report points and gather documents in support of same (1.8)	2.70	607.50	
4/19/2016	KP	finalize deposition notices for Schmidt, Burke and Kazama	0.60	75.00	
4/19/2016	PA	emails from and to C. Black re new deposition date for Paul Brewbaker	0.10	69.50	
4/19/2016	CWB	emails (8) to and from expert P. Brewbaker re expert deposition and data relied upon (.2); emails (3) to and from P. Alston re expert deposition strategy (.2); emails (4) from J. Kanada re expert deposition limitations and costs (.3); emails (2) to D. Barbata regarding depositions and attaching expert data (.3); revise and finalize expert deposition notices for Schmidt, Udinsky, Burke (.7); review Hansen working files and prepare for delivery to HDHS (.5); finalize deposition scheduling and expert data discussions and transmit to A. Hwang, J. Kanada for deposition defense preparation (1.1)	3.30	742.50	
4/20/2016	CWB	email to and from P. Brewbaker re expert data (.1); work on Lynne Kazama deposition topics and gather documents from HDHS production re outstanding issues identified in MSJ (3.1)	3.20	720.00	
4/21/2016	PA	review plaintiffs' notice of taking oral deposition of L. Kazama; review plaintiffs' notice of taking oral deposition of N. Schmidt; review plaintiffs' notice of taking oral deposition of B. Burke	0.10	69.50	
4/21/2016	CWB	email to D. Barbata attaching Brewbaker data and calculations (.2); emails to J. Kanada, A. Hwang re Hansen deposition limitations (.4); call with J. Kanada and A. Hwang re Hansen deposition preparation and topics (.3); review Hansen deposition transcript, initial and rebuttal report in preparation for Hansen continued deposition (1.4); continue work on document outline re potential trial exhibits, Kazama deposition, and summary judgment ruling (3.1)	5.40	1,215.00	
4/22/2016	CWB	prepare materials for meeting with P. Brewbaker in preparation for deposition: review/analyze initial, supplemental and updated Brewbaker expert reports and summarize conclusions and discussion points, review/annotate Brewbaker deposition transcript (3.0); discussion with K. Patoc re deposition timing and limitations (.3)	3.30	742.50	
4/25/2016	CWB	prepare for and meet with P. Brewbaker re deposition (3.0); email to and from A. Hwang re expert deposition limitations (.1); finalize discussion points re Hansen conclusions and deposition issues (.5); work on Kazama deposition outline (.8)	4.40	990.00	
4/26/2016	CWB	email from D. Kalama enclosing HDHS expert working files (.1); review and analyze HDHS working files and email to MoFo re same, compare HDHS expert working files to conclusions in report and Plaintiffs' expert conclusions (2.4); email to P. Alston re DBEDT new information released re consumer expenditures in Honolulu (.4); email to team re DBEDT Honolulu household expenditures survey (.3)	3.20	720.00	
4/27/2016	CWB	work on Brewbaker additional discussion points (1.2) and review Hansen transcript (.6)	1.80	405.00	
4/28/2016	PA	review defendant's amended notice of taking oral deposition of Paul Brewbaker PhD (.1); conference with C. Black re deposition (.2)	0.30	208.50	
4/28/2016	CWB	call with A. Hwang and M. Hansen (.3); attend (via teleconference) deposition of M. Hansen (3.3); calls (3) with A. Hwang and J. Hancock re Hansen deposition (.4); analysis and outline of issues raised re Hansen for Brewbaker depo prep (.4)	4.40	990.00	
4/29/2016	CWB	review and analyze additional data from HDHS (1.1); emails to D. Barbata following up re parameters and timing of additional data (.2); emails to J. Kanada re strategy to respond to additional data and deposition scheduling as a result (.4); research regarding types of payments provided by HDHS and identified in new data provided (.6); discussion with P. Alston re new HDHS data and expert deposition strategy (.3); prepare for L. Kazama deposition (2.2)	4.80	1,080.00	
4/30/2016	CWB	prepare for L. Kazama deposition	8.20	1,845.00	
5/2/2016	CWB	email to MoFo team re expert depositions (.1); call with J. Kanada re case strategy (.2); review and analysis of document production re Kazama role in rate setting focus group and MSJ order (1.8) and revise deposition outline accordingly (3.1); finalize potential deposition exhibits (1.3)	6.50	1,462.50	
5/3/2016	CWB	email from J. Kanada re additional topics to discuss at Kazama deposition (.2); finalize preparation for (1.3) and depose L. Kazama (4.0); emails and calls to P. Brewbaker re rebuttal (.2); prepare for defense of Brewbaker deposition-review prior deposition transcript and expert reports (1.4)	7.10	1,597.50	
5/4/2016	PA	work on discovery (.2); conference with C. Black re depositions (.1)	0.30	208.50	
5/4/2016	CWB	discussion with and defend deposition of P. Brewbaker (3.7); email to D. Kalama, D. Barbata re PCE and CES weights (.1); discussion re and email to D. Kalama, D. Barbata re BLS data (.3); review Hansen, Udinsky, Burke and Schmidt references and discussion re weighting (.8)	4.90	1,102.50	
5/5/2016	CWB	compare DHS payment database descriptors with CPSS codes, state Child Welfare Services manual, state administrative rules re payments and federal CWA guidance re payments types to reconcile discrepancies in state payment data and relevance/reliability of expert analyses of same	2.40	540.00	
5/6/2016	CWB	emails to and from J. Kanada re rebuttal report strategy (.2); emails to J. Kanada re CPSS codes and state payments (.1); email to P. Brewbaker re Udinsky supplemental report (.2); email to D. Barbata, D. Kalama re SPO and rebuttal reports (.2); analysis of Burke, Schmidt and Udinsky reports and outline issues for deposition and rebuttals (3.1)	3.80	855.00	
5/7/2016	CWB	review email from J. Kanada re discrepancies in expert data (.2); compare "new" expert data to prior data relied upon by experts and research re CPSS codes and CWA cost factors (2.9)	3.10	697.50	
5/9/2016	CWB	discussion with foster parents re trial testimony and fear of retaliation from DHS case workers and administration for participating in lawsuit (.5); continue analysis of Burke, Schmidt and Udinsky reports and compare working files and documents reviewed to documents produced by DHS with contradictory information (3.1); review Brewbaker deposition testimony (.5)	4.10	922.50	
5/10/2016	CWB	emails from J. Kanada re expert files and data analyzed (.2); analysis of DHS document production for references to foster parent "advocate" associations' promises to not support litigation and to supplement proposed trial exhibits (2.3) and follow up with foster parents re trial testimony and fear of reprisal (.8)	3.30	742.50	
5/12/2016	PA	emails from and to C. Black re email to D. Barbata re expert files, deadlines and new data	0.20	139.00	
5/12/2016	CWB	discussion with J. Kanada re expert data and files (.1) further research re meaning of CPSS codes and reimbursement types provided to foster parents and compare to CWA cost factors and CES data to evaluate relevance and reliability of DHS expert analyses (2.6); email to D. Barbata, D. Kalama re discrepancies in expert spreadsheets (.4); email to J. Kanada re expert supplementation and deadlines (.3)	3.40	765.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
5/13/2016	CWB	email to D. Barbata re discrepancies in state data and expert submissions (.3); email to J. Kanada re expert deposition scheduling (.1); work on analysis of Burke and Schmidt opening reports (2 each) and rebuttal reports (1 each) in preparation for deposition of same (2.5)	2.90	652.50	
5/14/2016	PA	emails from and to C. Black re status	0.20	139.00	
5/16/2016	CWB	email discussion with J. Kanada re Udinsky deposition invoice and overcharges (billing rate discrepancy) (.1); email to D. Barbata re rebuttal deadlines, data discrepancies, and request for expert working files (.3); review and analyze Udinsky reports in preparation for deposition (1.2)	1.60	360.00	
5/17/2016	PA	review plaintiffs' amended notice of taking videotaped deposition of Jerald Udinsky	0.20	139.00	
5/17/2016	CWB	revise amended deposition notice for Udinsky and email courtesy copy to counsel (.4); email to and from J. Kanada re deposition logistics (.1); email to D. Barbata re analysis of payment data and request for additional clarity re payment data (.2); discussion re Udinsky prior work for state (.2); review and comment re 50-page Udinsky deposition outline and additional issues to follow up on re reliability of analysis (2.3)	3.20	720.00	
5/18/2016	JAFI	preparation for deposition of expert witness J. Udinsky including review of supplemental report and deposition outline prepared by outside counsel (.2); attending and recording notes of deposition of J. Udinsky via telephone with C. Black (3.0 NO CHARGE)	0.20	25.00	3.00
5/18/2016	PA	conference with C. Black re experts	0.50	347.50	
5/18/2016	CWB	attend deposition of J. Udinsky by teleconference (5.0); emails to J. Kanada, J. Hancock re deposition topics (.4); analysis of follow up topics for DHS experts Schmidt and Burke in light of Udinsky testimony (.8)	6.20	1,395.00	
5/19/2016	CWB	email to D. Barbata, D. Kalama re clarification of expert deadlines (.1); email to J. Kanada re expert deadlines (.1); emails to P. Alston and MoFo team re trial date (.2); email to J. Kanada and J. Hancock re reimbursement for expert deposition time and preparation (.5); work on deposition outline of Nicholas Schmidt (3.1)	4.00	900.00	
5/20/2016	PA	emails from and to C. Black re inquiry from the court re days for plaintiff's case in chief	0.20	139.00	
5/20/2016	CWB	multiple emails to and from W. Nakamura re trial date and availability (.3 NO CHARGE FOR COMMCNS W/COURT); further email to and discussion with P. Brewbaker re trial availability and testimony (.3); calls and discussions with foster parents re potential trial testimony, availability, fear of reprisal from DHS (.5); discussion with MoFo, AHFI, and LEJ teams re trial dates (.3)	1.10	247.50	0.30
5/21/2016	CWB	review and analyze 20-page Hansen draft rebuttal and Udinsky testimony relating to rebuttal issues and comments re same from J. Kanada and J. Hancock re McHugh factors (1.3); review documents and testimony relating to Burke and Schmidt conclusions regarding basic board rate and housing/shelter and respond to J. Kanada and J. Hancock re expert assumptions (1.4)	2.70	607.50	
5/22/2016	CWB	work on trial strategy and document-annotated issue outline	4.20	945.00	
5/23/2016	PA	telephone call from A. C. Johnston re trial logistics and follow up (.3); emails from and to A. C. Johnston re schedule telephone call re trial logistics and staffing (.1)	0.40	278.00	
5/23/2016	CWB	emails to AHFI, LEJ and MoFo teams re trial dates (.2); respond to W. Nakamura inquiry re trial dates and Court's offer of alternative trial dates to accommodate defense counsel (.3 NO CHARGE FOR COURT COMMCNS); follow up emails to named plaintiffs re trial dates (.2); discussions with foster parents re trial testimony and fear of DHS reprisal, denial of pending adoptions and removal of children from foster homes as a result of trial testimony (.5); continue work on Schmidt and Burke deposition outlines (2.5) and annotation of trial outline (1.0); review MoFo chart comparing expert conclusions re costs and compare to research (.8)	5.20	1,170.00	0.30
5/24/2016	PA	review email from Dana Barbata re available dates (.1); email to W. Nakamura re trial date (.1 NO CHARGE); email to C. Black re status of depositions in Chicago (.1)	0.20	139.00	0.10
5/24/2016	CWB	review and finalize Hansen rebuttal report (.8); discussion with P. Brewbaker (.5); emails from D. Kalama, D. Barbata re trial dates (.2); emails to AHFI, LEJ and MoFo teams re trial date (.2); work on expert deposition outlines for Schmidt and Burke and analyze Hansen reports for additional critiques of DHS expert conclusions (4.5)	6.20	1,395.00	
5/25/2016	PA	emails from and to A. C. Johnston re estimate of days (.2); emails from and to Joe Kanada re comments to timing (.1)	0.30	208.50	
5/25/2016	CWB	emails to and from D. Barbata, D. Kalama re deposition location and scheduling (.2); emails to and from W. Nakamura re trial date estimates (.2 NO CHARGE FOR COMMCNS W/COURT); continue work on deposition outlines for Burke and Schmidt and annotated proposed exhibits re same (3.5)	3.70	832.50	0.20
5/26/2016	PA	emails from and to C. Black re experts	0.20	139.00	
5/26/2016	CWB	revise and edit trial strategy issue outline and circulate to MoFo, LEJ teams and P. Alston (2.5); emails (3) to P. Alston re DHS expert conclusions re housing and weaknesses (.4); emails to and from Kirkland and Ellis re deposition scheduling and location (.4)	3.30	742.50	
5/26/2016	CWB	call with J. Hancock, A.C. Johnston, P. Alston re depositions and trial strategy	1.10	247.50	
5/27/2016	PA	telephone calls to and from C. Black re discovery (.2); emails from and to C. Black re email from J. Kanada re trial preparation questions and recommendations (.2)	0.40	278.00	
5/27/2016	PA	emails from and to C. Black re preparation for Chicago depositions	0.20	139.00	
5/27/2016	CWB	work on Burke and Schmidt deposition outlines and annotations to proposed exhibits (4.2); prepare for and meet with P. Brewbaker re deposition and trial testimony and response to rebuttals (1.5); revise and email courtesy copy of amended depo notice re Burke and Schmidt (.4); finalize deposition exhibits (1.1)	7.20	1,620.00	
5/28/2016	CWB	continue work on deposition outline for Burke and compare to Washington state foster care litigation settlement and expert reports	2.00	450.00	
5/29/2016	CWB	continue work on Schmidt deposition and compare 3 reports in Hawai`i litigation to theories proffered in Washington state litigation reports and settlement (2.0); review additional FPAWS v. Quigley pleadings relating to expert motions and outline additional questioning re reliability of data and analysis based on faulty data (1.6); continue work on Burke outline (1.5)	5.10	1,147.50	
5/30/2016	CWB	continue revising deposition outlines re Schmidt and Burke for PA	4.50	1,012.50	
5/31/2016	PA	emails from and to C. Black re questions/comments re expert reports (.3); emails from and to A. C. Johnston and James Hancock re scheduling conference call (.1); prepare for experts' depositions (1.8); conference with C. Black re discovery (.1)	2.30	1,598.50	
5/31/2016	CWB	multiple discussions with P. Alston re Burke and Schmidt reports (.5); finalize Burke and Schmidt deposition outlines and proposed exhibits (3.3); emails to J. Kanada re Udinsky deposition invoice (.2); work on exhibits and package to Kirkland for deposition (.6 NO CHARGE)	4.00	900.00	0.60
6/1/2016	PA	emails from and to C. Black re deposition conference line information and logistics (.2); travel to Chicago and prepare for experts' depositions (2.9)	3.10	2,154.50	
6/1/2016	CWB	finalize preparation for Schmidt and Burke deposition and email information and background documents to P. Alston (2.0); conference call with P. Alston, A.C. Johnston, A. Hwang, G. Thornton, J. Kanada and J. Hancock re experts' deposition and trial strategy (.8); review Child Care Aware email alert and new data re child care (.4)	3.20	720.00	
6/2/2016	PA	emails to and from C. Black re Burke's Washington reports (.2); emails to and from C. Black re Hansen's third report (.2); emails from and to C. Black re deposition outlines and exhibits (.1); prepare for and participate in deposition of N. Schmidt (7.0); emails from and to J. Hancock re deposition strategy (.2); emails from and to C. Black re line of questioning re the spreadsheets (.3)	8.00	5,560.00	
6/2/2016	CWB	prepare for (.3) and attend Schmidt deposition by teleconference including discussions with P. Alston during breaks (8.0)	8.30	1,867.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
6/3/2016	PA	prepare for (.5) and attend deposition of B. Burke (6.0); work on discovery (.1); telephone call to C. Black (.1); emails from and to J. Kanada re Burke codes (.1); email to team re criticism of the use of "average" vs. marginal expenses issue (.1); emails from and to J. Hancock re Burke's report (.1)	7.50	5,212.50	
6/3/2016	CWB	prepare for and attend by teleconference deposition of Defendants' expert B. Burke (4.3); review and analyze trial matrix and work on exhibit list (1.3)	5.60	1,260.00	
6/4/2016	PA	email re data from Hawaii stays in foster care (.1); email re child welfare outcomes report data (.1)	0.20	139.00	
6/4/2016	CWB	emails to and from P. Alston and J. Kanada re Title IV-E vs. non-IV-E data (.4); begin work on expert motions to strike (review reports and court order and case law) (2.1)	2.50	562.50	
6/6/2016	PA	conference with C. Black re order (.2); review Alaska order (.2)	0.40	278.00	
6/6/2016	CWB	emails from J. Kanada and J. Hancock re Schmidt deposition testimony re AFCARS data and analysis for supplement and motions to strike (.3); emails to and from J. Engstrom (Kirkland and Ellis) re deposition materials (.1 NO CHARGE); emails to and from G. Dudukgian, Esq. (Northern Justice Project) re Alaska foster care litigation and review Alaska litigation materials (1.6); review Hansen working stata files and emails from J. Kanada re same (.3); review email from D. Barbata with incorrect remaining time left on Udinsky deposition continuation and confirm (.2); call with G. Dudukgian, Esq. re Alaska litigation and Attorney Generals offices coordination in litigation in HI, AK, WA (.5); research re cost factor analysis and reimbursement across state Child Welfare offices (1.1)	4.00	900.00	0.10
6/7/2016	CWB	teleconference with J. Kanada re expert issues (.4); email from J. Kanada re M. Hansen expert strata (.2); review Hansen errata (.2); lengthy emails from D. Barbata and J. Kanada re Udinsky continued deposition (.3); continue working on trial exhibits and revise in light of expert testimony (2.7)	3.80	855.00	
6/8/2016	CWB	emails to J. Kanada, J. Hancock, D. Barbata re and attaching expert files (.4); continue work on trial exhibits and trial proof matrix (1.8)	2.20	495.00	
6/9/2016	CWB	emails (2) from D. Barbata re expert files and data (.2); emails (2) from J. Kanada, J. Hancock re teleconference with M. Hansen and issues re same (.3); call with P. Brewbaker and review Burke notes regarding "survival" analysis (.8)	1.30	292.50	
6/10/2016	CWB	emails (2) from J. Hancock re Udinsky deposition and deposition designations	0.20	45.00	
6/13/2016	CWB	call with J. Kanada, J. Hancock re trial strategy and upcoming deadlines	0.50	112.50	
6/14/2016	PA	emails from and to A. C. Johnston re trial preparation	0.20	139.00	
6/14/2016	CWB	work on depo designations (2.0); emails to J. Hancock re deposition transcripts (.3); emails (2) from J. Hancock, D. Barbata re deposition scheduling and location (.2)	2.50	562.50	
6/15/2016	PA	emails from and to court reporter re depo transcript	0.10	69.50	
6/15/2016	CWB	call with J. Hancock and J. Kanada (.5) re deposition designations; analyze and annotate Schmidt transcript (1.1); continue work on trial exhibits and preliminary outline re depo designations (1.2)	2.80	630.00	
6/15/2016	CWB	discussion with J. Hancock re pre-trial statement (.4); email re sample of same (.1)	0.50	112.50	
6/16/2016	CWB	call to P. Brewbaker re DHS expert issues (.1); emails from J. Hancock re Brewbaker opinions (.4); review draft Hansen supplement and comment (.4); continue working on trial outlines for foster parents relating to reimbursements and follow up calls to foster parents (5) fearing retaliation by DHS for testimony (2.0)	2.90	652.50	
6/17/2016	PA	emails from and to J. Kanada (.1); review Burke depo transcript and email to all (.1)	0.20	139.00	
6/17/2016	CWB	multiple emails from D. Barbata, J. Kanada re Udinsky deposition (.3); work on Udinsky amd depo notice (.3); analyze Burke transcript (.6)	1.20	270.00	
6/20/2016	CWB	emails from D. Barbata re expert discussion re data (.2); review BLDS invoice and search emails re expert payment agreement (.5); email and call P. Brewbaker (.2); work on trial exhibits and further outline potential grounds for motions to strike (1.4)	2.30	517.50	
6/21/2016	MIHO	meeting with P. Alston and C. Black (.6); search for information for S.I. telephone conference with S.I. (.3)	0.90	157.50	
6/21/2016	PA	work on experts (.4); review plaintiffs' second amended notice of taking videotaped deposition of Jerald Udinsky review invoice re travel time for Schmidt's deposition (.1); emails from and to J. Kanada re draft outline of issues to discuss in conference call (.1)	0.60	417.00	
6/21/2016	CWB	discussion re former DHS case worker re reimbursements and issues (1.1); analyze email summary re motions to strike and in limine (.4); review L. Kazama depo errata (.1); emails to and from J. Hancock re expert agreement on reimbursements (.3); emails (2) from D. Barbata re Udinsky deposition and experts' discussion re data (.1)	2.00	450.00	
6/22/2016	PA	review motion to appear pro hac vice of James Hancock and Alessa Hwang; review notice of pretrial conference	0.10	69.50	
6/22/2016	CWB	emails (2) from G. Thornton re board rate issues (.2); review pre-trial conference order (.1); review, finalize (execute) pro hac vice applications (.4); emails re expert fees from J. Kanada, J. Hancock (.2); prepare proposed orders re pro hac vice and respond to C. Crawford email to chambers' orders email (.3 NO CHARGE FOR .1); email to and from S. Campagna re foster care (.3); prepare for and call to former DHS foster care worker re issues with reimbursements and staffing (.6)	1.80	405.00	0.10
6/23/2016	CWB	prepare for and attend deposition of J. Udinsky via teleconference and discussions with J. Hancock re same (1.6); multiple emails and calls with J. Kanada re Udinsky depo outline and topics (.2); email from S. Campagna re foster care (.1)	1.90	427.50	
6/24/2016	CWB	review orders granting pro hac vice and email to J. Hancock, A. Hwang re same (.2); emails to and from G. Dudukgian, Esq. (Northern Justice Project) re Alaska foster care litigation (.3); emails to and from S. Campagna re foster care issues (.2); review Schick issues from J. Kanada (.5); call with foster parent KK re issues obtaining reimbursement, fear of speaking out against DHS and being blacklisted and having foster children taken away in retaliation (.5); email summary to MoFo, AHFI, and LEJ teams re call from foster parent (.4)	2.10	472.50	
6/24/2016	PA	emails from and to C. Black re reimbursement rate for trial witnesses	0.10	69.50	
6/27/2016	CWB	analyze and revise proposed Hansen supplement (.4); review additional Child Care Aware documents (.5); continue working on trial exhibits and depo designations (1.5)	2.40	540.00	
6/28/2016	PA	conference with C. Black re discovery and trial preparation	0.20	139.00	
6/28/2016	CWB	work on deposition designations (.8), trial exhibits (1.2), and foster parent potential direct examinations based on telephone call with same (.8); follow up with potential witnesses (.3)	3.10	697.50	
6/29/2016	CWB	email to and from S. Campagna re foster care reimbursements (.1); call from anonymous foster parent re foster care issues and fear of retaliation from DHS re trial testimony (.5); review P. Alston comments re Hansen supplement (.3); review outlines for pre-trial brief and begin drafting (1.0); work on S. Chandler testimony and outline (1.5)	3.40	765.00	
6/29/2016	PA	review chart re regional price parities by expenditure class by State (.2); email to C. Black to forward chart to MoFo and Brewbaker (.1); email to all re suggested revisions to Hansen supplemental report (.1)	0.40	278.00	
6/30/2016	CWB	review and being revising motion to strike Udinsky (1.1); discussion with P. Alston re motion to strike (.3); discussion re pre-trial statement (.2) with J. Hancock; revise pre-trial statement (.8); review/revisions re motion to strike Udinsky (1.4)	3.80	855.00	
7/1/2016	CWB	emails and calls to S. Chandler re trial testimony (.1); emails (2) to J. Kanada, J. Hancock re draft motion to strike and P. Alston comments (.3); discussion with P. Alston re motion to strike draft (.2); review and annotate draft motion to strike expert Udinsky from J. Kanada (.7); emails (4) from J. Kanada re Hansen supplement (.2); review and analyze Hansen Supplemental report and exhibits (.8); work on response to email from J. Kanada re missing deposition exhibits (.4)	2.70	607.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
7/2/2016	CWB	work on plaintiffs' potential trial exhibits and authentication/admissibility re publicly available and non-production documents	3.50	787.50	
7/4/2016	CWB	review/analyze MoFo/Alston revisions and comments to draft pre-trial statement (.6); revise draft pre-trial statement to include all claims asserted (e.g., DOC), explanation of insufficiency of each CWA category, and to clarify distinction between basic board rate and foster care maintenance payment (4.2)	4.80	1,080.00	
7/5/2016	PA	review and revise pretrial statement (.6); conference with C. Black re trial strategy (.2); emails from and to C. Black re final pretrial statement (.2)	1.00	695.00	
7/5/2016	CWB	edit and finalize final pretrial statement with discussion and input from P. Alston (3.1); compile Hansen supplement and related materials to transmit to HDHS counsel (.5); review HDHS pre-trial statement (.8); emails (18) to J. Hancock, J. Kanada, A. Hwang re clarifications to pre-trial statement (1.0); and email to D. Kalama re MoFo telephone participation at pre-trial conference (.1)	5.50	1,237.50	
7/6/2016	CWB	calls with K.D., K.K., re potential trial testimony and retaliation from state	0.80	180.00	
7/7/2016	PA	review defendant's pretrial statement (.1); review plaintiffs' final pretrial statement; review court notice re evidentiary hearings (.1)	0.20	139.00	
7/7/2016	CWB	draft letter to Judge Chang re telephone participation and email to D. Barbata, D. Kalama re same (.3); continue review and selection of potential trial exhibits (1.1); call with J. Hancock re case strategy (.4)	1.80	405.00	
7/10/2016	CWB	work on annotating trial proof chart with witness and document cites	5.50	1,237.50	
7/11/2016	NAMA	meet with C. Black re research re effect of denial of summary judgment	0.30	37.50	
7/11/2016	NAMA	research re denial of summary judgment not effectively a grant of summary judgment for non-moving party	2.10	262.50	
7/12/2016	PA	emails from and to J. Kanada re trial strategy (.2); prepare for and attend final pretrial conference (.9)	1.10	764.50	
7/12/2016	CWB	prepare for (.5) and attend (.1) final pre-trial conference; call with MoFo, G. Thornton to discuss pre-trial deadlines (.2); continue revising motion to strike Udinsky testimony and analyze underlying reports, deposition transcripts (2.3)	3.10	697.50	
7/13/2016	CWB	continue revising motion to strike overlapping costs argument and refer to expert reports to support motion (2.3); work on proposed trial exhibits re DOC and child care (1.1); calls to foster parents re trial testimony and fear of retaliation (.4)	3.80	855.00	
7/14/2016	CWB	work on proposed trial exhibits (from HDHS document production and Plaintiffs' production) in preparation for exchange and comparison with MoFo (3.5); emails to J. Catancio (paralegal) re trial exhibits and trial procedures (.2); continue analysis of Udinsky transcript and revise motion accordingly (.7)	4.40	990.00	
7/15/2016	IKT	telephone conference with C. Black and MoFo paralegal re trial exhibits and prep	0.50	72.50	
7/15/2016	CWB	compare and analyze proposed exhibits from MoFo (re exhibits to filed pleadings, deposition exhibits, materials provided to experts) and with CWB proposed list (from HDHS document production) (2.1); call with I. Takane and J. Catancio re trial procedures (.4); emails to and from N. Maharaj re research on whether denial of summary judgment is effectively grant of summary judgment on mirror issue in favor of non-moving party(.6)	3.10	697.50	
7/17/2016	IKT	begin review and organizing potential trial exhibits	1.20	174.00	
7/17/2016	CWB	continue work on annotating trial proof chart with witness and document cites and for draft direct testimony	4.90	1,102.50	
7/18/2016	IKT	continue review for and organizing potential trial exhibits	4.50	652.50	
7/18/2016	CWB	emails from J. Hancock re trial demonstratives (.2); work on scheduling witness interviews pursuant to Dkt. 230 pre-trial deadlines and compiling relevant files for witnesses (3.4); discussion with P. Alston re motion to strike and revise pursuant to strategy (1.1)	4.70	1,057.50	
7/18/2016	NAMA	further research re denial of summary judgment	8.10	1,012.50	
7/19/2016	PA	emails from and to C. Black re letter to Judge Chang re confidential settlement conference statement (.1); review and revise statement (.1); emails from and to C. Black re introduction re CWA's requirement (.1)	0.30	208.50	
7/19/2016	PA	telephone calls from and to C. Black re settlement issues (.3); review and revise settlement conference statement (.3)	0.60	417.00	
7/19/2016	CWB	revise settlement conference statement (2.7); review P. Alston edits to settlement conference statement and email re clarification on compensation (.2); emails (6) to and from J. Kanada, J. Hancock, A. Hwang re revisions to settlement conference statement and case theories (.5); revise and circulate revised motion to strike with comments (2.1); review compilation of specific portions of report to strike from A. Hwang (.8)	6.30	1,417.50	
7/19/2016	NAMA	further research re denial of summary judgment	7.90	987.50	
7/20/2016	IKT	review for selected SOH documents requested by MoFo	0.20	29.00	
7/20/2016	PA	work on motion to strike	0.20	139.00	
7/20/2016	NAMA	further research re denial of summary judgment	4.70	587.50	
7/21/2016	CWB	call with J. Kanada and J. Hancock re trial deadlines and assignments (.8); emails re HDHS documents promised but not produced (.2); emails (11) re documents and Bates gaps in HDHS production and privilege log (.9)	1.90	427.50	
7/22/2016	PA	review PPT slides for opening (.2)	0.20	139.00	
7/22/2016	CWB	emails to J. Kanada, J. Hancock re trial exhibits (.1); emails to D. Barbata, D. Kalama re trial exhibits (.1); analyze late production of promised documents from HDHS (.3); research re Hawai`i childcare rates (.5); review and revise demonstratives sent by MoFo and discussion with P. Alston re same (1.3)	2.30	517.50	
7/24/2016	CWB	trial prep: work on annotating trial proof chart with witness and document cites (3.5) and testimony outlines (1.3) and research into child care and liability insurance under federal guidance in preparation for settlement conference (.8); analyze HDHS documents for additional proposed trial exhibits in preparation for discussion with J. Kanada, J. Hancock re exchange of exhibits with defense (6.5)	12.10	2,722.50	
7/25/2016	PA	review plaintiffs' confidential settlement conference statement (.1); work on trial preparation (.2); work on settlement issues (.1); emails from and to J. Kanada re trial witness assignments (.1)	0.50	347.50	
7/25/2016	CWB	discussion re trial exhibits (2.00); work on addt'l motions to strike (1.8); work on demonstratives (1.1); emails (9) from J. Hancock, P. Alston, J. Kanada re HDHS documents, witness assignments, trial exhibit list (.6)	5.50	1,237.50	
7/26/2016	PA	prepare for and attend settlement conference with Judge Chang (1.6); follow up conference with C. Black re settlement terms (.2); review and revise termsheet (.3); emails from and to C. Black re settlement (.2)	2.30	1,598.50	
7/26/2016	CWB	email to J. Kanada and J. Hancock with summary of additional trial exhibits (.6); call with D. Kalama re settlement and possible proposals (.4); attend settlement conference before Judge Chang (1.2); call with A.C. Johnston, G. Thornton, J. Hancock, J. Kanada re settlement status and positions (.5); review expert analyses and calculations relating to each CWA expense and prepare outline of 14 issues to discuss with D. Kalama re settlement (1.8); review and analyze J. Kanada bullet point list of settlement proposals (.5) and G. Thornton comments re same	5.00	1,125.00	
7/26/2016	PA	emails from and to C. Black re settlement update (.1); email to G. Thornton re donation of money (.1)	0.20	139.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
7/27/2016	CWB	meeting with D. Kalama re settlement proposals (2.1); emails to and from J. Kanada, J. Hancock re settlement and estimates of settlement amounts (.8); email analysis and summary of settlement negotiations to A.C. Johnston, A. Hwang, G. Thornton, P. Alston, J. Kanada, J. Hancock with items to follow up and analysis of benefit to class members (.9); analyze summary judgment order, federal CWA manual and state manual and expert cost estimates using CES data underlying USDA cost calculations to determine potential settlement range for each USDA category corresponding with CWA required cost, with focus on transportation/cost of providing, school supplies, and housing (2.7); review MoFo fees and cost breakdown, request same from AHFI accounting (.2); emails re Hansen analysis of preliminary settlement proposals and Alston comments re same (.2)	6.90	1,552.50	
7/27/2016	CWB	work on deposition designations for Burke/Schmidt	2.10	472.50	
7/27/2016	PA	emails from and to C. Black research settlement update	0.10	69.50	
7/28/2016	CWB	work on analysis of cost categories and revise proposal for further settlement discussions (1.7); call with J. Hancock, A.C. Johnston, G. Thornton re settlement progress and responses to state proposal (.3); review and analyze RPP publication materials relating to cost and income weights for further settlement discussion relating to application of Honolulu RPP vs. Hawaii or Hawaii metro RPP (.8); emails (5) to and from P. Brewbaker re RPP weights for settlement purposes (.9); emails (4) to and from P. Alston re settlement proposal outline (.4); call with D. Kalama re settlement proposal updates, plaintiffs settlement estimate of substantial compliance at 95%, and next steps (.4); follow up call with A.C. Johnston, G. Thornton, J. Kanada, J. Hancock re settlement updates and HDHS preliminary acceptance of 95% as measure of substantial compliance (.5); telephone discussion with Brewbaker re COLA analysis (.4)	5.40	1,215.00	
7/28/2016	PA	emails from and to J. Hancock re settlement update and updated spreadsheet (.1); emails from and to C. Black re list of issues and current status (.1)	0.20	139.00	
7/29/2016	PA	prepare for and attend settlement conference with Judge Chang (1.2); work on trial preparation (.3); review and revise powerpoint (.2); conference with C. Black re settlement (.2); emails from and to J. Kanada re list of motions in limine (.1); emails from and to J. Kanada re motions strategy (.1); emails from and to J. Hancock re revised demonstratives (.2); emails from and to J. Kanada re extension re meeting and conferring (.1)	2.40	1,668.00	
7/29/2016	CWB	call with D. Kalama re settlement status and recap list of issues with agreement, agreement in principle and disagreement (.2); discussion with P. Alston re settlement (.2); attend settlement conference before Judge Chang (2.3); email to A.C. Johnston, J. Kanada, J. Hancock, A. Hwang re settlement conference (.1); telephone call with same re settlement outcome and next steps (.5)	3.30	742.50	
7/30/2016	PA	trial preparation: work on demonstratives (1.2) emails from and to J. Hancock re status of demonstratives and offer into evidence (.2); emails from and to J. Kanada re FRE 1006 requirements issues (.3)	1.70	1,181.50	
7/31/2016	CWB	conference with P. Alston to work on trial demonstratives and issues relating to HDHS's insurance policy (1.4)	1.40	315.00	
7/31/2016	PA	further work on demonstratives (.3); trial preparation-directs (Chandler) (2.2)	2.50	1,737.50	
7/31/2016	CWB	draft MIL re expert fit issues (2.5); work on depo designations re HDHS experts (3.1)	5.60	1,260.00	
8/1/2016	IKT	multiple emails to and from J. Catancio re trial prep	0.20	29.00	
8/1/2016	PA	work on trial preparation (limine motion strategy and trial plan)	1.10	764.50	
8/1/2016	CWB	review US DHHS response to FOIA request (.4); email to A.C. Johnston, A. Hwang, G. Thornton, J. Hancock, J. Kanada, P. Alston re FOIA response (.1); review and revise trial demonstratives (.8), discussion with P. Alston (.4) and email A. Hwang, J. Hancock, J. Kanada, re same (.1); emails (6) to and from paralegals J. Catancio (MoFo), I. Takane (AHFI) re deposition designations (.2); analyze and finalize trial exhibits and exhibit list for exchange (2.3); emails (2) to and from D. Barbata, D. Kalama re trial exhibit delivery and meet and confer re trial exhibits (.3); finalize electronic transmission of trial exhibits to Defendant's counsel (.4); begin work on Burke, Schmidt deposition designations (1.5)	6.50	1,462.50	
8/2/2016	IKT	trial prep: prepare deposition designations re Burke, Goss, Kazama, McManaman, Perez vols 1 & 2, Udinsky, Chandler, Maehara, Nakao, Yamashita vols 1 & 2 (2.3); mark exhibits (1.3); prepare final naming of comprehensive witnesses (.5)	4.10	594.50	
8/2/2016	PA	work on motions in limine (.2); review defendant's motions in limine (.1); review defendant's trial exhibits (.1); work on trial strategy (witness planning) (.1)	0.50	347.50	
8/2/2016	CWB	research re substantial compliance case law and 96% standard (.4); emails to J. Kanada, J. Hancock and A. Hwang re summary of substantial compliance (.1); finalize motion to strike Udinsky testimony (2.1); analyze MIL to strike Brewbaker and email to G. Thornton, P. Alston, J. Kanada, J. Hancock re strategy for same (.3); email to J. Hancock, J. Kanada re prior filed motions to exclude untimely disclosed witnesses (.2); emails (2) to D. Barbata, D. Kalama re Hopahu upload of trial exhibits and errors re same (.2); review and revise draft MIL2 from MoFo re Defendant's experts testimony (.4); finalize Schmidt deposition designation (1.1) and email to I. Takane re formatting pleading re same (.1); revise and finalize MoFo deposition designations for Yamashita, Burke, Chandler, Kazama, Maehara, McManaman, Perez, Nakao, Udinsky (1.8); discussion with S.D. and K.D. re HDHS retaliation, DHS selection of focus group attendees, costs relating to foster infants and availability of information re DOC payments (.8); review DHS trial witness disclosure and compare to initial disclosure and discovery responses (.8) and begin drafting MIL re untimely disclosed witnesses (3.7); finalize and electronically file MIL3 re untimely disclosed witnesses (.5 NO CHARGE FOR E-FILING DOCUMENTS W/COURT)	12.00	2,700.00	0.50
8/3/2016	PA	work on discovery issues and trial preparation	0.40	278.00	
8/3/2016	CWB	email to and from P. Brewbaker re testimony (.1); research at state archives legislative history and prior versions of DOC under Haw. Admin Rules, Chapter 834 (2.3) and email to J. Kanada, J. Hancock, A. Hwang, G. Thornton re same (.1); emails (2) to J. Catancio and I. Takane re filings, courtesy copies, and counter-designation format (.2); review Defendant's proposed trial exhibits for meet and confer and objections to same (2.8) and emails to J. Kanada, J. Hancock re proposed exhibits responsive to document requests that were never previously provided to Plaintiffs (.2); work on FoF/COL and trial submissions (2.6)	8.30	1,867.50	
8/4/2016	PA	review defendant's deposition designations (.1); work on trial preparation (.1)	0.20	139.00	
8/4/2016	CWB	call to S. Campagna (.1); email to P. Sheehey (.1); call to R. Ah Chong (.1); emails to P. Brewbaker (.1); strategize with J. Kanada, J. Hancock re trial exhibits (1.1); meet and confer with D. Kalama, D. Barbata re trial exhibits and stipulations re same (1.3); work on trial brief and motions in limine (3.8); summarize meet and confer and update joint trial exhibit list (1.1)	7.70	1,732.50	
8/5/2016	CWB	meeting with P. Brewbaker re trial testimony (2.0); call with S. Campagna re trial testimony (.1); work on joint trial exhibit list and meet and confer agreement and email to D. Barbata, D. Kalama (.4); work on trial brief (4.2)	6.70	1,507.50	
8/7/2016	PA	emails from and to J. Kanada re objections to HDHS's trial exhibits (.2); email to C. Black re new documents regarding DOC payments based upon federal minimum wages and forward to J. Hancock and J. Kanada (.4); email to all re strategy (.2)	0.80	556.00	
8/7/2016	CWB	work on opposition to DHS's motion to exclude Brewbaker testimony and shelter-related arguments (2.2); research re other states' varying treatment of shelter and compare to states where foster care maintenance payment issue was litigation (.5); draft trial brief (1.6); research re AFDC and TANF (.8)	5.10	1,147.50	
8/8/2016	JBR	review and revise trial brief and emails from and to C. Black re same	0.40	88.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
8/8/2016	PA	emails from and to J. Kanada re 602 issues (.2); emails from and to C. Black re plaintiffs' trial brief (.2); review and revise brief and comments (.5); email to C. Black re HDHS budget request re "housing" and "shelter" (.1); review and revise opposition to defendant's motions in limine#5 to preclude testimony and evidence regarding the adequacy of payments and benefits provided to foster children and email to C. Black (.5); review and revise opposition to motions in limine to preclude opinion of Paul Brewbaker, Ph.D (.5); conference with C. Black re limine motions and experts (.2)	2.20	1,529.00	
8/8/2016	CWB	review MoFo draft opposition re DHS MIL re Dr. Hansen; review MoFo draft of objections to DHS trial exhibits; email to J. Kanada, J. Hancock re Hansen analysis re DOC rates (.1); email from P. Alston re DOC payment legislative history (.1); review meet and confer notes and continue working on joint trial exhibit list and exhibits (1.2); call to National LEJ and child welfare organizations re AFDC and TANF payments and history (.5); revise and edit trial brief (3.4), continue drafting FoF/CoL (1.9); revise MIL1 opposition shelter arguments and insert J. Hancock portions (4.1); email to C. Crawford re ToC/ToA for trial brief (.1); email to J. Kanada, J. Hancock, A. Hwang, P. Alston attaching draft trial brief and explanation re same (.1); email to and discussion with B. Rogers re trial brief intro (.2); call to J. Kanada, J. Hancock re trial exhibits (.3); emails with P. Alston re shelter and housing components (.1)	12.10	2,722.50	
8/9/2016	IKT	trial prepr: work on trial brief (1.5), oppositions to MILs (3.4), objections to trial exhibits (2.9); review for, organize, mark and prepare all exhibits(6.7)	14.50	2,102.50	
8/9/2016	PA	emails from and to A. Hwang re opposition to motions in limine No. 4 to preclude plaintiffs' from re-litigating their shelter argument (.1); review and revise opposition (.5); review opposition to motions in limine No. 7 to preclude testimony and evidence regarding claims not pled in first amended complaint and suggest adding case law related to issues addressed in summary judgment motion are deemed tried by consent (.2); emails from and to J. Kanada re declaration (.1); emails from and to C. Black re Judge Kobayashi's trial procedures (.1); emails from and to J. Kanada re M. Hansen's initial reactions and reformat as a declaration (.1)	1.10	764.50	
8/9/2016	CWB	revise MIL4 re housing (.8); revise trial brief and circulate (1.9); finalize trial brief and supervise filing; analysis and explanation of legislative history of Title IV-E to A. Hwang, J. Hancock and J. Kanada (.7); revise, finalize and incorporate edits to plaintiffs' oppositions to DHS MILs 1-6 (re Brewbaker, Hansen, witnesses, housing, prior payments, Plaintiffs' history of providing care, claims outside complaint) (3.5); review and revise counter designations to Burke, Kazama, Maehara, McManaman, Nakao, Perez, Schmidt, Udinsky (1.8); revise and finalize FoF/CoL (3.7); edit and finalize objections to admissibility of exhibits (1.2); draft omnibus Black declaration (.9); email to P. Brewbaker (.1); supervise e-filing of all trial submissions (1.0 NO CHARGE FOR SUPERVISING FILING OF DOCUMENTS WITH COURT)	14.60	3,285.00	1.00
8/10/2016	IKT	recheck all filings for accuracy	1.70	246.50	
8/10/2016	CWB	discussion with Mr. and Mrs. Sheehey and draft trial testimony re same (2.4); emails to D. Barbata, D. Kalama re list of proposed joint exhibits and stipulated facts (.3); revise trial subpoenas for Kazama, Chandler, McManaman (.8); work on P. Brewbaker trial testimony (3.2); work on proposed joint stipulated facts (2.9)	9.60	2,160.00	
8/11/2016	PA	emails from and to C. Black re Brewbaker's final testimony	0.10	69.50	
8/11/2016	CWB	emails to and from J. Kanada re trial demonstratives (.2); emails to and from S. Campagna re trial testimony (.2); emails and calls with P. Brewbaker (.3); finalize Brewbaker testimony per discussion (1.4); meet with R. Ah Chong re trial testimony and finalize declaration re same (3.1); emails to G. Thornton re Director Wong resignation (.3); email to R. Black re foster parent K.D. contact information (.1); email from P. Alston re discussion with P. Brewbaker on airplane (.1)	5.70	1,282.50	
8/12/2016	PA	emails from and to Joe Kanada re strategy re arguments against non-urban RPP for rehabilitation (.1); emails from and to C. Black re email from D. Barbata re stipulation/joint exhibit list (.1); emails from and to J. Kanada re comments and suggestions (.1); emails from and to A.C. Johnston re strategy (.1); emails from and to C. Black re comments re Judge Kobayashi's motions in limine inclinations (.1); emails from and to C. Black re foster parents' statements in the Star-Advertiser newspaper (.1)	0.60	417.00	
8/12/2016	CWB	meeting with S. Campagna re trial direct testimony (1.3); telephone calls with foster parents K.Dayton and S. Dayton re trial direct testimony (1.5); revise and finalize Dayton and Campagna declarations (3.1) and discussion with S. Dayton, S. Campagna re revisions to same (.4); finalize Brewbaker testimony (.5); emails to D. Barbata, D. Kalama re joint trial exhibits (.2); work on final joint trial exhibits and duplicates of same for submission to DHS and court (2.6); email discussion with D. Barbata re DHS refusal to stipulate to authenticity of DHS emails produced by DHS (.4), research re same (.3); review Judge Kobayashi inclinations re DHS MILs and email to J. Kanada, P. Alston re same (.5); draft and finalize submission of trial exhibits (.6); electronically file direct witness testimony (.5 NO CHARGE FOR E-FILING DOCUMENTS WITH COURT)	11.40	2,565.00	0.50
8/13/2016	IKT	select, print out, organize joint trial exhibits (1.8); select, print out, organize plaintiffs' trial exhibits(3.3); prepare joint trial exhibit list (3.2)	8.30	1,203.50	
8/13/2016	PA	telephone call to C. Black re motions in limine (.5); telephone conference with MoFo team re limine motions (.5); emails from and to James Hancock and A.C. Johnston re conference call (.2)	1.20	834.00	
8/14/2016	IKT	review plaintiffs exhibits and prepare plaintiffs trial exhibit list	6.40	928.00	
8/14/2016	PA	telephone call to C. Black re motions (.2); emails from and to C. Black re Ah Chong's testimony and strategy (.1)	0.30	208.50	
8/14/2016	CWB	review and analyze MILs, pre-trial statements, FoF/CoLs, defendants', plaintiffs' and proposed joint trial exhibits and outline issues relating to exhibits, witnesses, and shelter costs in preparation for final pre-trial conference and hearing on motions in limine (4.1); emails to J. Hancock, A. Hwang re assignment of arguments (.2); emails to P. Alston, A. Hwang, J. Hancock re shelter costs (.2)	4.50	1,012.50	
8/15/2016	IKT	work on trial exhibits and exhibit list	4.40	638.00	
8/15/2016	PA	telephone conference with co-counsel; prepare for and attend hearing on motions and final pretrial (4.2); emails from and to C. Black re hearing on motions in limine (.1); emails from and to J. Hancock re DHS' documents for hearing re shelter/housing and $529 rate (.2); emails from and to J. Hancock re identification of exhibit list (.1); emails from and to A.C. Johnston re preserving the record (.2)	4.80	3,336.00	
8/15/2016	CWB	call with MoFo team re hearing on MILs (.4); prepare for hearing on MILs and discussions with P. Alston re same (1.1); attend final pre-trial conference (1.6); finalize and renumber joint exhibits per discussion and clarification email from DHS (1.3); discussion with G. Thornton, and emails to G. Thornton, V. Geminiani re S. Chandler testimony (.6); emails to J. Kanada, G. Thornton, A. Hwang, J. Hancock re joint stipulated facts (.2); review Court's inclinations re Plaintiffs' motions in limine (.4); call with MoFo team, G. Thornton, P. Alston re next steps (.5); work on finalizing Plaintiffs' trial exhibits for submission to court (1.7)	7.80	1,755.00	
8/16/2016	IKT	trial prep: revise joint exhibit list, plaintiffs' exhibit list (2.7); revise plaintiffs and joint exhibits (4.1)	6.80	986.00	
8/16/2016	PA	emails from and to V, Geminiani re S. Chandler (.1); emails from and to V. Geminiani re settlement status (.1); emails from and to C. Black re trial witness schedule (.1); email to C. Black re issue and deliver subpoena to Susan Chandler for trial	0.30	208.50	
8/16/2016	CWB	work on trial subpoena re Kazama and service of subpoena re same (1.1); review and analyze S. Chandler materials, deposition transcripts, and documents and outline trial examination (2.1); work on submission of joint trial exhibits (excel spreadsheets) and research issues relating to requests to seal trial exhibits under applicable law and emails to D. Barbata re proposal for same (.8); revise and edit final joint trial exhibit list for submission to DHS and court (.4); draft mock cross for foster parent plaintiffs to prepare for trial (3.1)	7.50	1,687.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
8/17/2016	IKT	work on plaintiffs' trial exhibits, indexes to deposition designations and trial subpoenas	6.00	870.00	
8/17/2016	PA	work on trial preparation (.2); emails from and to V. Geminiani re S. Chandler as trial witness (.1); emails from and to C. Black re revisions/questions re opening statement outline (.3)	0.60	417.00	
8/17/2016	CWB	draft letter to Court re trial hours (.2); email to D. Barbata re sealed joint exhibits, further supplemental joint exhibits, and L. Kazama trial testimony (.3); revise stipulation re joint exhibits and stipulations re authenticity of documents pursuant to Judge Kobayashi's direction at pre-trial conference (1.5); work on outline of opening statement (1.4); email opening outline to J. Kanada, J. Hancock, A. Hwang, G. Thornton (.1); revise plaintiffs' trial exhibit list and email to team and DHS (.6); email to W. Nakamura re DHS submission of trial hours (.1); call to S. Chandler re trial testimony (.5); further correct errors in Plaintiffs' trial exhibit list (.4); draft and circulate analysis of Chandler to team (.4)	5.50	1,237.50	
8/18/2016	IKT	work on exhibits and exhibit list to be submitted to court	2.50	362.50	
8/18/2016	PA	work on trial preparation	0.80	556.00	
8/18/2016	CWB	personally serve subpoena on S. Chandler (.5); review and analyze McManaman deposition testimony, outline McManaman trial direct (3.7); review and analyze Chandler deposition testimony, outline Chandler trial direct (2.5); work on updated shelter cost strategy (1.4) and email to J. Kanada, J. Hancock, A. Hwang re same (.1); email to D. Barbata re witness scheduling (.1); emails (4) to J. Hancock re trial witness order (.2); email to J. Kanada re trial witness order follow up discussion (.1); call from D. Kalama re possibility of reopening settlement negotiations (.3); emails to G. Thornton re discussions with community (.2); FRE 408 emails to D. Kalama re settlement discussions (.3); email to D. Kalama with exhibit lists (.1); calls to R. Ah Chong, S. Campagna re meeting with HDHS Director R. Wong (.2)	9.70	2,182.50	
8/19/2016	IKT	work on defendant's exhibits for trial	3.00	435.00	
8/19/2016	PA	review defendant's objections to plaintiffs' direct witness testimony (.1); review defendant's exhibit and witness list (.1); review transcript of proceedings re motions in limine; emails from and to V. Geminiani re settlement offer (.1)	0.30	208.50	
8/19/2016	PA	work on trial preparation (.2); conference with C. Black re settlement discussions (.2); emails from and to A.C. Johnston re appeal issue (.2)	0.60	417.00	
8/19/2016	CWB	discussion with R. Ah Chong and S. Campagna prior to meeting with DHS Director R. Wong (.5) conference with DHS Director R. Wong, Deputy AGs D. Barbata, and D. Kalama, R. Ah Chong, G. Thornton, S. Campagna (.7); settlement negotiations with D. Kalama, D. Barbata (concurrent with Director Wong meeting separately with class representatives) and calculations relating to proposed new rates (1.5); continued settlement discussions with R. Wong, D. Barbata, D. Kalama, G. Thornton (.4); call with J. Kanada, J. Hancock, A. Hwang re settlement update (.3); work on written settlement proposal and outline from last set of settlement negotiations with D. Kalama (.8); email update to team re settlement discussions (.1)	4.30	967.50	
8/19/2016	CWB	review and revise MoFo draft response to Defendant's objections to Plaintiffs' written directs (1.2); review and analyze DHS direct testimony submission (1.8); email to J. Hancock re document review and search for DHS documents that contradict DHS written testimony (.1)	3.10	697.50	
8/20/2016	PA	work on trial preparation (3.1); email to all re new draft of settlement proposal and conversation with V. Geminiani re dismissal of state action and settlement of the federal claims (.4); emails from and to C. Black re Patricia McManaman declaration (.2); email to D. Barbata and D. Kalama re settlement terms (.1)	3.80	2,641.00	
8/20/2016	CWB	emails and discussion with J. Hancock re DHS production of document that directly contradicts McManaman trial testimony (.3); review and analyze case file and notes relating to document review, McManaman and Chandler deposition notes to locate document that directly contradicts McManaman testimony (1.8); analysis of Hawaii Rules of Professional conduct relating to counsel's duty of candor to the court (1.1); research re perjured testimony and waiver of attorney client privilege (1.4); draft email to D. Barbata, D. Kalama re potentially perjured testimony and requesting Deputy AG search of documents and explanation or, in the alternative, revision of McManaman trial direct testimony and circulate to P. Alston, A.C. Johnston, J. Kanada, J. Hancock, G. Thornton, A. Hwang (.8)	5.40	1,215.00	
8/20/2016	CWB	revise and finalize joint stipulation re admissibility of documents and emails and circulate to D. Kalama, D. Barbata (.6); emails to and from Deputy AGs re joint stipulation (.2); continue revising and editing proposed joint stipulation re background facts in light of Judge Kobayashi's direction to DHS/Deputy AGs (2.1); discussion with local attorney re potentially perjured testimony and possible sanctions and strategy relating to same (.6); case law research re duty of candor to the court as weighed and waiver of attorney client privilege (.7)	4.20	945.00	
8/20/2016	CWB	draft updated settlement proposal and circulate to team	0.90	202.50	
8/21/2016	IKT	work on additional joint exhibits and amended joint exhibit list (1.1); begin organizing deposition transcripts and label to go to court (.4)	1.50	217.50	
8/21/2016	PA	work on issues re McManaman's testimony (3.6); conference with MoFo counsel re trial (1.0); work on opening statement (2.5); email to C. Black re stipulated joint facts (.1); emails from and to D. Barbata re settlement proposal and schedule status conference with Judge Kobayashi (.2); emails from and to Donna Kalama re settlement proposal and clarification (.1); emails to and from C. Black re draft slides (.3); emails from and to D. Barbata re document production (.1); emails to and from C. Black re call sheets (.1)	8.00	5,560.00	
8/21/2016	JAFI	research regarding terms shelter and cost for C. Black	0.30	37.50	
8/21/2016	CWB	revise opening statement and email discussion with P. Alston (.6); revise proposed stipulated background facts and circulate to P. Alston (.8); email to P. Alston re periodic review (.1); email to D. Barbata re executed joint stipulation re exhibits only (.1); email to P. Alston re Liability Insurance requirements under federal guidance (.4); emails to J. Kanada, J. Hancock re trial preparation (.4); email to P. Alston re shelter and utilities and Haw. Admin. Rules (.5); further email to P. Alston re liability insurance requirements and analysis of liability insurance policies (.4); emails to J. Hancock, J. Kanada re proposed joint stipulated background facts (.6); revise opening statement slides and email to J. Kanada, J. Hancock (.5); email to D. Barbata re supplemental joint exhibits and amended joint exhibit list (.2); email to D. Barbata, D. Kalama attaching proposed joint stipulated background facts with comment (.2); continue work on responses to DHS's objections to plaintiff's trial directs (1.4)	6.20	1,395.00	
8/21/2016	CWB	continue work on settlement proposal and estimates of settlement amount (1.3); email to D. Kalama re settlement progress (.1); emails to G. Thornton re settlement status (.3); emails to and from D. Barbata, P. Alston re delay of trial for one day in order to further discuss settlement (.2); emails from D. Barbata re timing of meeting with Director Wong (.1); email to team re trial witness order alteration and Dr. Hansen availability (.2)	2.20	495.00	
8/22/2016	PA	work on trial preparation and settlement (2.0); review and revise ppt slides (.2); emails from and to C. Black re response to objections to plaintiffs' trial testimony (.1); emails from and to A.C. Johnston re order of witnesses (.1); emails from and to D. Barbarta re evaluation of settlement proposal and offer counter-proposal (.2); emails from and to C. Black re Kazama deposition transcripts (.1); emails from and to J. Kanada re summary charts re settlement proposals (.1); emails from and to J. Hancock re draft hostile direct/cross-exam of L. Nakao (.1)	2.90	2,015.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
8/22/2016	CWB	continue work on Chandler direct, McManaman cross, Brewbaker mock cross and redirect (4.2); calls with W. Nakamura re postponement of courtroom technology walk-through (.1 NO CHARGE); emails to MoFo team re trial continuance (.1); revise and circulate revisions to responses to DHS objections to Plaintiffs' trial directs (1.6); follow up re Kazama service of trial subpoena (.4); email to Dr. Chandler re trial postponement (.1); email to D. Kalama re telephone (.1); email to J. Kanada re alternative shelter argument (.2); meeting with Dr. Hansen and J. Kanada, J. Hancock, P. Alston re shelter alternatives (1.2); discussion with P. Alston re Kazama trial testimony (.3)	8.20	1,845.00	0.10
8/23/2016	PA	work on trial preparation and settlement; prepare for and attend settlement conference (1.2); email to all re State's issues re settlement proposal (.1); email to C. Black re assistance from Kobayashi re settlement if all parties agree (.1); emails from and to J. Kanada and J. Hancock re comments on state's offer (.1)	1.50	1,042.50	
8/23/2016	CWB	continued work on powerpoint opening slides (.9); email to D. Barbata, D. Kalama re joint call to W. Nakamura re trial postponement for settlement (.1); discussion with team re settlement proposal specifics and limits (.7); settlement discussions with Judge Chang (1.0); review and analyze state's written settlement offer (.7); email to A.C. Johnston, P. Alston, V. Geminiani, G. Thornton, J. Kanada, J. Hancock, A. Hwang re analysis of settlement offer (.2); confirmation with D. Kalama that settlement offer is not "take-it-or-leave-it" (.1); calls to D. Kalama re settlement proposal and compromise re amounts, DOC, RPP (.3); discussion with team re settlement offer, trial witness order, trial continuance (.8); emails to and from W. Nakamura re postponement of courtroom walkthrough (.1 NO CHARGE FOR COMMUNICATIONS WITH COURT); email to D. Barbata re L. Kazama and subpoena re same (.1); draft written counter-offer to state re settlement (2.1); email to J. Kanada, J. Hancock, A. Hwang re settlement numbers (.1); emails (5) to G. Thornton re written counterproposal re settlement (.4); email to P. Alston re settlement counter-proposal (.2); email discussion with G. Thornton re settlement position (.3); meeting with Brewbaker (1.4)	9.40	2,115.00	0.10
8/24/2016	PA	review and revise settlement proposal (.1); emails from and to J. Hancock re DOC recipient (.1); emails from and to C. Black re letter to D. Barbata and D. Kalama re settlement position (.1); review and revise letter (.2); emails from and to J. Kanada re updated draft of M. Hansen's supplemental declaration (.1); emails from and to J. Kanada re signed Hansen testimony (.1); email to C. Black re R. Wong on witness list (.1)	0.80	556.00	
8/24/2016	CWB	review and incorporate P. Alston revisions to settlement proposal (.5); email to P. Alston re LEJ position re settlement (.1); revise and circulate final settlement counterproposal to trial team (.3); email counterproposal to D. Kalama, D. Barbata (.1); email from J. Kanada re A.C. Johnston comments re settlement negotiations (.2); email to G. Thornton re MoFo position re settlement proposal (.1); discussion with Judge Chang re settlement proposals (.5); discussion with G. Thornton re unsolicited call from Director Wong and requesting confirmation from Deputy AGs that communication is OK (.2); emails from G. Thornton re calls from Director Wong (.2); emails from G. Thornton re calls from D. Barbata, D. Kalama re settlement (.2); discussion and update re settlement discussions to S. Dayton, S. Campagna, R. Ah Chong (.6); email to G. Thornton re trial to do list (.4); email to J. Kanada, J. Hancock, A. Hwang re high likelihood of trial and no settlement (.1); review draft offer of proof from A. Hwang (.8); call from Judge Chang re Plaintiffs' counterproposal (.2); review draft Hansen supplemental response from J. Kanada (.3); email to G. Thornton requesting to opt out from settlement track and turn over to P. Alston, G. Thornton to focus on trial and update re trial documents to be filed and witness order (.2); emails to P. Brewbaker re DHS calculations, updated shelter calculations, MARC report, and Hansen supplement (.8); electronically file Hansen supplement (.2 NO CHARGE FOR E-FILING); emails to J. Hancock re appeal strategy (.3); map out issues for appeal and research re same (1.8)	7.90	1,777.50	0.20
8/25/2016	PA	review declaration of Jerald Udinsky (.2); review supplemental direct testimony of Mary Eschelbach Hansen PhD (.2); emails from and to C. Black re suggested revisions re settlement letter to D. Barbata and D. Kalama (.2); prepare for and attend settlement conference (.6)	1.20	834.00	
8/25/2016	PA	work on settlement; prepare for and attend status conference with Judge Chang	1.00	695.00	
8/25/2016	CWB	revise Chandler direct, Brewbaker mock cross and redirect, compile Sheehey and Ah Chong mock cross documents and revise outlines (2.5); review DHS objection to supplemental Hansen direct (.4); review and analyze Udinsky declaration (.8); discussions with G. Thornton re settlement positions (.7); call from Judge Chang re settlement status (.2); call to foster parents re DHS settlement proposal (.8); call from Judge Chang (.9); call to D. Kalama, D. Barbata re specific settlement points (.4); team meeting to discuss settlement proposal (1.0); draft and circulate final terms re settlement (1.6); discussions with state and federal named Plaintiffs (1.5); calls to Judge Chang re settlement status (.1); email to S. Chandler re trial delays (.1); draft settlement on the record outline and circulate to Deputy AGs with explanatory points and questions (1.5)	12.50	2,812.50	
8/26/2016	IKT	retrieve all trial exhibits from courtroom and organize (1.1); revise fee chart (.2)	1.30	188.50	
8/26/2016	PA	telephone call to AC Johnston; email from and to G. Thornton re press conference	0.20	139.00	
8/26/2016	CWB	review emails from D. Barbata and attempt to incorporate into settlement on the record outline (.4); discussion with P. Alston re DHS last minute settlement additions (.3); appear to enter material terms of settlement on the record (.2); discussion with D. Barbata, D. Kalama re additional deadlines (.1); email to D. Kalama re settlement (.1); coordinate pickup of trial exhibits (.1); calls to foster parents (.4); work on attorneys fees submission to DHS (2.0)	3.60	810.00	
8/27/2016	PA	email to G. Thornton re press release	0.10	69.50	
8/28/2016	PA	telephone calls from and to R. Daysog re press conference (.2 NO CHARGE)	0.00	0.00	0.20
8/29/2016	PA	conference with C. Black re press issues; telephone conference with R. Daysog; email to D. Barbata re no joint release (.6 NO CHARGE)	0.00	0.00	0.60
8/29/2016	CWB	team emails re press conference (.3); email to D. Barbata, D. Kalama re press conference (.1); show up at press conference (.4); work on submission of documents to support attorneys' fees (2.5); discussion with and advice from ODC re issues relating to waiver of attorney client privilege as weighed against potential perjury and potential violation by defense counsel re duty of candor to court (without disclosing matter or names of attorneys involved) (.3)	3.60	810.00	
09/01/2016	CWB	emails to and from J. Hancock, J. Kanada re discussion with Washington litigation's attorneys re settlement (.2); work on AHFI portion of fee request supporting materials to HDHS (5.1)	5.30	1,192.50	
09/02/2016	CWB	review and analyze MoFo portion of fee request supporting materials to HDHS and compare to AHFI time entries for consistency, edit time descriptions for attorney client privilege prior to submission to state (4.2)	4.20	945.00	
09/04/2016	CWB	continue working on fee request support from MoFo and AHFI for submission to HDHS	5.30	1,192.50	
09/05/2016	CWB	work on AHFI and MoFo fees and costs for submission to HDHS	1.50	337.50	
09/06/2016	CWB	revise and finalize AHFI and MoFo time for submission to HDHS (3.1); email to G. Thornton re LEJ fees (.1)	3.20	720.00	
09/09/2016	CWB	emails to and from D. Barbata re fees and settlement	0.20	45.00	
09/12/2016	CWB	draft settlement agreement and outline of state settlement	1.50	337.50	
09/15/2016	CWB	continue drafting settlement agreement	2.10	472.50	
09/16/2016	CWB	review and analyze settlement agreement in Washington litigation and report in California litigation and modify settlement structure and language from each into draft settlement agreement	1.80	405.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
09/22/2016	CWB	work on incorporating revisions from J. Kanada, A.C. Johnston into draft settlement agreement, continue editing settlement agreement and research re notice (2.1)	2.10	472.50	
09/23/2016	CWB	revise and circulate draft settlement agreement to HDHS (1.1), revise excel spreadsheets supporting request for fees to HDHS (1.5); emails (2) to and from D. Barbata re settlement agreement and fees (.2)	2.80	630.00	
09/26/2016	PA	review notice of status conference	0.10	69.50	
09/26/2016	CWB	notice and discussion re notice of status conference with Judge Chang on settlement	0.50	112.50	
09/30/2016	CWB	attend status conference before Judge Chang (.1); discussion with defense counsel re next steps and fees (.2); work on settlement notice and structure (2.3)	2.70	607.50	
10/03/2016	CWB	email analysis re HDHS budget request and discoverability/disclosure under UIPA arising out of discussion with AG's office re next steps on settlement; research and draft settlement notice to class	2.50	562.50	
10/05/2016	CWB	draft state settlement agreement and research re certification of settlement class and notice requirements	4.20	945.00	
10/13/2016	CWB	continue revising settlement agreement structure and draft state settlement agreement and notice and email to D. Barbata, D. Kalama re same	4.10	922.50	
10/21/2016	CWB	review and analyze AG's counteroffer re fees and costs and analyze spreadsheet provided to AG's office to calculate reasonable counteroffer	1.40	315.00	
10/24/2016	PA	review correspondence re fees	0.30	208.50	
10/24/2016	PA	emails from and to C. Black re AG's offer re attorneys' fees and costs	0.20	139.00	
10/24/2016	CWB	emails to and from J. Kanada, J. Hancock, P. Alston, G. Thornton re counteroffer on fees (.2); gather materials re Hawai`i fee requests and orders for MoFo analysis (.6); calculate settlement benchmarks for counteroffer on fees (.8); continue work on state settlement agreement, motion to certify settlement class and notice (1.3)	2.90	652.50	
10/25/2016	PA	emails from and to C. Black re conference call	0.20	139.00	
10/25/2016	CWB	review fee motions in Wagner and J. Kanada analysis re same; analyze and recalculate AHFI/MoFo/LEJ fee spreadsheet in light of Wagner pleadings	1.80	405.00	
10/25/2016	CWB	discussion with A.C. Johnston, J. Kanada, G. Thornton re counterproposal on fees (.7); discussion with P. Alston re Plaintiffs' counteroffer re fees (.1)	0.80	180.00	
10/26/2016	CWB	work on counterproposal on fees and quantifying fee reductions (1.3); continue work on motion to certify settlement class and settlement structure (2.4)	3.70	832.50	
10/28/2016	CWB	prepare for and conference with D. Kalama, D. Barbata re settlement structure, settlement agreement revisions, and counterproposal re attorneys' fees requested (1.1); lengthy email summary to A.C. Johnston, G. Thornton, J. Kanada, J. Hancock re meet and confer w/A.G. and proposed counter to fee reductions (.5)	1.60	360.00	
10/31/2016	CWB	call with J. Kanada, M. Peters re transition of case (.2)	0.20	45.00	
11/01/2016	CWB	work on attorney withdrawal (Kanada, Johnston) and fee analysis provided by MoFo re settlement of fees	0.70	157.50	
11/02/2016	CWB	continue analysis of settlement issues (state certification of class and notice; attorneys' fees agreement)	1.60	360.00	
11/04/2016	CWB	continue working on settlement notices and state class settlement; finalize proposal re settlement of attorneys fees and respond to inquiries from co-counsel re same	2.60	585.00	
11/07/2016	CWB	email response to State re plaintiffs' attorney's fees	1.20	270.00	
11/11/2016	CWB	emails (2) to MoFo re agreement on expert time; follow up re fees and settlement	0.40	90.00	
11/14/2016	CWB	email to Dana Barbata re attorneys fees; review draft letter to KSC re settlement progress	0.60	135.00	
11/18/2016	CWB	work on class settlement documents and notices; review Brewbaker deposition and time entries for invoice; call to Brewbaker re invoicing	3.20	720.00	
12/07/2016	PA	emails from and to D. Barbata re BLDS invoices; emails from and to C. Black re travel expense for expert deposition	0.20	139.00	
12/16/2016	PA	telephone calls from and to E. Ferrer re DOE rules	0.20	139.00	
12/19/2016	PA	emails from and to C. Black re email from Dana Barbata re status on settlement re attorneys' fees (.1); email to D. Chin re settlement of the foster payments case(.1)	0.20	139.00	
12/19/2016	CWB	follow up with State re status of settlement; emails to J. Hancock re fees and costs; review and analyze AHFI costs	1.20	270.00	
12/20/2016	PA	review notice of status conference (.1); emails from and to D. Chin re follow up (.1); work on fee issues and settlement issues (.2)	0.40	278.00	
12/27/2016	PA	work on fee issues	0.20	139.00	
12/29/2016	PA	review defendant's motion for withdrawal of counsel	0.10	69.50	
12/29/2016	CWB	prepare for and attend status conference before Judge Chang re fees and costs (.1.1); discussion with D. Kalama (.2); review withdrawal of counsel (Barbata) and emails to P. Alston, Mofo, LEJ re same (.1)	1.30	292.50	
01/01/2017	PA	draft letter to Judge Crandall re status of settlement	0.20	139.00	
01/17/2017	PA	emails from and to C. Black re State counteroffer	0.10	69.50	
01/20/2017	CWB	call with Donna Kalama (.4)	0.40	90.00	
01/23/2017	CWB	review settlement agreements	1.00	225.00	
02/01/2017	CWB	call w/M. Peters, J. Hancock, A. Hwang re settlement status, draft settlement documents and response to same (.4); discussion w/P. Alston re settlement and status of attorneys' fees negotiation (.1)	0.50	112.50	
02/14/2017	CWB	review and analyze Kalama draft settlement agreement and compare with Plaintiffs' version (.8); review J. Hancock edits and respond to 43 comments and questions re settlement draft (1.7); revise and edit federal settlement agreement (1.6); research federal notice requirements (1.1)	5.20	1,170.00	
02/14/2017	CWB	draft website content pursuant to class notice requirements	3.10	697.50	
02/15/2017	CWB	respond to J. Hancock inquiries re settlement agreement draft and research re same	0.80	180.00	
02/16/2017	CWB	emails to and from J. Hancock re attorneys' fees offer and settlement draft (.3); review and revise federal notice (.8); prepare final attorneys' fees settlement offer and emails (2) to D. Kalama re same (1.4)	2.50	562.50	
02/17/2017	CWB	prepare final attorneys' fees settlement offer (1.1); continue revising federal settlement agreement and notice (2.4)	3.50	787.50	
02/20/2017	CWB	revise federal settlement background section per discussion w/D. Kalama (1.6); research re state requirements for class notice (1.1)	2.70	607.50	
02/21/2017	CWB	review class certification order and summary judgment order to revise federal settlement agreement recitals (1.2); research re class notification process and potential class size based on documents and statistics provided by DHS in litigation (.9)	2.10	472.50	
02/23/2017	CWB	finalize settlement agreement revisions and circulate redline to MoFo	2.20	495.00	
02/24/2017	CWB	discussion w/J. Hancock re calculation of benefits to federal class under draft settlement agreement (.8) and finalize revisions to federal documents (1.3)	2.10	472.50	
02/27/2017	CWB	emails to and from J. Hancock re motion for attorneys fees and supporting materials	0.60	135.00	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
02/28/2017	CWB	finalize federal settlement agreement documents and email to P. Alston, J. Hancock with explanations, D. Kalama	3.30	742.50	
02/28/2017	PA	review ECF notification re order dismissing with prejudice and settlement on the record (.1); email to C. Black re follow up (.1)	0.20	139.00	
03/01/2017	PA	review order dismissing case	0.10	69.50	
03/02/2017	PA	emails from and to C. Black re revised draft prepare for the federal settlement agreement (.1); email to C. Black re comments to the settlement agreements re provisions for stipends for the class reps and to retain jurisdiction to enforce settlement (.1)	0.20	139.00	
03/02/2017	CWB	emails (3) to and from P. Alston re draft federal settlement agreement, class stipends, and fees	0.20	45.00	
03/05/2017	CWB	further revise federal settlement agreement and update notice accordingly (2.6); research re legal requirements of class action settlements and notice (1.1)	3.70	832.50	
03/06/2017	PA	conference with C. Black re fee claims	0.20	139.00	
03/06/2017	CWB	review M. Hansen revisions and comments to federal settlement agreement and board rate calculations (.8); email to and from J. Hancock re federal settlement (.1); review 2017 USDA Report (.5); prepare (.3) for and attend (.2) status conference before Judge Kobayashi; email update to legal team re status conference (.3); emails to and from G. Thornton re status conference with Judge Kobayashi (.1); email to D. Kalama attaching further revised federal settlement documents (notice, settlement agreement, redline) with comments (.1); additional emails (8) to and from D. Kalama re federal settlement (.1)	2.50	562.50	
03/07/2017	PA	emails from and to C. Black re fees	0.10	69.50	
03/07/2017	CWB	emails to G. Thornton and V. Geminiani discussing attorneys' fees summary and break down of costs (.5); emails (7) to and from D. Kalama re settlement conference before Judge Chang re fees (.2); call to Court re availability for settlement conference (.1 NO CHARGE FOR COMMUNICATION WITH COURT); email to P. Alston re attorneys' fees and rates (.1); draft settlement conference statement to Judge Chang re fees with analysis (1.5)	2.30	517.50	0.10
03/08/2017	PA	work on confidential settlement conference letter to Judge Chang; review notice of settlement conference set for 3/9/17	0.10	69.50	
03/08/2017	CWB	emails (15) to and from legal team re confidential settlement conference statement re attorneys fees (.5); finalize statement and incorporate comments re same from legal team (.8)	1.30	292.50	
03/09/2017	PA	emails from and to C. Black re attorneys fees issue	0.10	69.50	
03/09/2017	CWB	research Legislature website re budget bill and settlement amounts (.5); prepare for (.7) and attend (.7) settlement conference before Judge Chang re attorneys' fees; continue discussion re settlement on attorneys' fees with legal team (.6) and email to D. Kalama re same (.1); review revised draft of federal settlement agreement and comments from D. Kalama (.4); call to Judge Chang re acceptance of settlement on attorneys' fees (.1); review D. Kalama revisions to federal notice and edit same (.7);	3.80	855.00	
03/10/2017	CWB	revise federal settlement agreement and notice with cover explanation to D. Kalama (1.8)	1.80	405.00	
03/11/2017	CWB	review draft federal motion for preliminary approval of settlement from D. Kalama (.6); email to and from P. Alston re settlement revisions and status (.1)	0.70	157.50	
03/12/2017	PA	emails from and to C. Black re revised state and federal settlement agreements	0.10	69.50	
03/13/2017	CWB	emails (16) to and from D. Kalama re motion for preliminary approval, status, and request to Court for extension of time to file (.5); review draft letter from D. Kalama to W. Nakamura re extension (.1); review/edit revised motion for approval of preliminary settlement from D. Kalama (.8); and review notices and agreement for conformity with settlement term discussions and approval motion (.6)	2.00	450.00	
03/14/2017	PA	emails from and to C. Black re federal settlement agreement and notice	0.10	69.50	
03/14/2017	CWB	review revised notice and agreement in federal action and comments from D. Kalama re same (.6); research re authorities cited by D. Kalama re release language (1.1); emails (51 total) to and from D. Kalama re settlement agreements, revisions to same, and declaration in support of preliminary approval motion (.9 out of 1.8--other half allocated to state action); revisions to federal notice (.5)	3.10	697.50	
03/15/2017	PA	review defendant's motion for preliminary approval of settlement; work on settlement issues	0.20	139.00	
03/15/2017	CWB	emails (4) to and from D. Kalama re DHS budget worksheets and S. Luke rejection of requested budget increase (.3); emails to and from G. Thornton re legislative issues (.3); discussion with government relations personnel re requested budget increase and crossover (.5)	1.10	247.50	
03/16/2017	CWB	emails to and from D. Kalama re meeting with DHS director re budget bill (.2); call to D. Kalama re same (.1); discussion with G. Thornton re execution of federal agreement (.1); discussion with MoFo team re same (.1); emails (3) to and from D. Kalama re envelope for federal notice (.2)	0.70	157.50	
03/17/2017	PA	conference with C. Black re status; review letter to Judge Kobayashi re settlement administration deadlines	0.20	139.00	
03/17/2017	CWB	email analysis to M. Peters re federal settlement agreement (.5); prepare for (1.5) and attend (.2) hearing on motion to preliminarily approve settlement; emails (3) to D. Kalama re executed settlement agreement (.1); email exchange of proposed hearing outline/notes with D. Kalama and review same (.2); draft proposed dates for settlement and proposed order and circulate to D. Kalama (.4); revise settlement timeline with proposed dates from D. Kalama and resend (.3); review redlined order preliminarily approving federal settlement and emails to D. Kalama (10+) re proposed order and deadlines (.8); emails to and from D. Kalama re ATG-1 bill (.1);	4.10	922.50	
03/20/2017	CWB	review Order preliminarily approving federal settlement (.3); emails (3) to and from D. Kalama re order and deadline for attorneys' fees (.2); call to Court re deadline for attorneys fees and notice to class (.1); review and edit revised federal class notice (.5); emails (3) to and from D. Kalama re federal notice (.1)	1.20	270.00	
03/21/2017	PA	review order preliminarily approving class action settlement	0.10	69.50	
03/23/2017	PA	review amended order preliminarily approving class action settlement	0.10	69.50	
03/23/2017	CWB	calls (8) from class members re federal notice and settlement inquiries and follow up re same (1.4); draft motion for fees and service awards (3.2)	4.60	1,035.00	
03/24/2017	CWB	respond to inquiries from three (3) class members re settlement (.7); continue drafting motion for award of attorneys' fees and service awards (5.5)	6.20	1,395.00	
03/25/2017	IKT	review, revise and breakdown ahfi fees and apple seed fees	7.70	1,116.50	
03/25/2017	CWB	continue drafting motion for attorneys' fees and service awards (5.2); review and revise timesheets for submission to court (1.6)	6.80	1,530.00	
03/26/2017	IKT	review, revise and breakdown MoFo fees	6.60	957.00	
03/26/2017	CWB	continue review and analysis of billing entries and exercise billing judgment (2.2); revise motion for award of fees and service awards to named plaintiffs (3.4)	5.60	1,260.00	
03/27/2017	IKT	continue to review, revise and breakdown MoFo fees	7.70	1,116.50	
03/27/2017	CWB	respond to calls (2) from class members re settlement (.9); draft support declarations, notices re motion to approve award of fees and service awards to plaintiffs (6.8); research re award of attorneys fees in class actions (.9)	8.60	1,935.00	
03/28/2017	CWB	finalize motion for award of fees and service awards, and supporting documents (4.6); emails to G. Thornton re budget and motion (.2); discussion with P. Alston re same (.1)	4.90	1,102.50	

Date	Timekeeper	Brief Description of Activity	Hours	Value	No charge hours
			2326.00	$591,052.00	83.30

Expense Code	Date	vendor	Units	Value	Description
DEPOSITIONS	05/21/2014	CLERK, U.S. DISTRICT COURT - Honolulu	0	30.00	AUDIO OF HEARING
DEPOSITIONS	09/24/2014	RALPH ROSENBERG, INC.	0	640.30	Deposition of Lynne Kazama and Cynthia Goss taken 9/18/14
DEPOSITIONS	09/24/2014	MEDIA SOLUTIONS, INC A DIVISION OF MEDIA SOLUTIONS	0	471.20	Video Deposition of Lynn Kazama and Cynthia Goss taken 9/18/14
DEPOSITIONS	06/23/2015	RALPH ROSENBERG, INC.	0	453.14	Deposition of Susan Chandler, Ph.D. taken on 6/5/15
DEPOSITIONS	06/30/2015	RALPH ROSENBERG, INC.	0	1,669.58	Deposition of Lisa Nakao, Kayle Perez (Volume 1) taken on 6/19/15
DEPOSITIONS	07/07/2015	RALPH ROSENBERG, INC.	0	623.39	Deposition of Kayle Perez (Volume 2) taken on 6/24/15
DEPOSITIONS	08/18/2015	MEDIA SOLUTIONS, INC A DIVISION OF MEDIA SOLUTIONS	0	732.98	Video Deposition of Mona Maehara taken on 8/17/15
DEPOSITIONS	08/25/2015	MEDIA SOLUTIONS, INC A DIVISION OF MEDIA SOLUTIONS	0	785.33	Video Deposition of Patricia McManaman taken on 8/19/15
DEPOSITIONS	08/25/2015	MEDIA SOLUTIONS, INC A DIVISION OF MEDIA SOLUTIONS	0	628.28	Video Deposition of Barbara Yamashita taken on 8/20/15
DEPOSITIONS	08/31/2015	RALPH ROSENBERG, INC.	0	1,816.75	Videotaped Deposition of Patricia McManaman taken on 8/19/15
DEPOSITIONS	08/31/2015	RALPH ROSENBERG, INC.	0	1,397.91	Videotaped Deposition of Barbara Yamashita taken on 8/20/15
DEPOSITIONS	08/31/2015	RALPH ROSENBERG, INC.	0	1,519.37	Videotaped Deposition of Mona Maehara taken on 8/17/15
DEPOSITIONS	10/19/2015	HONOLULU REPORTING SERVICES	0	586.18	Deposition Transcript of Paul Brewbaker, PH.D. taken on 10/13/15
DEPOSITIONS	10/30/2015	MEDIA SOLUTIONS, INC A DIVISION OF MEDIA SOLUTIONS	0	628.27	Video deposition of Barbara Yamashita (10/29/15)
DEPOSITIONS	11/02/2015	RALPH ROSENBERG, INC.	0	1,595.20	Videotaped Deposition of Barbara Yamashita (Volume 2) taken on 10/29/15
DEPOSITIONS	05/10/2016	HONOLULU REPORTING SERVICES	0	375.92	Deposition taken upon oral examination of Paul H. Brewbaker, Ph.D taken on 5/4/16 in Honolulu, HI
DEPOSITIONS	05/11/2016	RALPH ROSENBERG, INC.	0	1,148.53	Deposition of Lynne Kazama taken on 5/3/2016 in Honolulu, HI
DEPOSITIONS	06/16/2016	ATKINSON-BAKER, INC.	0	1,637.80	Reporter's transcript of the deposition of Nicholas Schmidt, taken on 6/2/16
DEPOSITIONS	06/20/2016	ATKINSON-BAKER, INC.	0	1,221.86	Reporter's Transcript of the Deposition of Brendan P. Burke, PhD, taken 6/3/16
			Total:	**17,961.99**	
WITNESS & MILEAGE	05/21/2015	SUSAN CHANDLER, PH.D.	0	44.00	Witness Fee
WITNESS & MILEAGE	08/14/2015	PATRICIA MCMANAMAN	0	43.00	Witness Fee
WITNESS & MILEAGE	08/17/2016	SUSAN CHANDLER	0	42.30	Subpoena
WITNESS & MILEAGE	08/17/2016	PATRICIA MCMANAMAN	0	40.23	Subpoena
			Total:	**169.53**	
FILING FEES	12/03/2013	CLERK, U.S. DISTRICT COURT - Honolulu	0	411.00	Filing Fee - Complaint & Certification

FILING FEES	12/09/2013	CLERK, U.S. DISTRICT COURT - Honolulu	0	300.00	Pro Hac Vice
FILING FEES	12/09/2013	CLERK, U.S. DISTRICT COURT - Honolulu	0	300.00	Pro Hac Vice
FILING FEES	04/01/2014	ASB VISA CLEARING ACCOUNT	0	300.00	Pro Hac Vice for Joe Kanada from USDC
FILING FEES	11/10/2014	CLERK, U.S. DISTRICT COURT - Honolulu	0	30.00	Audio Ruling
FILING FEES	11/20/2015	CLERK, U.S. DISTRICT COURT - Honolulu	0	30.00	Audio Recording
FILING FEES	06/21/2016	ASB VISA CLEARING ACCOUNT	0	300.00	Electronic filing fee
FILING FEES	06/21/2016	ASB VISA CLEARING ACCOUNT	0	300.00	Electronic filing fee
			Total:	**1,971.00**	
TRANSCRIPTS	07/22/2014	CYNTHIA OTT	0	31.10	Proceedings taken 7/7/14
TRANSCRIPTS	09/04/2015	HONOLULU REPORTING SERVICES	0	266.49	Deposition Transcript of Raynette Ah Chong taken on 8/11/15
TRANSCRIPTS	09/04/2015	HONOLULU REPORTING SERVICES	0	302.72	Deposition Transcript of Patricia Sheehey taken on 8/20/15
TRANSCRIPTS	12/03/2015	CYNTHIA R. OTT, RMR, CRR	0	192.98	Court Transcript
TRANSCRIPTS	12/09/2015	CYNTHIA R. OTT, RMR, CRR	0	10.16	Court Transcript taken on 11/30/15
TRANSCRIPTS	08/17/2016	DEBI READ	0	280.00	Transcript of Hearing on Motions in Limine
TRANSCRIPTS	08/18/2016	DEBI READ, CSR	0	70.42	Transcript of Hearing
			Total:	**1,153.87**	
SHERIFF/SERVICE	05/15/2015	DENNIS H NAKATA	0	29.00	Served Subpoena to Susan M. Chandler, Ph.D on 5/14/15
SHERIFF/SERVICE	05/22/2015	DENNIS H NAKATA	0	29.00	Served Susan M. Chandler 5/21/15
SHERIFF/SERVICE	08/22/2016	ALL CIVIL PROCESS LLC	0	49.00	Served Patricia McManaman on 8/18/16
SHERIFF/SERVICE	08/25/2016	ALL CIVIL PROCESS LLC	0	12.00	Attempted service to Lynne Kazama
			Total:	**119.00**	
Court fees	03/31/2014	PACER SERVICE CENTER	0	16.20	MOWDC, OKNDC, MADC
Court fees	03/31/2014	PACER SERVICE CENTER	0	15.20	RIDC
Court fees	04/30/2014	PACER SERVICE CENTER	0	14.60	MIEDC
Court fees	04/30/2014	PACER SERVICE CENTER	0	19.80	00PCL MADC 01CA RIDC
Court fees	06/30/2014	PACER SERVICE CENTER	0	27.70	INSDC
Court fees	12/31/2015	ALSTON HUNT FLOYD & ING	0	14.50	HIDC
			Total:	**108.00**	
PHOTOCOPIES	12/03/2013		1	0.10	
PHOTOCOPIES	12/03/2013		9	0.90	
PHOTOCOPIES	12/03/2013		1	0.10	
PHOTOCOPIES	12/03/2013		9	0.90	
PHOTOCOPIES	12/03/2013		75	7.50	
PHOTOCOPIES	12/03/2013		3	0.30	
PHOTOCOPIES	12/03/2013		18	1.80	
PHOTOCOPIES	12/03/2013		75	7.50	
PHOTOCOPIES	12/03/2013		3	0.30	
PHOTOCOPIES	12/03/2013		18	1.80	
PHOTOCOPIES	12/09/2013		26	2.60	
PHOTOCOPIES	02/24/2014		18	1.80	
PHOTOCOPIES	03/11/2014		78	7.80	
PHOTOCOPIES	03/11/2014		68	6.80	
PHOTOCOPIES	03/24/2014		4	0.40	

PHOTOCOPIES	05/07/2014		20	2.00	
PHOTOCOPIES	05/29/2014		30	3.00	
PHOTOCOPIES	06/20/2014		8	0.80	
PHOTOCOPIES	07/17/2014		35	3.50	
PHOTOCOPIES	07/21/2014		54	5.40	
PHOTOCOPIES	07/22/2014		21	2.10	
PHOTOCOPIES	08/06/2014		5	0.50	
PHOTOCOPIES	09/17/2014		388	38.80	
PHOTOCOPIES	09/17/2014		180	18.00	
PHOTOCOPIES	10/17/2014		62	6.20	
PHOTOCOPIES	03/06/2015		49	4.90	
PHOTOCOPIES	03/12/2015		2	0.20	
PHOTOCOPIES	04/24/2015		82	8.20	
PHOTOCOPIES	05/05/2015		1	0.10	
PHOTOCOPIES	05/07/2015		27	2.70	
PHOTOCOPIES	05/08/2015		3	0.30	
PHOTOCOPIES	05/13/2015		48	4.80	
PHOTOCOPIES	05/21/2015		23	2.30	
PHOTOCOPIES	06/05/2015		14	1.40	
PHOTOCOPIES	06/19/2015		155	15.50	
PHOTOCOPIES	06/19/2015		164	16.40	
PHOTOCOPIES	06/19/2015		2	0.20	
PHOTOCOPIES	06/19/2015		8	0.80	
PHOTOCOPIES	06/24/2015		5	0.50	
PHOTOCOPIES	06/25/2015		30	3.00	
PHOTOCOPIES	07/01/2015		90	9.00	
PHOTOCOPIES	07/22/2015		78	7.80	
PHOTOCOPIES	08/13/2015		3	0.30	
PHOTOCOPIES	08/13/2015		36	3.60	
PHOTOCOPIES	08/14/2015		12	1.20	
PHOTOCOPIES	08/19/2015		148	14.80	
PHOTOCOPIES	09/02/2015		2	0.20	
PHOTOCOPIES	09/30/2015		1	0.10	
PHOTOCOPIES	10/19/2015		2	0.20	
PHOTOCOPIES	11/25/2015		14	1.40	
PHOTOCOPIES	11/25/2015		14	1.40	
PHOTOCOPIES	11/30/2015		20	2.00	
PHOTOCOPIES	01/12/2016		1	0.10	
PHOTOCOPIES	01/12/2016		1	0.10	
PHOTOCOPIES	04/14/2016		8	0.80	
PHOTOCOPIES	05/17/2016		8	0.80	
PHOTOCOPIES	08/09/2016		4	0.40	
PHOTOCOPIES	08/12/2016		12	1.20	
PHOTOCOPIES	08/15/2016		10	1.00	
PHOTOCOPIES	08/15/2016		12	1.20	
PHOTOCOPIES	08/16/2016		6	0.60	
PHOTOCOPIES	08/16/2016		2	0.20	
PHOTOCOPIES	08/16/2016		2	0.20	
PHOTOCOPIES	08/16/2016		97	9.70	
PHOTOCOPIES	08/22/2016		14,868	1,486.80	Joint exhibits, 6 sets
PHOTOCOPIES	08/22/2016		21,546	2,154.60	Plantiffs Exhibits, 7 sets
PHOTOCOPIES	08/24/2016		5,178	517.80	Defendant's Trial Exhibits, 2 sets
PHOTOCOPIES	08/26/2016		16,224	1,622.40	Depo Designation, 4 sets
			Total:	**6,022.10**	

POSTAGE	06/20/2014		0	1.19	
POSTAGE	09/16/2014		1	1.19	
POSTAGE	07/08/2015		0	5.95	
POSTAGE	07/17/2015		0	2.52	
POSTAGE	09/28/2015		0	5.75	
POSTAGE	10/16/2015		0	1.20	
POSTAGE	10/21/2015		0	3.62	
POSTAGE	11/25/2015		0	1.42	
POSTAGE	04/05/2016		0	6.80	
			Total:	**29.64**	
COLOR COPIES/PRINTING	10/17/2014		10	4.00	
COLOR COPIES/PRINTING	03/12/2015		22	8.80	
COLOR COPIES/PRINTING	04/24/2015		92	36.80	
COLOR COPIES/PRINTING	06/05/2015		8	3.20	
COLOR COPIES/PRINTING	06/05/2015		4	1.60	
COLOR COPIES/PRINTING	06/19/2015		8	3.20	
COLOR COPIES/PRINTING	06/19/2015		4	1.60	
COLOR COPIES/PRINTING	08/17/2016		14,584	5,833.60	
			Total:	**5,892.80**	
MESSENGER	12/03/2013		1	3.00	
MESSENGER	12/04/2013		1	3.00	
MESSENGER	12/09/2013		1	3.00	
MESSENGER	02/24/2014		1	3.00	
MESSENGER	02/25/2014		1	3.00	
MESSENGER	03/11/2014		1	3.00	
MESSENGER	03/25/2014		1	3.00	
MESSENGER	05/07/2014		2	6.00	
MESSENGER	05/22/2014		1	3.00	
MESSENGER	05/29/2014		1	3.00	
MESSENGER	06/24/2014		1	3.00	
MESSENGER	07/17/2014		1	3.00	
MESSENGER	07/18/2014		1	3.00	
MESSENGER	08/06/2014		1	3.00	
MESSENGER	08/12/2014		1	3.00	
MESSENGER	08/22/2014		1	3.00	
MESSENGER	09/16/2014		1	3.00	
MESSENGER	09/26/2014		1	3.00	
MESSENGER	10/02/2014		1	3.00	
MESSENGER	10/15/2014		1	3.00	
MESSENGER	11/10/2014		1	3.00	
MESSENGER	01/12/2015		1	3.00	
MESSENGER	01/15/2015		1	3.00	
MESSENGER	03/06/2015		1	3.00	
MESSENGER	04/27/2015		1	3.00	
MESSENGER	04/30/2015		1	3.00	

MESSENGER	05/21/2015		1	3.00	
MESSENGER	06/05/2015		1	3.00	
MESSENGER	06/25/2015		1	3.00	
MESSENGER	07/07/2015		1	3.00	
MESSENGER	07/22/2015		1	3.00	
MESSENGER	08/10/2015		1	3.00	
MESSENGER	08/11/2015		1	3.00	
MESSENGER	08/13/2015		1	3.00	
MESSENGER	10/19/2015		1	3.00	
MESSENGER	10/27/2015		1	3.00	
MESSENGER	10/28/2015		1	3.00	
MESSENGER	11/03/2015		1	3.00	
MESSENGER	11/20/2015		1	3.00	
MESSENGER	12/02/2015		1	3.00	
MESSENGER	12/03/2015		1	3.00	
MESSENGER	04/14/2016		1	3.00	
MESSENGER	04/19/2016		1	3.00	
MESSENGER	05/17/2016		1	3.00	
MESSENGER	06/09/2016		2	6.00	
MESSENGER	06/22/2016		1	3.00	
MESSENGER	07/06/2016		2	6.00	
MESSENGER	07/07/2016		1	3.00	
MESSENGER	07/11/2016		1	3.00	
MESSENGER	08/04/2016		1	3.00	
MESSENGER	08/11/2016		2	6.00	
MESSENGER	08/11/2016		1	3.00	
MESSENGER	08/16/2016		1	3.00	
MESSENGER	08/17/2016		2	6.00	
MESSENGER	08/18/2016		2	6.00	
			Total:	**183.00**	
SERVICE	08/14/2015		1	25.00	
SERVICE	08/23/2016		1	25.00	
			Total:	**50.00**	
WESTLAW RESEARCH	02/21/2014		17,689	1,415.12	2/21-2/28/14
WESTLAW RESEARCH	03/03/2014		38,539	3,083.12	3/3-3/28/14
WESTLAW RESEARCH	03/19/2014		2,442	195.36	
WESTLAW RESEARCH	04/07/2014		6,870	549.60	4/7-4/11/14
WESTLAW RESEARCH	04/16/2015		580	46.40	
WESTLAW RESEARCH	05/08/2015		176	14.08	
WESTLAW RESEARCH	06/04/2015		8,987	718.96	6/4/15 - 6/10/15
WESTLAW RESEARCH	07/03/2015		518	41.44	CWB
WESTLAW RESEARCH	07/20/2015		1,337	106.96	CWB
WESTLAW RESEARCH	08/07/2015		1,220	97.60	CWB 8/7/15 - 8/27/15

WESTLAW RESEARCH	11/17/2015		1,834	146.72	CWB 11/17/15 - 11/30/15
WESTLAW RESEARCH	12/02/2015		137	10.96	
WESTLAW RESEARCH	01/14/2016		820	65.60	CWB 1/14/16 - 1/20/16
WESTLAW RESEARCH	05/30/2016		141	11.28	CWB 5/30/16 - 5/31/16
WESTLAW RESEARCH	06/02/2016		62	4.96	
WESTLAW RESEARCH	07/11/2016		10,592	847.36	-7/20 MANA
WESTLAW RESEARCH	07/14/2016		1,733	138.64	-7/26 CWB
			Total:	**7,494.16**	
TRAVEL EXPENSE	03/18/2016	HAWAIIAN AIRLINES	0	219.49	CWB - Airfare to Hilo on March 19, 2016 for Ah Chong/DHS.
TRAVEL EXPENSE	03/19/2016	CLAIRE W. BLACK	0	123.28	Car rental charge for support group meeting with foster parents
TRAVEL EXPENSE	03/19/2016	CLAIRE W. BLACK	0	18.00	Honolulu International Airport parking charge for support group meeting with foster parents
TRAVEL EXPENSE	05/26/2016	PAUL ALSTON	0	2,140.00	6/1-5/16 United Airlines charge to attend deposition of Nicholas Schmidt and Brendan Burke in Chicago
TRAVEL EXPENSE	06/01/2016	PAUL ALSTON	0	100.00	Taxi charge to hotel to attend deposition of Nicholas Schmidt and Brendan Burke in Chicago
TRAVEL EXPENSE	06/04/2016	PAUL ALSTON	0	80.00	Taxi charge to airport to attend deposition of Nicholas Schmidt and Brendan Burke in Chicago
TRAVEL EXPENSE	06/07/2016	ASB VISA CLEARING ACCOUNT	0	1,881.22	Hotel accommodations to attend depositions of Nicholas Schidt and Brendan Burke in Chicago
			Total:	**4,561.99**	
OUTSIDE COPIES	03/31/2014	CASH	0	6.60	3/13/14 - from Supreme Court Library
OUTSIDE COPIES2	12/18/2014	PROFESSIONAL IMAGE, INC	0	307.85	14 Oversize color 27x36
OUTSIDE COPIES2	01/20/2015	PROFESSIONAL IMAGE, INC	0	47.12	14 Color oversized reduced to 11x17
			Total:	**361.57**	
COURIER	10/24/2014	FEDERAL EXPRESS CORP	0	**10.80**	9/26/14 Delivery from AHFI to Morrison & Foerster, Palo Alto CA
LUNCH/DINNER MEETING	02/11/2016	ASB VISA CLEARING ACCOUNT	0	**20.00**	MIHO - Meal charge for meeting with J. Willer re foster parent experiences
CONFERENCE CALL	05/26/2014	ALSTON HUNT FLOYD & ING	0	4.57	4/29/14 CWB Conference Call
CONFERENCE CALL	05/26/2014	ALSTON HUNT FLOYD & ING	0	19.10	5/20/14 CWB Conference Call
CONFERENCE CALL	03/26/2015	ALSTON HUNT FLOYD & ING	0	14.39	3/2/15 CWB Conference Call
CONFERENCE CALL	09/26/2015	ALSTON HUNT FLOYD & ING	0	17.29	9/10/15 CWB - Conference Call
CONFERENCE CALL	12/26/2015	ALSTON HUNT FLOYD & ING	0	8.16	11/30/15 - CWB Conference Call
CONFERENCE CALL	06/26/2016	ALSTON HUNT FLOYD & ING	0	12.99	6/1/16 - CWB Conference Call
CONFERENCE CALL	06/26/2016	ALSTON HUNT FLOYD & ING	0	156.99	6/2/16 - CWB Conference Call

CONFERENCE CALL	06/26/2016	ALSTON HUNT FLOYD & ING	0	60.97	6/3/16 - CWB Conference Call
CONFERENCE CALL	06/26/2016	ALSTON HUNT FLOYD & ING	0	41.12	6/3/16 - CWB Conference Call
CONFERENCE CALL	08/26/2016	ALSTON HUNT FLOYD & ING	0	17.55	8/4/16 - CWB Conference Call
			Total:	**353.13**	
			Total Costs:	**46,462.58**	

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
10/15/2013	KIMBERLY N. VAN VOORHIS	0.75	600.00	Telephone conf. w/Hawaii Appleseed re foster care litigation; follow up re same.		
10/18/2013	KIMBERLY N. VAN VOORHIS	0.5	400.00	Telephone conf. w/A. Johnston re HI foster litigation; follow up re same.		
10/18/2013	ALAN COPE JOHNSTON	0.5	497.50	Telephone conf w/K. Van Voorhis re HI foster care litigation		
10/21/2013	KIMBERLY N. VAN VOORHIS	0.5	400.00	Research and analysis re HI foster litigation claims		
10/22/2013	KIMBERLY N. VAN VOORHIS	0.75	600.00	Research and analysis re HI foster litigation claims (.5); emails to A. Johnston re analysis (.25)		
10/22/2013	ALAN COPE JOHNSTON	0.25	248.75	Emails with K. Van Voorhis re analysis of HI foster litigation		
10/24/2013	ALAN COPE JOHNSTON	0.5	497.50	Review analysis of HI foster litigation and conf with B. DePuy re same		
10/25/2013	ALAN COPE JOHNSTON	5.5	5,472.50	Analysis re Wagner case (3.5); prepare for and attend telephone conf w/K. Van Voorhis, HI counsel (1.75)		
10/25/2013	ALAN COPE JOHNSTON	0	0.00	Preparation of case budget and conf with R. Williams re same (.25 NO CHARGE)	0.25	248.75
10/28/2013	ALAN COPE JOHNSTON	0.25	248.75	Conf w/M. Peters re HI foster litigation		
10/30/2013	ALAN COPE JOHNSTON	0	0.00	Revise case budget (1.5 NO CHARGE)	1.5	1492.5
11/1/2013	ALAN COPE JOHNSTON	0	0.00	Review engagement letter and co-counsel agreement (3.25 NO CHARGE)	3.25	3233.75
11/4/2013	BRITTANY DEPUY	2.5	1,625.00	Review and analyze draft complaint (1.0); conf with A. Johnston re complaint strategy (.75); conf with K. Van Voorhis re CA foster litigation and strategy (.75)		
11/4/2013	ALAN COPE JOHNSTON	3.5	3,482.50	Review and analyze draft complaint (2.25); conf with B. DePuy re litigation strategy (.75)		
11/4/2013	ALAN COPE JOHNSTON	0	0.00	Revise engagement ltr and send to G. Thornton (.5 NO CHARGE)	0.5	497.5
11/5/2013	ALAN COPE JOHNSTON	0.25	248.75	Emails with B. DePuy re analysis of HI foster litigation complaint (.25)		
11/5/2013	BRITTANY DEPUY	3	1,950.00	Analysis and comments re draft foster complaint (1.5); review MARC reports (1.5)		
11/6/2013	BRITTANY DEPUY	0.75	487.50	Conf w/K. Van Voorhis re HI foster complaint and litigation strategy		
11/7/2013	ALAN COPE JOHNSTON	0.25	248.75	Email to B. DePuy re HI foster litigation draft complaint		
11/8/2013	ALAN COPE JOHNSTON	0.75	746.25	Emails to co-counsel re draft complaint and litigation strategy		
11/19/2013	BRITTANY DEPUY	1.25	812.50	Research and analysis re Section 1983 claim for CWA violation		
11/21/2013	BRITTANY DEPUY	3.75	2,437.50	Research and analysis re Section 1983 claims under CWA (1.5); conf with A.C. Johnston re HI foster care federal complaint (.25); prepare for and conference with HI co-counsel re federal and state foster complaints (1.00); review and analyze draft HI state court complaint (1.0)		
11/21/2013	ALAN COPE JOHNSTON	5.25	5,223.75	Review and analyze state and federal HI foster litigation complaints (2.50); review and analyze comments from B. DePuy and co-counsel re state and federal complaints (.75); email to HI co-counsel re draft complaints (.25); prepare for and attend call with co-counsel (1.75)		
11/22/2013	ALAN COPE JOHNSTON	1.5	1,492.50	Review and analyze revised draft complaint (1.25); email comments re same to co-counsel (.25)		
11/22/2013	BRITTANY DEPUY	1.5	975.00	Conf w/P. Galante re NY foster litigation (.5); review and analyze NY foster litigation pleadings (1.00)		
11/22/2013	NANCY HOANG	0.5	135.00	Conf w/B. DePuy re HI foster litigation complaint and coordinate creation of Sharepoint site		
11/24/2013	ALAN COPE JOHNSTON	0.5	497.50	Emails with P. Alston, G. Thornton re revisions and comments to federal foster complaint		
11/25/2013	NANCY HOANG	0.25	67.50	Review and respond to case communications		
11/25/2013	ALAN COPE JOHNSTON	2.25	2,238.75	Review and respond to emails re draft complaint and provide comments re same		
11/25/2013	ALAN COPE JOHNSTON	0	0.00	Provide comments on press release, engagement letter (.25 NO CHARGE)	0.25	248.75
11/26/2013	KIMBERLY N. VAN VOORHIS	0.5	400.00	Review HI foster litigation materials		
11/26/2013	BRITTANY DEPUY	0.75	487.50	Research and analysis re HI cost of living and comparison of daily foster board rate and kenneling dog in HI		
11/26/2013	ALAN COPE JOHNSTON	0.5	497.50	Emails with co-counsel re comments and revisions to foster complaint		
11/27/2013	ALAN COPE JOHNSTON	0.75	746.25	Emails with co-counsel re further comments and revisions to foster complaint (.25); review and analyze drafts (.5)		
11/27/2013	BRITTANY DEPUY	1.75	1,137.50	Review and analyze CA and NY foster litigation summary judgment motions (1.25); review NY TITLE IV-E plan and research re HI IV-E plan (.5)		
11/28/2013	ALAN COPE JOHNSTON	0.5	497.50	Review and analyze revisions to complaint (.25); email comments and edits re same (.25)		
11/29/2013	ALAN COPE JOHNSTON	0.5	497.50	Review and analyze communications re HI foster litigation		
12/2/2013	ALAN COPE JOHNSTON	0	0.00	Review and respond to media advisory (.5 NO CHARGE)	0.5	497.5
12/2/2013	BRITTANY DEPUY	2.5	1,625.00	Review and analyze discovery propounded in CA and NY foster litigation (2.0); review and revise draft pro hace vice application (.5)		
12/3/2013	BRITTANY DEPUY	3.75	2,437.50	Edit and finalize DePuy and Johnston pro hac vice applications (.75); review and analyze pleadings and orders in CA and NY foster litigation and circulate to co-counsel (3.0)		
12/3/2013	ALAN COPE JOHNSTON	0.5	497.50	Review and comment re pro hac vice applications		
12/3/2013	ALAN COPE JOHNSTON	0	0.00	Review and comment re press release (.25 NO CHARGE)	0.25	248.75
12/4/2013	BRITTANY DEPUY	4	2,600.00	Review and analyze expert reports in CA and NY foster litigation (3.25); research and review class certification requirements (.75)		
12/5/2013	BRITTANY DEPUY	3	1,950.00	Research and analyze class certification requirements and case law		

EXHIBIT E

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
12/6/2013	BRITTANY DEPUY	2.25	1,462.50	Review class certification standard		
12/9/2013	BRITTANY DEPUY	4.75	3,087.50	Strategize and draft outline of class certification issues		
12/10/2013	BRITTANY DEPUY	3.75	2,437.50	Conf with K. Van Voorhis re class action complaint (.75); continue outlining class certification issues and motion (3.0)		
12/11/2013	BRITTANY DEPUY	3.5	2,275.00	Draft and revise class certification motion		
12/13/2013	BRITTANY DEPUY	0.5	325.00	Review and analyze CA foster litigation expert reports		
12/16/2013	BRITTANY DEPUY	1	650.00	Review CA's proposed method for determining foster care maintenance payment rates in CA litigation and compare to HI flat rate		
12/16/2013	ALAN COPE JOHNSTON	0.25	248.75	Email re strategy conf with co-counsel (.25)		
12/17/2013	ALAN COPE JOHNSTON	0.75	746.25	Prepare for and strategize with B. DePuy re litigation strategy discussion with co-counsel		
12/17/2013	BRITTANY DEPUY	5	3,250.00	Conf w/A.C. Johnston re CA foster litigation expert reports (.50) review and analyze CA litigation expert reports (3.25); analyze and summarize MARC report methodology for determining foster care maintenance payment rates (1.25)		
12/18/2013	BRITTANY DEPUY	2.75	1,787.50	Further analysis of MARC report methodology (1.75); review and analysis of NY foster litigation expert reports (1.0)		
12/19/2013	BRITTANY DEPUY	4.75	3,087.50	Conf with co-counsel and A.C. Johnston re preparation for meeting with defense counsel (1.0); communications with D.D. re potential expert analysis (.25); review CES data used in MARC report methodology (3.5)		
12/19/2013	ALAN COPE JOHNSTON	1	995.00	Prepare for and call with co-counsel re meeting of the parties and discovery strategy		
12/20/2013	BRITTANY DEPUY	2.75	1,787.50	Prepare for and attend call with HI Deputy AGs (1.0); communications with C.R. (Children's Advocacy Institute) re potential expert analysis (.25); research potential experts (1.50)		
12/20/2013	ALAN COPE JOHNSTON	1	995.00	Prepare for and participate in call with HI Deputy AGs		
12/21/2013	BRITTANY DEPUY	0.5	325.00	Correspond with P. Galante (MoFo NY)re experts used in foster litigation (.25); continue research re potential expert witnesses (.25)		
12/26/2013	BRITTANY DEPUY	0.5	325.00	Review and analyze HDHS answer to complaint		
12/27/2013	BRITTANY DEPUY	2	1,300.00	Review and analyze HDHS budget and USDA Report on Expenditures on Children By Families		
12/30/2013	BRITTANY DEPUY	0.75	487.50	Review and outline initial disclosures (.5); review CA litigation initial disclosures (.25)		
12/31/2013	BRITTANY DEPUY	0.5	325.00	Continue review and analysis of CA litigation proposed rate structure and research individuals involved in defendant state of CA's proposed rate structure for potential experts		
1/10/2014	BRITTANY DEPUY	0.5	325.00	Correspond with potential experts.		
1/13/2014	ALAN COPE JOHNSTON	0.25	248.75	Conf w/B. DePuy re potential experts		
1/13/2014	BRITTANY DEPUY	1	650.00	Conf w/J.M. re potential expert analysis (.75); email to legal team (MoFo, AHFI, LEJ) summarizing conf with potential expert (.25)		
1/23/2014	BRITTANY DEPUY	1	650.00	Analyze MARC methodology and outline requirements for expert economist's analysis		
1/24/2014	BRITTANY DEPUY	1	650.00	Conf w/HI economist P. Brewbaker re expert work		
1/28/2014	BRITTANY DEPUY	1	650.00	Strategize w/A.C. Johnston re expert reports (.25); emails to and from legal team (AHFI and LEJ) re expert reports and upcoming discovery conference (.75)		
1/28/2014	ALAN COPE JOHNSTON	0.25	248.75	Conf w/B. DePuy re expert reports		
1/29/2014	ALAN COPE JOHNSTON	0.25	248.75	Emails to and from legal team (AHFI and LEJ) re upcoming Rule 26(f) conference		
1/31/2014	BRITTANY DEPUY	1.25	812.50	Conf w/ P. Galante re NY litigation expert reports (1.0); draft Brewbaker engagement letter (.25)		
2/3/2014	BRITTANY DEPUY	1.25	812.50	Draft discovery requests (1.0); review and revise Brewbaker retainer (.25)		
2/3/2014	ALAN COPE JOHNSTON	2	1,990.00	Review and comment re Brewbaker engagement (.75); conf w/B. DePuy re same (.25); revise Brewbaker engagement (.75); emails to co-counsel re Brewbaker engagement (.25)		
2/4/2014	BRITTANY DEPUY	5.25	3,412.50	Draft first requests for answers to interrogatories (RFAI), first requests for production of documents (RPOD), and first set of requests for admission (RFA)		
2/4/2014	ALAN COPE JOHNSTON	1	995.00	Review and analyze draft discovery requests		
2/5/2014	BRITTANY DEPUY	1.25	812.50	Revise and edit draft RPOD, RFAI, and RFA		
2/6/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Strategize w/B. DePuy re discovery strategy (.25); revise discovery requests (.75); telephone conf w/G. Thornton re discovery (.5); communications with legal team re discovery requests attaching same (.25)		
2/6/2014	BRITTANY DEPUY	1.75	1,137.50	Revise written discovery (1.25); prepare for conference call with experts (.5)		
2/7/2014	BRITTANY DEPUY	3.25	2,112.50	Prepare for and attend discovery planning conference with opposing counsel (1.5); further revisions to discovery request (.75) prepare for and attend conf call w/P. Brewbaker and J. Mauldon re expert reports (1.0)		
2/7/2014	ALAN COPE JOHNSTON	1	995.00	Prepare for and attend Rule 26(f) conference with opposing counsel and call with co-counsel		
2/12/2014	BRITTANY DEPUY	0.5	325.00	Review and revise discovery conference statement		
2/12/2014	ALAN COPE JOHNSTON	0.5	497.50	Review and analyze draft 26(f) report (.25); review HDHS motion to stay (.25)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
2/13/2014	ALAN COPE JOHNSTON	0.75	746.25	Review and analyze draft expert engagement agreement (.25); conf w/B. DePuy, J. Hancock re response to stay motion (.5)		
2/13/2014	JAMES R. HANCOCK	1	385.00	Conf w/A.C. Johnston and B. DePuy re HI foster litigation and response to HDHS motion for stay (.5); begin analysis and review of pleadings and case documents (.5)		
2/13/2014	BRITTANY DEPUY	1.5	975.00	Conf w/A.C. Johnston and J. Hancock re response to motion for stay (.5); update to J. Hancock re case status (.5); work on opposition to stay motion (.5)		
2/14/2014	BRITTANY DEPUY	1.25	812.50	Revise and edit Rule 26(f) report (.75); analyze motion to stay (.5)		
2/14/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/B. DePuy re HDHS motion to stay		
2/15/2014	JAMES R. HANCOCK	0.5	192.50	Analyze HDHS motion to stay and pleadings in preparation for opposition to stay motion		
2/17/2014	JAMES R. HANCOCK	1.25	481.25	Draft outline for opposition to stay motion (.5); analyze caselaw cited by HDHS (.5); analyze complaint and Rule 26(f) report (.25)		
2/18/2014	BRITTANY DEPUY	1.25	812.50	Analyze outline of opposition to stay motion (.5); conf w/J. Hancock re opposition (.75)		
2/18/2014	JAMES R. HANCOCK	5.5	2,117.50	Continue drafting outline for opposition to stay motion (.75); confer w/B. DePuy re opposition outline (.75); revise outline (1.25); research opposition to stay motion caselaw and standard (2.5); email summary to B. Depuy, A.C. Johnston re stay opposition (.25)		
2/19/2014	JAMES R. HANCOCK	2.25	866.25	Revise and send opposition outline to co-counsel (.5); prepare for and participate in conf call with legal team re opposition (.5); confer w/B. DePuy re opposition (.25); draft opposition memorandum (1.0)		
2/19/2014	ALAN COPE JOHNSTON	2.75	2,736.25	Analyze correspondence and filings (.75); prepare for and attend conference call with legal team (.5); analyze emails from legal team re opposition to stay motion (.25); analyze HI report re increased foster care payments (1.25)		
2/19/2014	BRITTANY DEPUY	2.25	1,462.50	Conf w/legal team re opposition to stay motion and initial disclosures (.5); finalize expert engagement (.75); review and analyze outline of opposition to stay motion (1.0)		
2/20/2014	JAMES R. HANCOCK	5	1,925.00	Continue drafting opposition to stay motion, revise and send to B. DePuy for review (3.25); research and analysis re pending legislation (1.25); confer w/ B. Depuy re opposition (.5)		
2/20/2014	BRITTANY DEPUY	0.5	325.00	Conf w/J. Hancock re opposition to stay motion		
2/21/2014	BRITTANY DEPUY	2	1,300.00	Edit and revise opposition to stay motion		
2/21/2014	ALAN COPE JOHNSTON	3.75	3,731.25	Review draft Rule 26(f) statement (.5); propose revisions to 26(f) report (.5); analyze and comment re draft opposition to stay motion (2.75)		
2/21/2014	JAMES R. HANCOCK	3.75	1,443.75	Confer w/B. DePuy re opposition to stay motion and revise opposition (2.5); research past HDHS legislative testimony opposing foster rate increase (1.0); exchange and review edits to opposition from B. Depuy, A.C. Johnston (.25)		
2/22/2014	BRITTANY DEPUY	0.5	325.00	Edit opposition to motion to stay		
2/23/2014	JAMES R. HANCOCK	1.75	673.75	Incorporate A.C. Johnston comments and revisions to stay motion (.75); research and analysis re 9th circuit precedent re stay motions when legislation is pending (.75); confer w/B. Depuy re opposition status (.25)		
2/24/2014	JAMES R. HANCOCK	5	1,925.00	Revise opposition to stay motion (2.75); confer with B. DePuy and A.C. Johnston re opposition (.5); circulate draft to co-counsel for review (.25); select exhibits for Declaration of G. Thornton (.75); prepare for and attend conf call with experts (.75)		
2/24/2014	ALAN COPE JOHNSTON	2.25	2,238.75	Review and analyze revisions to opposition to stay motion and Thornton declaration (1.75); analyze HDHS response to Rule 26(f) statement (.5)		
2/24/2014	BRITTANY DEPUY	3	1,950.00	Edit opposition to motion to stay.		
2/24/2014	NANCY HOANG	3.25	877.50	Cite-check and revise opposition to motion to stay (2.5); prepare exhibits for same (.5); review and respond to case communications (.25)		
2/25/2014	BRITTANY DEPUY	0.25	162.50	Review and analyze motion to dismiss		
2/25/2014	ALAN COPE JOHNSTON	0.5	497.50	Analyze motion to dismiss (.25); email to legal team re amendments to complaint (.25)		
2/25/2014	JAMES R. HANCOCK	0.5	192.50	Confer w/C. Black and B. DePuy re opposition filing (.25); review and analyze HDHS motion to dismiss (.25)		
2/26/2014	ALAN COPE JOHNSTON	0.75	746.25	Review and revise draft amended complaint (.5); email to legal team re motion to amend (.25)		
2/26/2014	BRITTANY DEPUY	0.5	325.00	Review and analyze draft amended complaint		
2/27/2014	ALAN COPE JOHNSTON	1	995.00	Emails to legal team re motion to amend (.25); review and analyze draft motion to amend and provide comments re same (.75)		
2/27/2014	BRITTANY DEPUY	0.5	325.00	Review and analyze motion to amend complaint		
2/27/2014	JAMES R. HANCOCK	5.5	2,117.50	Draft motion to amend complaint (3.5); research and analyze case law re amendments (1.25); confer with A.C. Johnston and B. DePuy re amendment (.5); email to legal team attaching motion to amend (.25)		
3/4/2014	ALAN COPE JOHNSTON	0.25	248.75	Email to co-counsel re litigation update and strategy		
3/5/2014	ALAN COPE JOHNSTON	2.25	2,238.75	Review draft expert report and review emails from co-counsel re same		
3/5/2014	JAMES R. HANCOCK	1.75	673.75	Review and analyze HDHS reply re stay motion (.5); prepare for and attend conf call with B. DePuy, G. Thornton, and experts (.75); confer with A.C. Johnston and B. DePuy re opposition to motion to dismiss and expert report (.5)		

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3/5/2014	BRITTANY DEPUY	1.75	1,137.50	Prepare for and attend call with P. Brewbaker, J. Mauldon, G. Thornton, and J. Hancock re expert reports (.75); review and analyze P. Brewbaker report (1.0)		
3/6/2014	BRITTANY DEPUY	1.5	975.00	Continue analysis of Brewbaker draft report		
3/6/2014	JOSEPH K. KANADA	6	4,140.00	Conf re HI foster litigation background with J. Hancock and A.C. Johnston (.5); research re opposition to motion to dismiss and case law cited in HDHS motion (2.75); draft opposition to motion to dismiss (2.75)		
3/6/2014	ALAN COPE JOHNSTON	2.5	2,487.50	Conf w/J. Kanada and J. Hancock re opposition to motion to dismiss (.5); review and analyze draft initial disclosure and documents (1.25); prepare for and attend call with co-counsel re Brewbaker draft report (.5); revise and circulate draft initial disclosures (.25)		
3/6/2014	JAMES R. HANCOCK	6.5	2,502.50	Review and analyze expert report (2.5); confer w/B. Depuy re same (.5); confer with J. Kanada and A.C. Johnston re opposition to motion to dismiss (.5); research and analyze case law re motion to dismiss (2.25); circulate caselaw analysis to J. Kanada (.5); confer w/J. Kanada, G. Thornton re litigation strategy (.25)		
3/7/2014	JOSEPH K. KANADA	1	690.00	Revise opposition to motion to dismiss		
3/7/2014	JAMES R. HANCOCK	3.25	1,251.25	Conduct additional research re opposition to motion to dismiss (.75); revise opposition (1.25); confer w/J. Kanada re opposition (.25); review edits from G. Thornton and incorporate (.5); confer w/J. Kanada, J. Catancio re declaration and revisions to opposition (.5)		
3/7/2014	ALAN COPE JOHNSTON	0.5	497.50	Provide comments re opposition to motion to dismiss		
3/10/2014	JEFFREY E. CATANCIO	3.5	1,050.00	Cite-check opposition to motion to dismiss		
3/10/2014	JAMES R. HANCOCK	1	385.00	Review and incorporate legal team revisions to opposition to motion to dismiss (.5); revise Thornton declaration and prepare exhibit (.25); confer w/J. Kanada, J. Catancio, G. Thornton, C. Black re filing (.25)		
3/10/2014	JOSEPH K. KANADA	2.25	1,552.50	Revise and finalize opposition to motion to dismiss		
3/18/2014	JAMES R. HANCOCK	5	1,925.00	Confer w/legal team re reply brief (.5); review and analyze reply brief (.75); confer w/J. Kanada re reply brief and research standard for dismissing one of several named plaintiffs (3.75)		
3/18/2014	JOSEPH K. KANADA	1.75	1,207.50	Review case deadlines (.25); review and analyze defendant's reply brief (.75); review and analyze initial disclosures (.75)		
3/18/2014	ALAN COPE JOHNSTON	0.75	746.25	Review opposition to motion to amend (.25); conf w/B. DePuy re case strategy (.25); conf w/J. Kanada re motion to amend (.25)		
3/19/2014	JAMES R. HANCOCK	2.5	962.50	Continue researching issues re reply brief (1.25); annotate caselaw and circulate to J. Kanada (.75); confer w/J. Kanada re reply brief (.5)		
3/19/2014	JEFFREY E. CATANCIO	2.75	825.00	Compile caselaw cited in motion to dismiss, opposition and reply (2.0); prepare binder re same (.75)		
3/19/2014	JOSEPH K. KANADA	2.75	1,897.50	Analyze authorities (1.25) and draft reply brief (1.5)		
3/20/2014	JOSEPH K. KANADA	2	1,380.00	Continue drafting reply brief in support of motion to amend		
3/20/2014	JAMES R. HANCOCK	0.75	288.75	Revise and edit draft reply brief (.5); confer w/J. Kanada re same (.25)		
3/21/2014	JOSEPH K. KANADA	0.25	172.50	Emails with co-counsel re reply brief in support of motion to amend (.25)		
3/21/2014	ALAN COPE JOHNSTON	0.5	497.50	Analyze draft reply brief and comment re same (.5)		
3/24/2014	ALAN COPE JOHNSTON	0.25	248.75	Analyze legal team comments re reply brief		
3/24/2014	JAMES R. HANCOCK	0.25	96.25	Analyze revisions to reply brief and confer with legal team re same		
3/24/2014	JOSEPH K. KANADA	1.5	1,035.00	Revise and finalize reply brief (1.25); conf w/B. Depuy re expert discovery (.25)		
3/24/2014	NANCY HOANG	1.25	337.50	Cite-check reply brief in support of motion for leave to file first amended complaint		
3/25/2014	JOSEPH K. KANADA	1	690.00	Review reports re foster care maintenance payment rates (MARC)		
3/25/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re MARC report (.25)		
3/31/2014	JAMES R. HANCOCK	0.5	192.50	Review and analyze emails from legal team and Judge Kobayashi's rulings		
3/31/2014	JOSEPH K. KANADA	0.5	345.00	Draft notice of appearance of counsel		
4/2/2014	JOSEPH K. KANADA	0.25	172.50	Review and analyze court orders		
4/2/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze court orders and legal team comments re same		
4/4/2014	JAMES R. HANCOCK	0.75	288.75	Review and analyze communications from legal team re amended complaint, class certification, and claims for relief (.5); analyze court orders (.25)		
4/4/2014	JOSEPH K. KANADA	0.25	172.50	Review and analyze correspondence from co-counsel re amended complaint, class certification		
4/4/2014	ALAN COPE JOHNSTON	1	995.00	Analyze draft amended complaint and email to legal team re same		
4/8/2014	ALAN COPE JOHNSTON	0.75	746.25	Analyze Judge Kobayashi's order re motions to dismiss and motion to amend		
4/8/2014	JOSEPH K. KANADA	0.25	172.50	Review and analyze court order re motions to dismiss and amend complaint		
4/8/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze court order granting and denying in part defendant's motion to dismiss and denying plaintiff's cross motion for leave to file FAC		
4/10/2014	JOSEPH K. KANADA	1.25	862.50	Review and analyze revisions to draft amended complaint (.5) and comments to expert report (.75)		
4/17/2014	ALAN COPE JOHNSTON	2	1,990.00	Review and analyze draft first amended complaint (1.25); analyze court's order on motion to dismiss (.5); email to co-counsel re same (.25)		
4/21/2014	ALAN COPE JOHNSTON	0.5	497.50	Emails to legal team re class action strategy		
4/21/2014	JAMES R. HANCOCK	0.25	96.25	Confer with legal team re FAC and class certification issues		

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4/21/2014	JOSEPH K. KANADA	3	2,070.00	Research and analysis re use of subclasses in class actions		
4/22/2014	JOSEPH K. KANADA	1.75	1,207.50	Conf w/A.C. Johnston and J. Hancock re case status and strategy (.75); prepare for and attend conference w/co-counsel re amendments to complaint (1.0)		
4/22/2014	JAMES R. HANCOCK	2.25	866.25	Prepare for and attend meeting with A.C. Johnston and J. Kanada re case strategy (.75); prepare for and participate in conf call w/co-counsel re class certification strategy and complaint amendments (1.0); being revising FAC and conduct additional research re same (.5)		
4/22/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Review analysis re subclasses and meet with J. Hancock, J. Kanada re case strategy (.75); prepare for and attend conf call with co-counsel re class strategy and amendments to complaint (1.0)		
4/23/2014	JAMES R. HANCOCK	6.75	2,598.75	Continue research (4.00) and revising first amended complaint (2.25); confer w/J. Kanada re same (.5)		
4/23/2014	JOSEPH K. KANADA	0.5	345.00	Conf w/J. Hancock re amendments to complaint (.5)		
4/24/2014	JAMES R. HANCOCK	2.5	962.50	Continue research (.75) and revising (1.5) first amended complaint; send draft to J. Kanada and confer re same (.25)		
4/25/2014	ALAN COPE JOHNSTON	2.75	2,736.25	Review and revise draft of first amended complaint (2.75)		
4/25/2014	JAMES R. HANCOCK	0.75	288.75	Revise and circulate draft first amended complaint to A.C. Johnston		
4/25/2014	JOSEPH K. KANADA	1.5	1,035.00	Revise first amended complaint		
4/28/2014	JOSEPH K. KANADA	0.5	345.00	Research issues regarding amending complaint		
4/28/2014	ALAN COPE JOHNSTON	0.5	497.50	Emails re revised first amended complaint		
4/28/2014	JAMES R. HANCOCK	7.75	2,983.75	Continue research re state law claims, supplemental jurisdiction, and Hawaii regulations for amended complaint (4.5); confer with J. Kanada and A.C. Johnston re same (.5); annotate and circulate research analysis (2.25)		
4/29/2014	JAMES R. HANCOCK	0.75	288.75	Prepare for and participate in conf call w/legal team re amended complaint (.5); review emails and edits re same (.25)		
4/29/2014	ALAN COPE JOHNSTON	1	995.00	Review G. Thornton edits to amended complaint (.5); conference w/co-counsel re additional edits (.5)		
4/30/2014	JOSEPH K. KANADA	0.25	172.50	Review correspondence with co-counsel re complaint amendments		
4/30/2014	ALAN COPE JOHNSTON	0.25	248.75	Review proposed edits to amended complaint		
5/7/2014	JOSEPH K. KANADA	0.75	517.50	Review docket and supplemental scheduling conference statement		
5/7/2014	ALAN COPE JOHNSTON	0.25	248.75	Emails w/legal team re supplemental scheduling conference statement		
5/7/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze draft supplemental scheduling conference statement and correspondence w/legal team re same		
5/12/2014	JOSEPH K. KANADA	0.25	172.50	Review and analyze HDHS scheduling conference statement		
5/14/2014	JOSEPH K. KANADA	0.5	345.00	Review and analyze HDHS motion to dismiss		
5/14/2014	JAMES R. HANCOCK	0.5	192.50	Review and analyze HDHS motion to dismiss and motion for stay order (.25); review and confer with legal team re motions and case status/strategy (.25)		
5/15/2014	JAMES R. HANCOCK	3	1,155.00	Confer w/J. Kanada re HDHS motion to dismiss (.5); research re issues relating to motion to dismiss (2.25); confer w/legal team re motion to dismiss (.25)		
5/15/2014	JOSEPH K. KANADA	1	690.00	Review and analyze HDHS motion to dismiss (.5); discuss opposition strategy w/J. Hancock (.5)		
5/16/2014	JOSEPH K. KANADA	0.75	517.50	Strategize re response to HDHS motion to dismiss		
5/16/2014	ALAN COPE JOHNSTON	0.75	746.25	Analyze HDHS motion to dismiss (.5); email to legal team re same (.25)		
5/16/2014	JAMES R. HANCOCK	1.75	673.75	Research issues raised by HDHS motion (1.5); confer w/A.C. Johnston, J. Kanada re same (.25)		
5/19/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/legal team re motion to dismiss (.25)		
5/19/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Review and analyze memorandum from J. Hancock re motion to dismiss		
5/19/2014	JOSEPH K. KANADA	0.75	517.50	Strategize re written discovery to propound on defendant		
5/20/2014	JOSEPH K. KANADA	2.5	1,725.00	Research re amendment to complaint without leave of court (1.5); conf w/co-counsel re case status and strategy (1.0)		
5/20/2014	JAMES R. HANCOCK	2	770.00	Prepare for and participate in meeting w/J. Kanada, A.C. Johnston (.5); review complaint and HDHS renewed motion to dismiss (.5); prepare for and participate in conference call w/co-counsel re litigation and opposition strategy (1.00)		
5/20/2014	ALAN COPE JOHNSTON	1.5	1,492.50	Conf w/J. Kanada and J. Hancock re case status and strategy (.5); conf call w/HI co-counsel re case strategy and discovery (1.0)		
5/21/2014	ALAN COPE JOHNSTON	2	1,990.00	Review edits to discovery requests		
5/21/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze draft discovery requests, confer with case team re same (.25)		
5/21/2014	JOSEPH K. KANADA	0.75	517.50	Review and analyze discovery requests		
5/22/2014	JOSEPH K. KANADA	2.25	1,552.50	Review discovery (1.25); prepare for and attend conference call with parties re scope of discovery (.5); conference call with legal team re discovery and case management issues (.5)		
5/22/2014	JAMES R. HANCOCK	2.25	866.25	Prepare for and participate in conference call w/co-counsel re discovery (.5); prepare for and participate in conference call with opposing counsel (.5); prepare list of must-have discovery (.75); confer w/case team re same (.5)		
5/22/2014	ALAN COPE JOHNSTON	3.5	3,482.50	Consider list of necessary discovery (2.25); prepare for and attend telephone conference w/HDHS lawyers (1.0); emails regarding scheduling status conference re discovery (.25)		
5/23/2014	ALAN COPE JOHNSTON	1.25	1,243.75	Review and analyze legislative history		
5/23/2014	JAMES R. HANCOCK	0.75	288.75	Draft opposition to HDHS motion to dismiss		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
5/25/2014	JAMES R. HANCOCK	6	2,310.00	Continue drafting motion to dismiss (2.75); research related issues (2.25); analyze prior similar filings by HDHS (1.0)		
5/26/2014	JAMES R. HANCOCK	6.25	2,406.25	Continue drafting opposition to motion to dismiss (3.5); research related issues (1.75); analyze previous pleadings (1.0)		
5/27/2014	JAMES R. HANCOCK	4.5	1,732.50	Confer w/J. Kanada re opposition to motion to dismiss (.5); revise motion to dismiss (1.5); conduct additional research (1.75); review discovery requests (.5); confer w/case team re same (.25)		
5/27/2014	JOSEPH K. KANADA	3.75	2,587.50	Review and revise opposition to HDHS motion to dismiss (2.25); review and analyze discovery requests (.75); analyze documentary evidence provided by co-counsel (.75)		
5/27/2014	ALAN COPE JOHNSTON	1.25	1,243.75	Review draft discovery requests (1.0); provide comments on same (.25)		
5/28/2014	JOSEPH K. KANADA	2	1,380.00	Revise opposition to motion to dismiss (1.0); draft motion for class certification (1.0)		
5/28/2014	ALAN COPE JOHNSTON	0.5	497.50	Review and comment re motion to dismiss opposition		
5/28/2014	JAMES R. HANCOCK	1	385.00	Revise opposition to motion to dismiss (.75); confer w/J. Kanada re same and send to co-counsel for review (.25)		
5/29/2014	ALAN COPE JOHNSTON	0.75	746.25	Review revisions to discovery requests and make additional edits		
5/29/2014	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel.		
5/31/2014	JAMES R. HANCOCK	0.5	192.50	Review discovery requests and cover letter from opposing counsel		
6/2/2014	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel		
6/3/2014	JOSEPH K. KANADA	1	690.00	Review and analyze discovery		
6/3/2014	JAMES R. HANCOCK	0.5	192.50	Review and analyze scheduling order and status conference minutes (.25); review C. Black summary of hearing, confer w/case team re same (.25)		
6/3/2014	ALAN COPE JOHNSTON	1.25	1,243.75	Review scheduling conference minutes (.5); email re minutes (.25); review proposed schedule and work on team call re same (.5)		
6/4/2014	ALAN COPE JOHNSTON	1.25	1,243.75	Prepare for and attend conference call w/co-counsel (1.0); meet w/J. Kanada and J. Hancock re case strategy (.25)		
6/4/2014	JAMES R. HANCOCK	1.25	481.25	Confer w/J. Kanada re discovery (.5); prepare for and participate in conference call w/co-counsel re case strategy (.75)		
6/4/2014	JOSEPH K. KANADA	1.25	862.50	Prepare for and conference w/A.C. Johnston and J. Hancock re case status (.5); prepare for and conference w/co-counsel re case strategy (.75)		
6/5/2014	JOSEPH K. KANADA	2.5	1,725.00	Strategize re discovery issues (1.0); draft motion for class certification (1.5)		
6/5/2014	JAMES R. HANCOCK	4.25	1,636.25	Revise opposition to motion to dismiss (2.75); confer w/H. Hoang, LDS, J. Kanada, A.C. Johnston re same (.5); review potential Rule 30(b)(6) topics from co-counsel (.5); confer w/J. Kanada re same (.5)		
6/5/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Review and analyze proposed 30(b)(6) topics		
6/6/2014	JAMES R. HANCOCK	2.5	962.50	Revise opposition to motion to dismiss (1.75); confer w/J. Kanada, A.C. Johnston, N. Hoang, and C. Black re same (.75)		
6/6/2014	JOSEPH K. KANADA	1.5	1,035.00	Continue drafting class certification motion		
6/6/2014	ALAN COPE JOHNSTON	2.5	2,487.50	Revise proposed 30(b)(6) topics and circulate to legal team (1.25); revise opposition to motion to dismiss (1.25)		
6/6/2014	NANCY HOANG	6	1,620.00	Cite-check and revise opposition to HDHS motion to dismiss (0.75); shepardize cases cited in same (1.25); research treatise re class action subclasses (4.00)		
6/9/2014	JOSEPH K. KANADA	0.25	172.50	Review HDHS correspondence		
6/10/2014	JOSEPH K. KANADA	0.5	345.00	Revise opposition to motion to dismiss (.25); conference w/J. Hancock re case status (.25)		
6/10/2014	JAMES R. HANCOCK	1.5	577.50	Revise opposition to motion to dismiss (1.0); confer w/J. Kanada re same (.25); confer w/case team re opposition, 30(b)(6) requests and new trial schedule (.25)		
6/11/2014	JAMES R. HANCOCK	0.25	96.25	Confer with J. Kanada regarding class cert motion, discovery plan, motion to dismiss opposition, and expert reports		
6/11/2014	JOSEPH K. KANADA	0.5	345.00	Conference w/J. Hancock re case deadlines and projects (.25); review correspondence from co-counsel (.25)		
6/12/2014	JOSEPH K. KANADA	0.75	517.50	Research re motion for class certification		
6/13/2014	JOSEPH K. KANADA	1.25	862.50	Research re motion for class certification		
6/16/2014	JOSEPH K. KANADA	3	2,070.00	Research (.5); and continue drafting motion for class certification (2.5)		
6/16/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada, C. Black re opposition to HDHS motion to dismiss		
6/17/2014	JOSEPH K. KANADA	2.5	1,725.00	Review and analyze key documents re undisputed facts in support of class certification motion (1.0); draft motion for class certification (1.5)		
6/18/2014	JOSEPH K. KANADA	2.25	1,552.50	Draft motion for class certification (1.5); conference w/co-counsel re case status and discovery (.75)		
6/18/2014	JAMES R. HANCOCK	0.75	288.75	Prepare for and participate in conf call w/co-counsel (.5); confer w/J. Kanada and A.C. Johnston re 30(b)(6) topics (.25)		
6/18/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Prepare for conference call re discovery (.5); review discovery requests and schedule (.75); conference call re discovery w/co-counsel (.5)		
6/19/2014	JAMES R. HANCOCK	1	385.00	Revise 30(b)(6) topics (.25); confer w/A.C. Johnston, J. Kanada and co-counsel re same (.5); confer w/SF docketing re updated discovery request deadline (.25)		
6/19/2014	JOSEPH K. KANADA	1.5	1,035.00	Draft class certification motion (1.5)		
6/20/2014	ALAN COPE JOHNSTON	0.25	248.75	Email to co-counsel re discovery (.25)		
6/20/2014	JEFFREY E. CATANCIO	0.5	150.00	Review and cite-check class certification motion		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
6/23/2014	JAMES R. HANCOCK	1.5	577.50	Review draft class certification motion (.5); review and analyze HDHS reply in support of motion to dismiss (.5); review 30(b)(6) topics and confer w/J. Kanada, A.C. Johnston re same (.25); confer w/J. Kanada re research for class certification motion (.25)		
6/23/2014	JOSEPH K. KANADA	0.75	517.50	Review and analyze discovery (.25); review HDHS reply in support of motion to dismiss (.5)		
6/25/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada and K. Canchola re class certification motion and related issues		
6/25/2014	ALAN COPE JOHNSTON	1.25	1,243.75	Review reply re motion to dismiss (.5); review and analyze draft class certification motion (.75)		
6/25/2014	KYLE JUSTIN CANCHOLA	2.5	662.50	Review brief and background pleadings (1.5); begin research re document submission standards (1.0)		
6/26/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze comments from A.C. Johnston re class certification motion and prepare for meeting re same		
6/26/2014	JOSEPH K. KANADA	2	1,380.00	Analyze comments from A.C. Johnston re class certification motion (1.0); confer w/A.C. Johnston, J. Hancock re class cert (1.0)		
6/26/2014	ALAN COPE JOHNSTON	2.5	2,487.50	Review motion for class certification and comment re same (1.5); meet w/J. Kanada re class certification (1.0)		
6/26/2014	LAURA RAY	2	450.00	Research re Hawai`i LR7.6		
6/27/2014	JAMES R. HANCOCK	1	385.00	Prepare for and attend meeting w/A.C. Johnston, J. Kanada re motion for class certification (.25); review email from A.C. Johnston to co-counsel re class certification (.25) research class certification motions in related cases (.5)		
6/27/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Conference call re class certification motion (1.5); draft email to co-counsel re same (.25)		
6/30/2014	JAMES R. HANCOCK	1	385.00	Review HDHS discovery responses (.25); confer w/J. Kanada re same (.25); begin drafting discovery responses (.5)		
6/30/2014	JOSEPH K. KANADA	1	690.00	Revise class certification motion		
7/1/2014	JOSEPH K. KANADA	2	1,380.00	Revise class certification motion		
7/1/2014	JAMES R. HANCOCK	0.5	192.50	Confer w/J. Kanada re discovery, class certification and cost categories (.25); confer w/C. Black re HDHS discovery responses (.25)		
7/2/2014	PETER H. DAY	2.25	1,293.75	Confer w/J. Kanada and J. Hancock re foster litigation (.5); review and analysis of docket and pleadings (1.75)		
7/2/2014	JAMES R. HANCOCK	0.5	192.50	Confer w/P. Day re case status, discovery deadlines, expert reports, motions to dismiss		
7/2/2014	JOSEPH K. KANADA	0.5	345.00	Discuss case background w/P. Day		
7/3/2014	PETER H. DAY	1	575.00	Review and analysis of file (.5); confer w/C. Black and J. Hancock re status of upcoming hearings and discovery responses (.25); confer w/A.C. Johnston and J. Hancock re same (.25)		
7/3/2014	JAMES R. HANCOCK	1.25	481.25	Prepare for and participate in conference call w/P. Day, C. Black (.25); review 30(b)(6) response from HDHS (.5); confer w/A.C. Johnston re further strategy (.5)		
7/5/2014	PETER H. DAY	4.25	2,443.75	Review and analyze documents provided by co-counsel (.5); draft responses to HDHS first RPOD (2.75); confer w/A.C. Johnston (.5) and J. Hancock (.5) re same		
7/6/2014	JAMES R. HANCOCK	1.5	577.50	Research re privacy concerns and redactions for production of documents		
7/6/2014	ALAN COPE JOHNSTON	2	1,990.00	Review and analyze HDHS discovery responses (.75); review plaintiffs' draft discovery responses (.75) provide comments re same (.5)		
7/7/2014	PETER H. DAY	3	1,725.00	Review and analyze case files (1.5); confer w/A.C. Johnston and J. Hancock re discovery responses and coordinate re tasks (.5); conference w/co-counsel re case strategy and task coordination and summarize same (1.0)		
7/7/2014	JAMES R. HANCOCK	1	385.00	Prepare for and participate in conf call w/co-counsel (.5); confer w/P. Day and A.C. Johnston re same (.25); confer w/P. Day re research (.25)		
7/7/2014	ALAN COPE JOHNSTON	1	995.00	Attend conf call w/co-counsel (.5); review draft discovery responses and comment re same (.5)		
7/8/2014	PETER H. DAY	2	1,150.00	Review and analyze HDHS discovery responses (.75); continue review of HDHS reports re CWA payment analysis (.75); draft email to C. Black re follow up items (.25); confer w/J. Hancock re case strategy and notes re same (.25)		
7/9/2014	PETER H. DAY	1.25	718.75	Continue review and analysis of case file, pleadings, discovery (1.0); correspond w/C. Black re status of Ah Chong documents and notes re same (.25)		
7/10/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/P. Day re discovery deadlines and case strategy; review C. Black correspondence		
7/10/2014	PETER H. DAY	0.75	431.25	Revise discovery responses		
7/14/2014	PETER H. DAY	2.25	1,293.75	Review and revise draft discovery responses (1.5); conference w/J. Hancock re case strategy (.25); review and analyze case files and pleadings and notes re same (.5)		
7/15/2014	JAMES R. HANCOCK	0.5	192.50	Review correspondence re discovery and HDHS discovery requests and responses (.25); confer w/P. Day re discovery responses and A.C. Johnston re scheduling (.25)		
7/15/2014	ALAN COPE JOHNSTON	0.5	497.50	Work on case strategy discussion w/legal team		
7/16/2014	ALAN COPE JOHNSTON	1	995.00	Analyze discovery responses		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
7/16/2014	JAMES R. HANCOCK	5	1,925.00	Review and revise discovery responses (.75); confer w/P. Day re same (.5); review letter from opposing counsel (.25); confer w/P. Day, A.C. Johnston, C. Black re same (.5); research re waiver of and objections to requests for admission (1.5); research re privacy redactions for foster documents (1.0) and confer w/P. Day and K. Cachola re same (.25); review case correspondence (.25)		
7/16/2014	PETER H. DAY	2.5	1,437.50	Conference w/C. Black, J. Hancock re discovery responses (.5); revise Plaintiffs' draft responses (1.25); correspondence w/A.C. Johnston, J. Hancock, C. Black and review and revise correspondence to J. Molay re discovery (.75)		
7/17/2014	PETER H. DAY	1	575.00	Correspond w/ A.C. Johnston, J. Hancock, C. Black re discovery responses (.5); review and revise same (.5)		
7/17/2014	ALAN COPE JOHNSTON	0.5	497.50	Comments re discovery requests		
7/17/2014	JAMES R. HANCOCK	0.75	288.75	Revise discovery responses (.5); correspondence w/case team re same (.25)		
7/18/2014	PETER H. DAY	1.5	862.50	Correspondence w/C. Black (.25); conference w/J. Hancock re case status (.25); review and analyze documents (1.0)		
7/22/2014	PETER H. DAY	1	575.00	Review and analyze transcript of hearing on HDHS motion to dismiss amended complaint		
7/22/2014	JAMES R. HANCOCK	1.5	577.50	Review hearing transcript (.75); confer w/P. Day re hearing and motion to compel (.5); analyze and annotate HDHS objections to discovery request in preparation for motion to compel (.25)		
7/23/2014	ALAN COPE JOHNSTON	0.5	497.50	Review and analyze hearing transcript		
7/24/2014	PETER H. DAY	0.5	287.50	Review court order denying HDHS motion to dismiss		
7/24/2014	JAMES R. HANCOCK	1	385.00	Review order re motion to dismiss (.5); review letter from opposing counsel and case team correspondence (.25); prepare for meeting w/P. Day re motion to compel (.25)		
7/25/2014	PETER H. DAY	0.5	287.50	Prepare for and attend meeting w/A.C. Johnston and J. Hancock re discovery and opposition to motion for reconsideration		
7/25/2014	ALAN COPE JOHNSTON	1.5	1,492.50	Review and analyze reconsideration motion (1.0); meet w/P. Day, J. Hancock re reconsideration motion (.5)		
7/25/2014	JAMES R. HANCOCK	3.5	1,347.50	Prepare for and attend meeting w/P. Day re discovery, HDHS letter, motion to compel (1.0); review HDHS motion for reconsideration (.5); confer w/P. Day re same (.25); prepare for and attend meeting w/A.C. Johnston, P. Day re reconsideration (.5); research and annotate summary of same re reconsideration to team (1.25)		
7/27/2014	PETER H. DAY	4	2,300.00	Draft correspondence to HDHS counsel re outstanding discovery disputes		
7/28/2014	PETER H. DAY	0.5	287.50	Review and revise letter to opposing counsel re outstanding discovery requests and disputes		
7/28/2014	ALAN COPE JOHNSTON	0.75	746.25	Review and comment re draft letter to opposing counsel re discovery		
7/29/2014	JAMES R. HANCOCK	2	770.00	Revise letter to opposing counsel re discovery dispute (.75); research re verification requirement (.5); confer w/P. Day re discovery disputes (.5); review HDHS press release re case (.25)		
7/29/2014	PETER H. DAY	2	1,150.00	Draft outline of plaintiffs' opposition to motion for reconsideration		
7/30/2014	JAMES R. HANCOCK	3.75	1,443.75	Prepare for and attend meeting w/P. Day (.5); analyze HDHS motion to dismiss, reply and reconsideration motion for additional arguments (1.75); summarize and annotate chart comparing HDHS briefs (.5); review 30(b)(6) notice (.25); research witness attendance issue for depositions (.75)		
7/30/2014	PETER H. DAY	1	575.00	Complete revisions to correspondence to opposing counsel (.75); correspond w/C. Black re discovery status (.25)		
7/30/2014	ALAN COPE JOHNSTON	0.25	248.75	Email re letters to J. Molay		
7/31/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/P. Day re opposition to reconsideration		
7/31/2014	ALAN COPE JOHNSTON	0.25	248.75	Confer w/P. Day re reconsideration		
8/1/2014	PETER H. DAY	2.5	1,437.50	Research re motion for reconsideration (1.25); confer w/J. Hancock re opposition to reconsideration (.5); draft notes re same (.75)		
8/4/2014	JAMES R. HANCOCK	2.75	1,058.75	Draft opposition to reconsideration motion (1.75); research re same (.75); confer w/P. Day (.25)		
8/5/2014	PETER H. DAY	4	2,300.00	Edit and revise opposition to HDHS reconsideration motion		
8/5/2014	JAMES R. HANCOCK	2.25	866.25	Continue drafting opposition to HDHS reconsideration motion (1.5); research issues re same (.5); confer w/P. Day (.25)		
8/6/2014	JAMES R. HANCOCK	3.25	1,251.25	Prepare for and participate in conference call w/co-counsel (.5); review case correspondence re case updates (.25); revise opposition to HDHS reconsideration motion (2.25); confer w/P. Day re same (.25)		
8/6/2014	PETER H. DAY	6.5	3,737.50	Confer w/J. Hancock, C. Black, G. Thornton re case strategy and open items (.5); revise and edit opposition to HDHS motion for reconsideration (3.0); confer w/J. Hancock re reconsideration motion (.5); legal research re standing (2.5)		
8/7/2014	JAMES R. HANCOCK	0.75	288.75	Review and outline HDHS answer (.25); review and outline HDHS motion to compel (.25); confer w/A.C. Johnston and P. Day re motions (.25)		
8/7/2014	ALAN COPE JOHNSTON	2.75	2,736.25	Review draft response to reconsideration and analysis re same		
8/7/2014	PETER H. DAY	0.25	143.75	Confer w/J. Hancock re case strategy		
8/8/2014	ALAN COPE JOHNSTON	3	2,985.00	Analyze reconsideration motion and review draft opposition (2.5); conference call w/P. Day and J. Hancock (.25); meet w/J. Hancock re same (.25)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
8/8/2014	JAMES R. HANCOCK	4.5	1,732.50	Review A.C. Johnston revisions and comments to reconsideration opposition (2.25); prepare for and participate in conference call w/A.C. Johnston, P. Day (.5); revise opposition (1.5); correspond w/co-counsel re same (.25)		
8/8/2014	PETER H. DAY	1	575.00	Revise opposition to reconsideration motion (.75); confer w/J. Hancock re same (.25)		
8/9/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/ P. Day, N. Hoang, J. Catancio re case management and correspond w/case team re opposition to reconsideration		
8/10/2014	PETER H. DAY	1.5	862.50	Review and revise draft opposition to reconsideration (1.25); confer w/J. Hancock, A. West re same (.25)		
8/10/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/P. Day re opposition to reconsideration		
8/11/2014	PETER H. DAY	1	575.00	Correspond w/C. Black and J. Hancock re service and submission of opposition		
8/11/2014	ALVIN WEST	4.75	1,472.50	Cite-check opposition to reconsideration motion		
8/11/2014	JAMES R. HANCOCK	1	385.00	Revise opposition to reconsideration motion (.5); correspond w/case team re same (.25); confer w/P. Day re discovery (.25)		
8/12/2014	JAMES R. HANCOCK	1	385.00	Prepare for and attend meeting w/P. Day, C. Black, G. Thornton re expert analyses, document collection and production, and meet and confer (.75); confer w/P. Day re HDHS answer and potential motion to strike (.25)		
8/12/2014	PETER H. DAY	1.25	718.75	Confer w/C. Black, G. Thornton, J. Hancock re discovery (.75); review class certification motion (.25); confer w/A.C. Johnston and J. Hancock re same (.25)		
8/13/2014	PETER H. DAY	0.5	287.50	Review HDHS motion for judgment on the pleadings		
8/13/2014	JAMES R. HANCOCK	1.75	673.75	Review and analyze HDHS motion for judgment on the pleadings (.75); analyze and outline issues for response (.75); review case team correspondence re depositions (.25)		
8/14/2014	JAMES R. HANCOCK	1.25	481.25	Research motion to strike HDHS answer (1.0); review letter from opposing counsel (.25)		
8/15/2014	JAMES R. HANCOCK	2.75	1,058.75	Research re motion to strike answer (2.0); confer w/P. Day re same (.5); correspond w/A.C. Johnston re same (.25)		
8/15/2014	PETER H. DAY	0.75	431.25	Confer w/J. Hancock re motion to strike answer (.5); confer w/C. Black, J. Hancock re HDHS document production (.25)		
8/18/2014	PETER H. DAY	0.25	143.75	Review correspondence re case		
8/19/2014	PETER H. DAY	1.25	718.75	Conference w/A.C. Johnston, J. Hancock, C. Black re case status (.25); review and analyze HDHS reply in support of reconsideration (.5); research re standard on motion for judgment on the pleadings under D. Haw and Ninth Circuit law (.5)		
8/19/2014	JAMES R. HANCOCK	1.75	673.75	Review and analyze HDHS reply in support of reconsideration (.5); confer w/P. Day and co-counsel re motion to strike (.5); prepare for and attend case strategy meeting w/A.C. Johnston, P. Day (.75)		
8/19/2014	ALAN COPE JOHNSTON	0.5	497.50	Meet w/J. Hancock, P. Day		
8/20/2014	PETER H. DAY	0.5	287.50	Confer and coordinate w/J. Hancock re case strategy		
8/25/2014	PETER H. DAY	0.25	143.75	Attention to case strategy and upcoming deadlines and projects		
8/26/2014	PETER H. DAY	0.75	431.25	Conference w/J. Hancock (.25); correspond w/opposing counsel (.25); correspond w/J. Hancock, C. Black, G. Thornton re case coordination (.25)		
8/26/2014	JAMES R. HANCOCK	0.25	96.25	Review and respond to case team correspondence, correspondence w/opposing counsel re meet and confer, and confer w/P. Day re same		
8/27/2014	PETER H. DAY	2.25	1,293.75	Conference w/J. Hancock, C. Black, G. Thornton re case strategy (.25); review and analyze HDHS MJOP (.75); research re same (1.25)		
8/27/2014	JAMES R. HANCOCK	0.5	192.50	Prepare for and participate in conference call w/co-counsel (.25); confer w/P. Day re same (.25)		
8/28/2014	JAMES R. HANCOCK	0.75	288.75	Draft summary of case status for A.C. Johnston (.25); review correspondence w/co-counsel (.25); review motion for judgment on the pleadings (.25)		
9/4/2014	PETER H. DAY	0.5	287.50	Draft letter to opposing counsel (.25); confer w/J. Hancock re same (.25)		
9/4/2014	JAMES R. HANCOCK	3.5	1,347.50	Confer w/P. Day re motion to compel (.5); research re motion to compel (2.0); draft motion to compel (1.0)		
9/5/2014	PETER H. DAY	1	575.00	Confer w/J. Hancock re case status (.25); review and analyze docket (.25); research motion to compel (.5)		
9/5/2014	JAMES R. HANCOCK	4.75	1,828.75	Confer w/P. Day re meet and confer, motion to compel, opposition to motion to compel, and motion for judgment on the pleadings (.25); draft opposition to motion to compel (2.25); research legal issues re same (2.25)		
9/7/2014	JAMES R. HANCOCK	3.25	1,251.25	Draft opposition to motion to compel (2.25); research issues re same (1.0)		
9/7/2014	PETER H. DAY	2	1,150.00	Outline opposition to motion to compel (1.0); research re related issues (1.0)		
9/8/2014	PETER H. DAY	1.5	862.50	Meet and confer w/opposing counsel re open discovery disputes and prepare for same (.5); confer w/J. Hancock re meet and confer (.5); review and analyze opposition to motion to compel (.5)		
9/8/2014	JAMES R. HANCOCK	5	1,925.00	Draft opposition to motion to compel (2.75); research related issues for opposition (1.0); prepare for and participate in meet and confer (.5); confer w/A.C. Johnston, P. Day re same and draft letter to J. Molay re call (.5); confer w/P. Day, C. Black re opposition to motion to compel (.25)		
9/9/2014	JAMES R. HANCOCK	1.75	673.75	Confer w/P. Day re M&C letter (.25); revise letter to J. Molay (.75); confer w/P. Day re opposition to motion to compel and revise opposition (.75)		

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9/9/2014	PETER H. DAY	2.25	1,293.75	Review and revise letter to opposing counsel re meet and confer (.5); review and revise draft opposition to motion to compel (1.0); research re same (.5); confer w/J. Hancock re case status (.25)		
9/10/2014	PETER H. DAY	0.75	431.25	Correspond w/opposing counsel re discovery dispute (.25); review draft motion to compel (.25); confer w/J. Hancock re case status (.25)		
9/10/2014	JAMES R. HANCOCK	5.5	2,117.50	Confer with P. Day regarding opposition to motion to compel (.25); revise opposition to motion to compel (2.25); conduct legal research regarding same (1.5); confer with E. Villegas regarding paralegal support for filing (.5); correspond with P. Day and A.C. Johnston re revisions to motion and incorporate same (1.0)		
9/11/2014	PETER H. DAY	0.25	143.75	Confer with J. Hancock regarding opposition to motion to compel; review correspondence		
9/11/2014	JAMES R. HANCOCK	0.75	288.75	Confer with P. Day and C. Black re opposition to motion to compel (.25); prepare for filing and confer with J. Catancio and M. Sousa regarding same (.25); confer with P. Day and A.C. Johnston regarding opposition brief (.25)		
9/11/2014	JEFFREY E. CATANCIO	1	300.00	Gather and prepare cases cited in opposition to motion to compel		
9/12/2014	JEFFREY E. CATANCIO	4.5	1,350.00	Cite-check cases re opposition to motion to compel		
9/12/2014	JAMES R. HANCOCK	5	1,925.00	Revise opposition (2.75); research issues re same (1.5); confer w/A.C. Johnston, P. Day and co-counsel re opposition and filing (.75)		
9/12/2014	ALAN COPE JOHNSTON	0.75	746.25	Review and analyze draft opposition to motion to compel (.5); email comments re draft (.25)		
9/12/2014	PETER H. DAY	1.5	862.50	Review and revise opposition to motion to compel (1.0); confer w/J. Hancock, C. Black re same (.5)		
9/15/2014	PETER H. DAY	1.25	718.75	Confer w/C. Black, J. Hancock re HDHS document production (.25); review and analyze HDHS documents and notes re same (1.0)		
9/15/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/C. Black re HDHS documents		
9/17/2014	JAMES R. HANCOCK	0.5	192.50	Confer w/C. Black, P. Day, A.C. Johnston re 30(b)(6) deposition and review outline and exhibits		
9/18/2014	PETER H. DAY	0.5	287.50	Confer w/C. Black, J. Hancock re 30(b)(6) deposition		
9/18/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/C. Black, P. Day, G. Thornton re 30(b)(6) deposition		
9/19/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze HDHS reply		
9/19/2014	PETER H. DAY	0.75	431.25	Research re standard on motion for judgment on the pleadings (.5); confer w/J. Hancock re case status and docket (.25)		
9/23/2014	JEFFREY E. CATANCIO	1.5	450.00	Upload HDHS document production		
9/24/2014	JAMES R. HANCOCK	2.25	866.25	Review HI Appleseed memorandum re expert reports and analysis (.75); review and analyze HDHS documents (1.5)		
9/25/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/P. Day re meet and confer proposals, review HDHS motion for protective order		
9/25/2014	PETER H. DAY	0.75	431.25	Confer w/C. Black re deposition transcripts (.25); review HDHS motion for protective order (.5)		
9/26/2014	PETER H. DAY	0.5	287.50	Confer w/J. Hancock re case status (.25); initial review of deposition transcripts (.25)		
9/29/2014	PETER H. DAY	1	575.00	Review and analysis of documents produced by HDHS (.5); review transcript of 30(b)(6) depositions and confer with A. Johnston and J. Hancock (.5)		
9/29/2014	JAMES R. HANCOCK	3.5	1,347.50	Review and annotate deposition transcripts (1.25); review and outline Defendant's motion for judgment on the pleadings (.5); outline response to Defendant's motion (.5); conduct research regarding same (1.0); review Court's order denying Defendant's motion for reconsideration (.25)		
9/30/2014	PETER H. DAY	1	575.00	Draft letter to J. Molay re discovery disputes (.75); review and analysis of motions and transcripts (.25)		
10/2/2014	JAMES R. HANCOCK	0.75	288.75	Confer with C. Black and P. Day regarding document production; research Rule 26 disclosure obligations and confer with P. Day regarding same(.25); review HDHS requests for production of documents and our responses and research from C. Black regarding redactions and protective orders (.25); review correspondence from C. Black regarding USDA calculations (.25)		
10/2/2014	PETER H. DAY	0.25	143.75	Review case correspondence (.25)		
10/3/2014	PETER H. DAY	0.5	287.50	Confer w/C. Black, J. Hancock re case status (.5)		
10/3/2014	JAMES R. HANCOCK	0.25	96.25	Correspond w/C. Black re document production and A.C. Johnston, P. Day re same (.25)		
10/6/2014	JAMES R. HANCOCK	0.5	192.50	Review minutes from hearing on Defendant's motion to compel and Court's order regarding motion to compel (.25); review email correspondence from C. Wong Black regarding same; review Defendant's interrogatories and our responses (.25)		
10/8/2014	PETER H. DAY	1.75	1,006.25	Conference w/J. Hancock re next steps and strategic objectives		
10/8/2014	JAMES R. HANCOCK	3.25	1,251.25	Outline issues and conduct research re HDHS motion for judgment on the pleadings, HDHS motion for protective order, and supplemental interrogatory responses (1.5); prepare for and attend meeting w/P. Day re same (1.75)		
10/9/2014	PETER H. DAY	0.25	143.75	Confer w/J. Hancock re deadline and scheduling		
10/9/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/P. Day re deadlines		
10/14/2014	PETER H. DAY	0.25	143.75	Review and analyze motion for protective order		
10/14/2014	LAUREN GRADY MURPHY	0.5	107.50	Research re docket items		
10/14/2014	JAMES R. HANCOCK	5	1,925.00	Draft opposition to motion for judgment on the pleadings (2.75); conduct legal research regarding same (1.5); review proposed order regarding motion to compel (.25); confer with C. Black, P. Day, and G. Thornton regarding same (.5)		
10/15/2014	JAMES R. HANCOCK	2.25	866.25	Draft opposition to motion for judgment on the pleadings		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
10/15/2014	PETER H. DAY	4	2,300.00	Research re opposition re protective order (3.5); notes and analysis re same (.5)		
10/16/2014	JAMES R. HANCOCK	11.5	4,427.50	Review and revise opposition to motion for protective order (3.5); conduct legal research regarding same (1.25); confer with P. Day regarding research project (.25); review and revise supplemental interrogatory responses (1.25); draft opposition to motion for partial judgment on the pleadings (2.75); correspond and confer with case team regarding the three briefs (.5); conduct legal research regarding same (1.5); correspond with LDS and E. Villegas regarding proofreading and cite checking (.5)		
10/16/2014	ALAN COPE JOHNSTON	0.75	746.25	Review and provide comments re draft interrogatory responses		
10/16/2014	PETER H. DAY	7.75	4,456.25	Draft opposition to motion for protective order (4.25); confer w/A.C. Johnston, J. Hancock, C. Black, G. Thornton re same (.5); revise opposition (2.5); legal research re related issues (.5)		
10/17/2014	PETER H. DAY	0.5	287.50	Confer w/co-counsel re draft opposition and revise per A.C. Johnston comments		
10/17/2014	JAMES R. HANCOCK	4	1,540.00	Review and revise supplemental interrogatory responses (1.0); review and revise opposition to Defendant's motion for protective order (1.0); draft opposition to motion for partial judgment on the pleadings (1.25); correspond and confer with case team regarding the three briefs (.75)		
10/17/2014	ALAN COPE JOHNSTON	1.75	1,741.25	Review draft opposition to motion for protective order (1.0); review and revise discovery responses and opposition to motion for protective order (.75)		
10/20/2014	ALAN COPE JOHNSTON	2.25	2,238.75	Review and analyze draft opposition to motion for judgment on the pleadings and comments re same		
10/20/2014	PETER H. DAY	1	575.00	Confer with A. Johnston regarding Plaintiffs' opposition to MJOP (.5); confer with J. Hancock regarding same (.25); attend to correspondence re same (.25)		
10/20/2014	JAMES R. HANCOCK	8.75	3,368.75	Revise opposition to Defendant's motion for judgment on the pleadings (4.25); correspond and confer with A.C. Johnston and P. Day regarding same (.5); confer with C. Black regarding same (.5); correspond with case team regarding same (.5); conduct legal research (3.0)		
10/20/2014	ALVIN WEST	4.25	1,317.50	Cite-check opposition brief (4.0); confer w/J. Hancock re same (.25)		
10/21/2014	JAMES R. HANCOCK	0.25	96.25	Review filed opposition to motion for judgment on the pleadings		
10/23/2014	PETER H. DAY	0.25	143.75	Review and analyze case correspondence		
10/24/2014	JAMES R. HANCOCK	0.25	96.25	Review HDHS reply brief in support of motion for protective order		
10/27/2014	PETER H. DAY	0.5	287.50	Review and analyze HDHS reply in support of motion for judgment on the pleadings		
10/28/2014	PETER H. DAY	0.5	287.50	Review and analyze HDHS reply in support of MJOP		
10/29/2014	JEFFREY E. CATANCIO	1	300.00	Prepare case files for supplemental document production		
11/4/2014	PETER H. DAY	0.25	143.75	Review case correspondence		
11/4/2014	JAMES R. HANCOCK	0.25	96.25	Review order re motion for judgment on the pleadings and confer w/case team re same		
11/6/2014	PETER H. DAY	0.75	431.25	Confer w/A.C. Johnston re case status (.5); confer w/J. Hancoick re litigation strategy (.25)		
11/6/2014	JAMES R. HANCOCK	0.25	96.25	Confer w/P. Day re case developments and strategy going forward (.25)		
11/6/2014	ALAN COPE JOHNSTON	0.5	497.50	Confer w/P. Day re case strategy (.5)		
11/7/2014	JAMES R. HANCOCK	0.25	96.25	Review and analyze ruling on motion for protective order and confer w/case team re same (.25)		
11/7/2014	PETER H. DAY	0.25	143.75	Confer w/co-counsel re case status		
11/10/2014	PETER H. DAY	0.25	143.75	Confer with co-counsel regarding matter.		
11/10/2014	JAMES R. HANCOCK	1.25	481.25	Review motion for class certification (.5); prepare for and participate in conference call with case team (.5); review draft proposed order regarding Defendant's motion for protective order; review write-up from G. Thornton regarding communications with expert (.25)		
11/10/2014	ALAN COPE JOHNSTON	1.5	1,492.50	Prepare for and participate in conference call w/team		
11/11/2014	PETER H. DAY	0.5	287.50	Review HDHS discovery		
11/12/2014	ALAN COPE JOHNSTON	1.5	1,492.50	Review deposition transcript		
11/13/2014	ALAN COPE JOHNSTON	2.5	2,487.50	Comment re Brewbaker expert report outline		
11/13/2014	JAMES R. HANCOCK	0.5	192.50	Review correspondence from G. Thornton and A.C. Johnston regarding expert reports and review expert report memorandum (.25); review interrogatory responses regarding HDHS's methodology and correspond with case team re same (.25)		
11/17/2014	ALAN COPE JOHNSTON	0.75	746.25	Emails re expert reports		
11/19/2014	PETER H. DAY	0.25	143.75	Confer w/J. Molay re meet and confer		
11/24/2014	PETER H. DAY	0.25	143.75	Correspond w/co-counsel and opposing counsel re meet and confer		
12/3/2014	JAMES R. HANCOCK	1.25	481.25	Prepare for and participate in meet and confer call with D. Kalama and G. Thornton (0.75); confer with P. Day, C. Wong Black, and G. Thornton regarding same (0.50)		
12/3/2014	PETER H. DAY	1	575.00	Confer w/J. Hancock, K. Alexander re case strategy		
12/4/2014	JAMES R. HANCOCK	2.5	962.50	Draft and send meet and confer letter (1.5); confer with P. Day regarding same (.5); correspond with C. Black, G. Thornton, and P. Day regarding 30(b)(6) deposition and negotiations with HDHS regarding discovery (.5)		
12/5/2014	KATY C. ALEXANDER	0.25	111.25	Review complaint and background materials		
12/8/2014	KATY C. ALEXANDER	2	890.00	Review complaint and background materials		
12/9/2014	KATY C. ALEXANDER	0.5	222.50	Review materials produced in discovery re revision to complaint		
12/9/2014	JAMES R. HANCOCK	0.25	96.25	Correspond w/C. Black, P. Day re 30(b)(6) deposition		

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12/9/2014	PETER H. DAY	0.5	287.50	Confer w/J. Hancock, co-counsel re open discovery issues		
12/10/2014	JAMES R. HANCOCK	0.75	288.75	Prepare for and participate in conference call with P. Day and K. Alexander (.25); review meet and confer letters from D. Kalama; correspond with A.C. Johnston and P. Day re same (.5)		
12/10/2014	KATY C. ALEXANDER	2	890.00	Review materials produced in discovery re revision to complaint		
12/11/2014	ALAN COPE JOHNSTON	0.75	746.25	Review correspondence re case status (.25); meet w/P. Day, J. Hancock re case strategy (.5)		
12/11/2014	JAMES R. HANCOCK	2.5	962.50	Correspond with C. Black regarding 30(b)(6) deposition (.25); draft meet and confer letter (.5); review and analyze discovery requests; compare with Defendant's responses, objections, and recent discovery proposal (1.5); prepare for and attend meeting with A.C. Johnston and P. Day (.25)		
12/12/2014	JAMES R. HANCOCK	2.5	962.50	Draft and send meet and confer letter to opposing counsel (1.0); correspond with P. Day and A.C. Johnston regarding same (.25); review past correspondence with opposing counsel (.5); review discovery requests (.75)		
12/12/2014	KATY C. ALEXANDER	1.75	778.75	Review and revise complaint		
12/12/2014	PETER H. DAY	1	575.00	Review draft meet and confer letter (.25) ; revise (.75).		
12/12/2014	ALAN COPE JOHNSTON	0.25	248.75	Revise draft letter to co-counsel		
12/13/2014	KATY C. ALEXANDER	2.5	1,112.50	Review materials produced in discovery re revision to complaint		
12/14/2014	KATY C. ALEXANDER	1.25	556.25	Review materials produced in discovery re revision to complaint		
12/16/2014	KATY C. ALEXANDER	2.75	1,223.75	Revise complaint		
12/16/2014	JAMES R. HANCOCK	0.5	192.50	Review revised draft motion for class certification from K. Alexander (.25); review letter from opposing counsel; correspond with C. Black regarding Defendant's recent production of document (.25)		
12/18/2014	JAMES R. HANCOCK	3.5	1,347.50	Review correspondence from opposing counsel (.5); draft correspondence to A.C. Johnston and P. Day re same (.25); review document production from HDHS (2.0); correspond with co-counsel regarding same; summarize and annotate documents (.5); draft summary report for P. Day and K. Alexander (.25)		
1/6/2015	JOSEPH K. KANADA	1	690.00	Review motions and orders		
1/7/2015	JOSEPH K. KANADA	4.75	3,277.50	Meet w/team to transition case (.5); review pleadings (.5); review class certification motion (1.0); review and analyze discovery requests and responses (1.5); draft additional discovery requests (1.25)		
1/7/2015	ALAN COPE JOHNSTON	2	1,990.00	Review class certification motion (1.5); meet w/P. Day, J. Hancock, J. Kanada re case status and class certification (.5)		
1/7/2015	JAMES R. HANCOCK	3.5	1,347.50	Prepare for and attend meeting with A.C. Johnston, P. Day, and J. Kanada (.75); draft meet and confer letter (1.75); confer with C. Black and J. Kanada regarding same (.25); research letter briefing (.5); correspond with case team regarding same and circulate materials (.25)		
1/8/2015	JOSEPH K. KANADA	1.5	1,035.00	Review and comment re draft letter brief re discovery dispute		
1/8/2015	JAMES R. HANCOCK	1.5	577.50	Draft letter brief and confer w/J. Kanada re same		
1/9/2015	JOSEPH K. KANADA	2	1,380.00	Conference with J. Hancock regarding case status (.25); review co-counsel summaries regarding discovery and expert issues (.5); revise letter briefing regarding discovery (1.0); draft additional discovery requests (.25)		
1/9/2015	ALAN COPE JOHNSTON	1.75	1,741.25	Review and revise letter brief re discovery dispute (1.25); review answers to discovery requests (.5)		
1/9/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re letter-briefing and action items		
1/12/2015	ALAN COPE JOHNSTON	0.5	497.50	Review draft letter brief and comments re same		
1/12/2015	JAMES R. HANCOCK	0.5	192.50	Revise letter brief and correspond w/case team re same (.25); review letter brief filed by opposing counsel (.25)		
1/12/2015	JOSEPH K. KANADA	0.75	517.50	Review discovery		
1/13/2015	JAMES R. HANCOCK	1	385.00	Correspond and confer with J. Kanada regarding discovery issues and update p drive (.25); confer with C. Black and J. Kanada regarding letter to opposing counsel (.25); revise letter to opposing counsel (.25); correspond with case team regarding same (.25)		
1/13/2015	JOSEPH K. KANADA	4.25	2,932.50	Review defendant's discovery responses (.75); review defendant's letter brief to the Court (.5); confer with J. Hancock regarding discovery issues (.5); draft correspondence to opposing counsel regarding discovery disputes (2.5)		
1/14/2015	JOSEPH K. KANADA	1.5	1,035.00	Analyze discovery issues (1.0); conference w/A.C. Johnston, J. Hancock re supplemental discovery (.5)		
1/14/2015	ALAN COPE JOHNSTON	0.75	746.25	Review draft discovery requests (.5); meet w/J. Hancock, J. Kanada re same (.25)		
1/14/2015	JAMES R. HANCOCK	2	770.00	Draft and revise interrogatories confer with J. Kanada regarding same (.5); prepare for and attend meeting with A.C. Johnston and J. Kanada (.5); draft and revise letter to opposing counsel (.75); correspond and confer with case team regarding same (.25)		
1/15/2015	ALAN COPE JOHNSTON	0.25	248.75	Email regarding response to J. Molay.		
1/15/2015	JOSEPH K. KANADA	0.75	517.50	Correspond w/co-counsel re discovery issues (.25); draft letter to court re same (.5)		
1/15/2015	JAMES R. HANCOCK	1	385.00	Draft and transmit email to opposing counsel re discovery (.25); review and revise letter to court re discovery (.5); correspond and confer w/case team re same (.25)		
1/20/2015	JOSEPH K. KANADA	0.75	517.50	Revise discovery requests to HDHS (.5); correspond w/co-counsel re discovery requests (.25)		
1/21/2015	JAMES R. HANCOCK	0.25	96.25	Review and summarize letter from opposing counsel and confer w/case team re same (.25)		

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1/21/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel re discovery issues		
1/22/2015	JOSEPH K. KANADA	0.75	517.50	Review discovery requests to HDHS (.5); review correspondence to opposing counsel (.25)		
1/22/2015	JAMES R. HANCOCK	0.75	288.75	Draft letter to opposing counsel (.5); confer w/case team re letter and new discovery requests (.25)		
1/26/2015	JOSEPH K. KANADA	0.75	517.50	Correspond w/co-counsel re discovery (.25); revise discovery responses (.5)		
1/26/2015	JAMES R. HANCOCK	0.25	96.25	Correspond/confer w/case team re new discovery requests and letter to opposing counsel re same		
1/26/2015	ALAN COPE JOHNSTON	0.5	497.50	Review proposed additional interrogatories and requests for admissions		
1/27/2015	JAMES R. HANCOCK	0.5	192.50	Revise letter to opposing counsel to incorporate edits from co-counsel; correspond with case team regarding same (.25); sign and transmit letter (.25).		
1/27/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel.		
1/28/2015	JOSEPH K. KANADA	2	1,380.00	Analyze HDHS discovery responses (.5); draft additional discovery requests (1.5)		
1/29/2015	JOSEPH K. KANADA	0.5	345.00	Analyze discovery issues		
1/29/2015	JAMES R. HANCOCK	0.25	96.25	Correspond/confer w/J. Kanada re document referenced in HDHS interrogatory responses, review HDHS documents		
2/3/2015	JOSEPH K. KANADA	0.25	172.50	Confer w/J. Hancock re discovery issues		
2/4/2015	JOSEPH K. KANADA	1.25	862.50	Review expert discovery materials		
2/5/2015	JOSEPH K. KANADA	1.25	862.50	Discuss case status and issues with A.C. Johnston (.5); correspond with J. Hancock regarding discovery issues (.25); review expert reports from analogous litigation (.5)		
2/5/2015	JAMES R. HANCOCK	0.5	192.50	Draft email to opposing counsel re discovery (.25); confer w/J. Kanada, co-counsel re depositions (.25)		
2/6/2015	JAMES R. HANCOCK	1.5	577.50	Prepare for and meet and confer with opposing counsel regarding depositions, document production, supplemental responses to RFPs, and supplemental responses to interrogatories (.5); confer with J. Kanada regarding same (.5); draft summary email to case team and correspond and confer with C. Black regarding same (.25); correspond with D. Kalama regarding depositions (.25)		
2/6/2015	JOSEPH K. KANADA	1	690.00	Confer with J. Hancock regarding discovery discussions with opposing counsel (0.25); review expert reports from foster care rate cases in other states (0.75)		
2/9/2015	JOSEPH K. KANADA	3	2,070.00	Review defendants' supplemental discovery responses (.5); coordinate discovery issues with J. Hancock (.5); review expert discovery material from foster care cases in other states (1.0); review MARC report regarding foster care rates and analyze CES data (1.0)		
2/9/2015	JAMES R. HANCOCK	2	770.00	Correspond and confer with J. Kanada (.5); review supplemental responses to plaintiffs' requests for production of documents (.5); draft meet and confer letter (1.0)		
2/10/2015	ALAN COPE JOHNSTON	0.75	746.25	Revise draft letter to opposing counsel.		
2/10/2015	JOSEPH K. KANADA	4.75	3,277.50	Conference with J. Hancock regarding discovery issues (0.5); revise correspondence to opposing counsel regarding depositions and discovery issues (0.25); analyze MARC study in order to create expert model (1.5); analyze U.S. Bureau of Labor Statistics data in order to create expert model (2.5)		
2/10/2015	JAMES R. HANCOCK	2.5	962.50	Prepare for and meet with J. Kanada regarding meet and confer process, supplemental response to RFPs, supplemental response to interrogatories, and 30(b)(6) depositions (.5); draft and revise meet and confer letter to opposing counsel (1.5); correspond and confer with case team regarding same (.25), transmit letter to opposing counsel (.25)		
2/11/2015	JOSEPH K. KANADA	3.75	2,587.50	Analyze CES data re methodology of expert analyses		
2/11/2015	JAMES R. HANCOCK	0.5	192.50	Review and analyze HDHS document production		
2/12/2015	JOSEPH K. KANADA	3	2,070.00	Team meeting with J. Hancock and A.C. Johnston (0.25); review and analyze documents produced by defendant (2.75)		
2/12/2015	JAMES R. HANCOCK	0.75	288.75	Prepare for and attend meeting with A.C. Johnston and J. Kanada (.50); correspond with J. Kanada regarding expert report and analysis (.25).		
2/12/2015	ALAN COPE JOHNSTON	1	995.00	Review email from J. Kanada (.5); conference with J. Kanada and J. Hancock regarding discovery issues (.5)		
2/13/2015	JOSEPH K. KANADA	2	1,380.00	Review correspondence from opposing counsel (.5); search for potential affordable expert witnesses (1.0); review defendant's supplemental document production (.5)		
2/17/2015	JOSEPH K. KANADA	3.25	2,242.50	Conference with J. Hancock and A.C. Johnston regarding settlement strategy (0.25); conference with co-counsel regarding settlement strategy (0.5); prepare summary for prospective expert witnesses (0.25); review documents produced by defendant (2.25)		
2/17/2015	JAMES R. HANCOCK	1	385.00	Correspond with C. Ferrario and B. Garibaldi regarding document review (.25); prepare for and attend meeting with A.C. Johnston and J. Kanada (.5); prepare for and participate in conference call with co-counsel (.25)		
2/17/2015	ALAN COPE JOHNSTON	1	995.00	Review materials for meeting and meet w/J. Kanada, J. Hancock, co-counsel re case strategy		
2/18/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel and discuss settlement scheduling with co-counsel		
2/19/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel.		
2/20/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel.		

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2/20/2015	JANE R. ABA	2.5	700.00	Perform quality control analysis on produced documents (.50); draft reporting regarding comprehensive summary of analysis findings and worked performed (2.0).		
2/20/2015	JAMES R. HANCOCK	0.25	96.25	Confer with B. Garibaldi regarding issues with Concordance database; review draft letter to opposing counsel and the court		
2/20/2015	BRANDON MANUEL GARIBALDI	0.25	77.50	Prepare electronic documents for attorney review		
2/23/2015	BRANDON MANUEL GARIBALDI	0.5	155.00	Review and report to legal team re technical issues re HDHS document productions		
2/23/2015	JAMES R. HANCOCK	0.5	192.50	Review revisions to letter to opposing counsel (.25); conger w/J. Kanada (.25)		
2/23/2015	JOSEPH K. KANADA	2	1,380.00	Analyze co-counsel's settlement proposal (0.75); analyze expert discovery issues (1.0); review documents produced by Defendant (0.25)		
2/23/2015	ALAN COPE JOHNSTON	1	995.00	Review draft letter to J. Molay (.25); conference with J. Kanada regarding same (.5); email regarding draft letter (.25)		
2/24/2015	ALAN COPE JOHNSTON	1.5	1,492.50	Comments on settlement letter.		
2/24/2015	JOSEPH K. KANADA	2.75	1,897.50	Analyze and strategize expert witness issues (0.5); review supplemental document production by Defendant (2.0); review correspondence with opposing counsel (0.25)		
2/24/2015	JAMES R. HANCOCK	1.25	481.25	Revise letter to opposing counsel regarding settlement (.5); correspond and confer with A.C. Johnston and J. Kanada regarding same (.25); correspond and confer with B. Garibaldi regarding defendant's document productions (.25); troubleshoot problems with document productions with B. Garibaldi (.25)		
2/24/2015	JANE R. ABA	1	280.00	Correspondence with B. Garibaldi regarding quality control findings (.25); Perform priv. log quality control analysis against production documents (.75).		
2/24/2015	BRANDON MANUEL GARIBALDI	0.5	155.00	Compare information in privilege logs, production letters and production volume sent February 13, 2015 to discern whether or not the technical issues encountered with opposing counsel's productions are accounted for or corrected by this information and production (.25); report to legal team that technical issues are neither accounted for nor corrected by most recent production and production letters and privilege logs (.25).		
2/25/2015	JOSEPH K. KANADA	0.5	345.00	Review and analyze supplemental documents produced by HDHS		
2/26/2015	JOSEPH K. KANADA	0.75	517.50	Review correspondence w/co-counsel (.25); discuss issues raised during conference w/court (.5)		
2/26/2015	ALAN COPE JOHNSTON	0.25	248.75	Emails re settlement conference (.25)		
2/26/2015	JAMES R. HANCOCK	0.75	288.75	Correspond and confer with C. Black, J. Kanada, and A.C. Johnston regarding fees (.25); download and review latest document production and privilege log (.25); correspond and confer with J. Kanada and B. Garibaldi regarding same (.25)		
2/26/2015	BRANDON MANUEL GARIBALDI	0.5	155.00	Prepare electronic documents for attorney review		
2/27/2015	JAMES R. HANCOCK	1.75	673.75	Prepare for and meet w/A.C. Johnston and J. Kanada re settlement, case status, discovery (.75); review and analyze HDHS document production (1.0)		
2/27/2015	JOSEPH K. KANADA	1	690.00	Prepare for team meeting to discuss case status (0.5); conference with J. Hancock and A.C. Johnston to discuss case status (0.5)		
2/27/2015	ALAN COPE JOHNSTON	1	995.00	Review emails, meet w/J. Kanada and J. Hancock re case status and projects re same		
3/2/2015	JOSEPH K. KANADA	1	690.00	Conference with co-counsel regarding case status, upcoming projects, and settlement conference (0.75); strategize upcoming projects (0.25)		
3/2/2015	JAMES R. HANCOCK	3.25	1,251.25	Prepare for and attend meeting with case team (.75); review documents produced by Defendant (.75); revise and send notes to J. Kanada re production (.25); search for missing documents in Defendant's productions (.25); correspond and confer with C. Black, G. Thornton, and J. Kanada regarding Defendant's document productions (.25); draft meet and confer letter to opposing counsel (1.0)		
3/2/2015	ALAN COPE JOHNSTON	1	995.00	Prepare for and attend conference call w/co-counsel		
3/3/2015	JAMES R. HANCOCK	2.75	1,058.75	Draft meet and confer letter (2.25); analyze (.50).		
3/4/2015	JAMES R. HANCOCK	1.5	577.50	Continue drafting meet and confer letter (.25); analyze Defendant's discovery responses (.25); review documents produced by Defendant (.25); review correspondence from opposing counsel (.25); review problems with Defendant's privilege log and past productions (.25); conduct legal research regarding discovery issues (.25)		
3/4/2015	JOSEPH K. KANADA	0.5	345.00	Revise correspondence to opposing counsel re discovery dispute		
3/5/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/team re discovery meet and confer letter to opposing counsel		
3/5/2015	JAMES R. HANCOCK	2.25	866.25	Review revisions from A.C. Johnston, G. Thornton, and C. Black to letter to opposing counsel and correspond with case team regarding same (.75); review document productions for completeness (.75); identify copies of Chandler report (.5); review chart related to issues with document productions from C. Black and revise letter to opposing counsel (.25)		
3/5/2015	ALAN COPE JOHNSTON	0.75	746.25	Revise draft letter to opposing counsel re discovery and revise revised letter		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
3/6/2015	JAMES R. HANCOCK	1.5	577.50	Download and review Defendant's document production (.5); correspond and confer with co-counsel, J. Kanada, and B. Garibaldi regarding same and confer with S. Nazzal regarding case status (.25); revise draft requests for admission and draft interrogatories (.5); confer with J. Kanada and C. Black and case team regarding same (.25)		
3/6/2015	JOSEPH K. KANADA	3.25	2,242.50	Review discovery to be propounded on defendants (0.5); revise motion for class certification brief to incorporate supplemental documents recently produced by defendant (2.75)		
3/6/2015	JANE R. ABA	1.5	420.00	Perform quality control analysis on produced documents to support case team's needs		
3/6/2015	ALAN COPE JOHNSTON	0.75	746.25	Review draft discovery requests		
3/6/2015	BRANDON MANUEL GARIBALDI	0.25	77.50	Prepare electronic documents for attorney review		
3/9/2015	JOSEPH K. KANADA	1.5	1,035.00	Review class certification motion		
3/9/2015	JAMES R. HANCOCK	0.5	192.50	Correspond with J. Kanada regarding class certification motion (.25); review past correspondence with case team regarding same; review previous draft; correspond and confer with case team regarding settlement conference statement; correspond with B. Garibaldi (.25)		
3/10/2015	JAMES R. HANCOCK	0.5	192.50	Correspond and confer with C. Black and J. Kanada regarding settlement conference hearing procedures, appearance, and filing statement (.25); conduct legal research regarding same (.25)		
3/11/2015	BRANDON MANUEL GARIBALDI	1.5	465.00	Research numerous issues and deficient re HDHS document production and prepare memo for legal team outlining and proposing solutions		
3/11/2015	JAMES R. HANCOCK	1	385.00	Revise settlement conference statement (.5); correspond and confer with J. Kanada regarding same (.25); correspond with co-counsel regarding same (.25)		
3/11/2015	JOSEPH K. KANADA	1.75	1,207.50	Revise settlement conference statement.		
3/13/2015	JAMES R. HANCOCK	0.5	192.50	Review amended Rule 16 scheduling order; review first amended complaint (.25); draft summary of considerations for motion to amend; correspond with J. Kanada regarding same (.25)		
3/16/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/co-counsel re case projects		
3/16/2015	JAMES R. HANCOCK	0.5	192.50	Correspond and confer w/case team re potential motion to amend complaint and class certification motion		
3/17/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/co-counsel re case status		
3/18/2015	JAMES R. HANCOCK	0.25	96.25	Draft email to opposing counsel, correspond w/J. Kanada, C. Black re same and settlement conference hearing		
3/18/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel and draft correspondence to opposing counsel		
3/19/2015	JOSEPH K. KANADA	0.75	517.50	Review settlement statement (0.25); conference with C. Black and J. Hancock regarding settlement hearing (0.25); conference with J. Hancock regarding settlement strategy (0.25)		
3/19/2015	JAMES R. HANCOCK	1.25	481.25	Correspond and confer with C. Black and J. Kanada regarding settlement conference (.5); draft summary for A.C. Johnston (.5); correspond with case team regarding same (.25)		
3/20/2015	JOSEPH K. KANADA	1.25	862.50	Revise motion for class certification (0.5); strategize settlement negotiation proposals (0.25); conference with A. Johnston and J. Hancock (0.5)		
3/20/2015	ALAN COPE JOHNSTON	0.75	746.25	Review settlement conference notes (.25); meet w/J. Kanada, J. Hancock re same (.5)		
3/20/2015	JAMES R. HANCOCK	0.5	192.50	Correspond and confer w/A.C. Johnston, J. Kanada re settlement conference and case status		
3/24/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review class certification motion (.5); conference w/J. Kanada (.25); conf w/co-counsel re class certification (.5)		
3/24/2015	JAMES R. HANCOCK	1	385.00	Confer w/A.C. Johnston, J. Kanada, co-counsel re settlement conference, open items, pending deadlines		
3/24/2015	JOSEPH K. KANADA	3	2,070.00	Review and revise motion for class certification (1.25); analyze settlement options (0.25); conference call with co-counsel (0.75); conference with A. Johnston regarding class certification and settlement (0.25); review other foster care cases brought by Morrison & Foerster (0.5)		
3/25/2015	JOSEPH K. KANADA	1.25	862.50	Revise motion for class certification (1.0); strategize re discovery meet and confer issues (.25)		
3/27/2015	ALAN COPE JOHNSTON	0.75	746.25	review class certification motion and comment re same		
3/30/2015	JOSEPH K. KANADA	3.25	2,242.50	Analyze and comment on draft expert witness report (3.0); review correspondence with co-counsel and opposing counsel (0.25)		
3/30/2015	JAMES R. HANCOCK	0.25	96.25	Revise motion for class certification.		
3/31/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing and co-counsel		
4/1/2015	JOSEPH K. KANADA	2	1,380.00	Analyze comments re draft expert reports		
4/2/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel re HDHS documents and IV-E reimbursements		
4/6/2015	JOSEPH K. KANADA	0.5	345.00	Review HDHS recent production (.25); revise class certification motion (.25)		
4/8/2015	JOSEPH K. KANADA	0.5	345.00	Review HDHS settlement proposal (.25); analyze current case schedule and discuss strategy issues w/A.C. Johnston (.25)		
4/8/2015	ALAN COPE JOHNSTON	0.5	497.50	Review email re settlement conference and emails re schedule extensions		
4/8/2015	JAMES R. HANCOCK	1.25	481.25	Revise class certification motion		
4/8/2015	BRANDON MANUEL GARIBALDI	0.25	77.50	Prepare electronic documents for attorney review		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
4/8/2015	JANE R. ABA	2.5	700.00	Perform quality control analysis on produced documents (.50); Correspondence with B. Garibaldi regarding project specifications and analysis findings (.25); Preparation of report regarding comprehensive summary of documents received from opposing counsel for case team's review (1.75).		
4/9/2015	ALAN COPE JOHNSTON	3.5	3,482.50	Review and analyze class certification motion (1.25); review draft expert report and analyze same (2.25)		
4/9/2015	JOSEPH K. KANADA	0.5	345.00	Conference with J. Hancock regarding class certification memorandum (0.25); review correspondence from co-counsel regarding settlement conference and case strategy (0.25)		
4/9/2015	JAMES R. HANCOCK	1.75	673.75	Revise motion for class certification (1.25); correspond and confer with J. Kanada and A.C. Johnston regarding same (.5)		
4/10/2015	ALAN COPE JOHNSTON	1	995.00	Review notes re motion for class cert, expert report (.5); conference w/J. Kanada, J. Hancock (.5)		
4/10/2015	JOSEPH K. KANADA	1	690.00	Conference with A.C. Johnston and J. Hancock regarding expert report and motion for class certification (0.5); review motion for class certification and expert report (0.5)		
4/10/2015	JAMES R. HANCOCK	0.75	288.75	Correspond and confer with A.C. Johnston and J. Kanada re case strategy (.25); review draft stipulation and correspond with case team regarding same (.25); review correspondence from opposing counsel and co-counsel regarding stipulation, document production, and case schedule (.25)		
4/12/2015	JAMES R. HANCOCK	0.5	192.50	Revise motion for class certification.		
4/13/2015	JAMES R. HANCOCK	2	770.00	Revise motion for class certification (.5); correspond with J. Kanada and co-counsel regarding same (.25); conduct legal research re same (1.25)		
4/13/2015	JOSEPH K. KANADA	2.25	1,552.50	Analyze and comment on draft expert report (1.5); review correspondence from opposing counsel (0.25); review edits to motion for class certification (0.5)		
4/13/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review class certification motion.		
4/14/2015	ALAN COPE JOHNSTON	1	995.00	Review emails, P. Alston's comments (.25); review draft insert, provide comments (.75).		
4/14/2015	JOSEPH K. KANADA	3	2,070.00	Conference with A.C. Johnston regarding class certification motion (0.25); conference with J. Hancock regarding discovery and class certification issues (0.5); research and draft section of motion for class certification brief addressing Federal Rule of Civil Procedure 23(b)(1) (2.0); conference with J. Hancock regarding possible 23(b)(1)(B) arguments (0.25)		
4/14/2015	JAMES R. HANCOCK	4.5	1,732.50	Draft motion for class certification (2.25); conduct legal research regarding same (1.25); correspond and confer with case team regarding same (.5); review notes from co-counsel regarding meeting with client (.5)		
4/15/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Meeting with J. Kanada and J. Hancock regarding discovery issues (.25); conference call with J. Kanada, J. Hancock and co-counsel regarding discovery, class certification motion, motion for summary judgment, expert report (1.00)		
4/15/2015	JAMES R. HANCOCK	1.5	577.50	Correspond and confer with A.C. Johnston and S. Szpajda regarding case status and negotiations with opposing counsel (.25); participate in conference call with co-counsel regarding same (1.0); review privilege log from opposing counsel (.25)		
4/15/2015	JOSEPH K. KANADA	1.75	1,207.50	Meet with A.C. Johnston and J. Hancock regarding case issues and strategy (0.25); conference with A.C. Johnston, J. Hancock, P. Alston, C. Black, and G. Thornton to discuss discovery and other case issues (1.0); analyze discovery and expert issues (0.5)		
4/16/2015	JOSEPH K. KANADA	3.5	2,415.00	Research deliberative process privilege (2.0); prepare for meet and confer (0.5); meet and confer with opposing counsel regarding discovery disputes (1.0)		
4/16/2015	ALAN COPE JOHNSTON	0.5	497.50	Telephone conference w/B. Matsui re 2d Circuit foster case (.25); conference w/J. Kanada (.25)		
4/16/2015	JAMES R. HANCOCK	2	770.00	Prepare for call with opposing counsel (.5); review discovery requests, responses, and correspondence with opposing counsel (.25); participate in meet and confer call with opposing counsel (1.0); correspond and confer with J. Kanada and co-counsel regarding same (.25)		
4/17/2015	ALVIN WEST	3.75	1,162.50	Organize and prepare cases for J. Kanada review		
4/17/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing and co-counsel		
4/20/2015	JOSEPH K. KANADA	2.5	1,725.00	Review and revise class certification motion and supporting documents		
4/20/2015	DAISY BELLE VISITACION	0.75	232.50	Review Ah Chong class certification motion case law re standing and shepardize same for J. Kanada review		
4/20/2015	ALAN COPE JOHNSTON	2	1,990.00	Review and analyze draft declaration and motion for class certification and comments re same (1.5); conference w/J. Kanada re same (.5)		
4/21/2015	ALAN COPE JOHNSTON	0.5	497.50	Review draft discovery requests (.25); conference w/J. Hancock, J. Kanada, C. Black re same (.25)		
4/21/2015	JAMES R. HANCOCK	0.75	288.75	Confer with J. Kanada regarding 30(b)(6) deposition and review noticed deposition topics (.25); review revised discovery requests (.25); prepare for and attend meeting with case team (.25)		
4/21/2015	JOSEPH K. KANADA	2.25	1,552.50	Review and revise draft discovery requests (1.5); conference with A. Johnston and J. Hancock (0.25); conference with A. Johnston, J. Hancock, and C. Black (0.25); review correspondence with opposing counsel regarding discovery issues (0.25)		

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4/22/2015	JOSEPH K. KANADA	2	1,380.00	Conference with C. Black regarding privilege issues (0.25); correspond with J. Hancock regarding discovery issues (0.25); review correspondence from opposing counsel regarding discovery meet and confer (0.25); perform legal research into privilege issues (1.25)		
4/22/2015	ALAN COPE JOHNSTON	1	995.00	Review discovery responses (.75); email comments re same (.25)		
4/22/2015	JAMES R. HANCOCK	1.75	673.75	Review correspondence from opposing counsel re meet and confer (.25); correspond and confer with J. Kanada regarding same (.25); review Defendant's responses to interrogatories and requests for admission (.5); draft meet and confer letter (.75)		
4/23/2015	JAMES R. HANCOCK	5.5	2,117.50	Continue drafting meet and confer letter (3.5); correspond and confer with J. Kanada regarding same (.25); review related correspondence with opposing counsel, with co-counsel, filings from both parties, and discovery responses (1.75)		
4/23/2015	JOSEPH K. KANADA	2.25	1,552.50	Conference with A.C. Johnston regarding discovery strategy for interrogatories and depositions (0.25); conference with J. Hancock regarding discovery issues and draft correspondence to opposing counsel (0.25); conference with C. Black re deficient privilege logs (0.25); research privilege and waiver issues (1.5)		
4/23/2015	ALAN COPE JOHNSTON	1	995.00	Review draft interrogatories (.25); review interrogatory answers (.25); telephone conference w/P. Alston (.5)		
4/24/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review draft meet and confer letter (.75) and comments to J. Kanada (.25); review draft interrogatories and requests for admissions (.25)		
4/24/2015	JOSEPH K. KANADA	2.5	1,725.00	Revise meet and confer letter to opposing counsel (1.25); analyze defendant's privilege log (0.5); revise discovery requests (0.5); correspond with co-counsel regarding discovery issues (0.25)		
4/24/2015	JAMES R. HANCOCK	2.75	1,058.75	Draft and revise meet and confer letter (1.00); correspond and confer with case team regarding same (.25); revise interrogatories, requests for admission, and request for production of documents (.50); correspond and confer with case team regarding same (.25); revise draft stipulation (.25); correspond and confer with case team regarding same (.25); finalize and send meet and confer letter (.25)		
4/27/2015	JOSEPH K. KANADA	1.5	1,035.00	Review draft requests for production (0.25); strategize discovery items to move to compel (0.75); review proposed stipulation extending time (0.25); review co-counsel summary of conference with opposing counsel (0.25)		
4/27/2015	JAMES R. HANCOCK	1	385.00	Revise stipulation (.25); correspond and confer with J. Kanada and C. Black regarding same (.25); review letter from opposing counsel (.25); review deadlines; correspond with case team regarding same (.25)		
4/28/2015	JAMES R. HANCOCK	1	385.00	Correspond and confer with case team regarding pending deadlines and action items (.25); review redline stipulation (.25); confer with J. Kanada and C. Black regarding communications with opposing counsel (.25); correspond and confer with A.C. Johnston, J. Kanada, and B. Garibaldi regarding discovery issues (.25)		
4/28/2015	JOSEPH K. KANADA	3.75	2,587.50	Review proposed stipulation and scheduling order (0.5); review correspondence from opposing counsel regarding discovery (0.5); create plan regarding completing discovery during the remaining time period (1.25); research re inadvertent production of allegedly privileged material (1.0); conference with C. Black and J. Hancock regarding discovery issues (0.5)		
4/28/2015	ALAN COPE JOHNSTON	0.5	497.50	Review emails regarding discovery disputes.		
4/29/2015	JOSEPH K. KANADA	2.75	1,897.50	Conference with J. Hancock and A.C. Johnston (0.75); review discovery responses by defendant to determine potential motion to compel issues (1.25); review deposition topics and draft clarification email to opposing counsel (0.75)		
4/29/2015	JAMES R. HANCOCK	0.75	288.75	Confer w/A.C. Johnston and J. Kanada re discovery issues		
4/29/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review projects and meet w/J. Kanada and J. Hancock re discovery issues		
4/29/2015	BRANDON MANUEL GARIBALDI	2.25	697.50	Convert documents produced by state of Hawaii to single page images in preparation for organization and attorney review		
4/29/2015	JANE R. ABA	0.5	140.00	Perform quality control analysis on opposing counsel deliverable and draft report on findings		
4/30/2015	JAMES R. HANCOCK	0.5	192.50	Confer w/J. Kanada re deposition topics and related issues (.25); review draft letter to opposing counsel re deposition topics (.25)		
4/30/2015	BRANDON MANUEL GARIBALDI	1	310.00	Finalize preparation for vendor logical organization		
4/30/2015	DAISY BELLE VISITACION	0.25	77.50	Confer with J. Kanada regarding document production issues and organization of case in preparation for upcoming depositions; confer with B. Garibaldi regarding status of document coding		
4/30/2015	JOSEPH K. KANADA	3.25	2,242.50	Coordinate with practice support to process documents produced by defendant (0.75); review discovery to draft correspondence to opposing counsel clarifying deposition topics (1.25); analyze issues for upcoming depositions (1.0); conference with C. Black (0.25)		
5/1/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence.		
5/1/2015	BRANDON MANUEL GARIBALDI	1.5	465.00	Finish preparation of defendant's productions for eDiscovery vendor to identify documents' begin and end points		
5/4/2015	DAISY BELLE VISITACION	0.25	77.50	Confer w/J. Kanada and B. Garibaldi re document production organization		
5/4/2015	JOSEPH K. KANADA	4.5	3,105.00	Review and analyze documents produced by HDHS		
5/4/2015	JAMES R. HANCOCK	3.25	1,251.25	Review and analyze documents produced by HDHS (3.0); correspond and confer w/J. Kanada, C. Black re same (.25)		

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5/5/2015	JAMES R. HANCOCK	0.5	192.50	Review and revise draft correspondence with opposing counsel (.25); correspond with A.C. Johnston, J. Kanada, and C. Black regarding same; review stipulation; correspond with J. Kanada regarding notes on document review (.25)		
5/5/2015	JOSEPH K. KANADA	2.5	1,725.00	Review and analyze HDHS document production (2.0); analyze discovery issues (.5)		
5/5/2015	BRANDON MANUEL GARIBALDI	0.75	232.50	Prepare electronic documents for attorney review		
5/6/2015	JOSEPH K. KANADA	0.5	345.00	Analyze discovery issues		
5/6/2015	BRANDON MANUEL GARIBALDI	1.25	387.50	Prepare electronic documents for attorney review		
5/7/2015	BRANDON MANUEL GARIBALDI	1	310.00	Prepare electronic documents for attorney review		
5/7/2015	ALAN COPE JOHNSTON	1.5	1,492.50	Review and analyze discovery responses		
5/7/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/opposing counsel re 30(b)(6) deposition; correspond w/J. Kanada re same		
5/7/2015	DAISY BELLE VISITACION	1.75	542.50	Confer with B. Garibaldi regarding unitizing defendant production (.25); prepare unitized data for recent production (.75); start reviewing production data for various versions of the Chandler Report for J. Kanada (.75)		
5/7/2015	JOSEPH K. KANADA	0.5	345.00	Review and analyze HDHS interrogatory responses (.25); coordinate discovery projects (.25)		
5/8/2015	JAMES R. HANCOCK	0.25	96.25	Correspond with case team regarding experts.		
5/11/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re McHugh multipliers and expert witnesses		
5/11/2015	JOSEPH K. KANADA	0.75	517.50	Analyze discovery produced by Defendant		
5/11/2015	DAISY BELLE VISITACION	5	1,550.00	Review production for S. Chandler reports and various drafts and cover emails regarding same (.25); draft tracking chart of versions of report (.25)		
5/12/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel		
5/13/2015	JOSEPH K. KANADA	0.5	345.00	Review draft subpoena (.25); discuss discovery issues w/Morrison & Foerster team (.25)		
5/13/2015	DAISY BELLE VISITACION	0.25	77.50	Download new production from Defendant		
5/13/2015	JAMES R. HANCOCK	0.25	96.25	Revise third party subpoena, correspond and confer w/ case team re same and depositions (.25)		
5/14/2015	DAISY BELLE VISITACION	0.75	232.50	Confer w/B. Garibaldi re updating production databases and unitize production documents		
5/14/2015	JAMES R. HANCOCK	0.5	192.50	Correspond w/C. Black re Chandler subpoena		
5/14/2015	BRANDON MANUEL GARIBALDI	1	310.00	Prepare electronic documents for attorney review		
5/15/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada and correspond w/C. Black re Chandler		
5/15/2015	JOSEPH K. KANADA	0.25	172.50	Review case docket activity		
5/18/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/co-counsel re upcoming depositions		
5/18/2015	DAISY BELLE VISITACION	0.75	232.50	Review Chandler reports for upcoming deposition prep		
5/19/2015	JOSEPH K. KANADA	0.25	172.50	Coordinate discovery projects with paralegals		
5/19/2015	DAISY BELLE VISITACION	1.5	465.00	Review various Chandler reports for deposition prep (1.0); continue coding and unitizing of newly received productions for uploading into production database (.50).		
5/19/2015	BRANDON MANUEL GARIBALDI	2.5	775.00	Prepare electronic documents for attorney review		
5/20/2015	DAISY BELLE VISITACION	2.5	775.00	Review various Chandler reports for deposition prep (.75); prepare eBinders of various Chandler reports for J. Kanada's review (1.75).		
5/21/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/J. Kanada and review e-binder re Chandler reports		
5/21/2015	JOSEPH K. KANADA	0.75	517.50	Analyze materials for Chandler deposition		
5/21/2015	DAISY BELLE VISITACION	0.25	77.50	Prepare deposition materials re Chandler for transmittal to co-counsel		
5/26/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence w/opposing counsel re discovery		
5/28/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review and analyze Chandler reports		
5/29/2015	JOSEPH K. KANADA	0.25	172.50	Analyze Chandler reports		
6/1/2015	JOSEPH K. KANADA	4.5	3,105.00	Plan upcoming deposition discovery (0.25); confer with J. Hancock and A.C. Johnston regarding case status and upcoming depositions (0.5); confer with J. Hancock regarding deposition projects (0.25); review S. Chandler material in preparation for S. Chandler deposition (3.5)		
6/1/2015	ALAN COPE JOHNSTON	1	995.00	Prepare for and meet w/J. Kanada, J. Hancock (.5); review case schedule (.5)		
6/1/2015	JAMES R. HANCOCK	1	385.00	Correspond with J. Kanada regarding pending depositions; analysis related to depositions (.5); attend meeting with A.C. Johnston and J. Kanada (.5)		
6/1/2015	BRANDON MANUEL GARIBALDI	2.75	852.50	Tag and deliver documents to legal team for review per J. Kanada		
6/2/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing and co-counsel re scheduling 30(b)(6) depositions		
6/3/2015	JOSEPH K. KANADA	0.5	345.00	Review documents produced by S. Chandler (.25); conference w/C. Black re Chandler documents and deposition (.25)		
6/3/2015	DAISY BELLE VISITACION	0.25	77.50	Download newly-received document production		
6/3/2015	ALAN COPE JOHNSTON	1.5	1,492.50	Review Chandler deposition outline and provide analysis and suggestions		
6/3/2015	JAMES R. HANCOCK	2	770.00	Revise outline for deposition of S. Chandler and review documents related to same (1.25); correspond and confer with J. Kanada regarding same; review edits from A.C. Johnston (.5); confer with J. Kanada and C. Black regarding case status (.25)		
6/4/2015	JOSEPH K. KANADA	0.25	172.50	Review status of Second Circuit appeal re NY foster litigation		
6/8/2015	JOSEPH K. KANADA	0.25	172.50	Review summary of Chandler deposition		
6/8/2015	ALAN COPE JOHNSTON	0.25	248.75	Review email from co-counsel re Chandler deposition		
6/9/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing and co-counsel re log of requests		
6/11/2015	JOSEPH K. KANADA	0.25	172.50	Confer w/J. Hancock re 30(b)(6) deposition		
6/11/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re upcoming depositions		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
6/13/2015	JOSEPH K. KANADA	3	2,070.00	Draft questions and topics for deposition of defendant (2.25); research whether multiple witnesses can attend each other's depositions (0.75)		
6/15/2015	JOSEPH K. KANADA	0.25	172.50	Analyze issues re 30(b)(6) deposition		
6/15/2015	JAMES R. HANCOCK	1	385.00	Draft outline for 30(b)(6) deposition		
6/16/2015	JOSEPH K. KANADA	0.25	172.50	Review 30(b)(6) witness issues and draft deposition outline		
6/16/2015	JAMES R. HANCOCK	0.75	288.75	Draft outline re 30(b)(6) depositions (.5); confer w/case team re same (.25)		
6/16/2015	ALAN COPE JOHNSTON	1.75	1,741.25	Review and analyze 30(b)(6) deposition outline and comment re same		
6/17/2015	JAMES R. HANCOCK	0.25	96.25	Continue drafting 30(b)(6) outline and correspond w/case team re same		
6/22/2015	JOSEPH K. KANADA	0.75	517.50	Correspond w/co-counsel re case status and upcoming depositions (.5); confer w/Morrison & Foerster team re case status (.25)		
6/24/2015	JOSEPH K. KANADA	0.5	345.00	Review settlement proposal		
6/24/2015	ALAN COPE JOHNSTON	3	2,985.00	Review draft settlement proposal (1.5); review and analyze deposition transcripts (1.5)		
6/24/2015	JAMES R. HANCOCK	0.5	192.50	Review settlement conference statement and related documents (.25); correspond w/case team re same (.25)		
6/25/2015	JANE R. ABA	0.25	70.00	Prep LiveNote database for attorney review		
6/25/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review and comment re draft settlement conference statement		
6/25/2015	JOSEPH K. KANADA	0.5	345.00	Analyze settlement conference statement		
6/25/2015	JAMES R. HANCOCK	1.25	481.25	Revise settlement conference statement (.5); correspond and confer with case team regarding same (.25); revise comparison document regarding Dr. Chandler reports (.25); correspond and confer with case team regarding same (.25)		
6/26/2015	JOSEPH K. KANADA	0.75	517.50	Conference w/co-counsel re case status and updates		
6/26/2015	STEPHEN LIU	0.5	132.50	Discuss case history and research assignment w/J. Hancock		
6/26/2015	JAMES R. HANCOCK	1.75	673.75	Attend case team meetings (.5); outline research project (.5); correspond and confer with S. Liu regarding research project and case background (.5); locate and circulate key documents (.25)		
6/26/2015	ALAN COPE JOHNSTON	0.5	497.50	Conference call with co-counsel.		
6/29/2015	STEPHEN LIU	7.25	1,921.25	Review and analyze case documents and procedural background (3.5); research case law re commonality (3.75)		
6/29/2015	JOSEPH K. KANADA	0.5	345.00	Review HDHS opposition to class certification motion		
6/29/2015	JAMES R. HANCOCK	2.5	962.50	Review opposition to class certification (1.5); correspond w/J. Kanada re same (.25); outline key issues and strategize re reply brief (.5); correspond w/S. Liu re research project (.25)		
6/29/2015	ALAN COPE JOHNSTON	2	1,990.00	Review and analyze deposition transcripts		
6/30/2015	STEPHEN LIU	8	2,120.00	Review opposition to class certification motion (1.75); research commonality case law (2.5); discuss research w/J. Hancock (.5); synthesize relevant authority and research standing case law (3.25)		
6/30/2015	JAMES R. HANCOCK	1.75	673.75	Research issues relating to reply in support of class certification (1.25); correspond and confer w/A.C. Johnston, C. Black, G. Thornton, S. Liu, J. Kanada re reply (.5)		
6/30/2015	ALAN COPE JOHNSTON	1	995.00	Analyze opposition to class certification motion		
7/1/2015	JAMES R. HANCOCK	2	770.00	Confer with C. Black re class cert (.25); correspond with A.C. Johnston and J. Kanada re same (.25); prepare for and attend meeting with A.C. Johnston and J. Kanada (.5); attend case team meeting with co-counsel (.25); correspond and confer with S. Liu regarding legal and factual research for reply brief (.5); correspond with case team regarding same (.25)		
7/1/2015	JOSEPH K. KANADA	1.5	1,035.00	Conference with A.C. Johnston and J. Hancock regarding case status and projects (0.25); review correspondence with co-counsel (0.25); conference with co-counsel regarding settlement conference, reply brief, and expert discovery (0.5); conference with J. Hancock and S. Liu regarding case projects (0.5)		
7/1/2015	STEPHEN LIU	4.75	1,258.75	Research and analyze case law on standing (3.25); attend conference call with entire team (.5); discuss additional research tasks with J. Kanada and J. Hancock (.5); prepare summary of facts to be verified and list of payments received by and denied from clients (.5)		
7/2/2015	JOSEPH K. KANADA	5.25	3,622.50	Research and draft reply in support of class certification		
7/2/2015	STEPHEN LIU	1.25	331.25	Research and prepare summary of case law on resolving factual disputes at class certification stage		
7/2/2015	JAMES R. HANCOCK	7	2,695.00	Draft reply brief for motion for class certification (4.25); correspond and confer with case team regarding same (.25); conduct legal research (2.25); correspond with case team regarding settlement conference and upcoming deadlines (.25)		
7/3/2015	JAMES R. HANCOCK	2	770.00	Draft reply brief for motion for class certification (1.25); correspond with J. Kanada and P. Alston regarding same (.25); review edits from A.C. Johnston (.25); correspond with J. Kanada regarding same (.25)		
7/3/2015	ALAN COPE JOHNSTON	1.5	1,492.50	Review and analyze opposition to class certification and comment re same		
7/5/2015	ALAN COPE JOHNSTON	2	1,990.00	Review and revise draft reply in support of class certification		
7/5/2015	JAMES R. HANCOCK	2	770.00	Continue drafting reply in support of class certification (1.75); correspond w/case team re same (.25)		
7/6/2015	JAMES R. HANCOCK	4.75	1,828.75	Review case team revisions to reply brief (.5); revise reply brief (3.25); correspond and confer with case team regarding same (.25); conduct legal research (.5); correspond and confer with J. Catancio regarding legal citations (.25)		
7/6/2015	ALAN COPE JOHNSTON	1.5	1,492.50	Review and comment re draft reply brief		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
7/6/2015	JEFFREY E. CATANCIO	2	600.00	Cite-check reply brief		
7/6/2015	JOSEPH K. KANADA	6.75	4,657.50	Follow up research and revise reply brief in support of motion for class certification (2.75); research identifiable and ascertainable requirements for class actions (1.0); edit reply brief (2.25); Conferences with J. Hancock regarding reply brief (0.5); conference with J. Hancock and C. Black regarding reply brief (0.25)		
7/7/2015	JOSEPH K. KANADA	0.75	517.50	Review and analyze deposition transcript of S. Chandler and errata (.75)		
7/7/2015	JAMES R. HANCOCK	0.25	96.25	Correspond and confer w/case team re expert reports		
7/8/2015	ALAN COPE JOHNSTON	2	1,990.00	Review and comment re draft expert report (1.75); telephone call w/J. Kanada and J. Hancock re same (.25)		
7/8/2015	JOSEPH K. KANADA	2.5	1,725.00	Conference with J. Hancock regarding expert report (0.5) ; conference with J. Hancock and A.C. Johnston regarding expert report (0.25); conference with J. Hancock and C. Black regarding expert report (0.25); analyze expert report (1.25); conference with C. Black regarding expert report (0.25)		
7/8/2015	JAMES R. HANCOCK	2.25	866.25	Review and revise expert report (2.0); correspond and confer w/case team re same (.25)		
7/13/2015	JAMES R. HANCOCK	0.25	96.25	Correspond and confer w/J. Kanada re fact discovery deadlines and non-dispositive motions deadline; research re same		
7/13/2015	JOSEPH K. KANADA	0.5	345.00	Analyze discovery issues		
7/13/2015	ALAN COPE JOHNSTON	0.25	248.75	Review J. Kanada draft discovery requests		
7/14/2015	ALAN COPE JOHNSTON	0.5	497.50	Meet w/J. Kanada and J. Hancock re discovery strategy		
7/14/2015	JOSEPH K. KANADA	1.75	1,207.50	Prepare for and meet with A.C. Johnston and J. Hancock regarding case status and discovery issues (0.75); draft discovery requests (0.75); correspond with co-counsel (0.25)		
7/14/2015	JAMES R. HANCOCK	0.5	192.50	Prepare for and meet with A.C. Johnston and J. Kanada regarding fact discovery and correspond with case team regarding same		
7/15/2015	ALAN COPE JOHNSTON	0.25	248.75	Email to team re case strategy		
7/15/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re fact discovery and pending deadlines		
7/16/2015	JOSEPH K. KANADA	1.25	862.50	Draft discovery requests		
7/16/2015	ALAN COPE JOHNSTON	0.5	497.50	Conference w/J. Kanada (.25) and review draft discovery requests (.25)		
7/17/2015	ALAN COPE JOHNSTON	0.5	497.50	Review and analyze revised discovery requests and conference w/J. Kanada re same (.5)		
7/17/2015	JOSEPH K. KANADA	0.5	345.00	Correspond with opposing counsel regarding discovery requests (0.25); communicate with MoFo team regarding discovery requests (0.25)		
7/20/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/co-counsel re class certification hearing		
7/22/2015	JOSEPH K. KANADA	0.25	172.50	Review and revise draft discovery responses		
7/22/2015	ALAN COPE JOHNSTON	3.5	3,482.50	Emails with C. Black re discovery (.5); review draft interrogatories (.5); review Brewbaker report (1.0); send comments to C. Black (.5); review draft requests for admissions and draft Interrogatories (1.0)		
7/23/2015	ALAN COPE JOHNSTON	3.5	3,482.50	Review and analyze Chandler testimony (3.25); email to C. Black re same (.25)		
7/29/2015	JAMES R. HANCOCK	0.25	96.25	Correspond and confer w/C. Black, J. Kanada re deposition scheduling and meet and confer w/opposing counsel		
7/30/2015	JAMES R. HANCOCK	0.75	288.75	Meet and confer w/opposing counsel (.5); confer w/C. Black re same (.25) and correspond w/case team re same		
7/31/2015	JAMES R. HANCOCK	0.75	288.75	Correspond with A.C. Johnston and C. Black regarding deposition scheduling (.25); review order on motion for class certification (.25); correspond with case team regarding same (.25)		
7/31/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel re discovery		
8/4/2015	JOSEPH K. KANADA	0.25	172.50	Discuss deposition strategy w/J. Hancock		
8/4/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Hancock re deposition strategy; correspond w/A.C. Johnston, D. Visitacion re same		
8/5/2015	JAMES R. HANCOCK	5.25	2,021.25	Confer with C. Black regarding depositions (.25); correspond and confer with A.C. Johnston regarding same (.5); prepare for depositions and analyze documents produced by Defendant (3.75); correspond and confer with G. Thornton regarding deposition of R. Ah Chong (.25); review notes regarding same (.25); correspond with IT department and B. Craig regarding setting up video conference (.25)		
8/5/2015	DAISY BELLE VISITACION	0.25	77.50	Confer w/co-counsel re electronic copies of deposition exhibits and transcripts		
8/5/2015	ALAN COPE JOHNSTON	3.75	3,731.25	Prepare for Yamashita deposition		
8/6/2015	JAMES R. HANCOCK	1	385.00	Prepare for and attend meeting with A.C. Johnston regarding depositions (.5); correspond with J. Brown regarding case updates; correspond and confer with D. Visitacion regarding depositions, transcripts, and exhibits (.25); correspond with C. Black re upcoming depositions(.25)		
8/6/2015	ALAN COPE JOHNSTON	5	4,975.00	Confer w/J. Hancock re deposition preparation (.5); prepare for Yamashita deposition (4.5)		
8/6/2015	DAISY BELLE VISITACION	1.75	542.50	Confer w/local counsel re deposition word indices and prepare binder of deposition exhibits and transcripts for A.C. Johnston		
8/7/2015	JAMES R. HANCOCK	2	770.00	Confer with J. Kanada regarding case status and depositions (.25); prepare for depositions and review documents related to same (1.25); correspond with Williams Lea regarding print job (.25); confer with A.C. Johnston regarding depositions and key documents (.25)		
8/7/2015	ALAN COPE JOHNSTON	4.75	4,726.25	Review and provide comments on draft motion for summary judgment (2.25); review Perez deposition in preparation for Yamashita deposition (2.5)		

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8/7/2015	JOSEPH K. KANADA	1	690.00	Review and revise MSJ		
8/8/2015	ALAN COPE JOHNSTON	1	995.00	Review and analyze HDHS MSJ		
8/9/2015	ALAN COPE JOHNSTON	4	3,980.00	Review and analyze HDHS expert reports (2.75); review and analyze Perez deposition (1.25)		
8/10/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Prepare for and conference w/J. Kanada re expert reports (1.0); emails re depositions (.25)		
8/10/2015	JOSEPH K. KANADA	3.5	2,415.00	Conference w/A.C. Johnston (.25); research re HDHS expert witnesses (.5); analyze expert reports (2.75)		
8/10/2015	JOYCE N. LEE	1	250.00	Research re expert reports of Schmidt and motion to exclude opinions re same		
8/11/2015	JOYCE N. LEE	1.25	312.50	Research re expert reports of Udinsky and Burke		
8/11/2015	JOSEPH K. KANADA	0.25	172.50	Review docket filings		
8/11/2015	ALAN COPE JOHNSTON	1	995.00	Review notes for Yamashita deposition (.25); prepare for deposition (.5); review emails re Ah Chong deposition (.25)		
8/11/2015	STEPHANIE A. LENKEY	1.75	551.25	Review and chron documents for attorney review		
8/12/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/J. Kanada re depositions		
8/12/2015	ALAN COPE JOHNSTON	4	3,980.00	Review analyze documents for deposition		
8/12/2015	JOYCE N. LEE	1	250.00	Research re motion to exclude expert testimony of Udinsky		
8/12/2015	JOSEPH K. KANADA	2	1,380.00	Research defendants' expert witnesses (1.0); analyze defendants' expert reports (0.5); review documents relied on by defendants' expert (0.5)		
8/12/2015	PAMELA K. LEWIS	0.25	62.50	Research re reference cited in expert report entitled Data on Children in Foster Care form the Census Bureau		
8/13/2015	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock regarding deposition preparation (0.25); conference with J. Hancock and C. Black regarding expert discovery and case strategy (0.25); analyze expert reports (0.5)		
8/13/2015	JAMES R. HANCOCK	5	1,925.00	Correspond with D. Visitacion re deposition transcripts (.25); correspond with J. Spivey, H. Chun, and F. Sagapolu re deposition preparations (.25); prepare for depositions of M. Maehara and B. Yamashita review deposition transcripts and exhibits and review documents related to depositions and witnesses (4.25); confer with J. Kanada and C. Black regarding depositions (.25)		
8/14/2015	ALAN COPE JOHNSTON	7.25	7,213.75	Review and analyze documents for deposition (3.75); conference call w/C. Black (.5); review documents sent by C. Black (3.00)		
8/14/2015	JAMES R. HANCOCK	3.75	1,443.75	Review expert reports from opposing counsel (2.00); correspond with A.C. Johnston, J. Kanada, and C. Black re same (.25); correspond with experts in Washington case (.25); prepare for deposition of M. Maehara (.5); participate in conference call with A.C. Johnston, J. Kanada, and C. Black (.25); review legislative history (.25) and correspond with J. Kanada and research librarian regarding same (.25)		
8/14/2015	LAURA RAY	2	450.00	Research legislative history of CWA for J. Hancock		
8/14/2015	JOSEPH K. KANADA	1.5	1,035.00	Communicate with counsel in Washington state foster care case regarding expert issues and case history (0.5); conference with co-counsel and Morrison & Foerster team regarding expert issues (1.0)		
8/15/2015	JOSEPH K. KANADA	0.25	172.50	Research re HDHS expert witnesses		
8/15/2015	LAUREN GRADY MURPHY	0.5	107.50	Research re court dockets		
8/15/2015	ALAN COPE JOHNSTON	5.25	5,223.75	Review documents in preparation for Yamashita deposition		
8/16/2015	ALAN COPE JOHNSTON	3.25	3,233.75	Prepare for Yamashita deposition		
8/16/2015	JAMES R. HANCOCK	7	2,695.00	Prepare for deposition of M. Maehara (6.75); correspond w/C. Black re same (.25)		
8/17/2015	JAMES R. HANCOCK	9.25	3,561.25	Prepare for deposition of and depose M. Maehara (8.5); correspond and confer with A.C. Johnston, C. Black, J. Spivey, F. Sagapolu, and Williams Lea regarding same (.75)		
8/17/2015	ALAN COPE JOHNSTON	8.5	8,457.50	Prepare for Yamashita deposition (7.5); review court's decision on class certification motion (.5); conference with J. Hancock regarding Maehara deposition (.5)		
8/17/2015	JOSEPH K. KANADA	1.5	1,035.00	Conference with J. Hancock regarding deposition (0.25); coordinate expert discovery issues (0.25); provide case background to E. Norman for summer associate project (0.25); review case documents filed in district and Ninth Circuit court (0.25); review rebuttal expert report from Washington state foster care class action case (0.5)		
8/18/2015	JOYCE N. LEE	2	500.00	Research re prior expert reports in foster litigations from other jurisdictions		
8/18/2015	ALAN COPE JOHNSTON	3.5	3,482.50	Meet w/N. Hoang re deposition prep (.5); prepare for deposition (3.0)		
8/18/2015	JAMES R. HANCOCK	0.75	288.75	Correspond with A.C. Johnston, C. Black, and D. Visitacion regarding depositions (.25); correspond with L. Barrick regarding expert report (.25) and correspond with case team regarding same; review expert reports and deposition preparations (.25)		
8/18/2015	JOSEPH K. KANADA	1.25	862.50	Investigate potential expert rebuttal witnesses (1.25)		
8/18/2015	NANCY HOANG	3.5	945.00	Coordinate and prepare materials for Yamashita deposition		
8/19/2015	JOSEPH K. KANADA	1	690.00	Prepare for and attend conference call w/co-counsel re deposition and expert discovery		
8/19/2015	ALAN COPE JOHNSTON	0.5	497.50	Conference call w/C. Black, G. Thornton et al., re McManaman deposition and expert discovery		
8/19/2015	JAMES R. HANCOCK	7.25	2,791.25	Attend deposition of P. McManaman (5.5); correspond and confer with C. Black regarding same (.75); participate in case team conference call regarding depositions of P. McManaman, B. Yamashita, and M. Maehara; research regarding exhibit designations; correspond with case team regarding same (.5)		

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8/20/2015	JAMES R. HANCOCK	6	2,310.00	Attend and assist re deposition of B. Yamashita; correspond and confer with A.C. Johnston, C. Black, J. Spivey, B. Craig, and court reporter regarding set up for same (5.25); confer with A.C. Johnston regarding analysis of deposition (.25); attend status conference with the court (.25); correspond and confer with J. Kanada and C. Black re calls with expert witnesses; review expert witness briefing and reports (.25)		
8/20/2015	ALAN COPE JOHNSTON	9.25	9,203.75	Prepare for Yamashita deposition and take Yamashita deposition (7.5); attend telephonic status conference (.25); review expert reports from Washington case (1.5)		
8/20/2015	DAISY BELLE VISITACION	0.5	155.00	Download and extract documents cited by experts		
8/20/2015	NANCY HOANG	2	540.00	Prepare materials for Yamashita deposition		
8/20/2015	JOSEPH K. KANADA	0.25	172.50	Conference w/N. Hoang re expert discovery		
8/21/2015	ALAN COPE JOHNSTON	2.25	2,238.75	Telephone conference regarding experts (.5); emails regarding experts (.25); telephone conference with Professor M. Hansen (1.0); review expert retention letters (.5)		
8/21/2015	JAMES R. HANCOCK	3.75	1,443.75	Review expert reports (1.25); prepare for meeting with potential experts (.5); confer with A.C. Johnston and case team regarding same (.25); correspond and confer with L. Barrick and M. Hansen(.25); correspond and confer with J. Kanada, E. Pai and E. Norman regarding new research project (.25); confer with C. Black regarding engagement letter (.25); correspond with A.C. Johnston regarding same (.25); draft and revise engagement letter (.5); correspond with F. Sagapolu regarding conflicts check; transmit engagement letter and expert reports to M. Hansen (.25)		
8/24/2015	DAISY BELLE VISITACION	0.75	232.50	Confer w/J. Kanada re case project, review Brewbaker expert report re documents cited		
8/24/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Conference call w/potential expert and review M. Hansen comments		
8/24/2015	JOSEPH K. KANADA	1.75	1,207.50	Conference call with co-counsel and potential expert witness (0.75); conference with Morrison & Foerster team regarding case strategy and projects (0.25); analyze expert reports (0.75)		
8/24/2015	JAMES R. HANCOCK	1.25	481.25	Call with potential expert (.75); confer with A.C. Johnston and J. Kanada regarding same (.25); review expert reports and M. Hansen report (.25)		
8/25/2015	JOSEPH K. KANADA	2.25	1,552.50	Analyze expert reports.		
8/25/2015	JAMES R. HANCOCK	1.25	481.25	Correspond and confer with potential experts (.25); research regarding same and correspond with case team regarding same (.50); confer with J. Kanada (.25); confer with E. Norman regarding research (.25)		
8/26/2015	JOSEPH K. KANADA	1.5	1,035.00	Conference call with co-counsel and Bill Kapell, Children's Rights Group (0.25); conference with Morrison & Foerster team regarding case strategy (0.25); conference with Morrison & Foerster team and co-counsel C. Black regarding expert discovery (0.25); analyze expert reports (0.75)		
8/26/2015	ALAN COPE JOHNSTON	0.5	497.50	Conference call regarding experts.		
8/26/2015	JAMES R. HANCOCK	1	385.00	Confer with B. Kapell regarding potential consultation(.25);prepare for same; confer with J. Kanada regarding expert witnesses and reports; confer with A.C. Johnston, C. Black, and J. Kanada regarding case status and expert witnesses; prepare for and call M. Hansen (.75)		
8/27/2015	JAMES R. HANCOCK	2	770.00	Confer with M. Hansen regarding expert analysis an expert witness (.25); correspond and confer with case team regarding same (.25); correspond and confer with another potential expert witness (.25); correspond and confer with case team regarding same (.25); correspond and confer with A.C. Johnston, J. Kanada, C. Black, and D. Visitacion regarding documents to transmit to M. Hansen (.25); review documents; coordinate transmission of documents (.5); review expert tracking log; draft and send index with explanations to M. Hansen (.25)		
8/27/2015	JOSEPH K. KANADA	1	690.00	Correspond with potential rebuttal expert witnesses (0.25); conference with J. Hancock regarding expert discovery strategies (0.5); conference with potential rebuttal expert witness and co-counsel (0.25)		
8/27/2015	DAISY BELLE VISITACION	1	310.00	Confer with J. Hancock regarding transmittal of expert materials (.25); prepare log of materials sent to expert M. Hansen and transmit materials via AccellionConfer with J. Hancock regarding transmittal of expert materials (.5); prepare log of materials sent to expert M. Hansen; transmit materials via Accellion (.25)		
8/28/2015	JOSEPH K. KANADA	0.75	517.50	Conference with J. Hancock regarding expert discovery issues (0.25); strategize expert discovery related issues (0.5)		
8/28/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/H. Kanada re expert witnesses and case status		
8/28/2015	DAISY BELLE VISITACION	0.75	232.50	Review expert reports for materials cited and gather same for team review		
8/31/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/case team re expert witnesses and M. Hansen, A.C. Johnston re analysis		
9/1/2015	DAISY BELLE VISITACION	0.25	77.50	Transmit expert documents re BLDS to C. Black		
9/1/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/C. Black re expert analysis		

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9/2/2015	JAMES R. HANCOCK	1.75	673.75	Prepare for and participate in conference call with M. Hansen(.5); review and identify additional documents to transmit to M. Hansen (.5); correspond with C. Black and D. Visitacion regarding same (.25); confer with J. Kanada regarding experts (.25); correspond with C. Black and G. Thornton regarding same (.25)		
9/2/2015	JOSEPH K. KANADA	0.75	517.50	Coordinate potential expert witness meeting (0.5); conference with J. Hancock regarding discussion with potential expert witnesses (0.25)		
9/2/2015	ALAN COPE JOHNSTON	0.5	497.50	Attend conference call with expert M. Hansen.		
9/3/2015	DAISY BELLE VISITACION	0.75	232.50	Gather materials for transmittal to expert M. Hansen		
9/3/2015	JAMES R. HANCOCK	0.75	288.75	Identify and prepare documents to send to M. Hansen (.50); correspond and confer with D. Visitacion, C. Black, and G. Thornton regarding same (.25)		
9/3/2015	ALAN COPE JOHNSTON	1.75	1,741.25	Review and analyze Udinsky report		
9/4/2015	DAISY BELLE VISITACION	2.75	852.50	Update log of materials sent to expert (.25); gather additional key documents for transmittal to expert M. Hansen (.50); transmit materials to M. Hansen for review via Accellion (.25); review expert reports and gather key documents referenced in expert report (1.75).		
9/4/2015	JAMES R. HANCOCK	0.25	96.25	Correspond with case team regarding P. Brewbaker; correspond with D. Visitacion regarding M. Hansen and documents for transmission		
9/8/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re experts		
9/8/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/J. Hancock re expert reports		
9/9/2015	JOSEPH K. KANADA	0.25	172.50	Conference with J. Hancock regarding expert discovery issues; review defendant's responses to third sets of discovery		
9/9/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada, C. Black re experts		
9/10/2015	ALAN COPE JOHNSTON	0.5	497.50	Review and analyze responses to discovery requests		
9/10/2015	JAMES R. HANCOCK	2.5	962.50	Draft summary document outlining arguments and responses for rebuttal expert reports (1.25); correspond and confer with J. Kanada regarding same (.25); prepare for and participate in call with P. Brewbaker and co-counsel (.5); confer with J. Kanada regarding same (.25); confer with C. Black and P. Alston regarding same (.25)		
9/10/2015	JOSEPH K. KANADA	1.5	1,035.00	Prepare for conference call regarding expert discovery (0.25); conference call with co-counsel regarding expert discovery (1.25)		
9/11/2015	ALAN COPE JOHNSTON	0.25	248.75	Conference with J. Hancock regarding experts.		
9/11/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/A.C. Johnston re expert call		
9/14/2015	ALAN COPE JOHNSTON	0.5	497.50	Meet w/J. Kanada, J. Hancock re expert reports		
9/14/2015	JAMES R. HANCOCK	1	385.00	Correspond with J. Kanada and potential expert (.25); confer with J. Kanada; prepare for and attend meeting with A.C. Johnston and J. Kanada (.5); correspond with M. Hansen (.25)		
9/14/2015	JOSEPH K. KANADA	1.5	1,035.00	Conference with J. Hancock regarding expert discovery (0.25); conference with A.C. Johnston and J. Hancock regarding expert discovery (1.0); evaluate potential projects regarding expert discovery (0.25)		
9/15/2015	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock regarding expert discovery (0.25); conference with consulting expert J. Maldonado and J. Hancock regarding expert discovery issues (0.5); consider expert issues (0.25)		
9/15/2015	JAMES R. HANCOCK	0.75	288.75	Prepare for and participate in call with J.M. re expert analysis (.25); confer with J. Kanada regarding same (.25); correspond with C. Black and G. Thornton regarding experts (.25)		
9/15/2015	DAISY BELLE VISITACION	2	620.00	Review Brewbaker report references and gather cited documents		
9/15/2015	JASBIR L. BRESLIN	0.75	311.25	Research re articles cited in Brewbaker report		
9/16/2015	JOSEPH K. KANADA	3	2,070.00	Analyze expert reports (2.5); create expert issue checklist for analyses (.5)		
9/16/2015	DAISY BELLE VISITACION	0.5	155.00	Gather documents for transmittal to expert M. Hansen and transmit		
9/16/2015	JAMES R. HANCOCK	1	385.00	Correspond and confer with M. Hansen, C. Black, G. Thornton, J. Kanada, and D. Visitacion regarding expert reports (.25); review documents for transmission to M. Hansen (.5); review outline for Brewbaker discussions and report (.25)		
9/16/2015	ALAN COPE JOHNSTON	2.25	2,238.75	Review memoranda re expert reports and outlines re same		
9/17/2015	ALAN COPE JOHNSTON	2.75	2,736.25	Prepare for and attend call with P. Brewbaker		
9/17/2015	JASBIR L. BRESLIN	0.25	103.75	Research re documents cited by experts		
9/17/2015	JOYCE N. LEE	1.5	375.00	Research re documents cited by experts		
9/17/2015	DAISY BELLE VISITACION	1.5	465.00	Review expert report cited documents and retrieve same		
9/17/2015	JOSEPH K. KANADA	5	3,450.00	Analyze expert reports (1.5); meeting with P. Brewbaker (2.75); review draft expert rebuttal report of M. Hansen (0.75)		
9/17/2015	JAMES R. HANCOCK	5	1,925.00	Conduct legal research regarding motion to compel (1.25); review HDHS' responses to discovery requests (.5); conduct legal research regarding interpretation of Child Welfare Act (.5); prepare for and attend meeting with P. Brewbaker, A.C.Johnston, J. Kanada, and C. Black regarding expert reports (2.75)		
9/18/2015	DAISY BELLE VISITACION	0.75	232.50	Prepare list of materials considered by Hansen		
9/18/2015	ALAN COPE JOHNSTON	3.75	3,731.25	Review and analyze Hansen draft analysis and comments re same (3.0); comments re Hansen analysis (.75)		
9/18/2015	JAMES R. HANCOCK	2	770.00	Correspond and confer with J. Kanada and C. Black regarding motion to compel and expert reports (.75); correspond with A.C. Johnston regarding expert reports (.25); review and comment re M. Hansen analysis (1.0)		
9/18/2015	JOSEPH K. KANADA	2	1,380.00	Conference w/J. Hancock re expert analysis (.25); review and comment re expert analysis (1.75)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
9/21/2015	DAISY BELLE VISITACION	1.75	542.50	Prepare and transmit documents to expert M. Hansen (.5); update list of materials considered for expert report (1.0); update log of materials sent to expert (.25)		
9/21/2015	JAMES R. HANCOCK	2	770.00	Revise comments for transmission to M. Hansen (.75); correspond with M. Hansen and J. Kanada regarding analysis (.25); prepare for and participate in conference call with M. Hansen and case team (.25); confer with J. Kanada and C. Black regarding motion to compel and expert reports (.25); review documents for transmission to M. Hansen correspond and confer with D. Visitacion regarding same and log of materials provided (.25); conduct legal research regarding Child Welfare Act (.25)		
9/21/2015	JOSEPH K. KANADA	1	690.00	Conference with co-counsel, J. Hancock, and M. Hansen regarding expert report (0.75); conference with J. Hancock regarding case status (0.25)		
9/21/2015	ALAN COPE JOHNSTON	0.25	248.75	Email regarding meeting with experts.		
9/22/2015	JOSEPH K. KANADA	1.75	1,207.50	Conference with M. Hansen and J. Hancock regarding expert analysis (.25); conference with J. Hancock regarding expert analysis (.25); conference with J. Hancock regarding economic calculations (.25); conference with J. Hancock and M. Hansen regarding economic calculations (.25); analyze expert analysis issues (.75)		
9/22/2015	JAMES R. HANCOCK	2	770.00	Confer with J. Kanada regarding expert report (.25); confer with M. Hansen regarding same (.25); review spreadsheets from opposing counsel (.75); correspond and confer with C. Black regarding same (.25); correspond with case team regarding same (.25); correspond with L. Ray regarding research regarding legislative history (.25)		
9/22/2015	ALAN COPE JOHNSTON	0.25	248.75	Conference w/J. Kanada re expert analyses		
9/23/2015	ALAN COPE JOHNSTON	3.25	3,233.75	Conference w/J. Kanada re experts (.25); review reports, motions and pleadings in Quigley litigation (3.0)		
9/23/2015	JAMES R. HANCOCK	3.5	1,347.50	Conduct legal research regarding potential motion to compel (.5); review discovery responses for same (.25); outline issues for motion to compel (.5); confer with J. Kanada regarding motion and expert reports (.5); review draft of expert analysis from M. Hansen (1.5); correspond with case team regarding same (.25)		
9/23/2015	JOSEPH K. KANADA	0.5	345.00	Conference with J. Hancock regarding expert discovery and depositions (0.25); conference with A.C. Johnston regarding expert reports (0.25)		
9/23/2015	LAURA RAY	3	675.00	Research re definition of shelter in legislative history of CWA		
9/24/2015	JOSEPH K. KANADA	2.75	1,897.50	Review and analyze expert report of M. Hansen (2.0); review analysis of consulting expert J. Maulden (0.5); conference with J. Hancock regarding expert reports (0.25)		
9/24/2015	DAISY BELLE VISITACION	1.75	542.50	Review draft rebuttal expert report of M. Hansen for fact citations (1.25); update log of materials sent and received from same (.50).		
9/24/2015	JAMES R. HANCOCK	4	1,540.00	Correspond with A.C. Johnston, J. Kanada, C. Black and expert witnesses regarding expert analyses (.5); confer with J. Kanada regarding same (.25); review notes from J.M. and correspond with J.M. regarding same (.5); review and comment on expert analysis from M. Hansen (1.75); incorporate case team comments regarding same (.25); correspond with M. Hansen regarding report and conference call (.5); correspond with D. Visitacion regarding materials considered and related logs (.25)		
9/24/2015	ALAN COPE JOHNSTON	1	995.00	Review latest analysis and provide comments		
9/25/2015	ALAN COPE JOHNSTON	1.75	1,741.25	Conference w/J. Hancock (.5); prepare for call w/H. Hansen and call re same (1.25)		
9/25/2015	JAMES R. HANCOCK	4	1,540.00	Confer with J.M. regarding expert reports and motion for summary judgment (.25); conduct research regarding same (1.0); confer with J. Kanada and C. Black regarding expert reports and new documents for review (.25); review research and filings related to expert reports (.5); correspond and confer with A.C. Johnston, J. Kanada, and C. Black regarding motion to strike (.25); prepare for and participate in call with M. Hansen, P. Brewbaker, and case team regarding expert Report (1.25); correspond with D. Visitacion regarding materials considered and log (.25); correspond with L. Ray regarding legislative history for Child Welfare Act (.25) and research regarding same		
9/25/2015	DAISY BELLE VISITACION	4.5	1,395.00	Cite check draft expert rebuttal report for M. Hansen (3.25); prepare list of materials considered (.75); transmit documents via Accellion for expert review (.25); update log of materials sent to expert M. Hansen (.25)		
9/25/2015	JOSEPH K. KANADA	2.75	1,897.50	Prepare for conference call with expert witness (0.5); conference call with expert witnesses(2.25)		
9/26/2015	JOSEPH K. KANADA	2.25	1,552.50	Analyze draft expert reports.		
9/26/2015	JAMES R. HANCOCK	0.25	96.25	Correspond with case team regarding M. Hansen's expert report; correspond with J. Mauldon regarding same; review same		
9/27/2015	JAMES R. HANCOCK	3	1,155.00	Review and comment on M. Hansen's expert analysis and incorporate case team comments (1.75); correspond with M. Hansen regarding same (.25); correspond with C. Black regarding her revisions (.5); correspond with M. Hansen and case team regarding conference call (.5)		
9/27/2015	ALAN COPE JOHNSTON	7	6,965.00	Review and analyze latest draft of Hansen report (4.75); provide comments (1.0); telephone conference with P. Alston (.25); make further comments/edits (1.0)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
9/27/2015	DAISY BELLE VISITACION	1.25	387.50	Cite check factual citations in M. Hansen's rebuttal expert report (1.0); prepare list of materials considered (.25)		
9/28/2015	JAMES R. HANCOCK	9.5	3,657.50	Review and comment on expert report from M. Hansen (3.75); correspond and confer with case team regarding same (1.0); prepare for and participate in conference call with M. Hansen and team (1.25); circulate drafts with comments (.75); review and comment on expert report from P. Brewbaker (2.0); correspond and confer with case team regarding same (.75)		
9/28/2015	JOSEPH K. KANADA	6	4,140.00	Conference call with co-counsel and M. Hansen (1.0); analyze drafts from M. Hansen and P. Brewbaker (4.0); conference with J. Hancock (0.5); conference with J. Hancock and co-counsel regarding expert reports (0.5)		
9/28/2015	DAISY BELLE VISITACION	7.75	2,402.50	Cite check factual citations in M. Hansen's rebuttal expert report (5.0); prepare list of materials considered (.5); transmit additional documents to expert via Accellion (.25); update log of materials sent to expert (.25); prepare supporting exhibits to M. Hansen's expert report (1.75)		
9/28/2015	ALAN COPE JOHNSTON	5.75	5,721.25	Review comments from C. Black re Hansen (.5); email to M. Hansen (.25); prepare for and call with M. Hansen (1.5); send comments on report (1.5); send footnote corrections (.75); review Brewbaker draft (1.0); review final draft (.25)		
9/29/2015	ALAN COPE JOHNSTON	0.25	248.75	Conference with J. Kanada re experts		
9/29/2015	JAMES R. HANCOCK	1.25	481.25	Review and analyze expert reports in preparation for deposition		
9/29/2015	JOSEPH K. KANADA	0.5	345.00	Review expert discovery materials		
9/30/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence re case status		
9/30/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/ C. Black, J. Kanada re potential motions, research re same		
10/1/2015	JOSEPH K. KANADA	0.5	345.00	Analyze expert discovery issues		
10/1/2015	JAMES R. HANCOCK	0.25	96.25	Review invoice from M. Hansen; confer with J. Kanada regarding same; correspond with A.C. Johnston and J. Kanada regarding same; correspond with J. Brown regarding case status		
10/2/2015	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock regarding case projects (.25); analyze upcoming deadlines and strategize case (.5); create October/November workplan (.25)		
10/2/2015	ALAN COPE JOHNSTON	0.25	248.75	Review and respond to emails, J. Kanada memo		
10/2/2015	JAMES R. HANCOCK	1.25	481.25	Correspond with case team regarding depositions and experts (.25); correspond with M. Hansen regarding deposition scheduling and past cases (.25); review documents from M. Hansen; confer with J. Kanada regarding experts, depositions, motions for summary judgment, and work plan (.25); revise work plan; correspond with A.C. Johnston regarding same (.25); schedule meeting with A.C. Johnston and J. Kanada (.25)		
10/5/2015	JAMES R. HANCOCK	2	770.00	Prepare for and attend meeting with A.C. Johnston and J. Kanada(.5); confer with M. Hansen (.5) and download and review documents from M. Hansen; correspond with opposing counsel and case team regarding deposition scheduling and motion to strike (.25); correspond and confer with J. Kanada (.25); review and analyze motions for summary judgment (.5)		
10/5/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review and analyze Brewbaker report (1.0); conference w/J. Kanada, J. Hancock (.25)		
10/5/2015	JOSEPH K. KANADA	2.5	1,725.00	Conference with A.C. Johnston and J. Hancock regarding expert depositions and motion for summary judgment briefing (0.25); conference with J, Hancock regarding case projects (0.25); analyze correspondence from opposing counsel (0.25); strategize expert discovery issues (1.5); correspond with counsel in Washington foster care case regarding experts B. Burke and N. Schmidt (0.25)		
10/5/2015	DAISY BELLE VISITACION	1.75	542.50	Receive and organize expert reports received from Washington matter for team reference (.75); prepare motion for summary judgment binders for J. Kanada (1.0)		
10/6/2015	JOSEPH K. KANADA	1.75	1,207.50	Review defendant's motion to strike expert report (0.25); review defendant's motion to shorten time on motion to strike (0.25); conference with J. Hancock regarding case projects (0.25); analyze defendant's motion for summary judgment (1.0)		
10/6/2015	JAMES R. HANCOCK	1.5	577.50	Confer with D. Gillis regarding M. Hansen's invoice and payment and correspond with M. Hansen regarding same (.25); confer with J. Kanada regarding motions for summary judgment (.5); correspond with A.C. Johnston, C. Black, and D. Visitacion regarding deposition transcripts (.25); download, review, and analyze motion to strike, motion to shorten time, and related declarations and exhibits (.25); correspond with J. Kanada and A.C. Johnston regarding same (.25)		
10/6/2015	DAISY BELLE VISITACION	0.5	155.00	Download and organize deposition transcripts and exhibits received from local counsel		
10/7/2015	JAMES R. HANCOCK	4.25	1,636.25	Confer with J. Kanada regarding motion to strike and motions for summary judgment (.5); confer with C. Black regarding motion to strike (.25); draft opposition to ex parte motion to shorten time (2.25); review related documents and filings (.5); correspond with F. Sagapolu regarding document shell (.25); correspond with A.C. Johnston regarding plan for filing (.5)		
10/7/2015	JOSEPH K. KANADA	1.75	1,207.50	Conference with A.C. Johnston regarding opposition to defendant's motion to strike (0.25); correspondence with J. Hancock regarding opposition to motion to strike (0.25); draft outline opposition to defendant's motion for summary judgment (1.25)		

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10/7/2015	DAISY BELLE VISITACION	1.5	465.00	Review MSJ filing for case law and obtain cases and KeyCite reports regarding same (1.0); download and save newly received deposition transcripts and exhibits to network p-drive (.50).		
10/7/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Review motion to strike experts (.75); review motion to shorten time (.5)		
10/8/2015	JOSEPH K. KANADA	5.5	3,795.00	Revise opposition to motion to shorten time (0.5); draft opposition to motion for summary judgment (4.75); conference with J. Hancock regarding opposition to motion to shorten time (0.25)		
10/8/2015	ALAN COPE JOHNSTON	0.5	497.50	Review draft application to shorten time for motion		
10/9/2015	JAMES R. HANCOCK	3.5	1,347.50	Conduct legal research regarding motion for summary judgment (1.75) and summarize findings (.75); transmit cases and summaries to J. Kanada (.25); correspond with case team regarding depositions (.25); correspond and confer with M. Hansen regarding same (.25); locate and ship deposition preparation videos and correspond and confer with A.C. Johnston, J. Kanada, and J. Lee regarding same (.25)		
10/9/2015	JOSEPH K. KANADA	0.75	517.50	Review plaintiffs' motion for summary judgment (0.5); conference with J. Hancock regarding expert discovery issues (0.25)		
10/12/2015	JOSEPH K. KANADA	4	2,760.00	Research and draft opposition to HDHS MSJ		
10/12/2015	DAISY BELLE VISITACION	0.5	155.00	Prepare binders of Plaintiffs' MSJ evidence materials for J. Kanada		
10/12/2015	JAMES R. HANCOCK	0.75	288.75	Correspond with opposing counsel, A.C. Johnston, C. Black, and J. Kanada regarding depositions (.25); correspond with J. Kanada regarding oppositions to motion for summary judgment (.5)		
10/12/2015	ALAN COPE JOHNSTON	0.25	248.75	Emails re deposition schedule		
10/13/2015	JOSEPH K. KANADA	5.25	3,622.50	Conference with J. Hancock regarding expert discovery issues (0.25); conference with J. Hancock and M. Hansen regarding motion to strike expert reports (0.25); review correspondence from opposing counsel (0.25); research and draft opposition to motion for summary judgment (4.5)		
10/13/2015	JAMES R. HANCOCK	1.75	673.75	Draft opposition to motion to strike (1.00); draft outline for same (.25); correspond and confer with M. Hansen and J. Kanada regarding declaration (.25); correspond with case team and opposing counsel regarding deposition scheduling (.25)		
10/13/2015	ALAN COPE JOHNSTON	0.25	248.75	Email re Yamashita deposition		
10/14/2015	JAMES R. HANCOCK	2.75	1,058.75	Prepare for and participate in meeting with M. Hansen (1.00); correspond and confer with M. Hansen, J. Kanada, C. Black, D. Visitacion, and F. Sagapolu regarding opposition to motion to strike, supporting declaration, and motion for summary judgment (1.5); correspond with opposing counsel regarding deposition scheduling (.25)		
10/14/2015	DAISY BELLE VISITACION	0.25	77.50	Prepare materials to transmit to M. Hansen		
10/14/2015	JOSEPH K. KANADA	1.25	862.50	Participated in a portion of conference with J. Hancock and M. Hansen (.75); conference with J. Hancock regarding expert issues (.25); conference with J. Hancock and C. Black regarding expert issues (.25)		
10/15/2015	JOSEPH K. KANADA	4.75	3,277.50	Conference with J. Hancock regarding briefing (.25); draft opposition to motion for summary judgment (4.5)		
10/15/2015	JAMES R. HANCOCK	5.5	2,117.50	Draft opposition to motion to strike (2.75); correspond with F. Sagapolu regarding same (.25); confer with J. Kanada regarding same (.25); review record and past correspondence with opposing counsel (.75); review discovery requests and responses (.5); conduct legal research re discovery abuses (.75); organize supporting documents for review by case team (.25)		
10/15/2015	DAISY BELLE VISITACION	2.25	697.50	Load .ptx files into Livenote for team (1.); confer with co-counsel's paralegal regarding obtaining transcripts (.25); review motion for summary judgment for fact checking and accuracy (1.0)		
10/15/2015	ALAN COPE JOHNSTON	0.25	248.75	Conference with J. Kanada.		
10/16/2015	ALAN COPE JOHNSTON	4.5	4,477.50	Review defendant's motion for summary judgment (.25); review draft opposition to defendant's motion for summary judgment (2.5); meeting with J. Kanada and J. Hancock (.5); review statement of disputed facts (1.25)		
10/16/2015	JAMES R. HANCOCK	7.5	2,887.50	Draft opposition to motion to strike (4.25); confer with J. Kanada regarding same (.25); conduct legal and factual research regarding same (1.75); correspond with J. Spivey and J. Warwick regarding deposition scheduling and video conferencing Setup (.25); prepare for and attend meeting with A.C. Johnston and J. Kanada regarding case schedule, motions for summary judgment, and motion to strike (1.0)		
10/16/2015	JOSEPH K. KANADA	3.75	2,587.50	Conference with Morrison Foerster team regarding opposition briefing and expert discovery (0.75); revise opposition to motion to strike (1.0); opposition to motion for summary judgment (2.0)		
10/17/2015	JAMES R. HANCOCK	0.5	192.50	Revise opposition to motion to strike (.25); correspond with A.C. Johnston, J. Kanada, and C. Black regarding same (.25)		
10/17/2015	ALAN COPE JOHNSTON	1	995.00	Comments on opposition to motion to strike.		
10/18/2015	JOSEPH K. KANADA	1.25	862.50	Research and revise opposition to MSJ		
10/19/2015	JOSEPH K. KANADA	5.25	3,622.50	Conference with J. Hancock and C. Black regarding opposition motions (0.25); conference with J. Hancock regarding opposition to motion for summary judgment (0.25); draft opposition to defendant's motion for summary judgment (4.75)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
10/19/2015	JAMES R. HANCOCK	5.25	2,021.25	Revise opposition to motion to strike (2.25); review redlines from A.C. Johnston and J. Kanada (.5); confer with J. Kanada regarding same; circulate revised draft (.25); confer with C. Black, J. Kanada, and M. Hansen regarding M. Hansen's declaration in support of opposition to motion to strike (.5); correspond with case team regarding same; research regarding same (.5); draft sections of opposition to motion for summary judgment; correspond and confer with J. Kanada regarding Same (.25); research regarding same (1.0)		
10/19/2015	ALAN COPE JOHNSTON	0.5	497.50	Comment re MSJ briefs (.25); review Yamashita deposition (.25)		
10/20/2015	JAMES R. HANCOCK	1.5	577.50	Correspond with C. Black re motion to strike (.25); correspond with M. Hansen, J. Kanada, C. Black, and A.C. Johnston regarding declaration (.25); book travel to Washington DC for deposition and confer with A.C. Johnston and Travel & Transport regarding same (.25); confer with A.C. Johnston regarding motions for summary judgment and motion to strike (.5); review A.C. Johnston's comments to opposition to motion for summary judgment; correspond with J. Kanada regarding same(.25)		
10/20/2015	ALAN COPE JOHNSTON	3	2,985.00	Review draft opposition to defendant's motion for summary judgment (2.5); conference with J. Hancock re same (.5)		
10/21/2015	JAMES R. HANCOCK	4.75	1,828.75	Draft summary of disputed facts (2.0); review record, filings, correspond and confer with J. Kanada regarding same (1.25); revise opposition to motion for summary judgment (1.25); correspond and confer with J. Kanada regarding same (.25)		
10/21/2015	JOSEPH K. KANADA	2.25	1,552.50	Revise MSJ opposition		
10/22/2015	JOSEPH K. KANADA	4.5	3,105.00	Conference with J. Hancock regarding opposition briefs (0.25); conference with C. Black regarding opposition to motion for summary judgment (0.25); revise opposition to motion for summary judgment (4.0)		
10/22/2015	JAMES R. HANCOCK	2.5	962.50	Prepare for and meet with J. Kanada regarding opposition to motion for summary judgment and list of disputed facts (.5); research for same (.5); confer with J. Kanada regarding document production (.25); revise list of disputed facts (1.0); correspond with C. Black and J. Kanada regarding same (.25)		
10/22/2015	DAISY BELLE VISITACION	0.25	77.50	Download newly-received deposition transcripts and exhibits re Brewbaker		
10/23/2015	JOSEPH K. KANADA	0.25	172.50	Assist in finalizing opposition to MSJ		
10/23/2015	ALAN COPE JOHNSTON	3.25	3,233.75	Revise opposition to defendant's motion for summary judgment (1.75); conference with J. Hancock regarding same (.25); revise M. Hansen declaration (.75); conference with J. Hancock regarding same (.5)		
10/23/2015	JAMES R. HANCOCK	2.5	962.50	Review deposition transcript (1.25); confer with A.C. Johnston regarding opposition to motion for summary judgment (.5); review edits; correspond with J. Kanada and C. Black regarding opposition (.25); correspond with M. Hansen regarding declaration (.25); confer with C. Black regarding motions for summary judgment, deposition of P. Brewbaker, and declaration of M. Hansen (.25)		
10/23/2015	DAISY BELLE VISITACION	1.75	542.50	Gather case law cited in Opposition to Motion for Summary Judgement and gather Shepard's reports regarding same		
10/24/2015	DAISY BELLE VISITACION	1.25	387.50	Review legal citations for supporting arguments in MSJ opposition		
10/25/2015	DAISY BELLE VISITACION	0.5	155.00	Cite-check legal citations in opposition to summary judgment motion		
10/25/2015	ALAN COPE JOHNSTON	4	3,980.00	Prepare for Yamashita deposition		
10/26/2015	JAMES R. HANCOCK	3	1,155.00	Confer with M. Hansen and J. Kanada regarding declaration (.25); confer with J. Kanada regarding motions for summary judgment, motion to strike, and expert depositions (.25); review draft declaration (.5); circulate draft and final versions (.25); confer with D. Visitacion regarding deposition exhibits (.25); correspond and confer with C. Black regarding opposition to motion for summary judgment (.25); review revised draft opposition (.25); correspond with case team regarding same (.25); review revised statement of facts (.25); review past filings related to motions for summary judgment (.5)		
10/26/2015	ALAN COPE JOHNSTON	2.75	2,736.25	Prepare for Yamashita deposition.		
10/26/2015	JOSEPH K. KANADA	2.75	1,897.50	Conferences with J. Hancock regarding opposition briefs (0.5); conferences with J. Hancock and M. Hansen regarding declaration (0.5); review Sheppard's report for cases cited in opposition to motion for summary judgment (0.75); review updated draft of opposition for motion for summary judgment (1.0)		
10/26/2015	DAISY BELLE VISITACION	3.75	1,162.50	Cite check legal and factual citations for opposition to summary judgment motion (1.0); confer with A.C. Johnston regarding upcoming deposition preparation materials regarding B. Yamashita (.5); review production database for relevant documents for B. Yamashita deposition (2.25)		
10/27/2015	JOSEPH K. KANADA	1.25	862.50	Analyze defendant's brief in opposition to plaintiff's motion for summary judgment (0.75); review opposition to defendant's motion to strike (0.5)		
10/27/2015	DAISY BELLE VISITACION	1.5	465.00	Review production database for relevant B. Yamashita documents and documents relating to S.B. 2722 for A.C. Johnston.		
10/27/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Prepare for Yamashita deposition		

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10/27/2015	JAMES R. HANCOCK	1.75	673.75	Correspond with A.C. Johnston and J. Spivey regarding deposition logistics (.25); correspond and confer with M. Hansen regarding declaration (.25); review Defendant's opposition to motion for summary judgment (.25); confer with J. Kanada re same (.25); correspond with F. Sagapolu regarding deposition of M. Hansen (.25); revise opposition to motion to strike (.25); correspond and confer with (.25) case team regarding same		
10/28/2015	JAMES R. HANCOCK	0.5	192.50	Confer w/C. Black, J. Kanada (.25); correspond w/M. Hansen re case status (.25)		
10/28/2015	ALAN COPE JOHNSTON	5.25	5,223.75	Prepare for Yamashita deposition		
10/28/2015	JOSEPH K. KANADA	0.75	517.50	Conference with J. Hancock regarding case strategy (0.25); conference with J. Hancock and C. Black regarding case updates (0.25); analyze defendant's opposition to plaintiffs' motion for summary judgment (0.25)		
10/28/2015	DAISY BELLE VISITACION	1.25	387.50	Coordinate and confer with co-counsel team regarding upcoming deposition exhibits and materials regarding B. Yamashita (.25); prepare binders of recent opposition to motion for summary judgment (1.0)		
10/29/2015	JAMES R. HANCOCK	1.5	577.50	Correspond and confer with J. Kanada regarding depositions and locate scheduling order related to same (.5); set up related to deposition of B. Yamashita; correspond and confer with A.C. Johnston, C. Black, and J. Spivey regarding same (.25); correspond and confer with C. Black and J. Kanada regarding courtesy copy of Udinsky's rebuttal report, correspond with A.C. Johnston and M. Hansen regarding same (.25); review Udinsky's rebuttal report (.5)		
10/29/2015	DAISY BELLE VISITACION	0.5	155.00	Confer with co-counsel regarding exhibits to be used at upcoming B. Yamashita deposition (.25); prepare subset of supplemental documents to be sent to co-counsel (.25)		
10/29/2015	JOSEPH K. KANADA	5.25	3,622.50	Strategize expert discovery issues (0.5); draft outline for J. Udinsky deposition (2.75); review P. Brewbaker deposition transcript (1.75); conference with J. Hancock regarding case projects (0.25)		
10/29/2015	ALAN COPE JOHNSTON	9.5	9,452.50	Telephone calls w/C. Black (.5); prepare for and take Yamashita deposition (9.0)		
10/30/2015	ALAN COPE JOHNSTON	0.75	746.25	Conference w/J. Hancock re Hansen deposition		
10/30/2015	JAMES R. HANCOCK	1	385.00	Confer with A.C. Johnston regarding depositions of B. Yamashita and M. Hansen (.75); review article regarding P. Brewbaker; correspond regarding deposition of M. Hansen; confer with M. Hansen and J. Kanada regarding deposition preparation; correspond with C. Black and G. Thornton regarding difficulty of care payments (.25)		
10/30/2015	JOSEPH K. KANADA	1.25	862.50	Analyze Udinsky supplemental expert report.		
11/2/2015	JOSEPH K. KANADA	0.25	172.50	Conference w/J. Hancock re case projects		
11/2/2015	ALAN COPE JOHNSTON	1.5	1,492.50	Review Udinsky rebuttal and analysis		
11/2/2015	JAMES R. HANCOCK	0.75	288.75	Prepare for Hansen deposition (.5); confer w/J. Kanada, C. Black re same (.25)		
11/3/2015	CHRISTINA M. BELISARIO	0.5	125.00	Obtain Hansen testimony		
11/3/2015	DAISY BELLE VISITACION	0.25	77.50	Review replies to MSJs and organize same for binders for J. Kanada, J. Hancock		
11/3/2015	JOSEPH K. KANADA	0.75	517.50	Conference with J. Hancock regarding expert discovery issues (0.25); coordinate expert discovery issues (0.5)		
11/3/2015	JAMES R. HANCOCK	14.5	5,582.50	Confer with J. Kanada regarding Hansen deposition (.25); travel to Washington DC from San Francisco and prepare for deposition of M. Hansen (14.25)		
11/4/2015	DAISY BELLE VISITACION	0.5	155.00	Prepare binder updates for recently filed updates to expert declarations in support of motion for summary judgment		
11/4/2015	JOSEPH K. KANADA	2	1,380.00	Analyze defendant's reply brief in support of defendant's motion for summary judgment (0.25); analyze plaintiffs' reply brief in support of plaintiffs' motion for summary judgment (0.5); analyze defendant's reply brief in support of motion to strike (0.25); conference with C. Black regarding expert depositions and issues (0.25); conference with J. Hancock regarding defending deposition of expert M. Hansen (0.5); conference with C. Black and J. Hancock regarding expert depositions (0.25)		
11/4/2015	JAMES R. HANCOCK	9.75	3,753.75	Prepare for deposition of M. Hansen and meet with M. Hansen (9.0); correspond and confer with J. Kanada and C. Black regarding same (.5) correspond with D. Kalama and D. Barbata regarding deposition attendance and court Reporter (.25)		
11/5/2015	DAISY BELLE VISITACION	0.25	77.50	Prepare binder updates for experts and supporting exhibits		
11/5/2015	JOSEPH K. KANADA	0.25	172.50	Conference w/J. Hancock re expert deposition		
11/5/2015	JAMES R. HANCOCK	8.75	3,368.75	Prepare for deposition of M. Hansen and attend/defend same (8.0); correspond and confer w/M. Hansen, C. Black, J. Kanada re deposition (.75)		
11/6/2015	JAMES R. HANCOCK	0.25	96.25	Correspond with Atkinson-Baker, J. Kanada, C. Black, and F. Sagapolu regarding expedited deposition transcript		
11/6/2015	JOSEPH K. KANADA	0.25	172.50	Coordinate deposition of M. Hansen w/J. Hancock		
11/8/2015	JAMES R. HANCOCK	10.75	4,138.75	Travel from Washington, D.C. to San Franciso		
11/9/2015	JOSEPH K. KANADA	0.5	345.00	Coordinate expert discovery projects (.25); review recent docket filings (.25)		
11/9/2015	DAISY BELLE VISITACION	0.5	155.00	Review case materials and recent court filings		
11/9/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/court reporter re expedited transcript and confer w/J. Kanada re experts and case status		
11/10/2015	ALAN COPE JOHNSTON	0.75	746.25	Review discovery status and email to J. Kanada re same		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
11/10/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from opposing counsel re expert deposition scheduling		
11/11/2015	JOSEPH K. KANADA	0.25	172.50	Conference w/J. Hancock re expert depositions		
11/11/2015	JAMES R. HANCOCK	0.5	192.50	Correspond and confer w/J. Kanada, D. Gillis, C. Black re expert depositions		
11/12/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re depositions		
11/12/2015	JOSEPH K. KANADA	0.5	345.00	Review issues relating to MSJ hearing		
11/12/2015	DAISY BELLE VISITACION	0.25	77.50	Download deposition transcripts and exhibits re Hansen and distribute		
11/13/2015	DAISY BELLE VISITACION	0.25	77.50	Receive Hansen transcript, errata and signature pages and transmit same to Hansen for review		
11/13/2015	JOSEPH K. KANADA	0.25	172.50	Correspond w/opposing counsel and co-counsel re expert depositions		
11/13/2015	ALAN COPE JOHNSTON	0.25	248.75	Review emails re discovery and expert depositions		
11/13/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/C. Black re hearing on MSJ		
11/16/2015	JOSEPH K. KANADA	0.5	345.00	Review correspondence w/opposing counsel re deposition scheduling		
11/16/2015	JAMES R. HANCOCK	1.25	481.25	Review outline for MSJ hearing; review Plaintiffs' and Defendant's reply briefs for MSJs; review Defendant's reply brief for motion to strike (1.0); correspond with C. Black, J. Kanada, and F. Sagapolu regarding deposition scheduling and communications with opposing counsel (.25)		
11/17/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel re motion to strike hearing and consider expert issues		
11/17/2015	DAISY BELLE VISITACION	0.5	155.00	Download newly-received deposition transcript (Yamashita II) and distribute to team, upload to LiveNote		
11/17/2015	JAMES R. HANCOCK	0.25	96.25	Review order on motion to strike and correspond w/case team re same and research re deposition scheduling		
11/18/2015	JAMES R. HANCOCK	4	1,540.00	Review M. Hansen transcript for errata (1.5); prepare for and attend meeting with A.C. Johnston and J. Kanada (.5); correspond and confer with C. Black and J. Kanada and prepare for call with M. Hansen (.5); research regarding deposition and stipulation (.25); research regarding evidence at motion for summary judgment hearing (1.25)		
11/18/2015	JOSEPH K. KANADA	3.75	2,587.50	Analyze motion for summary judgment issues for hearing (1.25); strategize expert deposition issues (1.0); conference with A.C. Johnston and J. Hancock regarding case projects and status (0.75); conference with J. Hancock and C. Black regarding case projects and status (0.75)		
11/19/2015	JOSEPH K. KANADA	1.5	1,035.00	Analyze case strategy and issues (1.0); research Daubert motion standard (.5)		
11/19/2015	JAMES R. HANCOCK	3.75	1,443.75	Continue review of M. Hansen deposition transcript for errata (2.25); confer with M. Hansen regarding errata, case status, and upcoming expert depositions (.75); confer with J. Kanada and D. Visitacion regarding same (.25); correspond with potential consulting expert (.5)		
11/20/2015	JOSEPH K. KANADA	2.25	1,552.50	Review motion for summary judgment briefing (0.75); conference with co-counsel regarding case issues (0.75); conference with J. Hancock regarding expert depositions (0.25); analyze Child Welfare Policy Manual (0.5)		
11/20/2015	JAMES R. HANCOCK	0.75	288.75	Prepare for and attend case team meeting regarding motion for summary judgment hearing (.5); confer with M. Hansen, J. Kanada, and potential consulting expert regarding depositions (.25)		
11/20/2015	ALAN COPE JOHNSTON	1.25	1,243.75	Prepare for and attend conference call regarding summary judgment motion (.75); review summary judgment papers (.50)		
11/23/2015	DAISY BELLE VISITACION	0.25	77.50	Confer with M. Hansen regarding return mail of Errata and signature page; prepare materials to be sent to L. Barrick		
11/23/2015	JOSEPH K. KANADA	1	690.00	Conference with consultant L. Barrick (0.25); conference with J. Hancock regarding discovery projects (0.5); draft engagement letter with consulting expert (0.25)		
11/23/2015	JAMES R. HANCOCK	1	385.00	Prepare for and participate in call with L. Barrick (.25); confer with J. Kanada regarding same (.25); start conflicts check on L. Barrick; prepare case documents and engagement letter for transmission to L. Barrick (.25); correspond with D. Visitacion and J. Kanada regarding same (.25)		
11/24/2015	JOSEPH K. KANADA	0.25	172.50	Enter notes		
11/24/2015	JOSEPH K. KANADA	0.75	517.50	Revise engagement w/Barrick (.5); conference w/J. Hancock re revisions re engagement (.25)		
11/24/2015	JAMES R. HANCOCK	1	385.00	Draft and revise engagement letter (.5); correspond and confer w/J. Kanada, L. Barrick re same (.5)		
11/25/2015	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel re proposed order		
11/25/2015	ALAN COPE JOHNSTON	4.5	4,477.50	Review and analyze summary judgment pleadings (on plane)		
11/25/2015	JAMES R. HANCOCK	0.25	96.25	Correspond and confer w/L. Barrick, D. Visitacion re document transfer and engagement		
11/25/2015	DAISY BELLE VISITACION	0.25	77.50	Prepare materials for transmittal to L. Barrick		
11/27/2015	ALAN COPE JOHNSTON	2	1,990.00	Review summary judgment arguments and analysis of same (1.75); email to P. Alston re same (.25)		
11/30/2015	JAMES R. HANCOCK	0.5	192.50	Participate in conference call regarding motion for summary judgment hearing (.25); correspond and confer with L. Barrick and J. Kanada; correspond and confer with case team re same (.25)		

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11/30/2015	ALAN COPE JOHNSTON	1	995.00	Conference call regarding motion for summary judgment hearing (.25); confer with J. Kanada regarding same (.5); e-mail regarding Second Circuit case (.25)		
11/30/2015	JOSEPH K. KANADA	2.5	1,725.00	Prepare for Udinsky expert deposition (2.0); conference with co-counsel regarding motion for summary judgment hearing and strategy (0.5)		
12/1/2015	JOSEPH K. KANADA	1	690.00	Conference with co-counsel regarding case strategy (0.25); review M. Hansen deposition errata (0.25); review emails from opposing counsel regarding scheduling (0.25); strategize expert discovery projects (0.25)		
12/1/2015	JAMES R. HANCOCK	0.25	96.25	Attend to Hansen errata sheet and correspondence w/case team re same		
12/2/2015	JAMES R. HANCOCK	0.75	288.75	Correspond with case team regarding depositions and expert witnesses (.25); confer with J. Kanada regarding same; correspond with M. Hansen regarding errata (.25); review letter filed with Court and confer with J. Kanada and C. Black regarding same (.25)		
12/2/2015	JOSEPH K. KANADA	3	2,070.00	Analyze data provided by defendant to its experts (2.0); analyze defendant's expert reports' reliance on data (0.75); conference with J. Hancock and C. Black regarding submission to court (0.25)		
12/3/2015	JOSEPH K. KANADA	2.75	1,897.50	Analyze Hansen deposition testimony		
12/3/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/J. Kanada, C. Black, L. Barrick re analysis		
12/3/2015	ALAN COPE JOHNSTON	1.75	1,741.25	Review and analyze Hansen transcript		
12/4/2015	ALAN COPE JOHNSTON	3.25	3,233.75	Review deposition transcript of Hansen		
12/4/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re deposition of HDHS experts		
12/4/2015	JOSEPH K. KANADA	0.5	345.00	Conference with J. Hancock regarding expert discovery (0.25); analyze evidence regarding Difficulty of Care payments and the federal statute (0.25)		
12/8/2015	JOSEPH K. KANADA	2.25	1,552.50	Conference with A.C. Johnston regarding case status (0.25); analyze defendant's payment data (0.5); conference with consulting expert L. Barrack and J. Hancock (1.0); conference with J. Hancock (0.25); review correspondence to and from the court (0.25)		
12/8/2015	DAISY BELLE VISITACION	0.5	155.00	Prepare M. Hansen Errata and signature page for transmittal to court reporter (.25); draft cover letter regarding same (.25)		
12/8/2015	JAMES R. HANCOCK	1.25	481.25	Confer with L. Barrick and J. Kanada regarding L. Barrick's analysis (.75); correspond with C. Black and G. Thornton regarding same (.25); correspond with D. Visitacion regarding errata for M. Hansen deposition (.25)		
12/9/2015	DAISY BELLE VISITACION	0.25	77.50	Prepare transmittal and hard copy errata/signature for overnight to Atkinson Baker		
12/9/2015	JAMES R. HANCOCK	0.5	192.50	Confer w/J. Kanada, C. Black re case status, depositions, correspondence w/opposing counsel and Barrick analysis		
12/9/2015	JOSEPH K. KANADA	2.25	1,552.50	Analyze motion for summary judgment transcript and issues raised regarding difficulty of care payments (1.5); conference with C. Wong Black and J. Hancock (0.75)		
12/14/2015	JOSEPH K. KANADA	0.25	172.50	Review potential projects in light of extended trial date		
12/14/2015	ALAN COPE JOHNSTON	1	995.00	Review and analyze transcript of MSJ hearing		
12/16/2015	JOSEPH K. KANADA	0.25	172.50	Review court order and impact on deadlines		
12/16/2015	JAMES R. HANCOCK	0.25	96.25	Confer w/J.Kanada re case status and C. Black re expert discovery		
12/17/2015	JAMES R. HANCOCK	0.25	96.25	Correspondence with L. Barrick and F. Sagapolu re Barrick analysis and work		
12/22/2015	JAMES R. HANCOCK	0.25	96.25	Correspond and confer with J. Kanada regarding case status; review and circulate order denying Defendant's motion to strike expert reports		
12/29/2015	JAMES R. HANCOCK	0.25	96.25	Correspond w/L. Barrick, M. Sousa re Barrick work and analysis		
12/30/2015	JAMES R. HANCOCK	0.25	96.25	Review and analyze MSJ order		
12/30/2015	ALAN COPE JOHNSTON	1	995.00	Analyze court's order on summary judgment		
12/30/2015	JOSEPH K. KANADA	0.5	345.00	Analyze court order granting and denying parties' motions for summary judgment		
12/31/2015	ALAN COPE JOHNSTON	0.75	746.25	Analyze summary judgment decision further		
1/4/2016	JOSEPH K. KANADA	1.5	1,035.00	Analyze impact of court's summary judgment ruling on case strategy		
1/4/2016	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re trial date		
1/4/2016	ALAN COPE JOHNSTON	2	1,990.00	Review MSJ order and identify trial issues		
1/5/2016	ALAN COPE JOHNSTON	1.25	1,243.75	Prepare for and meet w/team re projects in light of summary judgment order		
1/5/2016	JAMES R. HANCOCK	2.5	962.50	Review order on motions for summary judgment (1.0); confer with J. Kanada regarding same and case status (.25); research and prepare for meeting with A.C. Johnston and J. Kanada; attend meeting; confer with J. Kanada regarding same (1.0); correspond with M. Hansen and L. Barrick (.25)		
1/5/2016	JOSEPH K. KANADA	2.75	1,897.50	Conference with A.C. Johnston and J. Hancock regarding trial strategy (1.0); conferences with J. Hancock regarding case projects (0.5); analyze trial related issues (1.25)		
1/6/2016	JOSEPH K. KANADA	4	2,760.00	Conferences with J. Hancock (0.25); create trial plan and proof chart (3.0); analyze subclass issues (0.75)		
1/6/2016	JAMES R. HANCOCK	1	385.00	Correspond and confer with J. Kanada, M. Hansen, and L. Barrick regarding case status, summary judgment, and expert discovery (.25); conduct research regarding Brewbaker's expert report and trial plan (.5); confer with J. Kanada regarding same (.25)		
1/7/2016	JAMES R. HANCOCK	4.5	1,732.50	Prepare for and participate in call with L. Barrick and J. Kanada (1.); correspond with G. Thornton, L. Barrick, and J. Kanada regarding expert discovery (.5); draft proof plan (2.25); research regarding same (.75)		
1/7/2016	ADELA GOTZ	0.5	297.50	Confer w/J. Kanada re research re cost categories		

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1/7/2016	JOSEPH K. KANADA	1.75	1,207.50	Call w/C. Black (.25); conf call w/L. Barrick, J. Hancock (.5); conf w/A. Gotz re legal research (.5); analyze evidence needed for trial (.5)		
1/7/2016	ALAN COPE JOHNSTON	0.25	248.75	Conference w/J. Kanada, A. Gotz		
1/8/2016	JOSEPH K. KANADA	0.75	517.50	Conference w/J. Hancock re trial plan (.25); revise trial plan (.5)		
1/8/2016	JAMES R. HANCOCK	1	385.00	Revise and edit trial plan (.5); correspond and confer w/J. Kanada, A. Gotz, and M. Hansen re trial proof (.5)		
1/11/2016	JOSEPH K. KANADA	2.75	1,897.50	Conference with J. Hancock regarding case strategy (0.25); prepare for meeting with co-counsel to discuss case strategy (0.75); conference with co-counsel to discuss case (0.75); conferences with J. Hancock, A.C. Johnston, and A. Gotz regarding case (0.5); conference with expert M. Hansen and J. Hancock (0.5)		
1/11/2016	ADELA GOTZ	1.25	743.75	Prepare for and attend team case meeting		
1/11/2016	ALAN COPE JOHNSTON	2.25	2,238.75	Review and analyze proof chart (1.25); prepare for and meet with legal team (1.00)		
1/11/2016	JAMES R. HANCOCK	2.5	962.50	Prepare for and participate in conference all with M. Hansen (.5); prepare for and participate in conference calls with A.C. Johnston, J. Kanada, A. Gotz, and co-counsel (.5); correspond with B. Kapell at Children's Rights (.25); correspond and confer with A. Gotz regarding legal research (.25); review analysis from L. Barrick (.5); correspond and confer with L. Barrick and J. Kanada regarding same (.5)		
1/12/2016	JOSEPH K. KANADA	1	690.00	Conference with co-counsel regarding expert discovery (0.25); conference with consulting expert L. Barrack (0.5); review filings from court (0.25)		
1/12/2016	JAMES R. HANCOCK	0.5	192.50	Correspond and confer with A.C. Johnston, J. Kanada, and F. Sagapolu regarding status conference and expert discovery; review letter filed with the Court regarding status conference; review scheduling order from the Court; research regarding trial date; correspond with case team regarding same (.5)		
1/13/2016	JOSEPH K. KANADA	1	690.00	Prepare for status conference (0.25); attend status conference (0.25); conference with A.C. Johnston regarding expert discovery (0.25); conference with P. Alston, C. Black, and A.C. Johnston regarding status conference and expert discovery (0.25)		
1/13/2016	JAMES R. HANCOCK	0.75	288.75	Prepare for and attend status conference (.25); confer with A.C. Johnston and J. Kanada regarding same (.25); draft research project tracking document (.25)		
1/13/2016	ALAN COPE JOHNSTON	1	995.00	Attend Status Conference with Judge Kobayashi (.25); conference with J. Kanada (.25); telephone conference with P. Alston and C. Black (.5)		
1/13/2016	BRANDON MANUEL GARIBALDI	0.75	232.50	Prepare electronic documents for attorney review		
1/14/2016	JAMES R. HANCOCK	0.25	96.25	Correspond and confer w/B. Garibaldi, J. Catancio re document database issues		
1/14/2016	JOSEPH K. KANADA	1.25	862.50	Correspond with A. Gotz regarding research projects (0.25); analyze payment data (0.5); revise proof chart and trial plan (0.5)		
1/14/2016	JEFFREY E. CATANCIO	0.5	150.00	Conference call re document production database		
1/14/2016	ADELA GOTZ	3	1,785.00	Confer w/J. Kanada re upcoming research projects (.25); research re admissibility of expert opinions (2.75)		
1/15/2016	JOSEPH K. KANADA	0.5	345.00	Discuss legal research w/A. Gotz; review expert analysis by L. Barrick		
1/15/2016	ADELA GOTZ	2.5	1,487.50	Research re expert discovery		
1/18/2016	JOSEPH K. KANADA	0.25	172.50	Discuss legal research re excluding expert opinions w/A. Gotz		
1/19/2016	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada and A.C. Johnston and correspond w/M. Hansen re expert analysis		
1/19/2016	ALAN COPE JOHNSTON	0.5	497.50	Review J. Kanada email and conference w/J. Kanada re experts		
1/19/2016	JOSEPH K. KANADA	1.25	862.50	Conference with A.C. Johnston and J. Hancock regarding case strategy (0.25); correspond with co-counsel regarding case strategy (0.25); analyze legal research regarding supplementing expert witness reports (0.75)		
1/20/2016	JAMES R. HANCOCK	0.75	288.75	Confer with M. Hansen and J. Kanada regarding expert analysis (.25); work re consulting expert (.25) and confer with A.C. Johnston and J. Kanada regarding expert discovery (.25)		
1/20/2016	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock and M. Hansen (0.5); conference with co-counsel (0.25); analyze expert witness issues (0.25)		
1/21/2016	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel.		
1/22/2016	JOSEPH K. KANADA	0.5	345.00	Correspond with co-counsel regarding meet and confer (0.25); correspond with Morrison & Foerster team regarding meet and confer (0.25)		
1/25/2016	ALAN COPE JOHNSTON	2	1,990.00	Review court decision re trial issues		
1/26/2016	JAMES R. HANCOCK	1	385.00	Participate in meet and confer with opposing counsel and co-counsel (.75); correspond and confer regarding same (.25)		
1/27/2016	JAMES R. HANCOCK	1.5	577.50	Prepare for and participate in conference call with M. Hansen (.5); confer with J. Kanada regarding same (.5); correspond with case team regarding stipulation (.5)		
1/27/2016	JOSEPH K. KANADA	0.25	172.50	Correspond w/J. Hancock re meet and confer w/defense counsel		
1/28/2016	JAMES R. HANCOCK	0.5	192.50	Review draft stipulation (.25) and correspond w/case team re same; research deadlines (.25)		
1/29/2016	ADELA GOTZ	2	1,190.00	Review materials from MSJ		
1/29/2016	JOSEPH K. KANADA	0.5	345.00	Review proposed order (.25); conference w/co-counsel re same (.25)		
2/1/2016	JAMES R. HANCOCK	2	770.00	Summarize action items from M. Hansen (.5); prepare for and attend meeting with A.C. Johnston and J. Kanada re case strategy (1.0); correspond and confer with J. Kanada regarding same (.5)		

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2/1/2016	ADELA GOTZ	3	1,785.00	Review and analyze motions for summary judgment and order regarding motions for summary judgment (2.0); attend meeting regarding expert reports (1.0)		
2/1/2016	JOSEPH K. KANADA	2.5	1,725.00	Conference with co-counsel regarding expert discovery (0.25); analyze expert discovery issues (1.25); conference with A.C. Johnston, J. Hancock, and A. Gotz regarding discovery issues (1.0)		
2/1/2016	ALAN COPE JOHNSTON	1	995.00	Meeting with team regarding expert reports.		
2/2/2016	ALAN COPE JOHNSTON	0.5	497.50	Telephone call w/P. Alston (.25) and email to team (.25) re case strategy		
2/2/2016	JOSEPH K. KANADA	1.5	1,035.00	Conference w/co-counsel re case strategy (1.25); review case schedule (.25)		
2/2/2016	JAMES R. HANCOCK	1.25	481.25	Prepare for and participate in conference call w/J. Kanada, C. Black, G. Thornton and organize expert discovery outline (1.00); correspond w/M. Hansen re case status (.25).		
2/3/2016	JOSEPH K. KANADA	1	690.00	Coordinate expert projects with L. Barrick (0.25); conference with J. Hancock and M. Hansen to discuss expert analysis (0.5); conference with J. Hancock (0.25)		
2/3/2016	JAMES R. HANCOCK	1	385.00	Confer with M. Hansen regarding expert discovery (.5); correspond and confer with J. Kanada regarding same (.25); draft engagement letter for S. La Croix (.25)		
2/4/2016	ALAN COPE JOHNSTON	0.75	746.25	Review and revise draft expert engagement letter and email with J. Hancock regarding same		
2/4/2016	JAMES R. HANCOCK	2.75	1,058.75	Prepare for and participate in conference call with M. Hansen (1.25); research regarding same (1.0); follow up calls regarding same (.25); correspond with case team regarding same (.25)		
2/4/2016	ADELA GOTZ	0.75	446.25	Research legislative history of Title IV-E		
2/5/2016	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock regarding case projects (0.25); conferences with L. Barrick regarding expert analyses (0.25); analyze data provided by defendants (0.5).		
2/5/2016	JAMES R. HANCOCK	0.5	192.50	Correspond and confer with S. La Croix and J. Kanada regarding expert analysis		
2/6/2016	JAMES R. HANCOCK	0.5	192.50	Correspond with S. La Croix, A.C. Johnston, and J. Kanada regarding expert discovery (.25); draft engagement letter (.25)		
2/8/2016	JAMES R. HANCOCK	0.25	96.25	Correspond with S. La Croix and F. Sagapolu regarding engagement letter, retainer, and payment forms		
2/8/2016	JOSEPH K. KANADA	0.25	172.50	Review Barrick analysis		
2/9/2016	JOSEPH K. KANADA	1.75	1,207.50	Analyze data prAnalyze data provided by HDHS during expert discovery (1.25); analyze HDHS expert reports (0.25); conference with consulting expert L. Barrick (0.25)		
2/9/2016	JAMES R. HANCOCK	0.5	192.50	Correspond and confer with J. Kanada regarding expert discovery (.25); review analysis from L. Barrick (.25).		
2/10/2016	JOSEPH K. KANADA	0.5	345.00	Analyze expert discovery issues.		
2/11/2016	JOSEPH K. KANADA	1.25	862.50	Research legislative history of Child Welfare Act (1.0); review correspondence from co-counsel (0.25)		
2/12/2016	JAMES R. HANCOCK	0.25	96.25	Correspond w/S. Lacroix re expert analysis		
2/12/2016	JOSEPH K. KANADA	0.25	172.50	Correspond w/expert		
2/16/2016	JAMES R. HANCOCK	0.25	96.25	Correspond with M. Hansen, S. La Croix, and F. Sagapolu regarding expert discovery		
2/16/2016	JOSEPH K. KANADA	0.5	345.00	Review correspondence from consulting expert.		
2/22/2016	JAMES R. HANCOCK	0.25	96.25	Correspond with J. Kanada; contact M. Hansen.		
2/22/2016	JOSEPH K. KANADA	0.5	345.00	Evaluate expert discovery issues and strategy.		
2/23/2016	ADELA GOTZ	4.25	2,528.75	Research legislative history of Title IV-E		
2/23/2016	JOSEPH K. KANADA	2.75	1,897.50	Conference with co-counsel regarding expert discovery issues (0.25); strategize and plan expert discovery projects (1.5); conference with J. Hancock and A.C. Johnston regarding case status (0.75); conference with experts (0.25)		
2/23/2016	JAMES R. HANCOCK	0.75	288.75	Prepare for and attend meeting with A.C. Johnston and J. Kanada (.5); correspond with expert witnesses (.25)		
2/23/2016	ALAN COPE JOHNSTON	0.75	746.25	Prepare for and meet w/Morrison Foerster team re expert projects		
2/24/2016	ALVIN WEST	0.5	155.00	Assist J. Kanada re client documents and prepare same for submission to expert		
2/24/2016	JOSEPH K. KANADA	4.5	3,105.00	Conference call with L. Barrick and M. Hansen (1.25); conference with co-counsel regarding expert issues (0.25); conference with M. Hansen (0.25); analyze defendants' expert reports (2.75)		
2/24/2016	ADELA GOTZ	4	2,380.00	Research legislative history of Social Security Act provisions relating to foster care maintenance payments.		
2/25/2016	ADELA GOTZ	3	1,785.00	Continue research re legislative history of Social Security Act		
2/25/2016	JOSEPH K. KANADA	0.5	345.00	Correspond w/experts re HDHS payment data and analysis re same		
2/26/2016	LAURA RAY	0.5	112.50	Update legislative history research re Section 475 of Social Security Act		
2/26/2016	JOSEPH K. KANADA	1.25	862.50	Work on expert analysis issues		
2/26/2016	ADELA GOTZ	5	2,975.00	Continue research re legislative history of Title IV-E		
2/29/2016	JOSEPH K. KANADA	0.25	172.50	Correspond w/experts re analyses		
3/1/2016	JOSEPH K. KANADA	0.5	345.00	Conference w/experts re analysis (.25); conference w/A. Gotz re legal research (.25)		
3/1/2016	LISA B. SEIDEN	1	260.00	Research re legislative history of Social Security Act		
3/3/2016	ADELA GOTZ	0.5	297.50	Confer w/A. Hwang re transfer of legislative history research		
3/3/2016	JOSEPH K. KANADA	0.5	345.00	Review correspondence from co-counsel and experts re analysis		
3/4/2016	JOSEPH K. KANADA	0.75	517.50	Analyze expert discovery issues (0.5); correspond with co-counsel regarding trial deadlines (0.25)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
3/7/2016	JOSEPH K. KANADA	1	690.00	Conference with A. Hwang regarding case background (0.25); correspond with experts (0.25); analyze expert issues (0.25); correspond with co-counsel (0.25)		
3/7/2016	ALESSA YIN-CHEN HWANG	6.5	3,867.50	Review summary judgment order and settlement letters (1.25); confer with J. Kanada regarding case background, status, and legislative history research (.25); perform additional legislative history research re meaning of the word "shelter" (4.5); confer with L. Ray (Library) regarding legislative history research (.5)		
3/8/2016	JOSEPH K. KANADA	0.25	172.50	Correspond with expert witnesses.		
3/9/2016	JOSEPH K. KANADA	1.25	862.50	Analyze expert discovery issues (.5); conference w/co-counsel re same (.75)		
3/9/2016	JAMES R. HANCOCK	0.25	96.25	Download and circulate Hansen documents and correspondence w/J. Kanada re same		
3/9/2016	JEFFREY E. CATANCIO	0.25	75.00	Prepare and send material to expert.		
3/10/2016	JOSEPH K. KANADA	2	1,380.00	Conference with co-counsel regarding expert discovery and trial preparation (0.75); prepare for conference with co-counsel (0.5); conferences with expert witnesses regarding expert analysis (0.75)		
3/10/2016	LAURA RAY	2	450.00	Legislative history research regarding the word shelter that is used in the definition of foster care maintenance payments in Title IV-E of the Social Security Act Sec. 475(4)(A) for A. Hwang		
3/10/2016	ALESSA YIN-CHEN HWANG	6.5	3,867.50	Attend conference call with A.C. Johnson, J. Kanada, and co-counsel (.5); review expert reports and related background (2.5); perform legislative history research related to the meaning of the word "shelter" (3.5)		
3/10/2016	ALAN COPE JOHNSTON	1.25	1,243.75	Review proof charts (.75); conference w/legal team re strategy (.5)		
3/11/2016	ALESSA YIN-CHEN HWANG	0.75	446.25	Conference call w/J. Kanada, M. Hansen, L. Barrick re analysis (.75)		
3/11/2016	JOSEPH K. KANADA	1.25	862.50	Conference call w/experts (.75); analyze expert discovery issues (.5)		
3/14/2016	JOSEPH K. KANADA	0.25	172.50	Review expert witness analysis.		
3/14/2016	LAURA RAY	1	225.00	Legislative history research regarding the word shelter that is used in the definition of foster care maintenance payments in Title IV-E of the Social Security Act Sec. 475(4)(A) for A. Hwang		
3/15/2016	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel.		
3/17/2016	ALESSA YIN-CHEN HWANG	2	1,190.00	Research on the meaning of "shelter" under Title IV-E of the Social Security Act (1.50); perform legislative history research on the legislative history of the Adoption Assistance and Child Welfare Act of 1980 (AACWA) (.50).		
3/17/2016	JOSEPH K. KANADA	0.5	345.00	Prepare for conference with expert witnesses.		
3/18/2016	JOSEPH K. KANADA	1	690.00	Conference with L. Barrick, M. Hansen, and A. Hwang regarding expert issues		
3/18/2016	LAURA RAY	0.5	112.50	Locate First Circuit opinion re Rhode Island district court decision to dismiss lawsuit over foster care for J. Kanada		
3/18/2016	ALESSA YIN-CHEN HWANG	4.5	2,677.50	Research on the meaning of "shelter" under Title IV-E of the Social Security Act (2.5); perform legislative history research on the legislative history of the Adoption Assistance and Child Welfare Act of 1980 (AACWA) (2.0).		
3/22/2016	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel.		
3/23/2016	JOSEPH K. KANADA	0.5	345.00	Conference with expert witness.		
3/24/2016	JOSEPH K. KANADA	0.25	172.50	Work with expert witness.		
3/25/2016	ALESSA YIN-CHEN HWANG	5.75	3,421.25	Review updated L. Barrick calculations; review L. Ray (Library) research on the meaning of shelter under Title IV-E of the Social Security Act (1.25); perform follow-up legislative history research on the legislative history of the Adoption Assistance and Child Welfare Act of 1980 (AACWA) (2.5); review expert reports (2.0)		
3/25/2016	JOSEPH K. KANADA	0.5	345.00	Correspond with expert witnesses		
3/28/2016	JOSEPH K. KANADA	2	1,380.00	Conference with co-counsel regarding expert reports (0.25); conference with expert M. Hansen regarding expert report (0.25); review draft expert report (1.5)		
3/29/2016	JOSEPH K. KANADA	3	2,070.00	Research legal issues related to expert reports (2.5); analyze expert report (0.5)		
3/29/2016	JEFFREY E. CATANCIO	3.5	1,050.00	Download and prepare expert materials for report		
3/30/2016	ALAN COPE JOHNSTON	4.5	4,477.50	Review draft report and analysis re same (3.25); teleconference w/co-counsel re expert reports (.75); emails w/J. Kanada re reports (.5)		
3/30/2016	JOSEPH K. KANADA	5.5	3,795.00	Conference with M. Hansen regarding expert report (0.5); conference with co-counsel regarding expert reports (0.75); research legal issues regarding an expert relying on other experts (1.25); conference with L. Barrick regarding data analysis (0.25); correspond with M. Hansen regarding expert report(0.25); correspond with co-counsel regarding expert reports (0.5); analyze expert discovery issues (2.0)		
3/30/2016	JEFFREY E. CATANCIO	6.5	1,950.00	Review and cite check M. Hansen expert report (2.75); gather and prepare documents cited in expert report; draft document production index (3.75).		
3/30/2016	ALESSA YIN-CHEN HWANG	2.5	1,487.50	Conference call with co-counsel, A.C. Johnston, and J. Kanada regarding M. Hansen draft expert report (.5); confer with A.C. Johnston and J. Kanada regarding draft expert report (.5); review correspondence from co-counsel (.5); review draft M. Hansen expert report (1.0)		
3/31/2016	ALESSA YIN-CHEN HWANG	3	1,785.00	Conference call with experts and J. Kanada (.5); review draft expert report of M. Hansen in preparation for said conference call (2.5)		

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3/31/2016	JEFFREY E. CATANCIO	4.5	1,350.00	Review and cite check M. Hansen expert report (2.0); gather and prepare documents cited in expert report; draft document production index (2.50).		
4/1/2016	JEFFREY E. CATANCIO	5	1,500.00	Review and cite check M. Hansen expert report (1.75); gather and prepare documents cited in expert report; draft document production index (3.25).		
4/1/2016	JOSEPH K. KANADA	6.5	4,485.00	Conference call with experts and co-counsel to discuss expert reports (2.0); analyze draft expert report (3.5): conference call with M. Hansen (0.5); review correspondence with local counsel (0.25); review correspondence with opposing counsel (0.25)		
4/1/2016	ALESSA YIN-CHEN HWANG	0.5	297.50	Review appendices to M. Hansen expert report.		
4/1/2016	JAMES R. HANCOCK	1.25	481.25	Research regarding discovery issues (1.0); correspond with J. Kanada regarding same (.25).		
4/1/2016	ALAN COPE JOHNSTON	0.5	497.50	Review expert invoice (.25); emails regarding same (.25).		
4/4/2016	ALAN COPE JOHNSTON	5	4,975.00	Review draft of Mary Hansen expert report.		
4/4/2016	JAMES R. HANCOCK	0.25	96.25	Confer w/J. Kanada re discovery issues and expert reports		
4/4/2016	JEFFREY E. CATANCIO	10.5	3,150.00	Review and cite-check Hansen report (3.75), gather documents re same (6.75)		
4/4/2016	JOSEPH K. KANADA	7	4,830.00	Input edits from co-counsel, A.C. Johnson and A. Hwang into expert report (1.25); analyze expert report data and report (4.0); conference with M. Hansen regarding expert report (0.5); conference with J. Catancio regarding exhibits to Hansen report (0.25); analyze P. Brewbaker's expert report (1.0)		
4/5/2016	JEFFREY E. CATANCIO	5.5	1,650.00	Review and cite-check Hansen report (1.75) and gather documents re same (3.50).		
4/5/2016	JOSEPH K. KANADA	6.25	4,312.50	Analyze draft expert report of P. Brewbaker (1.0); conference with co-counsel regarding expert report of P. Brewbaker (0.25); conference with A.C. Johnston regarding expert report issues (0.25); coordinate finalization of M. Hansen expert report (0.5); analyze multiple drafts of M. Hansen expert report and supporting empirical analysis (3.0); finalize M. Hansen expert report (1.25)		
4/5/2016	ALAN COPE JOHNSTON	1.5	1,492.50	Review expert reports (1.0); conference w/J. Kanada re same (.50)		
4/5/2016	ALESSA YIN-CHEN HWANG	5.75	3,421.25	Conference call with M. Hansen and J. Kanada regarding supplemental expert report (.50); review supplemental expert report for substantive inconsistencies (1.75); review tables and appendices in supplemental expert report (1.50); finalize said report for service (2.0)		
4/6/2016	ALAN COPE JOHNSTON	0.25	248.75	Conference w/J. Kanada re expert reports		
4/6/2016	JAMES R. HANCOCK	0.25	96.25	Confer/J. Kanada re expert reports		
4/6/2016	JOSEPH K. KANADA	4.5	3,105.00	Correspond with M. Hansen (0.25); review case law on expert witnesses relying on other expert witnesses (1.0); review defendant's expert reports (2.5); conference with A.C. Johnston regarding expert reports (0.25); conference with J. Catancio regarding expert report projects (0.25); conference with M. Hansen regarding defendant's expert reports (0.25)		
4/6/2016	JEFFREY E. CATANCIO	5.5	1,650.00	Draft chart re expert analyses		
4/7/2016	JEFFREY E. CATANCIO	3.5	1,050.00	Draft chart of expert analyses and prepare case files (3.0), update electronic deposition files (.50).		
4/7/2016	JOSEPH K. KANADA	2	1,380.00	Analyze HDHS's expert reports		
4/7/2016	ALESSA YIN-CHEN HWANG	2.5	1,487.50	Review defendant's supplemental expert reports and deposition transcripts of experts		
4/8/2016	ALAN COPE JOHNSTON	0.5	497.50	Review summary of expert's positions		
4/8/2016	JAMES R. HANCOCK	0.25	96.25	Correspond w/J. Kanada, A. Hwang re expert analysis, research re same		
4/8/2016	ALESSA YIN-CHEN HWANG	0.25	148.75	Correspond w/J. Kanada re legislative history trail for "shelter"		
4/8/2016	JEFFREY E. CATANCIO	3.5	1,050.00	Review and gather material cited in expert reports		
4/8/2016	JOSEPH K. KANADA	0.5	345.00	Create chart analyzing and comparing expert opinions		
4/12/2016	JOSEPH K. KANADA	0.75	517.50	Conference with J. Hancock and A. Hwang regarding expert depositions (0.5); conference with A. Johnston, J. Hancock and A. Hwang regarding expert depositions (0.25)		
4/12/2016	JAMES R. HANCOCK	0.75	288.75	Prepare for expert depositions w/A. Hwang, J. Kanada, A.C. Johnston		
4/13/2016	JOSEPH K. KANADA	0.25	172.50	Review correspondence from co-counsel		
4/14/2016	JOSEPH K. KANADA	0.5	345.00	Confer with expert witness M. Hansen (0.25); correspond with Morrison & Foerster team regarding expert issues (0.25)		
4/15/2016	JOSEPH K. KANADA	1.5	1,035.00	Conference with co-counsel regarding expert depositions and discovery (0.5); analyze expert discovery issues (1.0)		
4/15/2016	JAMES R. HANCOCK	0.25	96.25	Correspond and confer with case team.		
4/16/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Review deposition transcripts of M. Hansen and P. Brewbaker in preparation for strategy phone call with M. Hansen (1.50); review supplemental expert reports for same (2.75)		
4/17/2016	ALESSA YIN-CHEN HWANG	3.5	2,082.50	Review deposition transcripts of M. Hansen and P. Brewbaker in preparation for strategy phone call with M. Hansen (2.0); review supplemental expert reports for same (1.50).		
4/18/2016	JAMES R. HANCOCK	0.5	192.50	Participate in conference call w/M. Hansen re depositions		
4/18/2016	JOSEPH K. KANADA	0.5	345.00	Review and analyze expert reports		
4/18/2016	ALESSA YIN-CHEN HWANG	1.75	1,041.25	Prepare for and attend conference call with Dr. Mary Hansen and J. Hancock regarding deposition strategy (1.00); review materials for same (.75)		
4/19/2016	ALESSA YIN-CHEN HWANG	1	595.00	Confer with J. Kanada regarding strategy for Dr. Mary Hansen deposition (.50); review correspondence regarding deposition logistics (.50).		

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4/19/2016	JOSEPH K. KANADA	1.25	862.50	Conference with A. Hwang regarding deposition preparation (0.5); conference with J. Hancock regarding deposition preparation (0.25); coordinate depositions (0.5)		
4/20/2016	ALESSA YIN-CHEN HWANG	3	1,785.00	Review case background materials and prior depositions in preparation for defending the deposition of M. Hansen		
4/21/2016	ALESSA YIN-CHEN HWANG	0.25	148.75	Confer w/ L. Barrick re HDHS supplemental expert reports		
4/22/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Review background materials, previous deposition testimony, and expert reports in preparation for defending the deposition of M. Hansen (3.75); confer with J. Kanada regarding same (.50)		
4/22/2016	JOSEPH K. KANADA	0.75	517.50	Conference with A. Hwang regarding expert deposition (0.5); conference with A. Hwang and C. Black regarding expert deposition (0.25)		
4/25/2016	ALESSA YIN-CHEN HWANG	6.75	4,016.25	Review background materials and confer with J. Hancock regarding deposition of M. Hansen		
4/25/2016	JAMES R. HANCOCK	0.25	96.25	Confer w/A. Hwang re deposition of M. Hansen		
4/26/2016	ALESSA YIN-CHEN HWANG	7.25	4,313.75	Travel to and review materials in preparation for Hansen deposition defense		
4/26/2016	JOSEPH K. KANADA	0.25	172.50	Review correspondence w/co-counsel		
4/27/2016	JAMES R. HANCOCK	1.5	577.50	Prepare for and participate in preparation w/M. Hansen for deposition		
4/27/2016	ALESSA YIN-CHEN HWANG	6	3,570.00	Continue review of materials and preparation of M. Hansen for deposition		
4/28/2016	ALESSA YIN-CHEN HWANG	5.5	3,272.50	Prepare for and defense Hansen deposition		
4/28/2016	JAMES R. HANCOCK	3.5	1,347.50	Prepare for and participate in deposition of M. Hansen (3.25); correspond and confer with A. Hwang, C. Black, and M. Hansen regarding same (.25)		
5/1/2016	ALESSA YIN-CHEN HWANG	6.5	3,867.50	Travel back after deposition of M. Hansen.		
5/2/2016	JOSEPH K. KANADA	1.75	1,207.50	Conference with M. Hansen regarding expert research (0.25); conference with A. Hwang regarding Hansen deposition (0.25); conference with A.C. Johnston regarding expert witness issues (0.25); conference with co-counsel regarding expert issues (0.25); review correspondence (0.75)		
5/2/2016	ALAN COPE JOHNSTON	0.25	248.75	Confer w/J. Kanada re additional expert analysis		
5/3/2016	JEFFREY E. CATANCIO	1.5	450.00	Prepare and organize expert material re reports		
5/3/2016	JAMES R. HANCOCK	3	1,155.00	Prepare for expert depositions		
5/3/2016	ALESSA YIN-CHEN HWANG	6.75	4,016.25	Research legislative history of CWA for term "housing"		
5/3/2016	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock regarding case projects (0.25); review correspondence from expert witnesses (0.25); analyze expert discovery issues (0.5)		
5/4/2016	JOSEPH K. KANADA	1.25	862.50	Conference with J. Hancock regarding expert reports (0.25); conference with L. Barrick regarding data analysis (0.25); correspond with co-counsel regarding recently produced data (0.25); analyze recently produced data (0.5)		
5/4/2016	JAMES R. HANCOCK	0.25	96.25	Confer with J. Kanada regarding depositions.		
5/5/2016	JOSEPH K. KANADA	0.75	517.50	Correspond with expert witnesses (0.25); correspond with co-counsel regarding expert depositions and strategy (0.25); analyze recently produced data (0.25)		
5/6/2016	JOSEPH K. KANADA	2	1,380.00	Analyze expert issues (1.0); conference with M. Hansen (0.25); conference with L. Barrick (0.25); conference with co-counsel (0.25); conference with J. Hancock (0.25)		
5/6/2016	JEFFREY E. CATANCIO	1	300.00	Prepare spreadsheet regarding expert reports.		
5/7/2016	JOSEPH K. KANADA	1.25	862.50	Correspond with L. Barrick regarding issues with data produced by defendant (0.25); analyze data produced by defendant (1.0)		
5/9/2016	JOSEPH K. KANADA	0.5	345.00	Conference with L. Barrick regarding data produced by defendant (0.25); conference with co-counsel C. Black regarding expert discovery issues (0.25)		
5/9/2016	JOHN P. BRENNAN	0.5	130.00	Expert witness research for J. Kanada.		
5/10/2016	JOSEPH K. KANADA	4.25	2,932.50	Review Udinsky expert reports.		
5/11/2016	JOSEPH K. KANADA	2.75	1,897.50	Conference with L. Barrick regarding analysis of Schmidt expert report (0.25); prepare outline for Udinsky deposition (2.5)		
5/11/2016	JEFFREY E. CATANCIO	1	300.00	Download and prepare expert report for review		
5/11/2016	JOHN P. BRENNAN	1	260.00	Research expert witness for J. Kanada		
5/12/2016	JOSEPH K. KANADA	2.25	1,552.50	Draft deposition outline for Udinsky deposition		
5/13/2016	JOSEPH K. KANADA	2.25	1,552.50	Prepare for Udinsky deposition		
5/16/2016	CHRISTINA M. BELISARIO	0.5	125.00	Research re housing statistics for J. Kanada		
5/16/2016	JOSEPH K. KANADA	5.75	3,967.50	Draft deposition outline for Udinsky		
5/16/2016	JEFFREY E. CATANCIO	1	300.00	Gather and prepare documents for deposition		
5/16/2016	JAMES R. HANCOCK	2.75	1,058.75	Analysis related to deposition of Udinsky and rebuttal report from M.Hansen (2.5); confer with J. Kanada and C. Black regarding same (.25)		
5/17/2016	JAMES R. HANCOCK	3.75	1,443.75	Analysis related to deposition of Udinsky (3.5); correspond and confer with J. Kanada regarding same (.25)		
5/17/2016	JEFFREY E. CATANCIO	1.5	450.00	Gather and prepare documents for Udinsky deposition		
5/17/2016	JOSEPH K. KANADA	5.5	3,795.00	Draft deposition outline re Udinsky		
5/17/2016	BRANDON MANUEL GARIBALDI	0.25	77.50	Prepare electronic documents for attorney review		
5/17/2016	ALAN COPE JOHNSTON	2.5	2,487.50	Review deposition outline and conference w/J. Kanada re same		
5/18/2016	ALAN COPE JOHNSTON	1.5	1,492.50	Review and analyze Hansen deposition transcript		
5/18/2016	JOSEPH K. KANADA	12.75	8,797.50	Travel to and from San Francisco from Palo Alto for Udinsky deposition (3.0); depose J. Udinsky (8.0); prepare for Udinsky deposition (1.75)		

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5/18/2016	JAMES R. HANCOCK	11.75	4,523.75	Deposition of J. Udinsky (8.0); confer with J. Kanada and C. Black regarding same (.75); travel to and from San Francisco for deposition and prepare for same (3.0)		
5/18/2016	ALESSA YIN-CHEN HWANG	1.5	892.50	Review April 28 deposition of Hansen for errata		
5/18/2016	JEFFREY E. CATANCIO	1.5	450.00	Update liveNote database with new deposition transcripts and organize p drive re same		
5/19/2016	JAMES R. HANCOCK	6.5	2,502.50	Rebuttal report for M. Hansen (5.25); correspond and confer with M. Hansen, L. Barrick, J. Kanada, and C. Black regarding same (1.25)		
5/19/2016	JOSEPH K. KANADA	5	3,450.00	Conferences with J. Hancock to discuss expert discovery (0.5); conference with expert witnesses and J. Hancock (1.0); analyze expert working files produced by defendant (1.5); review defendant's expert reports and make suggestions to M. Hansen rebuttal (2.0)		
5/20/2016	JOSEPH K. KANADA	3	2,070.00	Conference with M. Hansen and J. Hancock regarding expert report (1.0); conference with J. Hancock regarding expert issues (0.25); analyze draft Hansen expert report (1.75)		
5/20/2016	JAMES R. HANCOCK	1.5	577.50	Prepare for and participate in call w/M. Hansen, J. Kanada re report (1.5)		
5/21/2016	JAMES R. HANCOCK	2	770.00	Review and analyze rebuttal expert report and correspond re same		
5/21/2016	JOSEPH K. KANADA	1.75	1,207.50	Review and comment re expert report of M. Hansen		
5/22/2016	JOSEPH K. KANADA	1.5	1,035.00	Conference with M. Hansen regarding rebuttal expert report (0.25); correspond with co-counsel regarding expert report (0.25); review rebuttal expert report (1.0)		
5/22/2016	JAMES R. HANCOCK	2	770.00	Review and analyze draft rebuttal analysis and research re same (1.50); correspondence w/case team re same (.25)		
5/23/2016	JAMES R. HANCOCK	1.25	481.25	Work on rebuttal expert report (1.0); correspond and confer w/M. Hansen, J. Kanada, C. Black re same (.25)		
5/23/2016	JEFFREY E. CATANCIO	4.5	1,350.00	Cite-check Hansen rebuttal report		
5/23/2016	ALAN COPE JOHNSTON	2.5	2,487.50	Conference with J. Kanada (.5); review draft rebuttal report from M. Hansen (1.5); telephone conference with P. Alston regarding trial schedule and logistics (.5)		
5/23/2016	JOSEPH K. KANADA	2.5	1,725.00	Conference with M. Hansen regarding expert report (0.25); conference with J. Hancock regarding expert reports (0.25); conference with A.C. Johnston regarding expert report (0.25); conference with A.C. Johnston regarding trial preparation (0.25); conference with C. Black regarding expert report (0.25); conference with M. Hansen and J. Hancock regarding expert report (0.25); analyze expert reports (1.0)		
5/24/2016	JOSEPH K. KANADA	1.75	1,207.50	Finalize expert report (0.75); review correspondence regarding trial date (0.25); conference with A. Johnston regarding trial plan (0.25); conference with J. Hancock regarding expert report (0.25); conference with C. Black regarding trial schedule (0.25)		
5/24/2016	JAMES R. HANCOCK	1.5	577.50	Finalize and serve rebuttal expert report (1.25); correspond and confer with J. Kanada, C. Black, J. Catancio, and A.C. Johnston re same (.25_		
5/24/2016	JEFFREY E. CATANCIO	2	600.00	Cite-check Hansen expert rebuttal and draft list of materials considered		
5/25/2016	JOSEPH K. KANADA	2.75	1,897.50	Analyze expert reports from HDHS		
5/25/2016	JAMES R. HANCOCK	0.5	192.50	Confer w/J. Kanada, J. Catancio re documents		
5/25/2016	JEFFREY E. CATANCIO	1	300.00	Prepare documents for production		
5/26/2016	JAMES R. HANCOCK	1.5	577.50	Confer w/J. Kanada re trial (.5); review trial plan (.5); prepare for and participate in call w/case team re trial strategy (.5)		
5/26/2016	JOSEPH K. KANADA	2.25	1,552.50	Conference with J. Hancock regarding trial preparation (0.5); review trial schedule and plan from co-counsel (0.5); strategize pretrial projects (1.25)		
5/26/2016	ALAN COPE JOHNSTON	1	995.00	Conference call w/C. Black, P. Alston re trial preparation		
5/27/2016	ALAN COPE JOHNSTON	1	995.00	Memorandum to pro bono committee re trial staffing		
5/27/2016	JAMES R. HANCOCK	2.75	1,058.75	Confer with J. Kanada regarding expert depositions, trial matrix, pending projects, and case team meeting (.5); review trial matrix (.75); review documents, transcripts, and reports related to trial matrix (1.5)		
5/27/2016	JOSEPH K. KANADA	2.5	1,725.00	Analyze pretrial issues and strategy (2.0); create trial budget (.5)		
5/27/2016	JEFFREY E. CATANCIO	2.5	750.00	Draft index of deposition transcripts and exhibits (2.5)		
5/31/2016	JEFFREY E. CATANCIO	0.5	150.00	Prepare and send material to expert for review		
5/31/2016	JOSEPH K. KANADA	1	690.00	Analyze expert reports.		
5/31/2016	ALESSA YIN-CHEN HWANG	1	595.00	Conference call with C. Black, P. Alston, J. Kanada, and J. Hancock regarding Schmidt deposition		
5/31/2016	JAMES R. HANCOCK	2.5	962.50	Review expert reports (1.0); prepare for call regarding depositions (.25); confer with J. Kanada regarding same (.25); confer with M. Hansen regarding same (.25); correspond with case team regarding expert witnesses (.75)		
6/1/2016	JOSEPH K. KANADA	1.5	1,035.00	Conference call with co-counsel regarding depositions (0.75); analyze expert reports for deposition preparation (0.75)		
6/1/2016	JEFFREY E. CATANCIO	0.5	150.00	Upload Udinsky transcript to LiveNote		
6/1/2016	JAMES R. HANCOCK	2.5	962.50	Draft summary of issues and questions for depositions of B. Burke and N. Schmidt (1.5); correspond and confer with case team regarding same (.25); prepare for and participate in conference call with P. Alston, C. Black, J. Kanada, and A. Hwang regarding same (.75)		
6/2/2016	JAMES R. HANCOCK	9.75	3,753.75	Attend deposition of N. Schmidt, correspond and confer with P. Alston, C. Black, J. Kanada, and M. Hansen regarding same (8.0); research regarding same (1.0); draft and circulate summary (.75)		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
6/2/2016	JOSEPH K. KANADA	4	2,760.00	Attend deposition of N. Schmidt by telephone (3.0); conferences with J. Hancock, C. Black, and P. Alston regarding depositions (0.75); conference with J. Hancock regarding deposition (0.25)		
6/2/2016	ANN-MARIE BERTI CABIC	1	260.00	Research expert witness information		
6/3/2016	JAMES R. HANCOCK	5.25	2,021.25	Attend deposition of B. Burke and correspond w/P. Alston, C. Black, J. Kanada re same (4.0); research re same (1.25)		
6/3/2016	ALESSA YIN-CHEN HWANG	1	595.00	Review Hansen deposition transcript (April 28) and confer w/M. Hansen re errata		
6/3/2016	JOSEPH K. KANADA	5.75	3,967.50	Attend deposition of B. Burke (5.5); conference w/M. Hansen (.25)		
6/6/2016	JOSEPH K. KANADA	0.75	517.50	Conference with J. Hancock regarding case projects (0.25); correspond with expert witnesses (0.25); review correspondence from opposing counsel (0.25)		
6/6/2016	JEFFREY E. CATANCIO	1.5	450.00	Create new files re deposition transcripts and update case files		
6/6/2016	JAMES R. HANCOCK	0.5	192.50	Correspond with J. Kanada and C. Black regarding N. Schmidt (.25); correspond with J. Catancio and A. Hwang regarding deposition errata; correspond with opposing counsel regarding J. Udinsky (.25)		
6/7/2016	JAMES R. HANCOCK	0.25	96.25	Correspond and confer with J. Kanada re trial issues		
6/7/2016	JEFFREY E. CATANCIO	3.5	1,050.00	Prepare and submit deposition errata sheet to court reporter (.50); review and gather information regarding time used for J. Udinsky deposition (2.75); conference call with deposition court reporter regarding same (.25)		
6/7/2016	JOSEPH K. KANADA	2	1,380.00	Conference with co-counsel regarding case strategy (0.5); analyze expert discovery issues (1.0); draft meet and confer letter with opposing counsel regarding refusal to put Dr. Udinsky up for deposition (0.5)		
6/8/2016	JEFFREY E. CATANCIO	1.5	450.00	Draft and update deposition index.		
6/8/2016	JOSEPH K. KANADA	0.75	517.50	Correspond with co-counsel regarding expert issues (0.25); conferences with J. Hancock regarding case projects (0.25); coordinate expert discovery issues (0.25)		
6/8/2016	JAMES R. HANCOCK	0.75	288.75	Correspond and confer with case team and opposing counsel regarding expert deposition and production (.25); correspond with M. Hansen (.25); confer with J. Kanada regarding trial plan (.25)		
6/9/2016	JAMES R. HANCOCK	2	770.00	Research regarding motion to strike (.5); set up summer associate project (.25); confer with J. Kanada regarding trial plan (.5); correspond regarding Udinsky deposition and set up; review notes regarding depositions of N. Schmidt and B. Burke (.25); correspond with J. Kanada and C. Black regarding same (.5)		
6/9/2016	JOSEPH K. KANADA	2	1,380.00	Conference with J. Hancock regarding trial preparation (0.5); review correspondence from opposing counsel (0.25); analyze expert reports (1.25)		
6/9/2016	ALESSA YIN-CHEN HWANG	0.25	148.75	Correspond w/J. Catancio re M. Hansen 4/28 deposition errata		
6/9/2016	JEFFREY E. CATANCIO	1.5	450.00	Review and prepare issue tags in LiveNote database re trial designations		
6/10/2016	JEFFREY E. CATANCIO	5	1,500.00	Review and prepare issue tags re trial		
6/10/2016	JOSEPH K. KANADA	1	690.00	Conference w/M. Hansen and J. Hancock re HDHS expert reports		
6/10/2016	JAMES R. HANCOCK	1.75	673.75	Prepare for and participate in conference call with M. Hansen (1.0); correspond with opposing counsel regarding deposition (.25); correspond with IT regarding same (.25); correspond with J. Catancio regarding trial prep (.25)		
6/13/2016	JAMES R. HANCOCK	0.5	192.50	Confer w/J. Kanada re trial preparation		
6/13/2016	JEFFREY E. CATANCIO	3	900.00	Review and prepare document database for trial designation		
6/13/2016	JOSEPH K. KANADA	1	690.00	Conference with J. Hancock regarding expert witness issues and trial preparation (0.25); coordinate trial preparation projects (0.25); research status of foster care case in Second Circuit (0.25); research example pretrial statements (0.25)		
6/13/2016	ALAN COPE JOHNSTON	0.25	248.75	Conference w/Colette re trial staffing		
6/14/2016	ALAN COPE JOHNSTON	0.25	248.75	Telephone conference w/P. Alston		
6/14/2016	JOSEPH K. KANADA	1	690.00	Coordinate trial preparation		
6/14/2016	JEFFREY E. CATANCIO	5.5	1,650.00	Review and prepare issue tags in livenote database regarding trial designations (5.25); conference call with court reporter regarding Schmidt deposition (.25).		
6/14/2016	JAMES R. HANCOCK	0.75	288.75	Correspond regarding deposition and confer with A.C. Johnston and J. Kanada regarding trial plan (.25); correspond with J. Catancio regarding deposition database and issue tags (.25); analysis regarding same (.25)		
6/15/2016	JAMES R. HANCOCK	6.75	2,598.75	Prepare for deposition of J. Udinsky (3.0); correspond with C. Black, J. Kanada, IT Department, and opposing counsel regarding same (.5); prepare for and participate in conference call with J. Kanada and C. Black (.5); designate and revise tagging for depositions for trial (.5); review J. Udinsky's deposition transcript (.75); correspond with M. Hansen and J. Kanada regarding same (.25); draft list of questions for P. Brewbaker (.75); conduct legal research regarding trial prep (.5)		
6/15/2016	JEFFREY E. CATANCIO	2.5	750.00	Review and prepare issue tags in livenote database regarding trial designations (1.0); prepare expert depositions for review (1.50)		
6/15/2016	JOSEPH K. KANADA	5.25	3,622.50	Conferences with J. Hancock regarding trial preparation (0.5); conference with J. Hancock and C. Black regarding trial preparation (0.75); research pretrial statement requirements (0.75); draft pretrial statement outline (2.0); correspond with expert witness M. Hansen (0.25); review N. Schmidt deposition transcript (1.0)		
6/16/2016	JEFFREY E. CATANCIO	3	900.00	Review and prepare issue tags in livenote database regarding trial designations (1.0); prepare expert depositions for review (1.50).		

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6/16/2016	JAMES R. HANCOCK	6.75	2,598.75	Prepare for and participate in conference call with M. Hansen (1.0); confer with J. Kanada regarding same and issues for trial (.5); prepare for deposition of J. Udinsky (2.25); analyze expert discovery issues (.75); correspond with opposing counsel (.25); designate deposition testimony for trial (1.5); draft email to P. Brewbaker and analysis and correspondence regarding same (.25); correspond with case team regarding M. Hansen report (.25)		
6/16/2016	JOSEPH K. KANADA	4.5	3,105.00	Conference with M. Hansen and J. Hancock regarding defendants' expert witness depositions and reports (2.0); conference with J. Hancock regarding trial preparation (0.5); analyze N. Schmidt deposition transcript (2.0)		
6/17/2016	JAMES R. HANCOCK	6	2,310.00	Correspond with opposing counsel and M. Hansen regarding expert discovery (.25); confer with M. Hansen and J. Kanada regarding same (.5); correspond with C. Black and F. Sagapolu regarding deposition of J. Udinsky (.25); confer with A.C. Johnston, J. Kanada, C. Black, and A. Hwang regarding filing (1.0); correspond with J. Catancio and M. Hansen regarding deposition of B. Burke (.25); prepare for deposition of J. Udinsky (3.75)		
6/17/2016	ALESSA YIN-CHEN HWANG	0.25	148.75	Correspond w/J. Hancock re pro hac vice admission		
6/17/2016	JOSEPH K. KANADA	2.75	1,897.50	Conference with M. Hansen and J. Hancock (0.25); conferences with J. Hancock (0.5); analyze expert witness issues (1.5); coordinate trial plans (0.5)		
6/17/2016	JEFFREY E. CATANCIO	4.5	1,350.00	Review and prepare issue tags in livenote database regarding trial designations (3.25); draft deposition exhibit index (1.25).		
6/18/2016	JOSEPH K. KANADA	3	2,070.00	Analyze deposition transcript of N. Schmidt for motion to strike (1.0); analyze deposition transcript of B. Burke for motion to strike (2.0)		
6/20/2016	JOSEPH K. KANADA	4.75	3,277.50	Conference with M. Hansen and J. Hancock (0.5); conferences with J. Hancock regarding expert witnesses, trial strategy, and data issues (0.5); outline motion to strike expert reports (2.0); analyze deposition transcript of B. Burke (1.75)		
6/20/2016	JAMES R. HANCOCK	7.25	2,791.25	Prepare for deposition of J. Udinsky (4.25); prepare filing for trial (2.25); correspond and confer with A. Hwang, J. Kanada, and C. Black (.25); confer with M. Hansen and J. Kanada regarding expert analysis (.5)		
6/21/2016	NANCY HOANG	0.25	67.50	Review and respond to case communications re Burke deposition		
6/21/2016	JOSEPH K. KANADA	4.5	3,105.00	Conference with J. Hancock and A.C. Johnston regarding case strategy (0.5); conference with J. Hancock and C. Black regarding case (0.25); draft outline motion to strike expert testimony (3.75)		
6/21/2016	JAMES R. HANCOCK	7	2,695.00	Prepare for deposition of J. Udinsky (4.25); correspond and confer with A.C. Johnston, J. Kanada, and C. Black regarding trial prep and expert discovery (1.0); conduct legal research (1.75)		
6/21/2016	ALAN COPE JOHNSTON	0.75	746.25	Review memorandum analysis re short stays and conference w/J. Kanada and J. Hancock re same		
6/21/2016	ALESSA YIN-CHEN HWANG	1	595.00	Review and analyze deposition transcript of J. Udinsky		
6/22/2016	ALESSA YIN-CHEN HWANG	3	1,785.00	Prepare pro hac application (.5); review deposition transcripts of Burke and Schmidt (2.5)		
6/22/2016	NANCY HOANG	1.25	337.50	Prepare exhibits for Udinsky deposition (1.0); update deposition log and confer w/J. Kanada re case tasks (.25)		
6/22/2016	JAMES R. HANCOCK	6.5	2,502.50	Prepare for deposition of J. Udinsky (3.0); confer with N. Hoang regarding exhibit for same (.25); attend to pro hac vice applications (.25); correspond and confer with P. Besirof, A.C. Johnston, A. Hwang, C. Black, and B. Craig regarding same (.25); correspond and confer with M. Hansen and J. Kanada regarding expert report (1.00); research payment data correspondence (1.75)		
6/22/2016	JOSEPH L. GASTON	0.5	142.50	Assess, prepare, and organize the June 22nd, 2016 webpage materials. Communications with B. Garibaldi regarding same		
6/22/2016	JOSEPH K. KANADA	2.25	1,552.50	Conference with N. Hoang regarding expert report analysis (0.25); review expert reports (1.0); review and comment on Udinsky deposition outline (0.5); correspond with Morrison & Foerster appellate attorneys to discuss trial strategy (0.25); conferences with J. Hancock regarding expert depositions (0.25)		
6/22/2016	BRANDON MANUEL GARIBALDI	0.5	155.00	Prepare electronic documents for attorney review		
6/23/2016	JOSEPH K. KANADA	7.75	5,347.50	Prepare for Udinsky deposition (1.0); attend deposition of J. Udinsky (2.0); conference with M. Hansen regarding economic analysis (0.25); review draft supplemental expert report by M. Hansen (0.5); conference call with Morrison & Foerster team and Alston Hunt team regarding trial strategy (1.0); travel to and from San Francisco for J. Udinsky deposition (3.0)		
6/23/2016	JAMES R. HANCOCK	7.5	2,887.50	Depose J. Udinsky (2.0); travel to and from deposition in San Francisco and prepare for depo (3.0); review and revise draft expert report from M. Hansen (1.75); correspond and confer with case team regarding same, motion to strike, and trial prep (.25); attend to invoicing from J. Udinsky (.25); correspond with N. Hoang and court reporter regarding transcripts (.25)		
6/23/2016	ALAN COPE JOHNSTON	3.25	3,233.75	Review memo re trial preparation (1.5); prepare for and attend conference call with team (1.75)		
6/23/2016	NANCY HOANG	0.25	67.50	Review and respond to case communications		
6/23/2016	ALESSA YIN-CHEN HWANG	1	595.00	Conference call with P. Alston, C. Black, A.C. Johnston, J. Kanada, and J. Hancock regarding errata for M. Hansen's report and potential motions to strike and motions in limine		
6/24/2016	ALESSA YIN-CHEN HWANG	0.5	297.50	Arrange travel arrangements for trial.		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
6/24/2016	NANCY HOANG	4	1,080.00	Review and prepare testimony relating to S. Schick for J. Kanada (3.25); update deposition exhibit log (.25); review and respond to case communications (.5).		
6/24/2016	ALAN COPE JOHNSTON	2.5	2,487.50	Telephone conference with B. Matsui regarding appellate issues in case (1.0); review court's motion for summary judgment decision (1.25); email regarding same (.25)		
6/24/2016	JAMES R. HANCOCK	1.75	673.75	Correspond and confer with J. Kanada and M. Hansen regarding expert report (.5); confer with B. Matsui, A.C. Johnston, and J. Kanada regarding appellate issues (1.0); confer with A. Hwang regarding same (.25)		
6/24/2016	JOSEPH K. KANADA	4.25	2,932.50	Conference with B. Matsui, A. Johnston, and J. Hancock regarding trial strategy and preserving issues for appeal (1.0); conference with M. Hansen and J. Hancock (0.5); analyze expert reports (1.25); analyze J. Udinsky deposition testimony (0.25); review M. Hansen supplemental expert report (1.25)		
6/24/2016	BRIAN R. MATSUI	1	895.00	Confer w/foster litigation team re appellate issues		
6/27/2016	JOSEPH K. KANADA	5.25	3,622.50	Conference with A. Hwang regarding pretrial projects (0.25); conference with J. Hancock regarding M. Hansen supplemental expert report (0.25); analyze J. Udinsky deposition transcript and outline a motion to strike Udinsky's testimony and reports (3.0); conference with J. Hancock regarding M. Hansen supplemental report (0.5); draft pretrial statement (1.25)		
6/27/2016	NANCY HOANG	1.75	472.50	Update deposition exhibit log.		
6/27/2016	ANN-MARIE BERTI CABIC	2.5	650.00	Research re article on Hawaii living wage		
6/27/2016	JAMES R. HANCOCK	3.25	1,251.25	Review and revise M. Hansen report (2.75); correspond and confer with J. Kanada and case team regarding same (.25); research regarding living wage in Hawaii (.25); confer with case team regarding travel		
6/28/2016	JAMES R. HANCOCK	7	2,695.00	Review and designate deposition testimony for use at trial (4.75); review and revise supplemental expert report and related files (1.0); confer with J. Kanada and M. Hansen regarding same (.25); research regarding living wage in Hawaii (.25); correspond with C. Black regarding same (.25); correspond with Veritext regarding deposition transcript; draft pretrial statement (.5)		
6/28/2016	NANCY HOANG	7.75	2,092.50	Update deposition exhibit log (.50); prepare index of exhibits to motions for summary judgment (.75); prepare summary of motions for pretrial statement per J. Kanada (6.50)		
6/28/2016	JOSEPH K. KANADA	5.5	3,795.00	Conference with M. Hansen and J. Hancock regarding supplemental expert report (1.0); coordinate pretrial projects (0.75); draft pretrial statement (3.75)		
6/28/2016	ALESSA YIN-CHEN HWANG	1	595.00	Review materials in preparation for drafting motion to strike portions of Dr. Udinsky's testimony		
6/29/2016	JULIAN ARIS	2	530.00	Correspond with J. Hancock about details of assignment (.25); create physical and electronic folders for project (.25); begin reading key background documents to learn key law and context for case (1.5)		
6/29/2016	BRANDON MANUEL GARIBALDI	1	310.00	Prepare electronic documents for attorney review		
6/29/2016	NANCY HOANG	3.25	877.50	Prepare summary of motions for pretrial statement and coordinate preparation of production documents for use at trial		
6/29/2016	JOSEPH K. KANADA	3.75	2,587.50	Draft pretrial statement (2.75); conferences with J. Hancock regarding supplemental expert report (0.5); review supplemental expert report (0.5)		
6/29/2016	CHRIS KEENER	1	285.00	Prepare and process transcripts per request		
6/29/2016	ALESSA YIN-CHEN HWANG	7	4,165.00	Draft motion to strike portions of Udinsky testimony (3.5); research supporting case law re same (3.5)		
6/29/2016	JAMES R. HANCOCK	6	2,310.00	Draft pretrial statement (2.75); correspond with Veritext regarding transcript (.25); confer with J Aris regarding legal research (.25); correspond and confer with J. Kanada and A. Hwang regarding motion to strike and pretrial statement (.75); revise supplemental expert report (1.5); correspond with case team and M. Hansen regarding same (.5)		
6/29/2016	ARTHUR C. DAYE	2.5	712.50	Prepare searchable PDFs.		
6/30/2016	JAMES R. HANCOCK	8	3,080.00	Draft pretrial statement (4.75); correspond with A. West and A. Hwang regarding same (.5); draft motion to strike (2.5); correspond and confer with case team; correspond with Veritext and N. Hoang regarding deposition transcript (.25)		
6/30/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Revise motion to strike portions of Dr. Udinsky's testimony (2.75); correspond with J. Kanada regarding same (.25); review pre-trial outline (1.25)		
6/30/2016	NANCY HOANG	0.25	67.50	Update deposition transcripts and database		
6/30/2016	JOSEPH K. KANADA	2.25	1,552.50	Conferences with J. Hancock regarding pretrial projects (0.5); conference with A. Hwang regarding motion to strike defendant's expert (0.25); conference with A. West regarding motion to strike (0.25); revise pretrial statement (1.25)		
6/30/2016	ALVIN WEST	4.5	1,395.00	Cite check motion to strike.		
7/1/2016	JOSEPH K. KANADA	3.25	2,242.50	Conference with M. Hansen and J. Hancock regarding expert report (0.25); revise motion to strike (3.0)		
7/1/2016	ALVIN WEST	6.25	1,937.50	Cite check motion to strike.		
7/1/2016	ALESSA YIN-CHEN HWANG	5.25	3,123.75	Finalize and review motion to strike portions of Dr. Udinsky's testimony with A. West (2.75); research cases in support of same (1.25); review deposition transcripts and expert reports of Dr. Udinsky to identify specific areas to strike (1.25)		

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7/1/2016	ALAN COPE JOHNSTON	5.75	5,721.25	Review motion to strike (2.0); review of pretrial Statement (2.0); provide comments on motion to strike pretrial statement (1.75)		
7/1/2016	JAMES R. HANCOCK	4.75	1,828.75	Finalize motion to strike; correspond and confer with case team regarding same (1.00); draft and revise pretrial statement (2.0); correspond and confer with case team regarding same (.25); finalize supplemental report (1.25); correspond and confer with M. Hansen and case team regarding same (.25)		
7/2/2016	JAMES R. HANCOCK	0.5	192.50	Correspond with case team regarding motion to strike, pretrial statement, and supplemental report (.25); review edits to same (.25).		
7/2/2016	JOSEPH K. KANADA	2	1,380.00	Revise pretrial statement (2.0).		
7/3/2016	JOSEPH K. KANADA	1	690.00	Review Chandler transcript and exhibits		
7/5/2016	JOSEPH K. KANADA	4.75	3,277.50	Review deposition transcript of P. MacManaman (2.25); revise pretrial statement (2.5)		
7/5/2016	JULIAN ARIS	4	1,060.00	Research case law on deference given to STATE agencies in interpreting terms in federal statutes (2.0); compare courts' analyses regarding when Chevron deference applies and when Skidmore deference applies (1.0); research how to tell when Congress has explicitly or implicitly delegated legislative authority to an agency (1.0)		
7/5/2016	JAMES R. HANCOCK	6.5	2,502.50	Revise and edit pretrial statement (3.75); correspond and confer with case team regarding same (.25); draft questions for experts (1.25); correspond and confer with case team, M. Hansen, and opposing counsel regarding same (.25); designate deposition testimony for use at trial (.75); review expert discovery (.25)		
7/6/2016	JULIAN ARIS	3.25	861.25	Research how courts determine whether or not an agency's construction of a statute is permissible (2.25); research how courts determine whether a term in a statute is ambiguous (1.00).		
7/6/2016	NANCY HOANG	3.75	1,012.50	Update deposition exhibits and log, prepare binders for J. Kanada		
7/6/2016	JOSEPH K. KANADA	2	1,380.00	Conference with J. Hancock regarding pretrial project (0.5); conference with A. Hwang regarding motion to strike (0.25); coordinate pretrial projects (1.0); discuss legal research regarding re-defining the class with J. Aris (0.25)		
7/6/2016	ALESSA YIN-CHEN HWANG	2.5	1,487.50	Review and identify deposition designations.		
7/6/2016	JAMES R. HANCOCK	2.25	866.25	Designate deposition testimony for use at trial (1.5); correspond with opposing counsel and M. Hansen regarding expert call (.25); correspond with case team regarding deposition exhibits (.25); correspond and confer with J. Aris regarding legal research; review and analyze Defendant's pretrial statement (.25)		
7/7/2016	JAMES R. HANCOCK	4	1,540.00	Attend to research regarding HDHS's witnesses (.75); designate deposition testimony for use at trial (1.75); prepare for trial (1.50).		
7/7/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Confer with J. Kanada and J. Hancock regarding pre-trial preparation and schedule (.5); review and identify deposition designations (3.75)		
7/7/2016	JULIAN ARIS	0.25	66.25	Review case law for any potential difference in the deference analysis for state and federal agencies when interpreting a statute's language		
7/7/2016	JOSEPH K. KANADA	2.75	1,897.50	Conference with J. Hancock and A. Hwang regarding pretrial projects (0.5); analyze pretrial issues (1.0); analyze P. MacManaman deposition transcript for deposition designations (1.25)		
7/7/2016	NANCY HOANG	1.25	337.50	Prepare document production for team use (1.0); confer with J. Hancock regarding collection of Defendant's potential trial exhibits (.25)		
7/8/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Review and identify specific portions of Dr. Udinsky's expert reports and supplemental reports in support of motion to strike Dr. Udinsky's testimony (1.00); research cases in support of same (3.25)		
7/8/2016	JULIAN ARIS	1.25	331.25	Read various sections of the Child Welfare Act, with specific focus on the "congressional declaration of purpose," for a better understanding of the purposes of the various provisions and requirements of the Act; begin researching legislative history for further information about the intent of Congress when it set up the "foster care maintenance payments" program.		
7/8/2016	JOSEPH K. KANADA	0.5	345.00	Review court order (0.25); organize pretrial preparation materials (0.25)		
7/8/2016	JOHN P. BRENNAN	0.5	130.00	Research background of Shirley Schick for J. Hancock		
7/8/2016	JAMES R. HANCOCK	0.75	288.75	Designate deposition testimony for use at trial		
7/11/2016	JAMES R. HANCOCK	3.25	1,251.25	Research regarding housing and related document review (1.0); correspond with J. Catancio regarding same (.25); research regarding HDHS's witnesses (.50); correspond with N. Hoang and J. Catancio regarding key exhibits (.25); correspond with case team regarding trial prep; prepare for trial (.25); designation deposition testimony for use at trial (1.0).		
7/11/2016	ALESSA YIN-CHEN HWANG	4	2,380.00	Review and identify specific portions of Dr. Udinsky's expert reports and supplemental reports in support of motion to strike Dr. Udinsky's testimony (.75); research cases in support of same (3.25).		
7/11/2016	JOSEPH K. KANADA	0.25	172.50	Correspond with expert witness.		
7/11/2016	JULIAN ARIS	3.25	861.25	Research congressional purpose/intent when enacting the Child Welfare Act (1.0); research whether the Act delegates any specific authority or responsibilities to state agencies; read some of our expert testimony to better understand costs of providing shelter for foster children (1.0); begin organizing research results into an outline for the final deliverable memorandum (1.25).		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
7/11/2016	NANCY HOANG	0.75	202.50	Confer with J. Catancio regarding case activities		
7/11/2016	JEFFREY E. CATANCIO	6.5	1,950.00	Gather and prepare production documents for review (3.50); gather documents listed in defendants pretrial statement (3.0).		
7/12/2016	JULIAN ARIS	1.75	463.75	Complete research on Congressional intent/purpose for the Child Welfare Act; organize and outline research to prepare memorandum		
7/12/2016	JOSEPH K. KANADA	3	2,070.00	Prepare for pretrial conference (1.75); attend pretrial conference (0.5); conference call with A.C. Johnson, J. Hancock, A. Hwang and C. Black regarding pretrial strategy (0.75)		
7/12/2016	JEFFREY E. CATANCIO	6.5	1,950.00	Gather trial exhibits listed in defendants pretrial statement (3.50); review and update expert spreadsheet of totals for each category (3.00)		
7/12/2016	JAMES R. HANCOCK	6.75	2,598.75	Prepare for and participate in pretrial conference (4.25); correspond and confer with case team regarding same (.50); designate deposition testimony for use at trial (.75); attend to travel for trial (.50); correspond and confer with J. Kanada, M. Hansen, and Travel & Transport regarding same (.50); correspond with J. Catancio regarding deposition transcripts (.25).		
7/12/2016	ALAN COPE JOHNSTON	1	995.00	Attend Pre-Trial conference (.50); attend team conference call (.50)		
7/12/2016	ALESSA YIN-CHEN HWANG	2.25	1,338.75	Prepare deposition designations.		
7/12/2016	MICHAEL D. DANIELS	1	260.00	Conducted legislative history research on 42 U.S.C. 672 (.75); Delivered and discussed with J. Aris (.25).		
7/13/2016	JAMES R. HANCOCK	5.5	2,117.50	Designate deposition testimony for use at trial (1.0); conduct legal research regarding shelter (2.5); attend to travel for trial (.25); correspond and confer with J. Kanada, M. Hansen and Travel & Transport regarding same (.25); correspond with J. Catancio regarding trial exhibits (.25); update witness and deposition chart (1.25).		
7/13/2016	ALESSA YIN-CHEN HWANG	5.75	3,421.25	Prepare deposition designations.		
7/13/2016	JEFFREY E. CATANCIO	8	2,400.00	Gather trial exhibits listed in defendants pretrial statement (3.50); review and update expert spreadsheet of totals for each category (4.0); meet with J. Kanada regarding trial projects (.50).		
7/13/2016	JOSEPH K. KANADA	1.25	862.50	Conferences with J. Hancock regarding pretrial preparation (0.5); coordinate budget logistics for trial (0.75).		
7/13/2016	JULIAN ARIS	1.25	331.25	Complete outlining process (.50); begin writing deliverable memorandum summarizing legal precedent on deference to agencies in statutory term construction disputes (.75).		
7/14/2016	JEFFREY E. CATANCIO	8	2,400.00	Gather trial exhibits listed in defendants pretrial statement (4.00); revise and update deposition exhibit list (3.50); correspond with local counsel regarding deposition material (.50).		
7/14/2016	JULIAN ARIS	3.75	993.75	Continue writing memorandum regarding agency deference under Chevron analysis.		
7/14/2016	JAMES R. HANCOCK	1.5	577.50	Conduct legal research regarding witnesses (1.00); correspond and confer with case team regarding travel plans for trial and motion to strike (.25); correspond with C. Black and J. Catancio regarding deposition transcripts (.25).		
7/15/2016	JOSEPH K. KANADA	0.25	172.50	Review correspondence.		
7/15/2016	JULIAN ARIS	4.25	1,126.25	Continue writing memo regarding what level of deference an agency is accorded in construing language in a federal statute, with a specific focus on why HDHS is, in addition to not being entitled to Chevron deference, also not entitled to Skidmore deference, and is instead entitled to no deference whatsoever in their construction of the term "shelter" in the CWA.		
7/15/2016	JEFFREY E. CATANCIO	8	2,400.00	Draft trial exhibit list (7.25); conference call with local counsel regarding deposition material (.25); prepare and send original deposition transcripts to local counsel for trial (.50).		
7/15/2016	JAMES R. HANCOCK	0.75	288.75	Review draft trial exhibit list (.25); correspond with J. Catancio regarding same (.25); correspond and confer with J. Kanada and C. Black regarding motion to strike (.25); correspond with J. Aris regarding legal research		
7/17/2016	JAMES R. HANCOCK	0.75	288.75	Draft M. Hansen direct outline; related research		
7/18/2016	JAMES R. HANCOCK	6	2,310.00	Confer with M. Hansen regarding expert analysis and demonstratives (.25); draft trial examination outline for M. Hansen (1.00); conduct legal and factual research for trial (2.25); draft settlement conference statement (2.25); correspond and confer with J. Kanada and J. Aris (.25).		
7/18/2016	JOSEPH K. KANADA	0.75	517.50	Conferences with J. Hancock regarding case strategy (0.5); coordinate pretrial projects (0.25)		
7/18/2016	JEFFREY E. CATANCIO	8	2,400.00	Draft trial exhibit list.		
7/18/2016	JULIAN ARIS	5.5	1,457.50	Continue writing memorandum, focusing on why HDHS's construction is unreasonable and even under a Skidmore deference analysis.		
7/19/2016	JEFFREY E. CATANCIO	7.5	2,250.00	Draft trial exhibit list.		
7/19/2016	JULIAN ARIS	5.25	1,391.25	Continue writing memorandum, focusing on how HDHS's construction is in conflict with Congressional intent and inconsistent with the statutory scheme.		
7/19/2016	JOSEPH K. KANADA	3	2,070.00	Revise settlement statement (0.5); revise motion to strike (0.5); analyze Udinsky transcripts for motion to strike (1.5); conference with A. Hwang regarding motion to strike (0.25); conference with J. Hancock regarding expert issues and settlement statement (.25).		

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7/19/2016	JAMES R. HANCOCK	9.5	3,657.50	Draft settlement conference statement (2.50); correspond and confer with case team regarding same (.25); conduct legal research regarding witnesses (2.50); draft motion to strike Udinsky (2.75); correspond and confer with case team regarding same (.25); review potential exhibits for trial (1.25).		
7/19/2016	ALESSA YIN-CHEN HWANG	5	2,975.00	Revise and review draft motion to strike Dr. Udinsky's testimony per revisions from A.C. Johnston (4.0); review expert reports for same (.750; review draft settlement conference statement (.25)		
7/19/2016	ALAN COPE JOHNSTON	1.75	1,741.25	Review draft settlement conference statement (.50); conference with J. Hancock regarding same (.25); review draft motion to strike (.75); conference with J. Kanada and A. Hwang regarding same (.25).		
7/20/2016	JAMES R. HANCOCK	5	1,925.00	Draft witness outline for M. Hansen (3.0); review materials regarding preserving issues on appeal (1.50); correspond and confer with case team (.50).		
7/20/2016	JULIAN ARIS	1.5	397.50	Continue writing memorandum		
7/20/2016	JEFFREY E. CATANCIO	7.5	2,250.00	Draft trial exhibit list.		
7/20/2016	JOSEPH K. KANADA	1.5	1,035.00	Review motion to strike Udinsky reports (0.5); conference with J. Hancock regarding expert issues (0.25); analyze L. Kazama deposition testimony and exhibits (0.75).		
7/21/2016	CHRISTINA M. BELISARIO	0.5	125.00	Obtain references for J. Catancio.		
7/21/2016	JOSEPH K. KANADA	5	3,450.00	Strategize use of trial demonstratives (0.75); analyze pretrial statements, witness lists and witness assignments (0.75); conference with C. Black and J. Hancock regarding trial strategy and exhibit list (0.75); conference with J. Hancock regarding trial strategies (0.5); analyze documents to include in trial exhibit list (2.25).		
7/21/2016	MICHAEL S. FELMAR	6.5	2,275.00	Review background of case; create graphic demonstratives for use at trial.		
7/21/2016	JEFFREY E. CATANCIO	7.5	2,250.00	Draft trial exhibit list; meet with J. Kanada regarding trial projects		
7/21/2016	JULIAN ARIS	0.5	132.50	Research whether it is possible to amend or modify a class after it has been certified.		
7/21/2016	JAMES R. HANCOCK	4.5	1,732.50	Draft trial outline for M. Hansen (3.25); correspond and confer with case team regarding trial exhibits, demonstratives, and deposition designations (.50); circulate chart regarding trial exhibits and related review (.25); confer with C. Black regarding trial prep (.25); correspond with opposing counsel regarding missing document (.25).		
7/22/2016	JEFFREY E. CATANCIO	7.5	2,250.00	Draft trial exhibit list (6.0); meet with J. Kanada regarding trial projects (.50); search livenote regarding pending document request (1.0).		
7/22/2016	JOSEPH K. KANADA	5	3,450.00	Conference call regarding trial graphics (0.5); analyze potential trial graphics (0.5); review documents for potential trial exhibits (4.0).		
7/22/2016	MICHAEL S. FELMAR	5.5	1,925.00	Conference with attorneys (.75); create graphic demonstratives for use at trial (4.50).		
7/22/2016	JULIAN ARIS	3	795.00	Research procedure and practice tips for amending a class certification (1.75); begin editing memorandum regarding agency deference (1.25).		
7/22/2016	CHRISTINA M. BELISARIO	0.5	125.00	Obtain references for J. Catancio.		
7/22/2016	JAMES R. HANCOCK	5.75	2,213.75	Attend to demonstratives and trial exhibit list (3.50); correspond and confer with case team regarding same (.50); confer with M. Hansen regarding expert analysis (.25); correspond with opposing counsel regarding trial exhibits (.25); review recently produced document (.25); correspond with J. Aris regarding research (.50); correspond with J. Brannan regarding research (.50)		
7/23/2016	JOSEPH K. KANADA	1.5	1,035.00	Review deposition exhibits and transcripts for potential trial exhibits.		
7/25/2016	JOSEPH K. KANADA	6	4,140.00	Conference with J. Hancock regarding trial exhibit lists (1.0); conference call with Morrison Foester team and C. Black regarding trial exhibits and strategy (2.0); analyze and revise trial demonstratives (1.5); analyze potential motions in limine (1.0); analyze deadlines and manage internalworkflow (0.5).		
7/25/2016	MICHAEL S. FELMAR	3.25	1,137.50	Create graphic demonstratives for use at trial.		
7/25/2016	JULIAN ARIS	3.5	927.50	Continue revising, editing, citing, and formatting work for agency deference memorandum.		
7/25/2016	JEFFREY E. CATANCIO	11	3,300.00	Draft trial exhibit list (9.75); conference call with C. Black (.25); search livenote regarding pending document request (1.0)		
7/25/2016	JAMES R. HANCOCK	7	2,695.00	Attend to trial exhibit list, deposition designations, and demonstratives (6.50); correspond and confer with case team regarding same (.50).		
7/25/2016	ALESSA YIN-CHEN HWANG	2	1,190.00	Conference call with team and C. Black regarding trial exhibits and upcoming deadlines.		
7/26/2016	ALESSA YIN-CHEN HWANG	1	595.00	Conference call with team regarding settlement discussions.		
7/26/2016	STEPHEN LIU	2.5	662.50	Research and analyze case law on limiting effect of interrogatory responses on proof at trial.		
7/26/2016	JAMES R. HANCOCK	8.75	3,368.75	Attend to trial exhibit list, deposition designations, and demonstratives; correspond and confer with case team and M. Hansen regarding same (5.50); analyze potential motions in limine (1.0); correspond with J. Aris regarding legal research (.25); revise witness preparation tracker (.25); confer with case team regarding settlement discussions (.25); prepare matrix for settlement talks (.50); research regarding same (1.0).		
7/26/2016	MICHAEL S. FELMAR	6.5	2,275.00	Create graphic demonstratives for use at trial.		

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7/26/2016	ALAN COPE JOHNSTON	2.5	2,487.50	Meeting with team regarding settlement discussions (1.25); conference call with co-counsel regarding settlement discussions (1.25).		
7/26/2016	JEFFREY E. CATANCIO	8	2,400.00	Draft trial exhibit list (1.75); gather and prepare proposed trial exhibit documents (5.00); attend team meeting (1.25).		
7/26/2016	JULIAN ARIS	4.75	1,258.75	Finish writing memorandum on agency deference and submit to LDS for final editing.		
7/26/2016	JOSEPH K. KANADA	8.5	5,865.00	Analyze deadlines and create internal schedule (0.5); conference with J. Hancock regarding trial projects (0.25); conference with J. Catancio regarding deposition designation (0.25); conference with M. Hansen and J. Hancock regarding trial demonstratives (1.25); conference with MoFo graphics department and J. Hancock regarding trial demonstratives (0.25) conference with J. Hancock regarding trial demonstratives (0.25); conference with C. Black regarding potential settlement (0.5); conference with Morrison Foerster and co-counsel regarding settlement strategy (1.25); analyze settlement positions (1.25); create spreadsheet calculating impact of potential settlement agreements (2.75).		
7/26/2016	NANCY HOANG	1	270.00	Assist with preparation of deposition designations (.75); confer with J. Catancio and J. Kanada regarding same (.25).		
7/27/2016	JEFFREY E. CATANCIO	3.5	1,050.00	Draft trial exhibit list (.75); gather and prepare proposed trial exhibit documents (2.75).		
7/27/2016	ALESSA YIN-CHEN HWANG	1	595.00	Attend conference call with team regarding exhibits.		
7/27/2016	JULIAN ARIS	3	795.00	Edit agency deference memorandum and submit the final version, as well as a list of authorities to J. Hancock.		
7/27/2016	JOSEPH K. KANADA	2.75	1,897.50	Multiple conferences with J. Hancock and M. Hansen regarding settlement (0.75); analyze settlement proposals (0.75); designate deposition testimony for trial (0.75); analyze updated settlement proposals (0.50).		
7/27/2016	NANCY HOANG	1.75	472.50	Prepare highlighted transcripts of deposition designations.		
7/27/2016	STEPHEN LIU	6	1,590.00	Research and analyze case law on limiting effect of interrogatory responses on proof at trial (5.0); review results with J. Hancock (1.).		
7/27/2016	JAMES R. HANCOCK	3	1,155.00	Analysis for settlement discussions (1.75); correspond and confer with case team and M. Hansen regarding same (.25); confer with S. Liu regarding motion in limine research (1.0).		
7/27/2016	MICHAEL S. FELMAR	5.25	1,837.50	Create graphic demonstratives for use at trial.		
7/28/2016	JAMES R. HANCOCK	8.25	3,176.25	Correspond and confer with case team regarding trial prep (.25); designate deposition testimony for use at trial (1.25); research regarding motions in limine (3.50); attend to issues regarding potential settlement and related negotiations (1.0); research regarding same (2.0); confer with M. Hansen regarding same (.25).		
7/28/2016	ALAN COPE JOHNSTON	2	1,990.00	Meeting with J. Hancock and J. Kanada regarding settlement discussions (.50); review memo regarding same (.50); conference call with C. Black (.50); review emails regarding settlement discussions (.50).		
7/28/2016	STEPHEN LIU	6	1,590.00	Research and analyze case law on limiting effect of interrogatory responses on proof at trial (4.0); draft email memorandum on research results (2.0).		
7/28/2016	ALESSA YIN-CHEN HWANG	1	595.00	Attend conference call with team regarding settlement discussions.		
7/28/2016	JOSEPH K. KANADA	4	2,760.00	Conference with J. Hancock regarding settlement issues (0.5); multiple conference with J. Catancio regarding trial preparation projects (0.25); review deposition transcripts for deposition designations (3.25)		
7/28/2016	JULIAN ARIS	2.75	728.75	Continue researching the standard governing amendment and modifications to a class certification, as well as the burden of proof that applies, the amount of discretion trial judges have, and the amount of deference accorded the trial judge's decision upon appeal.		
7/28/2016	NANCY HOANG	3	810.00	Prepare highlighted transcripts of deposition designations (1.25); review deposition transcripts for foundational contexts for marked exhibits (1.75).		
7/28/2016	JEFFREY E. CATANCIO	5.5	1,650.00	Review deposition transcripts in livenote and prepare deposition designation testimony regarding exhibits introduced.		
7/29/2016	JEFFREY E. CATANCIO	6	1,800.00	Review deposition transcripts in livenote and prepare deposition designation testimony regarding exhibits introduced (3.25); revise trial exhibit list (2.75).		
7/29/2016	JULIAN ARIS	3.25	861.25	Complete research regarding amending a class certification (2.50); begin outlining memorandum summarizing legal conclusions (.75).		
7/29/2016	ALESSA YIN-CHEN HWANG	4.75	2,826.25	Prepare deposition designations for fact witnesses.		
7/29/2016	JOSEPH K. KANADA	5.25	3,622.50	Conference with J. Hancock regarding settlement position (0.25); conference with J. Hancock, A.C. Johnson, and C. Black regarding settlement and trial preparation (1.0); conference with J. Hancock and A.C. Johnson regarding settlement and trial preparation (0.25); analyze settlement proposal and calculations (1.25); review comments and changes to trial demonstratives (0.5); designate deposition excerpts (0.75); research and draft motion in limine (1.25).		
7/29/2016	NANCY HOANG	1	270.00	Prepare highlighted transcripts of deposition designations.		
7/29/2016	STEPHEN LIU	4.5	1,192.50	Research and analyze case law on limiting expert testimony at trial to scope of expert reports (3.50); prepare email memorandum summarizing research results (1.0).		
7/29/2016	ALAN COPE JOHNSTON	1	995.00	Conference call with co-counsel.		

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7/29/2016	JAMES R. HANCOCK	6.75	2,598.75	Designate deposition testimony for use at trial (2.0); correspond and confer with case team regarding trial prep (.25); revise demonstratives (1.50); review legal research for motions in limine (.75); confer with case team regarding potential settlement (.25); attend to related research and projects (2.0).		
7/30/2016	JOSEPH K. KANADA	2	1,380.00	Revise motion in limine (1.0); research Federal Rules of Evidence 1006 requirements for potential trial exhibits (1.0).		
7/30/2016	JAMES R. HANCOCK	0.5	192.50	Revise motion in limine; correspond with case team regarding same; research regarding demonstratives; correspond with case team regarding same.		
8/1/2016	JULIAN ARIS	5	1,325.00	Complete outlining process for memorandum regarding amending class certification (3.50); begin writing memorandum on the same (1.50).		
8/1/2016	JEFFREY E. CATANCIO	12	3,600.00	Review deposition transcripts in livenote and prepare deposition designation testimony reports (3.25); revise trial exhibit list (2.50); meet with J. Kanada regarding FRE 1006 exhibits (.50); download defendants exhibits (1.75); draft defendants exhibit list (4.0).		
8/1/2016	JAMES R. HANCOCK	7.5	2,887.50	Finalize trial exhibits and demonstratives (3.25)'; correspond and confer with case team regarding same (.25); review FOIA document production (1.50); designate deposition testimony for use at trial (2.50).		
8/1/2016	ALESSA YIN-CHEN HWANG	3.5	2,082.50	Prepare deposition designations for fact witnesses.		
8/1/2016	JOSEPH K. KANADA	4.25	2,932.50	Conferences with J. Hancock regarding trial projects (0.25); conference with J. Hancock and A. Hwang regarding deposition designations (0.75); prepare deposition designations (2.0); prepare trial exhibits and demonstratives for exchange with opposing counsel (1.25).		
8/1/2016	MICHAEL S. FELMAR	2.5	875.00	Create graphic demonstratives for use at trial.		
8/1/2016	ALAN COPE JOHNSTON	1.75	1,741.25	Review motions in limine (.50); review demonstrative exhibits (1.0); conference with J. Hancock regarding same (.25).		
8/2/2016	ALAN COPE JOHNSTON	3	2,985.00	Review motions in limine; conference with J. Kanada regarding same.		
8/2/2016	JOSEPH K. KANADA	7.5	5,175.00	Finalize demonstratives for trial (2.0); finalize deposition designations (3.5); analyze defendant's motions in limine (1.5); coordinate trial projects (0.5).		
8/2/2016	ALESSA YIN-CHEN HWANG	2	1,190.00	Review Defendants' motions in limine (.75); review and finalize deposition designations (1.25(.		
8/2/2016	JEFFREY E. CATANCIO	9.5	2,850.00	Review deposition transcripts in livenote and prepare deposition designations testimony reports (3.50); revise trial exhibit list (4.50); draft defendants exhibit list (2.50).		
8/2/2016	DAISY BELLE VISITACION	3.75	1,162.50	Review defendant's trial exhibits and update plaintiff trial exhibit list with same (3.50); confer with J. Catancio regarding trial exhibits (.25).		
8/2/2016	JAMES R. HANCOCK	9.25	3,561.25	Finalize and file deposition designations, motions in limine, witnesses list, and related documents (5.0); confer with A.C. Johnson, C. Black, J. Kanada, and J. Catancio regarding same (.50); review, analyze, and research regarding motions in limie and witness list filed by opposing counsel (3.50); correspond and confer with case team regarding same (.25).		
8/2/2016	JULIAN ARIS	1.25	331.25	Continue writing memorandum regarding the standards and procedure for amended class certification order.		
8/2/2016	MICHAEL S. FELMAR	7.5	2,625.00	Create graphic demonstratives for use at trial.		
8/3/2016	JULIAN ARIS	2	530.00	Continue writing memorandum regarding legal standards and procedures for amending a class certification order.		
8/3/2016	JEFFREY E. CATANCIO	12	3,600.00	Review deposition designations and prepare binders regarding objections and counter designations (6.00); draft charts regarding same (2.50); compare and draft joint trial exhibits list regarding duplicates (3.50).		
8/3/2016	ALESSA YIN-CHEN HWANG	3.75	2,231.25	Attend team meeting to discuss oppositions to Defendant's motions in limine (.50); draft oppositions for same (3.25).		
8/3/2016	DAISY BELLE VISITACION	5.75	1,782.50	Review defendant's trial exhibits and update plaintiff trial exhibit list with same (3.0); review defendant's deposition designations and prepare objections and response charts for same (2.75).		
8/3/2016	JOSEPH K. KANADA	4.25	2,932.50	Attend team meeting to discuss trial preparation and motions in limine (0.5); review defendant's trial exhibit list and raise objections (3.75).		
8/3/2016	STEPHEN LIU	1.25	331.25	Attend meeting on responses to motions in limine (.50); discuss research questions for responses to motions in limine with J. Hancock (.75).		
8/3/2016	JAMES R. HANCOCK	9.25	3,561.25	Review motions in limine, witness lists, trial exhibits; and deposition designations filed by both parties (2.75); draft trial examination outline for M. Hansen (4.00); attend meeting regarding motions in limine and trial prep (.75); analyze and outline oppositions to motions in limine (1.50); correspond with case team regarding trial exhibits and expert analysis (.25).		
8/3/2016	ALAN COPE JOHNSTON	2.5	2,487.50	Review motions in limine (1.75); conference with Mofo team to discuss Reponses to motions in limine (.75).		
8/4/2016	ALAN COPE JOHNSTON	0.25	248.75	Conference with J. Hancock.		
8/4/2016	JAMES R. HANCOCK	11.75	4,523.75	Draft oppositions to motions in limine; conduct related research (3.50); draft M. Hansen trial examination outline (4.50); attend to trial exhibits and objections (3.50); correspond and confer with case team (.25).		

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8/4/2016	JOSEPH K. KANADA	7.5	5,175.00	Review evidence objections and use at trial (0.5); research legal and factual oppositions to motions in limine (1.5); conference with J. Hancock regarding expert issues and trial exhibits (.25); conference with J. Hancock and C. Black regarding trial exhibits (0.5); conference with S. Liu regarding legal research for oppositions to motion in limine (0.25); conference with C. Black regarding meet and confer with opposing counsel (0.25); draft objections to defendant's trial exhibits (4.25).		
8/4/2016	STEPHEN LIU	4.75	1,258.75	Research and analyze case law on effect of denial of summary judgment.		
8/4/2016	DAISY BELLE VISITACION	2.75	852.50	Review defendant's deposition designations and prepare witness charts regarding same.		
8/4/2016	JEFFREY E. CATANCIO	8	2,400.00	Review deposition designations and prepare binders regarding objections and counter designations (5.50); draft charts regarding same (2.50)		
8/4/2016	JULIAN ARIS	3.25	861.25	Complete first draft of memorandum regarding amending a class certification order and begin editing and revising same.		
8/5/2016	JULIAN ARIS	2	530.00	Complete edits and revisions to research memorandum regarding trial issues.		
8/5/2016	JEFFREY E. CATANCIO	8	2,400.00	Review deposition designations and prepare binders regarding objections and counter designations (2.0); draft charts regarding same(1.0); draft joint trial exhibit list (2.0); draft defendant's trial exhibits list objection index. (3.0)		
8/5/2016	ALESSA YIN-CHEN HWANG	6.5	3,867.50	Draft oppositions to Defendant's motions in limine.		
8/5/2016	JOSEPH K. KANADA	8.5	5,865.00	Conference with J. Hancock and J. Catancio regarding trial preparation (0.25); review joint trial list (0.25); conference with C. Black regarding trail preparation (0.25); research and write objections to trial exhibits (7.75).		
8/5/2016	STEPHEN LIU	7	1,855.00	Research and analyze case law on effect of denial of summary judgment and experts' legal opinions (6.0); draft email memorandum summarizing research results (1.0).		
8/5/2016	JAMES R. HANCOCK	12	4,620.00	Draft oppositions to motions in limine (3.50); conduct related research (4.50); correspond and confer regarding same (.50); draft M. Hansen trial outline (2.0); research regarding same (1.0); correspond and confer regarding same (.50).		
8/6/2016	JAMES R. HANCOCK	6.25	2,406.25	Draft trial examination outline for M. Hansen (1.50); research regarding same (2.0); draft opposition to motions in limine (1.50); research regarding same (1.0); correspond with case team regarding same (.25).		
8/6/2016	JOSEPH K. KANADA	1.75	1,207.50	Review draft oppositions to motions in limine.		
8/6/2016	ALESSA YIN-CHEN HWANG	8.25	4,908.75	Draft oppositions to Defendant's motions in limine (5.00); prepare counter-designations to and objections to Defendant's deposition designations (3.25).		
8/7/2016	ALESSA YIN-CHEN HWANG	5.75	3,421.25	Prepare counter-designations to and objections to Defendant's deposition designations.		
8/7/2016	JOSEPH K. KANADA	2.5	1,725.00	Revise objections to defendant's trial exhibits (2.0); analyze direct testimony of M. Hansen (0.5).		
8/7/2016	JEFFREY E. CATANCIO	2	600.00	Prepare binders regarding deposition designation objections and counter designations.		
8/7/2016	JAMES R. HANCOCK	3.75	1,443.75	Draft trial examination outline for M. Hansen (1.75); draft oppositions to motions in limine (.5); review objections to trial exhibits (.25); conduct legal and factual research (1.0); correspond with case team (.25).		
8/8/2016	JAMES R. HANCOCK	8	3,080.00	Draft and revise oppositions to motions in limine, pretrial brief, and objections to trial exhibits (7.75); correspond and confer with case team regarding same (.25).		
8/8/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Prepare objections to Defendant's deposition designations (1.50); review trial briefs (.50); revise oppositions to Defendant's motions in limine (2.25).		
8/8/2016	ALAN COPE JOHNSTON	8	7,960.00	Conference with J. Kanada and J. Hancock regarding objections to exhibits (.25); review objections (1.00); review draft direct testimony of M. Hansen (4.75); conference with J. Kanada (.25); conference with J. Hancock (.25); review trial brief (1.50).		
8/8/2016	JEFFREY E. CATANCIO	13	3,900.00	Review deposition designations and prepare transcripts regarding objections and counter designations (2.75); draft charts regarding same (2.25); draft joint trial exhibit list (2.50); draft defendant's trial exhibit list objection index (2.50); review and revise objections to defendant's trial exhibit brief (1.0); draft declaration regarding same (2.0).		
8/8/2016	STEPHEN LIU	7.75	2,053.75	Research and analyze case law on undue prejudice in bench trials, admissibility of expert-defined terms, and thresholds for substantial compliance.		
8/8/2016	NANCY HOANG	0.25	67.50	Review and respond to case communications regarding deposition designations and pretrial motions.		
8/8/2016	DAISY BELLE VISITACION	3.5	1,085.00	Review draft oppositions to motion in limine and cite check same.		
8/8/2016	JOSEPH K. KANADA	5.25	3,622.50	Review pretrial brief (0.5); revise objections to trial exhibits (2.75); gather evidence in support of objections (0.5); conference with J. Hancock regarding pretrial issues (0.5); conference with A.C. Johnson and J. Hancock regarding trial issues (0.25); conference with C. Black and J. Hancock regarding trial preparation (0.25); review and revise opposition to motion in limine number one (0.5).		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
8/9/2016	NANCY HOANG	4.5	1,215.00	Cite-check and revise motions in limine no. 7 (1.50); assist with finalizing counter deposition designations for filing (2.50); review and respond to case communications(.50).		
8/9/2016	JOSEPH K. KANADA	8.75	6,037.50	Revise and finalize pretrial briefs for filing (5.0); analyze and revise M. Hansen direct outline (3.75).		
8/9/2016	STEPHEN LIU	6.25	1,656.25	Research and analyze case law on thresholds for substantial compliance and trial of issues by implied consent.		
8/9/2016	JEFFREY E. CATANCIO	9	2,700.00	Review deposition designations and prepare transcripts regarding objections and counter designations; draft charts regarding same (3.00); draft joint trial exhibit list (1.0); draft defendant's trial exhibit list objection index (1.0); review and revise objections to defendant's trial exhibits brief (2.0); draft declaration regarding same (1.0); cite check opposition to motion in limine briefs (1.0).		
8/9/2016	DAISY BELLE VISITACION	6.5	2,015.00	Review draft oppositions to motion in limine and cite check same.		
8/9/2016	ALAN COPE JOHNSTON	4.5	4,477.50	Comments on trial brief (3.0); review opposition to motion in limine (.75); conference with A. Hwang (.25); conference with J. Hancock; conference with J. Kanada (.50).		
8/9/2016	ALESSA YIN-CHEN HWANG	2.5	1,487.50	Revise oppositions to Defendants' motions in limine (2.0); coordinate same for filing (.50).		
8/9/2016	JAMES R. HANCOCK	9.25	3,561.25	Finalize and file oppositions to motions in limine, objections to trial exhibits, objections to deposition designations, counter designations, pretrial brief, and related documents (4.75); correspond and confer with case team regarding same (.25); draft M. Hansen trial examination outline (3.0); correspond and confer with M. Hansen and case team regarding same (.25); review research regarding agency deference (1.0).		
8/10/2016	JAMES R. HANCOCK	3.5	1,347.50	Review and analyze Defendants motions in limine, pretrial brief, deposition designations, and objections (2.0); correspond and confer with case team regarding same (.25); draft opposition outlines (.50); draft M. Hansen trial examination outline(.50); confer with J. Kanada and A. Hwang regarding pretrial conferences (.25).		
8/10/2016	ALAN COPE JOHNSTON	3	2,985.00	Review and provide comments on M. Hansen declaration.		
8/10/2016	JOSEPH K. KANADA	6	4,140.00	Conference with J. Hancock regarding trial preparation (0.25); conference with J. Catancio regarding trial preparation (0.25); conference with A. Hwant regarding trial preparation (0.25); review defendant's pretrial filings (0.75); revise direct examination of M. Hansen (4.5).		
8/10/2016	JEFFREY E. CATANCIO	8	2,400.00	Revise trial exhibit lists with objections (3.00); prepare binders regarding pretrial hearing (3.0); prepare livenote reports (2.0).		
8/11/2016	JOSEPH K. KANADA	6.5	4,485.00	Conference with M. Hansen and J. Hancock regarding expert direct examination (1.5); revise M. Hansen direct testimony (5.0).		
8/11/2016	JEFFREY E. CATANCIO	11	3,300.00	Prepare binders regarding pretrial hearing (4.00); prepare livenote reports (2.0); review demonstratives regarding updated info (3.50); update deposition designation transcripts (1.50).		
8/11/2016	ALAN COPE JOHNSTON	7.5	7,462.50	Revise M. Hansen testimony; conference with J. Hancock.		
8/11/2016	JAMES R. HANCOCK	8.5	3,272.50	Draft M. Hansen trial examination outline (2.0); correspond and confer with M. Hansen and J. Kanada regarding same (.25); review and revise trial examination outlines for Sheeheys and P. Brewbaker (3.75); correspond and confer with case team regarding same (.25); review research regarding agency deference (.50); revise demonstratives (1.75).		
8/11/2016	ALESSA YIN-CHEN HWANG	3	1,785.00	Review deposition testimony and draft cross-examination outlines.		
8/11/2016	MICHAEL S. FELMAR	1.75	612.50	Create graphics for use in presentation.		
8/12/2016	MICHAEL S. FELMAR	2.25	787.50	Create graphics for use at trial.		
8/12/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Review deposition testimony and draft cross-examination outlines.		
8/12/2016	ALAN COPE JOHNSTON	5.75	5,721.25	Provide comments on draft testimony for P. Brewbaker, A. Chong and M. Hansen (2.50); conference with J. Hancock regarding same (.25); review draft testimony of foster providers (3.0).		
8/12/2016	JOSEPH K. KANADA	9.5	6,555.00	Conference with A.C. Johnston and J. Hancock regarding expert direct examination regarding expert direct examination (0.75); conference with A. Hwang regarding hearing preparation (0.5); revise M. Hansen direct testimony (4.25); prepare for pretrial conference and motions in limine arguments (1.0); review direct testimony of class members (2.0); conference with M. Hansen regarding direct testimony (1.0).		
8/12/2016	JEFFREY E. CATANCIO	8	2,400.00	Prepare binders regarding pretrial hearing(3.25); update deposition designation transcripts and charts (2.25); review and revise M. Hansen witness statement (2.00); research prior trial testimony regarding M. Hansen (.50).		
8/12/2016	JAMES R. HANCOCK	9	3,465.00	Finalize and file trial examination outlines for all witnesses (3.5); revise tables and for all witnesses (2.00); revise tables and demonstratives (3.0); correspond and confer with case team and M. Hansen (.25); review tentative order on motions in limine (.25).		
8/12/2016	CZARINA POON	0.5	130.00	James Hancock - docket		
8/13/2016	ALAN COPE JOHNSTON	2	1,990.00	Review court's tentative decision (1.50); conference call with P. Alston and Mofo team (.25).		
8/13/2016	JOSEPH K. KANADA	1	690.00	Review court's tentative ruling (0.25); conference with Morrison Foerster team and co-counsel regarding tentative ruling (0.75).		
8/13/2016	JAMES R. HANCOCK	3.5	1,347.50	Research and document review regarding housing (2.50); prepare for and participate in conference call regarding tentative ruling on motions in limine (1.0).		

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8/13/2016	ALESSA YIN-CHEN HWANG	7	4,165.00	Prepare for pre-trial hearing on motions in limine and objections to Defendant's trial exhibits.		
8/14/2016	ALESSA YIN-CHEN HWANG	7.5	4,462.50	Prepare for pre-trial hearing on motions in limine and objections to Defendant's trial exhibits (7.25); confer with J. Hancock regarding same (.25).		
8/14/2016	JAMES R. HANCOCK	2.5	962.50	Research and document review regarding housing; correspond and confer with A. Hwang and C. Black.		
8/15/2016	JAMES R. HANCOCK	9.25	3,561.25	Prepare for hearing on motions in limine and pretrial conference (3.75); review documents regarding housing (3.0); correspond and confer with J. Catancio and P. Alston regarding same (.25); review discovery responses (1.50); attend hearing telephonically' correspond and confer with case team regarding same (.50); correspond with M Hansen and S. La Croix regarding housing (.25).		
8/15/2016	JEFFREY E. CATANCIO	7.5	2,250.00	Prepare binders regarding pretrial hearing (3.50); gather and prepare documents regarding shelter (3.0); search trial exhibit list regarding same(1.0).		
8/15/2016	JOSEPH K. KANADA	5	3,450.00	Conference with Morrison & Foerster's appellate team regarding hearing on motions in limine (0.5); pretrial conferences (1.75); conference with co-counsel regarding case (0.5); prepare for pretrial conference (2.25).		
8/15/2016	ALESSA YIN-CHEN HWANG	7.5	4,462.50	Prepare for pre-trial conference hearing (6.25); present arguments in support of motions in limine at pre-trial hearing (1.0); confer with team regarding same (.25).		
8/15/2016	CHRIS KEENER	3.5	997.50	Prepare encrypted electronic media of production documents per B. Garibald's request.		
8/15/2016	ALAN COPE JOHNSTON	1.75	1,741.25	Conference with J. Hancock (.25); conference with J. Kanada (.25); call with M. Hansen regarding appellate issue (.50); meeting with team to discuss motions in limine (.75).		
8/16/2016	CHRIS KEENER	1.5	427.50	Prepare encrypted electronic copy of production documents per B. Garibaldi's request.		
8/16/2016	JOSEPH K. KANADA	1.5	1,035.00	Conference with M. Hansen and J. Hancock regarding expert issues (0.5); conference with A.C. Johnson regarding case strategy (0.25); conference with J. Hancock regarding trial preparation (0.25); coordinate trial preparation projects (0.5).		
8/16/2016	JAMES R. HANCOCK	2.5	962.50	Confer with M. Hansen and J. Kanada regarding housing (.50); research regarding trial exhibits (.25); correspond and confer with C. Black and J. Catancio regarding same (.25); finalize amended demonstratives (.50); draft stipulated facts for trial (1.0).		
8/16/2016	JEFFREY E. CATANCIO	7	2,100.00	Prepare document production documents with OCR (3.50); prepare trial supplies for sending to trial site (3.50).		
8/17/2016	JEFFREY E. CATANCIO	6.75	2,025.00	Prepare document production documents with OCR (3.5); prepare trial supplies for sending to trial site (2.25); research production documents regarding housing costs (1.0).		
8/17/2016	JAMES R. HANCOCK	3.25	1,251.25	Confer with M. Hansen, S. La Croix, and J. Kanada regarding housing analysis (.25); review documents and trial exhibits (.50); review and summarize order on motions in limine (.25); correspond and confer with case team (.25); prepare for cross examination of M. Hansen (.50); prepare for cross examination of DHS witnesses (.50); research regarding same (1.0).		
8/17/2016	JOSEPH K. KANADA	1	690.00	Coordinate expert and witness preparation for trial.		
8/17/2016	LAURA RAY	0.5	112.50	Public records searches for current addresses of current or former employees of Hawaii Department of Human Services for J. Hancock.		
8/17/2016	BRANDON MANUEL GARIBALDI	1.5	465.00	Trial preparation.		
8/18/2016	BRANDON MANUEL GARIBALDI	2	620.00	Trial preparation.		
8/18/2016	ALAN COPE JOHNSTON	1.5	1,492.50	Review order (.25); conference with team (1.0); call with C. Black (.25).		
8/18/2016	ALESSA YIN-CHEN HWANG	5	2,975.00	Prepare responses to Defendant's objections to Plaintiffs' direct testimony (2.0); conference call with team and co-counsel regarding settlement discussions(1.0); trial witness order, and trial logistics (1.0); review motion in limine rulings (.50); confer with J. Hancock regarding pre-trial issues (.50).		
8/18/2016	JOSEPH K. KANADA	3	2,070.00	Conference with Morrison Foerster team regarding trial preparation (1.0); trial preparation (2.0)		
8/18/2016	JEFFREY E. CATANCIO	5.5	1,650.00	Prepare document production documents with OCR (3.0); prepare trial supplies and binders for sending to trial site (2.5).		
8/18/2016	JAMES R. HANCOCK	4.5	1,732.50	Review notes from meeting with S. Chandler (.50); review DHS's objections to direct testimony (1.00); prepare for and attend case team meeting (1.0); draft responses to objections (.50); confer with J. Kanada and M. Hansen regarding potential settlement and invoicing (.25); correspond with S. La Croix regarding housing (.25); research regarding housing (.50); draft cross examination outlines (.50).		
8/19/2016	JEFFREY E. CATANCIO	4.75	1,425.00	Review and revise internal trial exhibit lists with final documents.		
8/19/2016	ALESSA YIN-CHEN HWANG	4.5	2,677.50	Draft responses to Defendants' objections to Plaintiffs' direct testimony (3.75); review Plaintiff's direct testimony (.75).		
8/19/2016	JAMES R. HANCOCK	8.5	3,272.50	Draft responses to Defendant's objections to trial testimony (3.50); review Defendant's witness' direct testimony (1.75); draft cross examination of L. Nakao (3.0); correspond and confer with M. Hansen and S. La Croix (.25)		
8/19/2016	ALAN COPE JOHNSTON	0.25	248.75	Email regarding appeal; conference with J. Hancock.		
8/20/2016	ALAN COPE JOHNSTON	1.25	1,243.75	Review testimony and objections (.75); review proposed settlement terms (.50).		

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8/20/2016	JAMES R. HANCOCK	3.25	1,251.25	Review documents for trial (2.75); correspond and confer with C. Black and J. Kanada regarding same (.25); confer with S. La Croxi regarding housing; draft cross examination for trial (.25).		
8/20/2016	JOSEPH K. KANADA	2	1,380.00	Trial preparation (2.0).		
8/21/2016	JOSEPH K. KANADA	13.75	9,487.50	Travel to Honolulu for trial (7.75); conference with M. Hansen and J. Hancock regarding expert issues (1.5); conference with C. Black, P. Alston and J. Hancock to discuss trial preparation (0.75); conference with A. Johnston and J. Hancock regarding trial preparation (0.5); review direct testimony from defendant (3.25)		
8/21/2016	JAMES R. HANCOCK	17.75	6,833.75	Review, research, and draft objections to Defendant's witness' direct examinations (3.75); draft cross examination of L. Nakao (2.50); draft stipulated facts (0.75); draft opening statement points and power point (0.75); correspond and confer with case team (0.50); conferee with M. Hansen regarding testimony (1.50); travel to Hawaii (8.00).		
8/21/2016	ALESSA YIN-CHEN HWANG	4.25	2,528.75	Draft offer of proof for shelter issue (1.00) and perform related research (3.25).		
8/21/2016	ALAN COPE JOHNSTON	0.5	497.50	Review emails; conference with J. Kanada and J. Hancock.		
8/22/2016	ALAN COPE JOHNSTON	2	1,990.00	Review DHS direct testimony.		
8/22/2016	JOSEPH K. KANADA	11.25	7,762.50	Conference with M. Hansen, Morrison Foerster team, and co-counsel regarding trial strategy and expert issues (3.0); review witness deposition testimony and exhibits (3.25); meet with J. Hancock and A. Hwang to discuss settlement offer (0.5); draft witness direct outlines (3.75); analyze settlement proposals (0.25); review responses to objections (0.5).		
8/22/2016	JEFFREY E. CATANCIO	7.25	2,175.00	Review and revise internal trial exhibit lists with final documents (2.50); review C. Gross direct testimony regarding documents cited (.50); gather Nakao witness outline trial exhibits cited (3.25); prepare livenote annotation reports regarding Kazama (1.0).		
8/22/2016	JAMES R. HANCOCK	11.5	4,427.50	Draft cross examination outline for L. Nakao (5.00); draft and research points for opening argument (1.25); confer with S. La Croix regarding housing and review related documents (0.50); meet with M. Hansen and J. Kanada regarding testimony (3.0); confer with P. Alston, C. Black, G. Thornton and J. Kanada regarding case strategy and pending projects (0.50); confer with A. C. Johnston and J. Kanada regarding trial prep (0.50); revise responses to Defendant's Objections to trial testimony (0.75).		
8/22/2016	ALESSA YIN-CHEN HWANG	8	4,760.00	Travel to Hawaii for trial (7.00); discuss trial strategy with team (1.0).		
8/23/2016	ALESSA YIN-CHEN HWANG	7.25	4,313.75	Attend scheduling conference (1.00); draft objections to Defendant's direct testimony (1.75); attend team strategy meeting with experts and confer regarding case strategy (2.5); review direct testimony of M. Maehara and C. Goss and confer with J. Hancock regarding same (1.5); review settlement proposals (.5).		
8/23/2016	JOSEPH K. KANADA	9.5	6,555.00	Conference with M. Hansen, S. Le Croix, P. Brewbaker, Morrison Foerster team,co-counsel regarding team strategy and expert issues (4.0); conference with C. Black, J. Hancock and A. Hwang regarding trial and settlement strategy (0.75); analyze settlement offer (0.75); draft L. Kazama direct outlines (1.25); draft supplemental direct testimony of M. Hansen (2.25); analyze prior publications of J. Udinsky (0.5).		
8/23/2016	JAMES R. HANCOCK	12	4,620.00	Revise responses to Defendant's objections to testimony (1.0); revise supplemental testimony of M. Hansen (1.75); draft cross examination of M. Hansen (2.50); revise settlement proposal (0.75); prepare for and attend meeting with M. Hansen, P. Brewbaker, S. La Croix and J. Kanada (3.75); correspond and confer with case team regarding trial prep, and potential settlement (1.25); analysis regarding cross examination of M. Maehara and C. Goss (1.00).		
8/23/2016	JEFFREY E. CATANCIO	7.25	2,175.00	Review C. Goss direct testimony regarding documents cited (2.50); gather Maehara witness outline trial exhibits cited (2.00); gather and prepare documents regarding Kazama trial outline (1.50); organize trial direct testimony on pdrive (1.25).		
8/23/2016	MICHAEL D. DANIELS	2.5	650.00	Retrieved various publications of Jerald Udinsky(2.25); Delivered to J. Kanada (.25).		
8/24/2016	JAMES R. HANCOCK	13	5,005.00	Draft cross examination for M. Hansen (1.50); revise supplemental testimony from M. Hansen (0.75); attend prep session with case team and M. Hansen regarding testimony at trial (4.50); correspond and confer with case team (2.0); draft objections to testimony from L. Nakao and K. Perez and cross examination for K. Perez (3.75); confer with Rhode Island case team regarding case status (0.50).		
8/24/2016	ALAN COPE JOHNSTON	2	1,990.00	Telephone conference with J. Kanada regarding projects (.25); telephone conference with Team regarding settlement proposal (.25); review and provide comments on Hansen supplemental testimony (1.0); review Hansen supplemental testimony (.25); telephone conference with J. Kanada and J. Hancock regarding same (.25).		
8/24/2016	JEFFREY E. CATANCIO	3.5	1,050.00	Organize Udinsky publications on pdrive for review (1.50); gather exhibits cited in direct testimony for review (2.0).		

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8/24/2016	ALESSA YIN-CHEN HWANG	9.25	5,503.75	Draft offers of proof and perform related case research (3.00); review draft supplemental direct testimony of M. Hansen (.25); research issues related to admissibility of evidence for periodic review (2.75); confer with team regarding pre-trial preparation and settlement issues (1.50); draft cross-examination outlines for Defendant's witnesses (1.75).		
8/24/2016	JOSEPH K. KANADA	14	9,660.00	Coordinate expert issues and appeal issues (0.5); correspond regarding settlement issues with A.C. Johnston (0.25); review settlement proposal (0.75); discuss trial issues with C. Black (0.5); discussions regarding settlement and trial issues with Morrison Foerster team and Alston Hunt team (1.25); review offer for proof (0.75); review J. Udinsky publications (1.0); meeting with M. Hansen and Morrison Foerster team regarding supplemental direct testimony, trial preparation and strategy, and ongoing litigation in other states (5.0); review and revise direct testimony (1.0); analyze and draft objections to P. McManaman and J. Udinsky testimony (3.0).		
8/25/2016	ALESSA YIN-CHEN HWANG	7	4,165.00	Revise draft offers of proof (1.50); draft objections to Defendant's direct witness testimony (2.5); confer with team regarding settlement terms (1.00); attend settlement conference with team (1.00); draft cross-examination outlines for Defendant's witnesses (1.00).		
8/25/2016	ALAN COPE JOHNSTON	1.75	1,741.25	Review draft offer of proposal (.50); review revised settlement proposal (1.25).		
8/25/2016	JOSEPH K. KANADA	8.25	5,692.50	Analyze Udinsky expert report and declaration (2.25); prepare for Udinsky cross examination (1.0); analyze defendant's direct statement and proposed exhibits and raise objections (2.50); conferences with A.C. Johnston regarding settlement discussions (0.75); analyze settlement offer (1.0); attend settlement conference (0.75).		
8/25/2016	JAMES R. HANCOCK	7.5	2,887.50	Draft objections to testimony from L. Nakao, K. Perez, P. McManaman, and L. Kazama (2.0); draft cross examination for K. Perez (1.0); prepare for and attend settlement conference (1.0); revise settlement counter proposal and related calculations (1.25); correspond and confer with case team (1.00); review offer of proof (0.50); review supplemental testimony from J. Udinsky and objections to supplemental testimony from M. Hansen (0.50); confer with M. Hansen regarding settlement and case status (0.25).		
8/26/2016	JAMES R. HANCOCK	2.5	962.50	Prepare for and attend settlement conference (1.25); correspond and confer with case team and clients regarding same (1.00); correspond and confer with M. Hansen regarding same (0.25).		
8/26/2016	JOSEPH K. KANADA	2.75	1,897.50	Prepare for and attend settlement conference (1.25); conferences with client and discussions regarding press release (1.0); revise and edit press release (0.50).		
8/26/2016	ALESSA YIN-CHEN HWANG	2	1,190.00	Attend court hearing to enter settlement into record (1.0); confer with team regarding settlement terms (1.0).		
8/27/2016	JOSEPH K. KANADA	1	690.00	Confer with J. Hancock, A. Hwang, and expert witness M. Hansen regarding case settlement and status.		
8/27/2016	ALAN COPE JOHNSTON	1	995.00	Comments on draft press release, draft notice for Mofo website.		
8/27/2016	JAMES R. HANCOCK	1.5	577.50	Prepare for and attend meeting with M. Hansen, J. Kanada and A. Hwang (1.00); correspond with case team regarding settlement and press conference (.50).		
8/28/2016	ALAN COPE JOHNSTON	0.5	497.50	Comments on draft press release.		
8/28/2016	JAMES R. HANCOCK	1.25	481.25	Confer with clients and co-counsel regarding settlement and case status (0.50); review and revise press release (0.25); prepare for press confere3nce (.25); correspond with case team regarding same (0.25).		
8/28/2016	ALESSA YIN-CHEN HWANG	0.25	148.75	Discuss settlement with client.		
8/28/2016	JOSEPH K. KANADA	8.5	5,865.00	Review press release revisions and correspondence (0.50); travel from Honolulu to Palo Alto (8.0).		
8/29/2016	JOSEPH K. KANADA	1	690.00	Review press conference communications (0.25); archive emails (0.75).		
8/29/2016	ALAN COPE JOHNSTON	0.75	746.25	Emails regarding settlement.		
8/29/2016	JAMES R. HANCOCK	10.5	4,042.50	Prepare for and attend press conference (1.50); correspond and confer with case team, opposing counsel, and A. Merriweather regarding same (1.00); travel home from Hawaii (8.00).		
8/30/2016	JAMES R. HANCOCK	0.5	192.50	Confer with A.C. Johnston and J. Kanada regarding case status (0.25); revise press release (0.25).		
8/30/2016	JOSEPH K. KANADA	0.5	345.00	Review correspondence (0.25); conference with J. Hancock and A. Johnston regarding case (0.25).		
8/31/2016	JAMES R. HANCOCK	0.25	96.25	Review invoices; confer with J. Kanada regarding settlement.		
8/31/2016	ALESSA YIN-CHEN HWANG	6	3,570.00	Travel back from Hawaii.		
9/1/2016	JOSEPH K. KANADA	0.25	186.25	Discuss settlement agreement with J. Hancock.		
9/1/2016	JAMES R. HANCOCK	1.25	656.25	Research regarding settlement agreement (0.50); correspond and confer with M. Peters and case team regarding same (.50); correspond with case team regarding fees and costs (.25).		
9/2/2016	JAMES R. HANCOCK	0.5	262.50	Correspond and confer with case team regarding fees and costs (.25); correspond with C. Wong and K. Reddy regarding settlement agreement (.25).		
9/6/2016	JAMES R. HANCOCK	1.75	918.75	Review settlement agreement (0.50); confer with C. Wong, and K. Reddy regarding same (.50); correspond and confer with case team regarding same (.75).		

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9/6/2016	JOSEPH K. KANADA	1	745.00	Analyze settlement agreement from Washington foster care case (.25); conference with J. Hancock regarding settlement agreement (.25); conference with counsel from Washington case regarding settlement (.50).		
9/7/2016	JOSEPH K. KANADA	0.75	558.75	Correspond with A.C. Johnston regarding settlement updates (.25); conference with J. Hancock regarding settlement projects (.25); conference with J. Hancock and C. Black regarding settlement agreement and motion for fees (.25).		
9/7/2016	JAMES R. HANCOCK	1	525.00	Correspond and confer with J. Kanada and C. Black re settlement, fees and costs (.50); research and drafting regarding same (.50).		
9/9/2016	JAMES R. HANCOCK	0.25	131.25	Correspond with case team regarding settlement agreement.		
9/15/2016	JOSEPH K. KANADA	1.5	1,117.50	Conference with C. Black regarding settlement agreement and motion for fees (.25); draft settlement agreement (1.25).		
9/15/2016	JAMES R. HANCOCK	0.25	131.25	Correspond with case team regarding draft settlement agreement.		
9/16/2016	JOSEPH K. KANADA	0.5	372.50	Draft settlement agreement.		
9/16/2016	JAMES R. HANCOCK	1	525.00	Revise settlement agreement; correspond and confer with J. Kanada regarding same.		
9/16/2016	ALAN COPE JOHNSTON	1	1,045.00	Review draft settlement agreement.		
9/19/2016	JOSEPH K. KANADA	1.75	1,303.75	Revise settlement agreement.		
9/22/2016	JAMES R. HANCOCK	0.25	131.25	Correspond regarding fees and costs; review edits to settlement agreement.		
9/22/2016	ALAN COPE JOHNSTON	1	1,045.00	Review draft settlement agreement, provide comments.		
9/23/2016	JAMES R. HANCOCK	0.25	131.25	Attend to fees and costs; correspond with J. Kanada.		
9/23/2016	JOSEPH K. KANADA	0.75	558.75	Review correspondence from co-counsel regarding settlement (.25); revise settlement agreement (.50).		
9/27/2016	ALESSA YIN-CHEN HWANG	1	595.00	Review draft settlement agreement and correspondence regarding same.		
9/28/2016	JOSEPH K. KANADA	0.5	372.50	Review court order and team emails regarding court order (.25); revise settlement agreement (.25).		
9/29/2016	JOSEPH K. KANADA	0.25	186.25	Correspond with co-counsel regarding status conference.		
10/7/2016	JOSEPH K. KANADA	0.25	186.25	Update Morrison Foerster team regarding settlement status.		
10/24/2016	JOSEPH K. KANADA	1.75	1,303.75	Conference with C. Black (0.25); conference with A.C. Johnston (.25); research whether expert fees can be recoverable as reasonable attorney fee award in 1983 action (1.25).		
10/24/2016	ALAN COPE JOHNSTON	0.5	522.50	Conference with J. Kanada regarding fee application.		
10/24/2016	JAMES R. HANCOCK	0.5	262.50	Review correspondence from opposing counsel regarding fees and costs with case team regarding same.		
10/25/2016	JOSEPH K. KANADA	1.25	931.25	Conference with co-counsel and A.C. Johnston regarding settlement discussions with opposing counsel (.50); analyze settlement and fee issues (.75).		
10/25/2016	ALESSA YIN-CHEN HWANG	0.5	297.50	Review correspondence related to fee negotiations.		
10/27/2016	JAMES R. HANCOCK	0.25	131.25	Confer with J. Kanada regarding settlement and fees and costs.		
10/28/2016	JAMES R. HANCOCK	0.25	131.25	Correspond with case team regarding fees and costs, settlement, and case team transitions.		
10/28/2016	ALAN COPE JOHNSTON	0.25	261.25	Conference with M. Peters.		
10/31/2016	ALAN COPE JOHNSTON	0.5	522.50	Attend team meeting.		
10/31/2016	MARC D. PETERS	1.25	1,156.25	Team meeting regarding case status and next steps (.50); telephone conference with C. Wong Black regarding same (.25); prepare pro hac vice application (.50).		
10/31/2016	JOSEPH K. KANADA	0	745.00	Conference with Morrison Foerster team regard case transfer (.25); conference with C. Black regarding case transfer (.25); prepare materials to transfer (.50) (1.0 NO CHARGE)	1	690
10/31/2016	JAMES R. HANCOCK	0	262.50	Correspond and confer with case team regarding fees and costs, settlement, and transitioning team members (.50 NO CHARGE)	0.5	192.5
10/31/2016	ALESSA YIN-CHEN HWANG	0.75	743.75	Attend transition team meeting (.50 NO CHARGE); attend conference call with M. Peters, J. Kanada and local counsel (.25); review correspondence related to fee negotiations (.50).	0.5	297.5
11/1/2016	JOSEPH K. KANADA	0	745.00	Transfer case (1.0 NO CHARGE)	1	690
11/1/2016	ALESSA YIN-CHEN HWANG	0.75	446.25	Review terms of settlement in principle and attorney fee proposals.		
11/1/2016	ALAN COPE JOHNSTON	0.25	261.25	Submit withdrawal as counsel.		
11/3/2016	JAMES R. HANCOCK	0.25	131.25	Correspond with M. Peters regarding case status.		
11/11/2016	JAMES R. HANCOCK	0.25	131.25	Correspond with co-counsel; research regarding invoices from Defendant's experts.		
11/29/2016	ALESSA YIN-CHEN HWANG	0.25	148.75	Correspond with J. Hancock regarding update on fees and the settlement agreement.		
12/7/2016	JAMES R. HANCOCK	0.5	262.50	Correspond with case team and opposing counsel .25); research regarding same (.25).		
12/9/2016	JAMES R. HANCOCK	0.25	131.25	Correspond with C. Black regarding case status.		
12/14/2016	JAMES R. HANCOCK	0.25	131.25	Confer with A. Hwang regarding case status.		
12/27/2016	JAMES R. HANCOCK	0.5	262.50	Correspond with case team regarding status conference (.25); review materials regarding same (.25).		
12/29/2016	JAMES R. HANCOCK	0.25	131.25	Review Defendant's motion to withdraw; correspond with case team.		
1/5/2017	JAMES R. HANCOCK	0.25	150.00	Confer with A. Hwang regarding case status.		
1/20/2017	ALESSA YIN-CHEN HWANG	0.5	325.00	Review draft settlement agreements and correspondemce from C. Black regarding same.		
1/20/2017	JAMES R. HANCOCK	0.5	300.00	Review revised draft settlement agreement from opposing counsel (.25); correspond with C. Black regarding same (.25); confer with M. Peters regarding settlement, fees and costs.		
1/22/2017	JAMES R. HANCOCK	3.25	1,950.00	Analyze and annotate revised draft settlement agreement and related documents from opposing counsel.		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
1/23/2017	JAMES R. HANCOCK	3.25	1,950.00	Analyze and annotate draft settlement documents from opposing counsel (2.75); analyze and calculate fee proposals; correspond to case team (.50).		
1/24/2017	JAMES R. HANCOCK	0.5	300.00	Correspond and confer with A. Hwang regarding settlement documents and fee motion.		
1/24/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Confer with J. Hancock regarding drafts of settlement agreement and notice to class members.		
1/25/2017	ALESSA YIN-CHEN HWANG	1.75	1,137.50	Review defendant's proposed settlement agreements and notice to class members (.50); provide edits and suggested comments (1.0); correspond with J. Hancock regarding same (.25).		
1/26/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Confer with J. Hancock regarding draft settlement agreements and timing for fairness hearing and request for legislative approval.		
1/27/2017	JAMES R. HANCOCK	0.75	450.00	Annotate draft settlement documents (.50); confer with A. Hwang regarding same (.25).		
1/31/2017	JAMES R. HANCOCK	1	600.00	Annotate and consolidate comments for draft settlement documents (.75); correspond with case team regarding same (.25).		
2/1/2017	MARC D. PETERS	1.75	1,680.00	Analyze settlement proposals and draft agreement (1.25); telephone conference with C. Wong-Black regarding settlement (.25); intra-office conference regarding same (.25).		
2/1/2017	JAMES R. HANCOCK	2	1,200.00	Prepare for and participate in conference call with M. Peters, A. Hwang, and C. Black regarding settlement documents (1.50); attend meeting with M. Peters regarding strategy and action items (.25); correspond and confer with case team regarding same (.25).		
2/6/2017	ALESSA YIN-CHEN HWANG	2	1,300.00	Research Ninth Circuit cases where expert costs were awarded for a Section 1983 claim.		
2/7/2017	ALESSA YIN-CHEN HWANG	1.5	975.00	Research Ninth Circuit cases where expert costs were awarded for a Section 1983 claim.		
2/7/2017	JAMES R. HANCOCK	0.25	150.00	Confer with A. Hwang and correspond with C. Black regarding settlement documents.		
2/8/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with S. Nazzal and J. Brown regarding case, clients and publications.		
2/13/2017	JAMES R. HANCOCK	3.5	2,100.00	Conduct legal research regarding fees and expert deposition costs.		
2/15/2017	JAMES R. HANCOCK	2	1,200.00	Conduct legal research (1.25); summarize and annotate cases (.50); correspond with C. Black, A. Hwang regarding research and settlement documents (.25).		
2/16/2017	JAMES R. HANCOCK	0.75	450.00	Attend to revised fee calculation (.50); correspond with C. Black regarding same and settlement documents (.25).		
2/21/2017	JAMES R. HANCOCK	0.25	150.00	Email to C. Black regarding settlement documents.		
2/23/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with C. Black and M. Peters regarding settlement documents.		
2/24/2017	ALESSA YIN-CHEN HWANG	1	650.00	Review draft settlement agreement with C. Wong Blacks's comments and Defendant's comments.		
2/24/2017	JAMES R. HANCOCK	2.75	1,650.00	Review and revise draft settlement documents from C. Black; correspond and confer with case team regarding same (1.75); analyze calculations and results for settlement figures (1.0).		
2/27/2017	ALESSA YIN-CHEN HWANG	0.5	325.00	Review draft federal settlement agreement.		
2/28/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Confer with J. Hancock regarding status of draft settlement agreements and court's orders regarding finalization of agreement and dismissal of case.		
2/28/2017	JAMES R. HANCOCK	3.75	2,250.00	Draft and revise settlement documents (1.50); analyze and calculate fee estimates and expert invoices (1.75); correspond and confer with D. Visitation, A. Hwang, M. Peters and C. Black regarding fee motions, settlement documents, and settlement conference (.50.		
2/28/2017	DAISY BELLE VISITACION	2	660.00	Confer with J. Hancock regarding upcoming fees motion (.50); review attorney costs and fees and categorize same pursuant to civil local rules (1.50)		
3/1/2017	ALESSA YIN-CHEN HWANG	0.5	325.00	Review latest draft federal settlement agreement.		
3/1/2017	JAMES R. HANCOCK	1	600.00	Review draft settlement documents (.75); correspond and confer with case team and M. Hansen regarding same (.25).		
3/1/2017	DAISY BELLE VISITACION	1.5	495.00	Review attorney costs and fees and categorize same pursuant to civil local rules.		
3/2/2017	JAMES R. HANCOCK	1	600.00	Confer with M. Hansen regarding settlement documents (.25); prepare same (.25); research and send materials regarding same (.50).		
3/3/2017	ALESSA YIN-CHEN HWANG	1.25	812.50	Review draft federal settlement document and correspondence and comments regarding same.		
3/4/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with M. Hansen regarding settlement documents and calculations.		
3/6/2017	JAMES R. HANCOCK	0.5	300.00	Review M. Hansen edits to settlement agreement (.25); correspond and confer with case team regarding settlement hearing, settlement documents and fees negotiations (.25).		
3/6/2017	DAISY BELLE VISITACION	0.75	247.50	Review attorney costs and fees and categorize same pursuant to civil local rules.		
3/7/2017	JAMES R. HANCOCK	0.75	450.00	Review fee chart for motion for fees (.25); correspond with D. Visitation regarding same (.25); correspond with C. Black regarding settlement conference statement and invoices (.25).		
3/7/2017	DAISY BELLE VISITACION	4.25	1,402.50	Review attorney costs and fees and categorize same pursuant to civil local rules.		
3/7/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence related to deposition costs and invoices for expert witnesses		
3/8/2017	ALESSA YIN-CHEN HWANG	0.75	487.50	Review draft settlement conference statement and comments by J. Hancock.		

Date	Name / Invoice Number	Hours	Amount		No Charge	No Charge Value
3/8/2017	DAISY BELLE VISITACION	7.25	2,392.50	Review attorney costs and fees and categorize same pursuant to civil local rules.		
3/8/2017	JAMES R. HANCOCK	3.75	2,250.00	Outline issues for settlement conference statement (.75); transmit to C. Black (.25); review and revise draft settlement conference statement (.50); research regarding same (.75); correspond and confer with case team regarding same (.25); review fee table for motion (.50); correspond with D. Visitation regarding same (.25).		
3/8/2017	MARC D. PETERS	0.5	480.00	Review and revise settlement conference statement; intra-office conference regarding attorney fee settlement.		
3/9/2017	JAMES R. HANCOCK	1	600.00	Review budget and committee documents (.25); correspond and confer with case team regarding same (.25); settlement conference, and offer regarding fees (.25); review fee table (.25); correspond with D. Visitation regarding same.		
3/9/2017	DAISY BELLE VISITACION	4.75	1,567.50	Review attorney costs and fees and categorize same pursuant to civil local rules.		
3/9/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence related to Hawaii's budget as related to the settlement agreement.		
3/13/2017	ALESSA YIN-CHEN HWANG	1.25	812.50	Review draft motion for preliminary approval and comments from J. Hancock.		
3/13/2017	JAMES R. HANCOCK	1.25	750.00	Review and revise draft motion for preliminary approval of settlement (1.0); correspond and confer with case team (.25).		
3/15/2017	JAMES R. HANCOCK	0.75	450.00	Correspond and confer with C. Black, M. Peters, and A. Hwang (.25); research re legislative budget (.50).		
3/15/2017	MARC D. PETERS	0.25	240.00	Intra-office conference regarding settlement and strategy.		
3/16/2017	JAMES R. HANCOCK	0.5	300.00	Correspond and confer with M. Peters and C. Black regarding settlement agreement (.25); review same (.25).		
3/16/2017	MARC D. PETERS	0.25	240.00	Review and comment on settlement agreement.		
3/17/2017	ALESSA YIN-CHEN HWANG	1	650.00	Review draft motion for preliminary approval and draft final settlement agreement.		
3/17/2017	MARC D. PETERS	1	960.00	Prepare correspondence to C. Wong Black regarding settlement agreement (.50); review and reply to messages (.50).		
3/17/2017	JAMES R. HANCOCK	0.25	150.00	Correspond with case team regarding settlement agreement, hearing, and scheduling for upcoming deadlines.		
3/21/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review amended order preliminarily approving class action settlement.		
3/24/2017	ALESSA YIN-CHEN HWANG	1	650.00	Confer and correspond with J. Hancock and D. Visitation regarding fees spreadsheet in support of fees motions (.75); telephone call with C. Wong Black regarding same (.25).		
3/25/2017	ALESSA YIN-CHEN HWANG	0.25	162.50	Review correspondence from D. Visitacion and J. Hancock regarding billing spreadsheets.		
	TOTALS	**3787.75**	**$2,046,858.75**		**9.5**	**$8,337.50**

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FILED

APR 24 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

E.R.K., by his legal guardian R.K.; R.T.D., through his parents, R.D. and M.D.; HAWAII DISABILITY RIGHTS CENTER, in a representative capacity on behalf of its clients and all others similarly situated, Plaintiffs - Appellants, v. STATE OF HAWAII DEPARTMENT OF EDUCATION, Defendant - Appellee.	No. 12-16063 D.C. No. 10-CV-436-DAE District of Hawaii, Honolulu ORDER

Before: Peter L. Shaw, Appellate Commissioner

I
Background

E.R.K., by his legal guardian R.K.; R.T.D., through his parents, R.D. and M.D.; and Hawaii Disability Rights Center, in a representative capacity on behalf of its clients and all others similarly situated (together, "E.R.K."); brought a class action against the State of Hawaii Department of Education ("DOE") alleging violations of federal law arising from the DOE's enforcement of Hawaii Act 163's

EXHIBIT F

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age limit on public education as to the plaintiff class. After a one-day bench trial, the district court entered judgment in favor of the DOE, and E.R.K. appealed.

This court affirmed the district court's judgment on E.R.K.'s Americans with Disabilities Act ("ADA") and Rehabilitation Act claims, reversed the district court's judgment on E.R.K's Individuals with Disabilities Education Act ("IDEA") claim, and remanded to the district court for proceedings on the IDEA claim. *See E.R.K. ex rel. R.K. v. Haw. DOE*, 728 F.3d 982, 993 (9th Cir. 2013).

E.R.K. filed a bill of costs and the Clerk taxed costs against the DOE in the amount of $390.80. *See* 28 U.S.C. § 1920; Fed. R. App. P. 39; 9th Cir. R. 39-1.1–1.5. E.R.K. filed an application for attorneys' fees under the IDEA, 20 U.S.C. § 1415(i). *See* 9th Cir. R. 39-1.6. The DOE filed an objection, and E.R.K. filed a reply. *See* 9th Cir. R. 39-1.7. The court referred to the Appellate Commissioner the determination of the attorneys' fees application. *See* 9th Cir. R. 39-1.9.

II
Analysis

A. Applicable Law

The IDEA, 20 U.S.C. § 1415(i), provides that "[i]n any action or proceeding brought under this section, the court, in its discretion, may award reasonable attorneys' fees as part of the costs . . . to a prevailing party." The court may reduce

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the fee award where "the amount of attorneys' fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience," or "the time spent and legal services furnished were excessive considering the nature of the action or proceeding." *Id.*; *see also Blum v. Stenson*, 465 U.S. 886, 895 & n.11 (1984); *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983).

B. Entitlement To Attorneys' Fees Award

The DOE argues that E.R.K. may not be awarded attorneys' fees because this action was not brought under 20 U.S.C. § 1415. *See Lucht v. Molalla River Sch. Dist.*, 225 F.3d 1023, 1028 (9th Cir. 2000). The DOE argues that the complaint sought declaratory and injunctive relief under 28 U.S.C. §§ 2201 and 2202, rather than judicial review of an administrative hearing decision regarding the denial of a free appropriate public education ("FAPE"). *See* 20 U.S.C. § 1415(f), (g), (i). The DOE also argues that an administrative hearing officer lacks jurisdiction to determine whether Hawaii Act 163 violates federal law. The DOE's argument lacks merit.

Sections 2201 and 2202 create remedies, and do not authorize causes of action. This court's opinion states that "[t]he complaint asserted claims under the IDEA." *See E.R.K. ex rel. R.K.*, 728 F.3d at 985. E.R.K.'s cause of action is

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authorized by the IDEA, 20 U.S.C. § 1415(i) and (l). Contrary to the DOE's argument, E.R.K.'s complaint challenged the denial of a FAPE. *Id*. E.R.K. sought a declaration that the DOE's refusal to provide class members with a FAPE after age 20 violated 20 U.S.C. § 1412(a), and sought to enjoin the DOE to provide a FAPE until class members reached age 22. *Id.* at 986-92. E.R.K.'s complaint did not request invalidation of Hawaii Act 163, as the DOE argues, and this court did not do so. *Id*. at 992. The court held that the DOE's enforcement of Hawaii Act 163 to deny class members a FAPE after age 20 violates the IDEA. *Id*.

Moreover, E.R.K.'s complaint alleged that R.T.D. and two other named plaintiffs requested administrative hearings regarding the discontinuance of their FAPEs. In addition, the district court eventually determined that the named plaintiffs had exhausted their administrative remedies under 20 U.S.C. § 1415(f) and (g), or were not required to do so. *See* 20 U.S.C. § 1415(l); *N.D. v. Haw. DOE*, 600 F.3d 1104, 1110 (9th Cir. 2010) (plaintiffs demonstrating that defendant has adopted policy or pursued general practice contrary to law need not exhaust administrative remedies); *Hoeft v. Tucson Unified Sch. Dist.*, 967 F.2d 1298, 1305, 1307 (9th Cir. 1992) (policy or practice is contrary to law if the question whether it violates IDEA is a question of law, and the agency was afforded an opportunity to consider and correct errors). Also, the district court and this court resolved

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R.T.D's separate appeal from an administrative hearing decision by adopting the decision in *E.R.K.* *See R.T.D. ex rel. R.D. v. Haw. DOE*, 539 Fed. App'x 774, 775 (9th Cir. 2013).

This court has stated that the broadly worded provision for attorneys' fees "in any action or proceeding" brought under 20 U.S.C. § 1415 does not restrict attorneys' fees only to cases where parents of a disabled child opt to pursue an administrative hearing, and suggests that there is more than one type of proceeding in which a court is authorized to award fees. *See Lucht*, 225 F.3d at 1027. Other circuits have affirmed awards of attorneys' fees under § 1415 in class actions for violations of the IDEA. *See Blackman v. Dist. of Columbia*, 633 F.3d 1088, 1090-92 (D.C. Cir. 2011); *Keene v. Zelman*, 337 Fed. App'x 553, 554, 558 (6th Cir. 2009); *Beard v. Teska*, 31 F.3d 942, 945-46, 958 (10th Cir. 1994). E.R.K. may be awarded attorneys' fees here.

C. Amount Of Attorneys' Fees Award

E.R.K. requests attorneys' fees on appeal in the amount of $57,483.58 for 134.5 hours of work by attorney Jason H. Kim of Schneider Wallace Cottrell Konecky LLP in San Francisco, California; attorney Paul Alston and paralegal Kelly K.M. Guadagno of Alston Hunt Floyd & Ing in Honolulu, Hawaii; and attorney Matthew C. Bassett of the Hawaii Disability Rights Center in Honolulu,

Hawaii. E.R.K. also requests Hawaii general excise taxes in the amount of $227.73 on Alston's and Guadagno's fees.

1. Reasonable Hourly Rates

E.R.K. requests the following hourly rates for the legal professionals, and the DOE objects to all of the requested rates:

Legal Professional	Position	Admission Date	Hourly Rate
Paul Alston	Director	1971	$592.52
Jason H. Kim	Of Counsel	1998	$500.00
Matthew C. Bassett	Litigation Director	1986	$285.00
Kelly K.M. Guadagno	Paralegal	N/A	$125.00

a. Paul Alston

E.R.K. requests $592.52 per hour for Paul Alston, an experienced Hawaii law firm director, appellate litigator, and bar leader admitted to practice in 1971. The requested hourly rate is based on a Hawaii district court award of Alston's 2011 hourly billing rate of $567, adjusted for inflation, in a commercial dispute. Alston states here that his 2012-13 hourly billing rate is $695 for new business clients in complex commercial cases, and that he is handling "much work" for clients at that rate. "That a lawyer charges a particular hourly rate, and gets it, is evidence bearing on what the market rate is, because the lawyer and his clients are

part of the market." *Carson v. Billings Police Dep't*, 470 F.3d 889, 892 (9th Cir. 2006).

The DOE argues that $300 per hour should be awarded for Alston, because that is the highest rate that the Hawaii district court has allowed in IDEA cases. This argument lacks merit. The court may not rely exclusively on awards in IDEA cases to determine a market rate for Alston's services. *See Prison Legal News v. Schwarzenegger*, 608 F.3d 446, 455 (9th Cir. 2010); *Christensen v. Stevedoring Servs. of Am.*, 557 F.3d 1049, 1054 (9th Cir. 2009); *Van Skike v. Dir., OWCP*, 557 F.3d 1041, 1046-47 (9th Cir. 2009); *Moreno v. City of Sacramento*, 534 F.3d 1106, 1115 (9th Cir. 2008). To reflect Congress's intent in the IDEA's fee-shifting provision to encourage counsel to undertake IDEA cases, fees must be awarded for Alston that are commensurate with those he could obtain by taking other kinds of cases. *See Van Skike*, 557 F.3d at 1047; *Camacho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 981 (9th Cir. 2008).

Thus, the Hawaii award in a non-IDEA case of $567 per hour for Alston's 2011 work is relevant evidence of the prevailing market rate. In addition, this court recently awarded Alston's pre-2011 hourly billing rate of $540 in *BlueEarth Biofuels, LLC, v. Haw. Elec. Co.*, No. 11-16848 (9th Cir. Sept. 3, 2014) (Order). The DOE does not provide evidence to rebut the reasonableness of the requested

$592.50 hourly rate for Alston, or support its contention that $300 is a reasonable hourly rate for Alston. *See Camacho*, 523 F.3d at 980 (9th Cir. 2008); *Gates v. Deukmejian*, 987 F.2d 1392, 1397-98 (9th Cir. 1992). The requested $592.52 hourly rate is reasonable for Alston's 2012-13 work in this case, and it is awarded.

b. Jason H. Kim

E.R.K. requests $500 per hour, or in the alternative $300 per hour, for Jason H. Kim, an experienced San Francisco trial and appellate litigator admitted to practice in 1998. During the litigation, Kim left Alston Hunt Floyd & Ing in Honolulu and became "of counsel" at Schneider Wallace Cottrell Konecky LLP in San Francisco, where he continued to work on the case. The requested $500 hourly rate for Kim is based on San Francisco market rates, but E.R.K. acknowledges that $300 per hour is reasonable for Kim if Honolulu is considered to be the relevant market.

The DOE argues that $275 per hour should be awarded for Kim, because Honolulu is the relevant market and there is no evidence of Kim's experience in IDEA litigation. The DOE provides evidence of Hawaii district court awards of $275 to $300 per hour for 2010-13 IDEA work by attorneys admitted in 1988 and earlier. The DOE's argument has partial merit. Generally, the relevant market is

the forum district. *See Camacho*, 523 F.3d at 979. Honolulu is the relevant market here, in part because Kim began representing the class while employed there.

But the court may not rely exclusively on awards in IDEA cases, or Kim's experience in IDEA cases, to determine a market rate for Kim's services. *See Prison Legal News*, 608 F.3d at 455. Fees must be awarded for Kim that are commensurate with those he could obtain by taking other kinds of cases. *See Van Skike*, 557 F.3d at 1047; *Camacho*, 523 F.3d at 981. Alston states that the requested $300 hourly rate for Kim "is well within the range of reason for attorneys with similar experience in this community." Because the DOE's evidence involves only IDEA cases, it does not rebut Alston's declaration. Alston's declaration is corroborated by this court's award in *BlueEarth* of a 2011 or earlier hourly billing rate of $280 for an attorney admitted in 1998. E.R.K.'s requested $300 hourly rate for Kim's 2012-13 work is reasonable and is awarded.

c. Matthew C. Bassett

E.R.K. requests $285 per hour for Matthew C. Bassett, the litigation director of the Hawaii Disability Rights Center, who was admitted to practice in 1986. The requested hourly rate is based on the Hawaii district court's award of $275 per hour for 2008-09 IDEA work by Bassett. The DOE argues that $275 remains a reasonable hourly rate for Bassett. This argument lacks merit. Bassett's rate for

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the 2012-13 work here should reflect a reasonable increase from the 2008-09 rates awarded by the district court. Also, the court may not rely exclusively on awards in IDEA cases. *See Prison Legal News*, 608 F.3d at 455. The requested $285 hourly rate for Bassett is reasonable and is awarded.

d. Kelly K.M. Guadagno

E.R.K. requests $125 per hour for Kelly K.M. Guadagno, who has 21 years of experience as a litigation paralegal in Honolulu. Alston states that Guadagno's rate "is well within the range of reason for paralegals with similar experience in this community." The DOE argues that $85 per hour should be awarded for Guadagno, based on awards in IDEA cases. But the DOE does not cite the cases, or state when the work was performed. In *BlueEarth*, this court awarded $145 per hour for a Honolulu paralegal employed by Alston with 22 years of experience. The requested $125 hourly rate for Guadagno is reasonable and is awarded.

2. Reasonably Expended Hours

On Ninth Circuit Form 9, E.R.K. claims the legal professionals spent the requested 134.5 hours performing various services on appeal, as follows:

Services	Alston	Kim	Bassett	Guadagno	Hours
Conferences	0.8	8.5	0	3.0	12.3
Records	1.9	0	3.9	0	5.8
Research	0	4.3	0	0.2	4.5
Briefs	0	45.8	0	11.0	56.8
Oral Argument	0.9	31.2	3.2	0	35.3
Other	0	10.2	2.2	7.4	19.8
Total Hours	3.6	100.0	9.3	21.6	134.5

E.R.K. requests fees for filing a mediation questionnaire, a letter confirming an extension of time to file the opening brief, a notice of appearance, an 8,275-word opening brief, three volumes of excerpts of record, a motion to consolidate the appeal with R.T.D's separate appeal, a 3,238-word reply brief, a bill of costs, and a motion for attorneys' fees. E.R.K. does not request fees for filing a reply to the DOE's opposition to the attorneys' fees motion.

E.R.K. also requests fees for Kim's, Alston's, and Bassett's preparation for and attendance at the oral argument in Honolulu, which was presented by Kim. This appeal was consolidated for the purpose of oral argument with R.T.D.'s separate appeal.

The DOE objects that the requested hours should be reduced.

a. Degree Of Success

The DOE argues that E.R.K.'s hours should be reduced because E.R.K. prevailed on appeal on the IDEA claim, but not on the ADA or Rehabilitation Act claims. *See E.R.K.*, 728 F.3d at 993. This argument lacks merit. When a prevailing party succeeds on only some claims, the court must consider whether: (1) the party failed to prevail on claims that were unrelated to the claims on which the party succeeded; and (2) the party achieved a level of success that makes the hours reasonably expended a satisfactory basis for the fee award. *See Hensley*, 461 U.S. at 434; *McCown v. City of Fontana*, 565 F.3d 1097, 1103 (9th Cir. 2009). The *Hensley* analysis applies in IDEA cases. *See Aguirre v. Los Angeles Unified Sch. Dist.*, 461 F.3d 1114, 1120-21 (9th Cir. 2006).

E.R.K.'s claims involve a common core of facts and are based on related legal theories. *See Hensley*, 461 U.S. at 434; *McCown*, 565 F.3d at 1103; *Webb v. Sloan*, 330 F.3d 1158, 1169 (9th Cir. 2003); *Odima v. Westin Tucson Hotel*, 53 F.3d 1484, 1499 (9th Cir. 1995). E.R.K.'s claims of violation of the IDEA's requirement to provide a FAPE to disabled children through age 22 and E.R.K's claims of disability discrimination in violation of the ADA and the Rehabilitation Act arise together from the DOE's refusal to provide class members aged 20 to 22

with FAPEs in Hawaii's General Education Development and Competency Based programs at the Community Schools for Adults.

The DOE concedes that the ADA and Rehabilitation Act claims are similar to each other, and that there is "overlap in the factual information" regarding all three claims. At least one court has determined that IDEA and Rehabilitation Act claims arising from a failure to provide a FAPE to a disabled child are related. *See Mass. Dep't of Public Health v. Sch. Comm. of Tewksbury*, 841 F. Supp. 449, 457 (D. Mass. 1993).

A review of the time records shows that E.R.K.'s attorneys' and paralegal's time was devoted generally to the appeal as a whole, making it difficult to divide the hours expended on a claim-by-claim basis. *See Hensley*, 461 U.S. at 435. For the purposes of an attorney's fees award, E.R.K.'s action cannot be viewed as a series of discrete claims, and the court must focus on the significance of the overall relief obtained in relation to the hours reasonably expended on the appeal. *Id*.

E.R.K. obtained an excellent result on appeal, because the court's remand of the IDEA claim requires further proceedings that may result in an award of all the relief that E.R.K. sought pursuant to any of the claims -- the continuation of class members' FAPEs through age 22. Therefore, E.R.K. should recover a fully compensatory attorneys' fee. *See Hensley*, 461 U.S. at 435; *McCown*, 565 F.3d at

1104. "Litigants in good faith may raise alternative legal grounds for a desired outcome, and the court's rejection of . . . certain grounds is not a sufficient reason for reducing a fee." *Hensley*, 461 U.S. at 435.

Thus, E.R.K.'s attorneys and paralegal's reasonably expended hours in pursuit of the ultimate result achieved may be included in the attorney's fees award, with no reduction based on degree of success. *See Hensley*, 461 U.S. at 434-35; *McCown*, 565 F.3d at 1103-04.

b. Clerical Work

The DOE objects to 6.7 hours requested for Kim, arguing that the work was clerical in nature and therefore may not be billed at an attorney's hourly rate. *See Missouri v. Jenkins*, 491 U.S. 274, 288 n.10 (1989); *Tr. of Constr. Indus. & Laborers Health & Welfare Tr. v. Redland Ins. Co.*, 460 F.3d 1253, 1257 (9th Cir. 2006). The DOE's objection has partial merit.

Kim's supervision of paralegal Guadagno's and D. Ahuna's preparation and filing of the opening brief, excerpts of record, and bill of costs, as well as Kim's call to the Clerk about oral argument, were clerical in nature. *See Davis v. City & Cnty. of San Francisco*, 976 F.2d 1536, 1543 (9th Cir. 1992); *Action on Smoking & Health v. CAB*, 724 F.2d 211, 222 (D.C. Cir. 1984). On September 22, 2013, however, Kim block-billed 4 hours that involved permissible work on the

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attorneys' fees application in addition to the clerical work of "[c]ompiling attorney time in required format." *See Missouri*, 491 U.S. at 288 n.10. Therefore, only 1 hour on this date is attributable to clerical work.

In addition to the hours to which the DOE objects, Kim also billed 3.2 hours on July 17 and 18, 2012, August 20, 2012, and May 10, 2013 for the clerical work of compiling and filing the excerpts of record. *Id.*; *Action on Smoking & Health*, 724 F.2d at 222. Altogether, 2.8 hours in the conferences category, 2.8 hours in the briefs category, 0.1 hour in the oral argument category, and 1.2 hours in the "other" category are disallowed for Kim's clerical work.

Also, 0.1 hour in the records category for Alston's May 14, 2013 review of a Clerk notice regarding electronic submission of the excerpts of record and 2.9 hours in the conference category, 0.2 hours in the research category, 11 hours in the briefs category, and 0.5 hours in the "other" category for Guadagno's August 16, 20, 21, 22, 23, 24, and 27, 2012 and August 28, 29, and September 4, 2013 compilation of information for the excerpts of record, bill of costs, and attorneys' fees application are disallowed as clerical work. *Id*.

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c. Co-Counsel Conferences

The DOE objects to 5.1 hours requested for Kim's conferences with co-counsel. But these hours include 1.4 hours on May 10, 2013 that do not involve co-counsel conferences and have been disallowed as clerical in nature.

In support of this objection, the DOE cites *Sheehan v. Centex Homes*, 853 F. Supp. 2d 1031, 1044 (D. Haw. 2011), where the district court stated that it did not permit more than one attorney to bill for attending a meeting with co-counsel, a client, or opposing counsel. The DOE does not show, however, that the specified hours for Kim involved meetings that were also billed by another legal professional. In fact, the time entries to which the DOE objects do not involve meetings at all, but rather emails from Kim in San Francisco to the other legal professionals at two law firms in Honolulu.

A review of Kim's and the others' time entries, including those submitted in support of the fee request in R.T.D.'s separate appeal, reveals several instances where, on the same date that Kim billed for emails, one or more of the other legal professionals also billed a minimal amount of time for emailing with Kim. Yet Kim's and the others' hours for reciprocal emailing were reasonably expended, particularly in light of Kim's relocation to San Francisco and the class plaintiff's

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representation by multiple law firms. The authority cited by the DOE does not prohibit the award of these hours, and they are awarded.

d. Travel Time

The DOE objects to 16 hours requested for Kim's round-trip oral argument travel between San Francisco and Honolulu, contending that Kim may have performed work for other clients during the time. The DOE contends that no more than 8 hours should be awarded for the travel, citing two unpublished district court decisions awarding reduced hours or rates for travel. This objection lacks merit.

There is no evidence that Kim's travel involved work other than the *E.R.K.* oral argument. The Ninth Circuit has affirmed as reasonable a full award of travel time for client meetings, where the evidence showed that billing travel to clients is customary. *See Davis*, 876 F.2d at 1543. Another, more recent district court decision awarded travel time for an attorney who presented oral argument in the Ninth Circuit. *See Oldoerp v. Wells Fargo & Co. LTD Plan*, 2014 WL 2621202, at *6 (N.D. Cal. 2014). Kim's travel time was reasonably expended and is awarded.

e. Alston's And Bassett's Hours

The DOE objects to E.R.K.'s requested 3.6 hours for Alston and 9.3 hours for Bassett for reviewing pleadings and preparing for and attending oral argument,

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because Kim prepared the pleadings and presented the oral argument. The DOE's objection lacks merit.

The court may not determine fees based on speculation about how other firms might have staffed the case. *See Moreno*, 534 F.3d at 1114. The inquiry is limited to whether the fees requested by this particular legal team are justified for the work performed and the results obtained. *Id*. E.R.K. states that Alston's and Bassett's assistance was necessary because both were involved in the district court litigation, Alston is an experienced appellate advocate, and Bassett is an experienced disability rights advocate.

The time records show that Alston's and Bassett's brief review, oral argument preparation, and oral argument attendance hours were reasonably expended. In particular, using multiple attorneys for oral argument preparation and attendance is not unnecessary duplication where, as here, the attorneys attend to assist the attorney presenting the argument, rather than merely to observe and learn. *See Democratic Party of Wash. State v. Reed*, 388 F.3d 1281, 1286-87 (9th Cir. 2004); *Sheehan*, 853 F. Supp. 2d at 1044. Alston's 3.6 hours and Bassett's 9.3 hours were reasonably expended and they are awarded.

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f. Reasonably Expended Hours Summary

A review of the briefs and time records, in light of fee requests in similar appeals, shows that E.R.K.'s remaining 112.9 hours for the appeal were reasonably expended. In particular, Kim completed the research and the briefing in a reasonable number of hours. After the adjustments discussed above for clerical work, which are in boldface type, E.R.K.'s remaining 112.9 hours are awarded, as follows:

Services	Alston	Kim	Bassett	Guadagno	Hours
Conferences	**0.7**	**5.7**	0	**0.1**	**6.5**
Records	1.9	0	3.9	0	5.8
Research	0	4.3	0	**0**	**4.3**
Briefs	0	**43.0**	0	**0**	**43.0**
Oral Argument	0.9	**31.1**	3.2	0	**35.2**
Other	0	**9.0**	2.2	**6.9**	**18.1**
Total Hours	**3.5**	**93.1**	9.3	**7.0**	**112.9**

3. Attorneys' Fees Award Summary

E.R.K. is awarded attorneys' fees in the amount of $33,529.32, as follows:

Legal Professional	Position	Hourly Rate	Hours	Total
Paul Alston	Director	$592.52	3.5	$ 2,073.82
Jason H. Kim	Of Counsel	$300.00	93.1	$27,930.00
Matthew C. Bassett	Litigation Director	$285.00	9.3	$ 2,650.50
Kelly K.M. Guadagno	Paralegal	$125.00	7.0	$ 875.00
Total			112.9	$33,529.32

D. Hawaii General Excise Taxes

E.R.K. also requests an award of Hawaii general excise taxes at 4.712 percent on the fees for Alston and Guadagno. *See Annette K. v. Haw. DOE*, 2013 WL 3731102, at *3-*4 (D. Haw. 2013) (awarding Hawaii general excise taxes at 4.712 percent in IDEA case). The DOE does not object to E.R.K.'s request for the taxes. The award for Alston and Guadagno has been reduced to $2,948.82 in fees. Accordingly, E.R.K. is awarded Hawaii general excise taxes in the amount of $138.95. *Id.*

III
Conclusion

Attorneys' fees in the amount of $33,529.32 and Hawaii general excise taxes in the amount of $138.95 are awarded in favor of E.R.K., by his legal guardian R.K.; R.T.D., through his parents R.D. and M.D.; and Hawaii Disability Rights Center, in a representative capacity on behalf of its clients and all others similarly

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situated; and against the State of Hawaii Department of Education. This order amends the court's mandate. *See* Fed. R. App. P. 41.

Rose Patrocinio - 12-16063 E. K., et al v. State of Hawaii Department of "Appellate Commissioner Order Filed"

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United States Court of Appeals for the Ninth Circuit

Notice of Docket Activity

The following transaction was entered on 04/24/2015 at 10:58:11 AM PDT and filed on 04/24/2015

Case Name: E. K., et al v. State of Hawaii Department of
Case Number: 12-16063
Document(s): Document(s)

Docket Text:
Filed order (Appellate Commissioner):... Attorneys' fees in the amount of $33,529.32 and Hawaii general excise taxes in the amount of $138.95 are awarded in favor of E.R.K., by his legal guardian R.K.; R.T.D., through his parents R.D. and M.D.; and Hawaii Disability Rights Center, in a representative capacity on behalf of its clients and all others similarly situated; and against the State of Hawaii Department of Education. This order amends the court's mandate. See Fed. R. App. P. 41. (Appellate Commissioner) [9507891] (DL)

Notice will be electronically mailed to:

Mr. Paul D. Alston, Attorney
Mr. Matthew Charles Bassett, Senior Trial Attorney
Mr. Jason H. Kim, Attorney
Mr. Steve K. Miyasaka, Deputy Attorney General
Miss Jennifer Visitacion Patricio, Staff Attorney
Holly T. Shikada, Deputy Assistant Attorney General
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USDC, Honolulu

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Document Description: Main Document
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[STAMP acecfStamp_ID=1106763461 [Date=04/24/2015] [FileNumber=9507891-0]
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Special Master

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

California State Foster Parent Association, California State Care Providers Association, and Legal Advocates for Permanent Parenting, Plaintiffs, vs. JOHN A. WAGNER, Director of the California Department of Social Services, in his official capacity; MARY AULT, Deputy Director of the Children and Family Services Division of the California Department of Social Services, in her official capacity, Defendants.	Case No. C 07-5086 WHA (JL) **SPECIAL MASTER'S DECISION AND ORDER REGARDING ATTORNEYS' FEES**

In this civil rights action, plaintiffs won summary judgment on some but not all of their requested relief. The parties agree plaintiffs are "prevailing parties" entitled to attorneys' fees under 42 U.S.C. §1988. They dispute the measure of those fees.

Plaintiffs acknowledge they did not receive all of the relief they requested. But they contend they brought a "single Section 1983 claim." They urge that because they won on that single claim, they are entitled to 100% of their fees (after inefficiency reductions).

Defendants, on the other hand, point out that plaintiffs requested both declaratory and injunctive relief, and won only the former. Plaintiffs sought a declaration that their federal rights had been violated (which they won); but also an injunction compelling the state to rectify its behavior (which they did not win). The result, say defendants, is that plaintiffs' fees must be cut in *half* (again after inefficiency reductions).

After initial briefing on this question, the Court referred the issue to the undersigned, as Special Master. (Docket No. 134 at 3; Docket No. 137.) The Special Master ordered supplemental briefing, conducted an extensive hearing, and now issues this Decision and Order.

For the reasons detailed below, this order concludes plaintiffs achieved an important, state-wide benefit for California's foster parents, and for the foster children who live with them. But it also concludes there must be a deduction in fees for plaintiffs' failure to obtain injunctive relief. Had an injunction issued, plaintiffs would have had an immediate enforcement mechanism for their important victory—contempt sanctions. The failure to get this relief must be taken into account in setting plaintiffs' fees.

No party proposed a specific fee reduction in the event plaintiffs' incomplete victory required one. Plaintiffs steadfastly insisted on one-hundred percent of their fees, while defendants—acknowledging for the first time at oral argument that the fee award could not simply be cut in half—proposed only that the award be made as low as possible. Accordingly, the Special Master developed his own measure for the deduction. Under that measure, plaintiffs' fees will be reduced by ***$32,125.63***.

Plaintiffs' are awarded ***$926,797.12*** in attorneys' fees. The parties agree costs are ***$3,372.22***. By agreement, there are no fees on fees. (Docket No. 135 at 2.)

I.

In this lawsuit, plaintiffs, three public-interest organizations representing licensed foster parents throughout California, charged defendants, state officials responsible for the administration of the state's foster care program, with violations of the Child Welfare Act (CWA), 42 U.S. C. §§ 670-679b. Under the CWA, participating states are eligible to receive federal funds for foster-care programs, but in return the states must pay to foster parents "foster care maintenance payments" to cover the "cost of (and the cost of providing) food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to a child, and reasonable travel to the child's home for visitation." *Id.* at §§ 671(a)(2), 672(b)(1); 675(4)(A); 45 C.F.R. § 1356.21(a).

Plaintiffs' complaint charged that that "California applied for and willingly accepts this federal funding, but does not cover the costs incurred by foster parents as required by federal law." (Docket No. 1 at 2:8-11.) The complaint averred that California's statutorily-set "basic foster care rates" "need to increase by as much as 61% before they will begin to cover the actual costs of raising a foster child." (*Id.* at 2:12-14; *see generally*, *id.* at 7-10.) As a result of these deficiencies, the complaint charged, California has seen a serious decline in the number of families willing to take in foster children. (*Id.* at 11-13.)

The complaint culminated in two "Counts" for relief: Count I, for Declaratory Relief, and Count II, for Permanent Injunctive Relief. (*Id.* 13-14.) Though styled as distinct "Counts," these claims, and the multiple prayers for relief that followed, were all brought under 42 U.S.C. § 1983 to redress the same deprivation of federal rights: the state's failure to make foster care maintenance payments in the manner required by the Child Welfare Act.

The precise declaratory and injunctive relief sought is found not in the two counts, but in the prayers for relief. (Docket No. 1 at 14-15.) Excluding generic prayers for attorneys' fees and for such relief "as is just," plaintiffs requested two declarations and three injunctions. (*Id.*) The requested declarations were, respectively, (1) that defendants violated the Child Welfare Act by "failing to pay amounts sufficient to cover the costs of (and the costs of providing)" the enumerated expenses, and (2) that defendants' existing foster care rates violated plaintiffs' federal rights under color of state law. (*Id.*) Plaintiffs ultimately won a declaration covering these points.

The three requested injunctions were a different matter. The first of these sought to enjoin defendants from using their existing foster care rates as a basis to establish the "foster care maintenance payments" required by the CWA. (*Id.*) The second sought to require defendants to "prepare and implement a payment system that complies with the Child Welfare Act by paying licensed foster parents the costs of (and the costs of providing)" the enumerated expenses, "in an amount subject to proof and by adjusting that amount each year by the percentage change in" a state inflation index. (*Id.*) With its mandate that the state make foster care payments in an "amount subject to proof," this requested injunction apparently contemplated that the Court would itself determine and set, according to proof, the foster care maintenance payments required by the CWA. (*Id.*)

The final requested injunction sought, apparently as an alternative to the previous injunction, an order setting interim rates pending the defendants' own determination and implementation of CWA-compliant rates. (*Id.*)

Plaintiffs' second requested injunction is not the only place they discuss or request the imposition of specific, court-ordered rates. Under the heading, "The Rates that California Should Be Paying But Does Not," the complaint states that "current actual rates need to be increased by more than $100 per month for every age

group of children in order to properly account for just the *recent* increases in the cost of living." (Docket No. 1 at 9:11-17 (emphasis in original).) In their summary judgment motion, plaintiffs note that "because the requirements of the CWA are mandatory, the Foster Parents are within their rights under 42 U.S.C. § 1983 to ***compel the State to make these payments*** as required by 42 U.S.C. § 672." (Docket No. 89 at 15:14-16 (emphasis added).) Consistent with these asserted rights, the summary motion goes on to request, among other relief, these court-imposed foster-care rates or regimes:

- That the Court grant interim injunctive relief and order Defendants to increase monthly per-child payments to foster parents to the amounts stated in the MARC Report, plus $25 for reasonable travel for home visitation, plus an additional $547 to working parents who enroll the foster child in licensed child care.
- That the Court order Defendants to publish, and present to this Court for approval, a new schedule of rates sufficient to cover the statutory itemized costs with a proposed plan and methodology for future annual review, comment, adjustment, and republication of such rates so that Defendants' payments to foster parents may be expected to cover the statutory expenses in the future.

(*Id.* at 18.)

On cross-motions for summary judgment, the Court denied defendants' summary judgment motion, and granted in part and denied in part plaintiffs' motion. (Docket No. 98.) The Court granted plaintiffs' motion "insofar as plaintiffs argue that the defendants are in violation of the Act by setting rates without consideration of the Act's mandatory costs factors." (*Id.* at 11:5-7.) But it denied the motion "insofar as plaintiffs assert that defendants must be in exact compliance with its particular measure of child welfare maintenance payments." (*Id.* at 11:7-8.)

The plaintiffs thus received their requested declaration that California's basic foster care rates violated the Child Welfare Act. But they were denied injunctive relief of any kind. (*Id.*)

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Plaintiffs then moved for attorneys' fees and costs, as prevailing parties under 42 U.S.C. § 1988(b). (Docket No. 106.) The attorneys' fees portion of this request totaled $1,093,363.75, comprising $814,116.25 in fees from Morrison & Foerster LLP, and $279,247.50 in fees from the Children's Advocacy Institute (CAI) at the University of San Diego School of Law. (Docket No. 107 at 3; Docket No. 108 at 3.)

Defendants opposed the motion, conceding plaintiffs' entitlement to fees as prevailing parties but disputing the amount of the fees. (Docket No. 119 at 3.)

The Court ordered further submissions with additional billing detail. (Docket No. 124.) In response, the parties filed supplemental papers. Plaintiffs agreed to write off certain hours and generally eliminate duplicative billings or inefficiencies. (Docket Nos. 127, 127-3.) Specifically, plaintiffs agreed to fee reductions totaling $77,356.50, bringing plaintiffs' overall fee request to $1,016,007.25. (Docket No. 127 at 5.) Defendants vigorously opposed this fee figure. (Docket No. 128.) They argued that because plaintiffs lost their requested injunctive relief, they had prevailed on only half of their claims. (*Id.* at 3-4.) Defendants thus argued that the "absolute maximum percentage this Court should allow" was fifty percent of legitimate fees. (*Id.*) On this basis, defendants concluded plaintiffs were entitled to "no more than $291,428.27" in fees, and pointed the Court to an addendum in which it could find still further suggested reductions for "travel time billings or other inappropriate billings." (*Id.* at 10.)

After additional efforts to facilitate a resolution of this dispute, the Court ordered the appointment of the undersigned Special Master. (Docket Nos. 134, 137.) The Court made clear that it "disagrees that the amount of fees awarded should be exactly halved simply because plaintiffs only obtained relief on half their claims." (Docket No. 134 at 2.)

Equally clearly, the Court stated that "some deductions should be made regarding work done by plaintiffs for claims that did not ultimately bear fruit,"

noting that "it is an abuse of discretion for the district court to award attorney's fees without considering the relationship between the 'extent of success' and the amount of the fees award." (*Id.* (citing *Farrar v. Hobby*, 506 U.S. 103, 114-16 (1992)).)

Finding that the parties' briefing did not sufficiently tie the applicable legal standards to the results obtained in this case, the Special Master ordered supplemental briefing. (Docket No. 141.) Plaintiffs' supplemental papers agreed to a further fee reduction of $57,084.50, mostly for attorney travel time. (July 24, 2009 Supp. Van Voorhis Decl. at 8.) After these additional write-offs, plaintiffs' fee request stood where it is today—at $958,922.75, a discount from the initial request of $134,441, or 12.3%.

Defendants' supplemental papers incorporated their earlier fee arguments. (July 31, 2009 Opp. to Suppl. MPA re Fees.) They reiterated their earlier request that plaintiffs' fees be halved, and in no event exceed $291,428.27. (*Id.*)

The Special Master then held an extensive hearing. At the hearing, defendants withdrew their principal basis for reducing plaintiffs' fees. They conceded for the first time that governing case law precluded an arithmetic halving of fees. But they offered no alternative measure, instead simply asking that fees be set as low as possible. Plaintiffs maintained their position that because they asserted a single section 1983 claim and won on that claim, they were entitled to all incurred fees (as reduced for inefficiencies). Asked what measure would be appropriate if the Special Master nonetheless concluded plaintiffs' incomplete relief necessitated a deduction, plaintiffs declined to offer one.

At the hearing, all parties agreed that plaintiffs' result in the case was significant.

II.

In civil rights cases brought under 42 U.S.C. § 1983, "the court, in its discretion, may allow the prevailing party . . . a reasonable attorney's fee as part of

the costs." 42 U.S.C. § 1988(b); *Hensley v. Eckerhart*, 461 U.S. 424, 426 (1983). A "prevailing party" is one who succeeds on "any significant issue" that achieves "some of the benefit the parties sought in bringing suit." *Id.* at 433 (citation and internal quotation marks omitted). Although section 1988 says the court "may" award fees, prevailing plaintiffs should generally get them. *E.g.*, *Mendez v. County of San Bernardino*, 540 F.3d 1109, 1126 (9th Cir. 2008).

Here, as noted, it is undisputed that plaintiffs get fees. The only issue is the measure of fees when, as here, plaintiffs' success is partial.

In answering this question, courts first ask whether the unsuccessful claims were "unrelated" to the successful ones. *E.g.*, *Hensley*, 461 U.S. at 434-35; *McCown v. City of Fontana*, 565 F.3d 1097, 1103 (9th Cir. 2009). That is, courts ask whether the plaintiff's unsuccessful efforts related to "distinctly different claims for relief that are based on different facts and legal theories." *Id.* If so, no fees may be awarded for work on those claims, and the hours spent on them must be treated as though they had been spent on a different lawsuit. *Id.*

Once unrelated claims are excluded, the district court must weigh "the significance of the overall relief obtained by the plaintiff in relation to the hours reasonably expended on the litigation." *Hensley*, 461 U.S. at 435; *McCown*, 565 F.3d at 1103.

"[A] plaintiff who has won substantial relief should not have his attorney's fee reduced simply because the district court did not adopt each contention raised." *Hensley*, 461 U.S. at 440. Yet it is also true that "[a] reduced fee award is appropriate if the relief, however significant, is limited in comparison to the scope of the litigation as a whole." *Id.* at 439-440.

In setting fees after partial victories, courts have uniformly rejected simple arithmetic proration. *E.g.*, *Hensley*, 461 U.S. at 435 n.11 ("We agree with the District Court's rejection of a mathematical approach comparing the total number of issues in

the case with those actually prevailed upon.") (internal quotation marks omitted); *McCown*, 565 F.3d at 1103 ("the Supreme Court has disavowed a test of strict proportionality"); *McGinnis v. Kentucky Fried Chicken*, 51 F.3d 805, 808-09 (9th Cir. 1995) (arithmetic proration "makes no practical sense"). *Cf. City of Riverside v. Rivera*, 477 U.S. 561, 574-78 (1986) (rejecting a rule of proportionality based on portion of damages won).

"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." *Blum v. Stenson*, 465 U.S. 886, 888-89; *accord Hensley*, 461 U.S. at 433. The product of reasonable hours and reasonable rates is called the "lodestar." *McCown*, 565 F.3d at 1102. A "reasonable hourly rate" is the prevailing market rate for complex federal litigation. *Blum*, 465 U.S. at 893-94 (citations omitted).

Adjustments to the lodestar may then be required. *Id.* at 888-89. Twelve so-called *Kerr* factors guide these adjustments.[1]

Some cases refer to "a strong presumption that the lodestar figure represents a reasonable fee," and admonish that "[o]nly in rare instances should the lodestar be adjusted on the basis of other considerations." *Morales v. City of San Rafael*, 96 F.3d 359, 364 n.8 (9th Cir. 1997), *cited in* Suppl. MPA re Fees at 3-4. These statements do not mean that the various *Kerr* factors, including the "results obtained," may only

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[1] The *Kerr* factors are: (1) the time and labor required, (2) the novelty and difficulty of the questions involved, (3) the skill requisite to perform the legal service properly, (4) the preclusion of other employment by the attorney due to acceptance of the case, (5) the customary fee, (6) whether the fee is fixed or contingent, (7) time limitations imposed by the client or the circumstances, (8) the amount involved and the results obtained, (9) the experience, reputation, and ability of the attorneys, (10) the 'undesirability' of the case, (11) the nature and length of the professional relationship with the client, and (12) awards in similar cases. *Kerr v. Screen Extras Guild, Inc.*, 526 F.2d 67, 69-70 (9th Cir. 1975) (citing *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974)).

rarely be used to adjust the lodestar. Read in context, the statements are admonitions against double counting. They refer to courts' frequent practice of taking *Kerr* factors into account *before* the lodestar is calculated, by adjusting the hourly rates or the number of hours allowed before multiplying. If, in light of a *Kerr* factor, a court lowers billing rates or reduces total hours *before* multiplying, it would obviously be double counting to use that same factor to adjust the lodestar again. In such cases courts say the *Kerr* factor is "subsumed" into the lodestar. *Morales*, 96 F.3d at 363-64 & nn.8-9 (listing "subsumed" *Kerr* factors and noting the double-counting problem). But that doesn't mean this court should hesitate before factoring into the lodestar this motion's key *Kerr* factor—the extent of plaintiffs' success. *See id.* (noting that "the results obtained" is a subsumed *Kerr* factor); *Blum*, 465 U.S. at 900 (same). On the contrary, and as noted above, in cases of incomplete relief such factoring may be *required*. *See Morales*, 96 F.3d at 364 (citing *Hensley*).

In weighing the extent of a plaintiff's success, courts recognize that the importance of civil rights victories often cannot be measured in dollars. *Hensley*, 461 U.S. at 430 n.4; *Rivera*, 477 U.S. at 574 ("[A] civil rights plaintiff seeks to vindicate important civil and constitutional rights that cannot be valued solely in monetary terms."); *McCown*, 565 F.3d at 1105 ("excellent results" for fee-calculation purposes includes non-monetary outcomes); *Morales*, 96 F.3d at 365 ("Success is measured not only by the amount of the recovery but also in terms of the significance of the legal issue on which the plaintiff prevailed and the public purpose the litigation served.").

The fee applicant has the burden of establishing entitlement to an award, including documenting the hours expended and billing judgment about which of those hours to claim. *Hensley*, 461 U.S. at 437. "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." *Id.* at 434. The party opposing the fee application then has the burden of submitting evidence "challenging the accuracy

and reasonableness of the hours charged or the facts asserted by the prevailing party in its submitted affidavits." *Gates v. Deukmejian*, 987 F.2d 1392, 1397-98 (9th Cir. 1993) (citing *Blum*, 465 U.S. at 892 n.5).

A district court's section 1988 fee order must "provide a concise but clear explanation of its reasons for the fee award." *McCown*, 565 F.3d at 1102 (internal quotation marks omitted) (quoting *Hensley*, 461 U.S. at 437). The trial court has discretion over the size of the fee award. 565 F.3d at 1101. The court exceeds its discretion if it bases its award "on an inaccurate view of the law or a clearly erroneous finding of fact." *Id.* (citation omitted).

III.

This order now turns to the required comparison of "the significance of the overall relief obtained by the plaintiff in relation to the hours reasonably expended on the litigation." *Hensley*, 461 U.S. at 435; *McCown*, 565 F.3d at 1103.

There can be no question that the result here was significant. Plaintiffs note, and defendants do not contest, that "[t]his is the first ever case in which a state (California, the most populous state in the nation) was found to be in violation of its obligation under federal law to provide 'payments to cover the costs of (and the cost of providing) food, clothing, shelter,'" and the other benefits enumerated in 42 U.S.C. § 675(4)(A). (Suppl. MPA re Fees at 14:7-13.)

As defense counsel conceded at oral argument, the Court's decision gives "every parent who's trying to raise a foster kid hope that they will get more money." Given the strong (and uncontroverted) evidence that California's present rates steeply lag actual costs, Docket No. 98 at 4, 11:24-28, and that the state did not previously even *investigate* actual costs but based its rates solely on budget considerations, *id.* at 4:3-15 & n.1, a "hope that [foster parents] will get more money" would seem well-founded. For the first time, the state will set foster care rates using actual costs.

Plaintiffs also adduced other evidence of benefits. They showed that the number of California foster parents has been declining, and submitted expert evidence that the consequent increase in institution-based foster care—a more expensive alternative—has *increased* the state's overall foster care costs. (Docket No. 89 at 12-14.) This suggests that if California's foster care maintenance rates were increased, it could have the twin benefits of *increasing* the proportion of family-based placements relative to institutional placements, and *decreasing* overall foster care costs (though defendants' dispute this latter point). (*Id.*)

So all parties are agreed that the result here was significant; and the Special Master so finds.

That, however, does not end the inquiry. The court must consider whether plaintiffs' unsuccessful pursuits were a significant enough portion of their overall efforts to justify a reduction in fees. As noted, the preferred practice is to make any adjustments to plaintiffs' hours billed, or hourly rates charged, *before* they are combined into the lodestar. *E.g.*, *Gates*, 987 F.2d at 1404. Defendants concede in their papers, July 31, 2009 Opp. to Suppl. MPA re Fees at 3, and affirmed at oral argument, that plaintiffs' hourly rates are reasonable. Plaintiffs used 2007 and 2008 billing rates rather than adjusting all hours to current rates, as would have been permitted. (*Compare* July 24, 2009 Suppl. Van Voorhis Decl. at 2 ¶ 3 (2007 and 2008 rates used) *with Gates*, 987 F.2d at 1406 (current rates permissible).) The Special Master has also reviewed the rates, and agrees they are reasonable for this market and these professionals. Accordingly, no adjustments will be made to plaintiffs' hourly rates. Adjustments are appropriate only to hours billed.

Further, despite defendants' contrary stance in their papers, *see* July 31, 2009 Opp. to Suppl. MPA re Fees at 4:4-14, all parties agreed at oral argument that there were no "unrelated claims" in this case. Such claims, as noted, are properly deductible from plaintiffs' award. *See Hensley*, 461 U.S. at 434-35; *McCown*, 565 F.3d

at 1103. The Special Master agrees there are no such claims here. All of plaintiffs' requested relief stemmed from deprivations of the same federal right: to receive foster care maintenance payments set in accordance with the CWA.

At oral argument, defendants also conceded for the first time that their principal contention for a reduction in fees—that because plaintiffs won one of two kinds of relief their fees should be cut in half—was not tenable under controlling law. Asked at argument about the many cases rejecting a crude arithmetic proration, defendants conceded that, upon closer review, these cases preclude their theory. Defendants thus withdrew their request to cut plaintiffs' fees in half. The Special Master asked whether defendants had an alternative proposed fee deduction. Defendants conceded they did not. They simply asked that fees be fixed at "the smallest number that's fair."

But a request for the "smallest number that's fair" does not satisfy defendants' burden, once plaintiffs have documented their fees, of "submission of evidence to the district court challenging the accuracy and reasonableness of the hours charged or the facts asserted by the prevailing party in its submitted affidavits." *Gates*, 987 F.2d at 1397-98. Having thus not met this burden, defendants are not entitled to any particular reduction of plaintiffs' award.

This does not, however, end the inquiry. Plaintiffs consistently sought injunctive relief that they did not obtain. An injunction mandating the state's compliance with the CWA, especially if it imposed an immediate jump in rates, would have been very significant. It follows that the *failure* to obtain such an injunction is also significant.

In addition, even apart from the question of mandated rates, plaintiffs clearly sought at least a general injunction compelling the state to comply with the CWA. (*See, e.g.*, Docket No. 125 at 5:9-10.) Had such an order issued, plaintiffs would have enforcement mechanisms not now available to them, such as contempt proceedings.

The plaintiffs' results in this case, while substantial, important, and of significant statewide benefit, were therefore also, at least in part, incomplete.

Plaintiffs advance several arguments for why this should have little or no impact on fees. First, they assert that their case was based on "a single Section 1983 action," and that they prevailed on that single claim. (Suppl. MPA re Fees at 9-13.) Because, they urge, they have prevailed on "100% of the Section 1983 violations (one, in this case)," *id.* at 7:8, they are entitled to one-hundred percent of their billed hours (after inefficiency reductions).

This approach is incorrect. *Hensley* itself involved a single-count section 1983 claim. *Hensley*, 461 U.S. at 427. The *Hensley* plaintiffs, a group of involuntarily-committed hospital patients, won a single "count" charging the deprivation of their constitutional right to minimally-adequate treatment. *Id.* Yet the Court required that the fee award take into account plaintiffs' failure to establish some of the constitutionally-inadequate treatment they alleged (one of six asserted kinds of inadequate treatment). *Id.* at 427-40. This rule makes sense. If the test is plaintiffs' "degree of success," then the question is not whether a complaint is styled to include one or many causes-of-action. Rather, the question is how the relief *sought* compares to the overall result *obtained*.

Plaintiffs also argue that they were never especially interested in having the Court order any specific payment rates. They contend their preferred injunctive relief would have been an order simply requiring the state to follow the CWA. Defendants contend plaintiffs did seek an order mandating a particular rate schedule. (*E.g.*, Docket No. 128 at 2; Docket No. 128, "Itemized Addendum," at 1-2.) They point to the Court's summary judgment ruling, where the Court denied plaintiffs' motion "insofar as plaintiffs assert that defendants must be in exact compliance with its particular measure of child welfare maintenance payments." (Docket No. 98 at 11:7-8.) Defendants contend plaintiffs spent significant time

developing and advocating specific proposed rates, including through extensive use of expert witnesses. (Docket No. 128 at 2; Docket No. 128, "Itemized Addendum," at 1-2; July 31, 2009 Opp. to Supp. MPA re Fees at 3-4.)

Plaintiffs concede that at least part of their requested injunctive relief entailed a court-set interim rate structure (until the state could set its own rates). (Supp. MPA re Fees at 12-13.) But they contend little time was expended on this effort, which was meant only as a stop-gap. (*Id.* at 12-13, 23-25.) It is not that plaintiffs deny spending significant time developing rates for minimally-acceptable foster care payments. (*Id.* at 17-19, 21.) But they contend this effort undergirded their whole case—not just their request for an interim imposition of rates. (*Id.*) According to plaintiffs, a key part of their litigation strategy was showing the dramatic gap between the state-approved rates and the actual costs of the child-maintenance expenses enumerated in the CWA. As plaintiffs' counsel put it at oral argument, "You don't get a court order if you can't show a real problem." To plaintiffs, then, their work developing rates was essential to all of their case, including the declaratory relief they ultimately won. Plaintiffs thus argue that if any time is deducted for their failure to convince the Court to set specific rates, it should only be the tiny amount of time it took to research and draft the relevant portion of the prayer section of their complaint. (*Id.* at 23-25.)

The Special Master credits plaintiffs' explanation that the rate evidence they developed was central to their case, and not solely (or even principally) for use in obtaining an order imposing particular rates. Indeed, it is plausible this rate data contributed directly to the declaratory relief they won. The Court's summary judgment ruling cited the *size* of the gap between current rates and actual costs as one of three "dispositive distinctions" separating this case from a similar foster-care case in which relief was not granted. (Docket No. 98 at 10-11 (contrasting *California Alliance of Child & Family Serv. v. Allenby*, 2008 WL 686860 (N.D. Cal. March 12,

2008)).) It is also true, as plaintiffs note, that they told the Court in their summary judgment papers that it was not necessary that the state closely follow any particular measure of costs. (Suppl. MPA re Fees at 13 (quoting Docket No. 87 at 8 n.11).)

Yet there is also evidence that plaintiffs did, at least in part, gather and present their cost evidence in order to get an injunction imposing a specific rate schedule. The complaint requested, among other things, an injunction requiring the state to implement a payment system for the enumerated CWA expenses "***in an amount subject to proof***." (Docket No. 1 at 14 (emphasis added).)

The plaintiffs' summary judgment motion also contained the requests for injunctive relief excerpted at page 5, *supra*, which clearly entail the Court's imposition of rates on the state, directly or through power of approval. (Docket No. 89 at 18.) At least a portion of plaintiffs' rate-development work was thus meant to enable the Court to impose, to approve, or to supervise specific foster care maintenance rates.

To account for this, the Special Master will deduct a portion of the hours plaintiffs spent gathering actual cost data. As noted, the Special Master credits plaintiffs' statements that the cost data served to support plaintiffs' case generally. Because this cost-data preparation *also* supported plaintiffs' (unsuccessful) efforts to enable the Court to take more specific control of the rate-setting process, the Special Master will deduct one-half of the hours spent on these projects.

Determining which hours were spent on such projects is necessarily an inexact undertaking. The available time records do not permit a precise review. Even if they did, the number calculated would not measure the precise utility to the case of developing this data. This process is an inexact but reasonable proxy for measuring the value of plaintiffs' effort to have the Court take control of foster care rates. The approach will also serve as a proxy for plaintiffs' failure to obtain injunctive relief generally (whether or not setting rates). *Cf. Hensley*, 461 U.S. at 436-37 ("There is no

precise rule or formula for making these determinations. The district court may attempt to identify specific hours that should be eliminated, or it may simply reduce the award to account for the limited success. The court necessarily has discretion in making this equitable judgment."); *cf. Gates*, 987 F.2d at 1399-1400.

The need for proxy determinations also arises from each side's failure to propose a method for arriving at a discount. Defendants, as noted, abandoned their suggestion that fees be cut in half, but offered no basis for a reduction in its stead. Plaintiffs likewise declined to offer any method or measure of reduced fees, in the event the Special Master determined their incomplete success required one.

Accordingly, the Special Master used the following criteria to cull billing entries for gathering cost data. First, he *included* all entries concerning either of plaintiffs' experts Jill Duerr Berrick or Diane Depanfilis. These experts prepared reports on actual foster-care costs. (One or two such entries were excluded because the time involving the experts appeared negligible.) Next, in the project entitled "Prepare Expert Reports," all time entries principally dealing with economics expert Phil Johnson, or principally dealing with the economics issues he covered, were *excluded*. Dr. Johnson's report dealt not with developing actual foster-care costs, but with projecting the fiscal consequences to the state of increasing foster care payments. Next, all time entries within "Prepare Expert Reports" generically referring to preparing expert reports, without identifying which ones, were *included*. Finally, time entries under any project that specifically referenced work ascertainable as dealing with gathering cost data were *included*. A record of each time entry selected for inclusion under these criteria is attached to this decision as Appendix A.

The total dollar value of all included time entries is ***$64,251.25***. Half of this sum is ***$32,125.63***.

Further, the Special Master approves plaintiffs' voluntary inefficiency reductions. Plaintiffs originally agreed to write-downs of $77,356.50. (Docket No.

127 at 5.) Defendants then objected to billings for travel time, and for a project entitled "Perform Administrative Tasks." (Docket No. 128, "Itemized Addendum," at 2-3, 10.) In response, plaintiffs agreed to write down an additional $57,084.50. (July 24, 2009 Supp. Van Voorhis Decl. at 8.) Most of this reduction came from written-off travel time and the elimination of billing for multiple attorneys at hearings and depositions. (*Id.*) In addition, in response to defendants' complaint about the "Perform Administrative Tasks" project, plaintiffs capped all billing rates within that project at the rate of a senior paralegal. (*Id.* at 7.) In combination, all of these reductions total $134,441, or 12.3% of plaintiffs' original request. The Special Master finds these reductions sufficient to account for billing inefficiencies.

* * * * * *

Plaintiffs' amended fee request of ***$958,922.75*** will be reduced by ***$32,125.63***, for the reasons discussed above.

Plaintiffs' are hereby awarded fees in the amount of ***$926,797.12***.

Plaintiffs shall determine how these fees are apportioned among co-counsel, and inform defendants of payee(s) and amount(s).

Costs are ***$3,372.22***. Fees on fees have been waived.

IT IS SO ORDERED.

DATED: November 8, 2009 By: /s/ Marc N. Bernstein
Marc N. Bernstein

APPENDIX A

California State Foster Parent Association v. Wagner
Case No. C 07-05086 WHA
Exhibit C

Project: Perform Expert Research and engagement					
Date	Timekeeper	Description	Hours x	Rate =	Fee
9/5/2007	RCF	Meeting re status and facts and experts needed	1.00	650	$650.00
10/19/2007	DT	Research on potential expert witnesses.	2.00	425	$850.00
10/25/2007	DT	Research on expert witnesses.	1.00	425	$425.00
10/25/2007	DT	Research on expert witnesses.	1.50	425	$637.50
10/29/2007	DT	Research on expert witnesses.	2.50	425	$1,062.50
10/30/2007	DT	Research on expert witnesses.	2.25	425	$956.25
11/1/2007	DT	Conduct expert search	2.50	425	$1,062.50
11/2/2007	DT	Conduct expert search	3.25	425	$1,381.25
11/3/2007	DT	Conduct expert search; review materials sent from J. Buerrick.	1.25	425	$531.25
11/5/2007	DT	Correspond with potential expert J. Buerrick; conduct expert search	1.50	425	$637.50
11/6/2007	DT	Conduct expert search.	2.00	425	$850.00
11/6/2007	KVV	Review potential expert qualifications.	0.50	555	$277.50
11/6/2007	KVV	Review potential expert qualifications.	0.25	555	$138.75
11/7/2007	KVV	Analysis regarding potential experts.	0.50	555	$277.50
11/7/2007	DT	Conduct expert search; distribute materials to team.	0.75	425	$318.75
11/7/2007	MTS	Gather documents for Attorney Van Voorhis.	1.00	200	$200.00
11/8/2007	KVV	Analysis regarding experts.	0.50	555	$277.50
11/9/2007	DT	Conduct expert search; correspond with J. Farber of Children's Rights; review Mississippi settlement.	1.00	425	$425.00
11/12/2007	DT	Correspond with J. Farber	0.25	425	$106.25
11/15/2007	DT	Arrange meeting with J. Farber and I. Lustbader.	0.50	425	$212.50
11/15/2007	KVV	Attention to experts	0.50	555	$277.50
11/16/2007	DT	Arrange meeting with J. Farber and I. Lustbader.	0.50	425	$212.50
11/20/2007	DT	Prepare and send engagement	0.75	425	$318.75

		letter to J. Buerrick; correspond with I. Lustbader.			
1/4/2008	DT	Contact D. DePanfilis and J. Berrick regarding status of case.	0.50	520	$260.00
1/22/2008	DT	Review chart of disclosure documents; prepare e-mail to J. Berrick.	2.00	520	$1,040.00
1/30/2008	DT	Call expert J. Berrick regarding documents to collect and review; prepare e-mail regarding same; review book chapter and related articles sent by expert.	2.00	520	$1,040.00
2/19/2008	CMR	Strategy calls for background on potential witness - Greg Lim	1.75	500	$875.00
2/20/2008	RCF	Phone conf & emails re Lim	0.50	650	$325.00
2/20/2008	RCF	Phone conf & emails re Lim	0.50	650	$325.00
2/21/2008	CMR	Strategize with team re Greg Lim	0.25	500	$125.00
2/21/2008	CMR	Strategize with team re Greg Lim	0.25	500	$125.00
2/27/2008	CMR	Work on engagement of Greg Lim	0.50	500	$250.00
2/28/2008	RCF	Phone conf w/ Jean Ross re her testimony; draft of possible declaration	1.25	650	$812.50
6/27/2008	DT	Confer with P. Johnson regarding role as economics expert on case.	0.50	520	$260.00
7/11/2008	SDK	Correspond with team regarding pro bono economist.	0.25	350	$87.50
8/25/2008	RCF	Review of documents from experts, economics study	2.25	650	$1,462.50
		Project Total:	40.25		$19,073.75

Project: Greg Lim Expert Interview (2 Days in Sacramento)					
Date	Timekeeper	Description	Hours x	Rate =	Fee
2/25/2008	CMR	Call w/Greg Lim - interview as potential witness	1.25	500	$625.00

Exhibit C

		Project Total:	39.5		$20,481.25

Project: Prepare Expert Reports					
Date	Timekeeper	Description	Hours x	Rate =	Fee
5/16/2008	KVV	Review case materials, outlines and expert disclosures.	2.25	605	$1,361.25
5/22/2008	DT	Call J. Berrick and leave message; call D. Depanfilis and leave message.	0.25	520	$130.00
5/23/2008	DT	Call J. Berrick to update on status of case; call D. Depanfilis and leave message.	0.75	520	$390.00
5/30/2008	DT	Call D. Depanfilis and leave message.	0.25	520	$130.00
6/17/2008	DT	Review materials regarding expert reports.	2.00	520	$1,040.00
6/19/2008	DT	Prepare Berrick expert report.	1.50	520	$780.00
6/20/2008	DT	Prepare Berrick expert report; confer with K. Van Voorhis regarding same; confer with J. Berrick regarding same.	3.25	520	$1,690.00
6/23/2008	DT	Prepare expert reports; prepare for meeting with J. Berrick.	3.00	520	$1,560.00
6/25/2008	DT	Meet with expert J. Berrick; call expert P. Johnson to discuss engagement; prepare expert reports.	7.00	520	$3,640.00
6/26/2008	DT	Prepare expert reports.	6.00	520	$3,120.00
6/27/2008	DT	Confer with J. Berrick regarding expert report; research article for citations to expert report; draft report; edit proposed stipulation.	4.00	520	$2,080.00
6/30/2008	DT	Prepare expert reports.	5.25	520	$2,730.00

Exhibit C

7/2/2008	DT	Prepare expert report of J. Berrick; meet with J. Berrick regarding same; review Defendants' answer; confer with P. Johnson regarding engagement; prepare expert report of D. Depanfilis.	5.25	520	$2,730.00
7/9/2008	DT	Prepare expert reports.	1.25	520	$650.00
7/11/2008	CMR	Prepare outline of what will be needed for economist report	1.25	500	$625.00
7/12/2008	RCF	Review of economic scenarios for our expert	1.50	650	$975.00
7/16/2008	DT	Confer with J. Berrick regarding report; revise draft expert report.	1.00	520	$520.00
7/16/2008	DT	Confer with P. Johnson regarding expert report; e-mail correspondence with B. Fellmuth and C. Riehl regarding economics expert report.	1.50	520	$780.00
7/17/2008	CMR	Memo & related research for econ expert re scenarios to run	3.50	500	$1,750.00
7/18/2008	DT	Prepare expert reports.	2.00	520	$1,040.00
7/22/2008	DT	Prepare expert report.	1.50	520	$780.00
7/28/2008	DT	Prepare expert report.	1.50	520	$780.00
7/28/2008	KVV	Follow-up regarding experts.	.50	605	$302.50
7/29/2008	DT	Prepare expert report; review and prepare scenarios for economics expert to consider.	4.00	520	$2,080.00
7/29/2008	CMR	Call w/economics expert and follow-up research needed.	2.50	500	$1,250.00
7/30/2008	DT	Attend conference call with C. Riehl and P. Johnson; prepare expert reports.	1.75	520	$910.00
7/30/2008	CMR	Call w/econ expert & Dara - follow-up research.	1.50	500	$750.00
7/31/2008	DT	Prepare expert reports; confer with P. Johnson regarding expert	7.00	520	$3,640.00

Exhibit C

		report.			
8/1/2008	DT	Prepare expert reports.	3.75	520	$1,950.00
8/4/2008	DT	Prepare expert reports.	7.00	520	$3,640.00
8/4/2008	KVV	Review and revise expert report.	5.25	605	$3,176.25
8/5/2008	DT	Prepare expert reports.	4.50	520	$2,340.00
8/5/2008	KVV	Revise expert reports.	1.50	605	$907.50
8/6/2008	DT	Prepare expert reports.	4.50	520	$2,340.00
8/6/2008	KVV	Review expert reports.	1.50	605	$907.50
8/7/2008	DT	Prepare expert reports.	1.50	520	$780.00
8/8/2008	DT	Prepare expert reports.	5.25	520	$2,730.00
8/8/2008	SDK	Review and analyze draft expert reports and declarations.	0.25	350	$87.50
8/11/2008	DT	Prepare expert reports.	8.50	520	$4,420.00
8/12/2008	DT	Prepare and serve expert reports.	9.00	520	$4,680.00
8/12/2008	KVV	Work on expert reports and declaration.	3.25	605	$1,966.25
8/12/2008	MDP	Analyze expert reports.	1.50	600	$900.00
8/18/2008	CMR	Review and analyze DePanfilis Report	0.75	500	$375.00
8/26/2008	CMR	Review emails produced by State & Confer w/Dara	2.00	500	$1,000.00
8/27/2008	DT	Confer with C. Riehl regarding review of e-mails; review e-mails.	1.50	520	$780.00
		Project Total:	134.5		$69,832.50

Project: Prepare Witness Research					
Date	Timekeeper	Description	Hours x	Rate =	Fee
9/7/2007	CMR	BF & CR call w/LAPP re their role as Plaintiff	0.75	500	$375.00

Exhibit C

		conference.			
1/22/2008	KVV	Prepare filing regarding budget decreases.	0.50	605	$302.50
3/4/2008	CMR	Drafting and research re evidence that will be needed for SJ.	1.25	500	$625.00
3/12/2008	EH	Review Patel order in Alliance case	0.50	550	$275.00
3/12/2008	CMR	Review & analyze SJ Order in Alliance case	0.75	500	$375.00
3/12/2008	RCF	Review of documents from CR & others, notes; draft suggestions for SJ	2.25	650	$1,462.50
3/13/2008	CMR	Drafting and research re evidence that will be needed for SJ.	0.75	500	$375.00
3/24/2008	RCF	Conf call w/ team re: SJ, documents discussed	1.00	650	$650.00
4/15/2008	RCF	Research re SJ documents re CNI vs other measures, note re MD study	1.25	650	$812.50
4/25/2008	CMR	Update memo re evidence that will be needed for SJ.	0.50	500	$250.00
5/27/2008	EH	Review B.Fellmeth draft of Jean Ross declaration and draft extensive edits re same	0.50	550	$275.00
6/2/2008	EH	Review B Fellmeth draft outline for MSJ	0.25	550	$137.50
6/2/2008	EH	Review and redraft Ross declaration; research re same	1.00	550	$550.00
6/3/2008	CMR	Draft outline for SJ Motion	2.50	500	$1,250.00
6/3/2008	DT	Review draft Ross declaration; call D. Depanfilis; review draft summary judgment motion chart.	1.00	520	$520.00
6/3/2008	KVV	Analysis regarding case strategy.	0.50	605	$302.50
6/3/2008	EH	Review and suggest edits to Ross draft declaration	0.50	550	$275.00
6/4/2008	CMR	Update outline for SJ Motion	0.75	500	$375.00
6/4/2008	DT	Review Wagner declaration; review summary judgment chart	1.50	520	$780.00

Exhibit C

8/3/2008	MDP	Analyze DSS legislative analyses.	0.50	600	$300.00
8/3/2008	SDK	Review and analyze DSS analyses of proposed legislation to increase foster care reimbursement rates.	0.75	350	$262.50
8/4/2008	RSB	Review case materials, papers, and background.	1.25	520	$650.00
8/4/2008	SDK	Review and analyze six new DSS documents and strategize regarding use for summary judgment; review and analyze CWS Redesign document.	2.50	350	$875.00
8/5/2008	RSB	Read background materials.	2.00	520	$1,040.00
8/15/2008	NH	Research and review proceedings of program on national public radio relating to foster care rates.	1.00	170	$170.00
8/15/2008	CMR	Research data re what increase is needed.	4.25	500	$2,125.00
8/17/2008	RCF	Conf call w/ EH re status, strategy	0.50	650	$325.00
8/18/2008	DT	Review e-mails produced by State.	2.00	520	$1,040.00
8/18/2008	RSB	Research availability of injunctive relief.	6.50	520	$3,380.00
8/20/2008	CMR	Research re GH rate changes	0.75	500	$375.00
8/27/2008	CMR	Child care costs & avg. distance of child's placement from home. - confer with Rick	2.25	500	$1,125.00
8/29/2008	CMR	Research case law re weekly visitation	2.50	500	$1,250.00
9/9/2008	CMR	Follow-up w/Steve re: Natasha Frost's info	0.25	500	$125.00
9/10/2008	EH	Call w/CR re LAPP	0.25	550	$137.50
9/13/2008	SDK	Search for amendments to 2002 State Plan for Title IV-E eligibility.	0.50	350	$175.00

Exhibit C

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the State of Hawai`i,  Plaintiffs,  vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	**Case No. CV13-00663 LEK-KSC** CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that, on the date and by the method of service noted below, a true and correct copy of the foregoing document was served on the following at their last known address:

Served Electronically through CM/ECF on March 28, 2017:

Caron M. Inagaki, Esq. caron.m.inagaki@hawaii.gov
Donna H. Kalama, Esq. donna.h.kalama@hawaii.gov

Attorneys for Defendant

Dated: March 28, 2017

Respectfully submitted,

By: /s/ Claire Wong Black
PAUL ALSTON
J. BLAINE ROGERS
CLAIRE WONG BLACK
VICTOR GEMINIANI
GAVIN THORNTON
ALESSA Y. HWANG
JAMES R. HANCOCK
Attorneys for Plaintiffs

985091v1 // 11436-1

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U.S. District Court

District of Hawaii

Notice of Electronic Filing

The following transaction was entered by Black, Claire on 3/28/2017 at 10:19 PM HST and filed on 3/28/2017

Case Name: Ah Chong v. Bhanot
Case Number: 1:13-cv-00663-LEK-KSC
Filer: Raynette Ah Chong
PATRICIA SHEEHEY
PATRICK SHEEHEY
Document Number: 348

Docket Text:
MOTION for Attorney Fees ***Plaintiffs Notice of Unopposed Motion and Unopposed Motion For Award and Approval of Settlement Regarding Attorneys Fees and Service Awards; Declaration of Paul Alston; Declaration of Claire Wong Black; Declaration of Gavin Thornton; Declaration of James Hancock; Exhibits A G; Certificate of Service*** **Claire Wong Black appearing for Plaintiffs Raynette Ah Chong, PATRICIA SHEEHEY, PATRICK SHEEHEY (Attachments: # (1) Main Document Motion, # (2) Declaration of Paul Alston, # (3) Declaration of Claire Wong Black, # (4) Declaration of Gavin Thornton, # (5) Declaration of James Hancock, # (6) Exhibit A - State Court Order, # (7) Exhibit B - Federal Settlement Agreement, # (8) Exhibit C - Hawaii Appleseed Fees, # (9) Exhibit D - AHFI Fees & Costs, # (10) Exhibit E - Morrison & Foerster Fees, # (11) Exhibit F - ERK V. State of Hawaii, # (12) Exhibit G - Special Masters Decision and Order, # (13) Certificate of Service)(Black, Claire)**

1:13-cv-00663-LEK-KSC Notice has been electronically mailed to:

Alan Cope Johnston ACJohnston@mofo.com, ac-johnston-1801@ecf.pacerpro.com, dgillis@mofo.com, donna-gillis-3037@ecf.pacerpro.com

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Paul Alston palston@ahfi.com, notice@ahfi.com, rjkp@ahfi.com

1:13-cv-00663-LEK-KSC Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description: Main Document
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Original filename:n/a
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Original filename:n/a
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI`I

PATRICIA SHEEHEY, PATRICK SHEEHEY, RAYNETTE AH CHONG, individually and on behalf of the class of licensed foster care providers residing in the State of Hawai`i,  Plaintiffs, vs.  PANKAJ BHANOT, in his official capacity as the Director of the Hawai`i Department of Human Services, Defendant.	Case No. CV13-00663 LEK-KSC **CERTIFICATE OF SERVICE**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served electronically on the following via CM/ECF on March 30, 2018:

Deputy Attorney General Donna H. Kalama
donna.h.kalama@hawaii.gov
Attorney for Defendant

DATED: Honolulu, Hawai`i, March 30, 2018.

/s/ Claire Wong Black
PAUL ALSTON
J. BLAINE ROGERS
CLAIRE WONG BLACK
VICTOR GEMINIANI
GAVIN THORNTON
MARC D. PETERS
ALESSA Y. HWANG
JAMES R. HANCOCK

Class Counsel