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**IN THE THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF YELLOWSTONE**

**AMELIA MARQUEZ, an individual; and
JOHN DOE, an individual;**

Plaintiffs,

v.

**STATE OF MONTANA; GREGORY
GIANFORTE, in his official capacity as the
Governor of the State of Montana; the
MONTANA DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES; and
CHARLIE BRERERTON, in his official
capacity as the Director of the Montana
Department of Public Health and Human
Services,**

Defendants.

Case No. DV 21-00873

Hon. Colette B. Davies

**BRIEF IN SUPPORT OF PLAINTIFFS’
MOTION FOR ATTORNEYS’ FEES**

Plaintiffs¹ engaged nonprofit and pro bono counsel to challenge the constitutionality of Senate Bill 280 (“SB 280”), a Montana law preventing transgender Montanans from amending the sex designation on their Montana birth certificates. During the litigation, which lasted for nearly three years, Defendants repeatedly and deliberately ignored orders from this Court and the Montana Supreme Court directing them to reinstate the regulation in place before SB 280 was passed (the “2017 Rule”). This Court found that Defendants acted in contempt of court and concluded that Plaintiffs were entitled to recover their reasonable attorneys’ fees and costs in connection with Defendants’ misconduct. Doc. 133 at 20. This Court also found that, under the private-attorney-general doctrine, Plaintiffs were entitled to recover their reasonable attorneys’ fees and costs as prevailing parties in their successful constitutional challenge to SB 280. *Id.* at 15–17.

Plaintiffs now seek an award of attorneys’ fees totaling \$695,798.75 and an award of costs totaling \$30,117.70. These sums encompass both the contempt sanction and prevailing-party fees awarded by the Court. As discussed below, and as set forth in the declarations and billing records submitted with this brief, the billing rates applicable to this case, and the hours spent litigating it, were reasonable, and the Court should award the amounts requested by Plaintiffs in their entirety.

BACKGROUND

I. Procedural History

In 2021, the State of Montana enacted SB 280. Doc. 61, ¶¶ 58–59. Doc. 42, Ex. A, ¶ 37; Doc. 69, ¶ 37. SB 280 states, “The sex of a person designated on a birth certificate may be amended only if [the DPHHS] receives a certified copy of an order from a court with appropriate jurisdiction *indicating that the sex of the person born in Montana has been changed by surgical procedure.*”

¹ “Plaintiffs” refers collectively to all the named plaintiffs. “Defendants” refers collectively to all the named defendants.

S.B. 280, 2021 Leg., 67th Sess. (Mont. 2021) (emphasis added); Doc. 61, ¶ 60; Doc. 42, Ex. A, ¶ 38; Doc. 69, ¶ 38.

On May 28, 2021, the Montana Department of Health and Human Services (the “DPHHS”) proposed adopting implementing regulations for SB 280 (the “2021 Rule”) through Montana Administrative Register Notice 37–945. *See* 10 Mont. Admin. Reg. 608-612 (May 28, 2021). The language of the 2021 Rule, which mirrored the language of SB 280, was subsequently codified at Montana Administrative Rule 37.8.311—now Montana Administrative Rule 37.8.311(5)(a)—and Montana Administrative Rule 37.8.102. *See* 10 Mont. Admin. Reg. 608-612 (May 28, 2021); Mont. Admin. R. 37.8.311(5)(a) (2022); Mont. Admin. R. 37.8.102 (2021).

On July 16, 2021, Plaintiffs filed this case to challenge the constitutionality of SB 280, which restricts a person’s ability to amend the sex designation on their birth certificate, thereby limiting transgender Montanans’ access to identity documents that align with their gender identity. Doc. 1. Three days later, on July 21, 2021, Plaintiffs moved for a preliminary injunction. Doc. 6.

On April 21, 2022, following full briefing and argument, the Court preliminarily enjoined Defendants from enforcing “any aspect of SB 280 during the pendency of this action according to the prayer of Plaintiffs’ motion and complaint[.]” Doc. 61 at 35, ¶ 5(a). In the Court’s preliminary-injunction order, the Court directed Defendants to maintain the status quo, defined as the “last actual, peaceable, noncontested condition which preceded the pending controversy,” thereby requiring Defendants to follow the preexisting 2017 Rule for processing sex-designation amendments to Montana birth certificates while the preliminary injunction was in effect. *Id.*, ¶¶ 180–181. The 2017 Rule permitted a transgender person to amend his or her original birth certificate by submitting to the DPHHS a completed gender-designation form attesting to gender transition or providing government-issued identification displaying the correct sex designation or

providing a certified court order indicating a gender change. *See* 24 Mont. Admin. Reg. 2436–40 (Dec. 22, 2017) (amending Mont. Admin. R. 37.8.102 and 37.8.311).

Despite the facts that (1) the 2017 Rule was the governing rule before SB 280 was enacted and (2) the status quo required following the 2017 Rule, Defendants adopted the 2022 Rule, which categorically prohibited transgender people from amending the sex designation on their Montana birth certificates. *See* Doc. 77, ¶¶ 7–13. Defendants tried to justify the 2022 Rule by claiming they were confused about their obligations under the preliminary injunction. *See, e.g.*, Doc. 150 at 3.

In response to this purported “confusion,” and Defendants’ repeated violations of the preliminary injunction, Plaintiffs filed a motion asking this Court to clarify the terms of its preliminary-injunction order. Doc. 71. Once again, after full briefing and argument, the Court *expressly* directed Defendants to return to the 2017 Rule, finding that Defendants’ claims of confusion were “demonstrably ridiculous” and that Defendants had “unlawfully circumvented the entire purpose of a preliminary injunction and disregarded and disrespected the judicial process” by making those claims. Doc. 77, ¶¶ 19, 24.

Dissatisfied with the Court’s order clarifying the preliminary injunction, Defendants took the extraordinary step of applying to the Montana Supreme Court for a writ of supervisory control, falsely insisting that this Court did not order Defendants to revert to the 2017 Rule. *See* Doc. 97, at 5. The Montana Supreme Court disagreed, making it clear that, “[i]n enjoining SB 280, and thereby maintaining the status quo or ‘last, actual peaceable, noncontested condition which preceded the pending controversy,’ the District Court unquestionably reinstated the 2017 Rule for so long as its preliminary injunction remain[ed] in effect.” *Id.* at 6.

Afterward, despite clear orders from this Court and the Montana Supreme Court, rather than preserving the status quo and returning to the 2017 Rule, Defendants undertook to circumvent

the courts' orders and implement the 2022 Rule. Indeed, following the entry of the Montana Supreme Court's writ order, the DPPHS publicly declared that "given the [Supreme Court's] decision, the department w[ould] follow and implement its 2022 rule,"² thereby abolishing the right of transgender Montanans to amend the sex designation on their birth certificates. This declaration did not preserve the status quo as required.

In the Court's clarification order, the Court warned Defendants that "[m]otions for contempt based on continued violations of the [preliminary injunction] w[ould] be promptly considered." Doc. 77, ¶ 21. Consistent with the Court's admonition, on January 25, 2023, Plaintiffs filed a motion to enforce the preliminary injunction. Doc. 103. The motion to enforce explained that, despite three judicial orders confirming the DPHHS's obligation to maintain the status quo by reinstating the 2017 Rule—(1) the preliminary injunction, (2) the clarification order, and (3) the writ order—Defendants were processing sex-designation amendments to Montana birth certificates under the 2022 Rule. *Id.* In response to the motion, Defendants confirmed that they began following and implementing the 2022 Rule, not the 2017 Rule, and then "paused" that implementation, thereby *still* not following the 2017 Rule. Doc. 105 at 6–7.

On June 26, 2023, after full briefing and argument, the Court entered an order granting the motion to enforce. Doc. 133. The Court ultimately found Defendants in contempt of court for deliberately failing to follow the Court's preliminary injunction, disregarding the Court's clarification order, and disregarding the obligation under Montana law to preserve the status quo as mandated by the previous orders of this Court and the Montana Supreme Court. In relevant part,

² See Mara Silvers, *State Supreme Court splits decision over judge's actions in transgender birth certificate case*, Montana Free Press (Jan. 10, 2023), <https://montanafreepress.org/2023/01/10/montana-court-issues-split-decision-in-transgender-birth-certificate-appeal/> (last visited July 18, 2024); Shaylee Ragar, *Amid legal battles, the health dept. bars gender changes on birth certificates*, Montana Public Radio (Jan. 11, 2023), <https://www.mtpr.org/montana-news/2023-01-11/amid-legal-battles-the-health-dept-bars-gender-changes-on-birth-certificates> (last visited July 18, 2024).

the Court found that “Defendants [were] in contempt of court and [were] ordered to pay Plaintiffs the attorney fees and costs associated with the contempt of court action from January 10th, 2023, to June 1st, 2023.” *Id.* at 20.

Meanwhile, on March 20, 2023, Plaintiffs filed a motion for summary judgment. Doc. 122. In its June 26, 2023, order, the Court found that the provisions of SB 280 were unconstitutionally vague and therefore unenforceable. Doc. 133. The Court thus permanently enjoined SB 280. *Id.* In that order, the Court also awarded Plaintiffs their fees as prevailing parties, given Plaintiffs’ successful three-year effort to challenge the constitutionality of SB 280. *Id.*

After considering the factors of the private-attorney-general doctrine, the Court used its discretionary authority to award Plaintiffs attorneys’ fees and costs under section 27–8–313 of the Montana Code. MCA § 27–8–313. Specifically, the Court found that fees were warranted because “[t]his case vindicates constitutional interests”; Plaintiffs, as private parties, needed to bring this case to vindicate a critical constitutional right because the government “fought to enforce a law that they later conceded was unconstitutional”; and Plaintiffs were forced “exert additional effort” to enforce the Court’s preliminary injunction because Defendants “were in contempt of court for large portions of this litigation.” *Id.* at 15–17.

The Court also awarded fees based on section 27–8–313 of the Montana Code based on Defendants’ lack of good faith. *Id.* at 19. The Court was not convinced that Defendants acted in good faith because although Defendants claimed that the case “began with a mistaken premise that a person’s sex could be changed with a medical procedure,” Defendants “chose to spend considerable time and energy defending a statute that was based on this mistaken premise.” *Id.* at 18 (internal quotation marks omitted). The Court further noted that “[e]ven after acknowledging

that SB 280 was facially flawed and impossible to comply with, Defendants continued to file pleadings and extend the litigation for another year.” *Id.*

In response to the Court’s summary-judgment order, Defendants sought to vacate the fee award by filing a motion under Rule 60(b)(6) of the Montana Rules of Civil Procedure. Doc. 149. The Rule 60 motion was ill-founded for the reasons set forth in detail in Plaintiffs’ response to the motion. Doc. 160. The Court elected not to rule on the motion, resulting in its automatic denial. *See* M. R. Civ. P. 60(a)(1); M. R. Civ. P. 59(f).

On February 23, 2024, Defendants filed a motion under Rule 54(b) of the Montana Rules of Civil Procedure for an order certifying (1) the Court’s June 26, 2023, order and (2) the denial of Defendants’ Rule 60 motion. Doc. 171. Plaintiffs did not oppose the motion. On March 22, 2024, the Court granted Defendants’ motion and stayed further litigation over Plaintiffs’ attorneys’ fees pending remand from any appeal by Defendants. Doc. 176.

On May 20, 2024, Defendants filed a notice of appeal. Doc. 177. On May 29, 2024, the Montana Supreme Court dismissed Defendants’ appeal without prejudice on the basis that the Court had no jurisdiction over the appeal because Defendants failed to attach a certification order to their notice of appeal. *See* 5/29/24 Order. Defendants did not thereafter properly file a notice of appeal or seek rehearing of the order dismissing their appeal.

As a result of these rulings, Plaintiffs are now entitled to an award of attorneys’ fees and costs (1) for Defendants’ contempt of court and (2) as prevailing parties in Plaintiffs’ challenge to the constitutionality of SB 280. All other issues in the case have been resolved. The only remaining issue for the Court to decide is the amount of fees to be awarded.

II. Plaintiffs' Legal Team

Plaintiffs' legal team in this case included, in relevant part, Alex Rate and Akilah Deernose of the ACLU of Montana Foundation Inc. ("ACLU of Montana"), assisted by ACLU of Montana paralegal Krystel Pickens; John Knight, Jon Davidson, and Malita Picasso of the American Civil Liberties Union Foundation ("ACLU"); and Seth Horvath and F. Thomas Hecht of the law firm Nixon Peabody LLP. The background and qualifications of these attorneys are set forth in detail in the attached declarations of Alex Rate, Jon Davidson, and Seth Horvath. *See* Ex. A, Rate Decl.; Ex. B, Davidson Decl.; Ex. C, Horvath Decl.

Mr. Rate of the ACLU of Montana served as local counsel and cocounsel; participated in formulating case strategy; provided substantive input on, and assisted with drafting, pleadings and briefs; and assisted with the discovery process. Ex. A, Rate Decl., ¶ 21. Akilah Deernose, then a staff attorney at the ACLU of Montana and now its executive director, did the same and also argued one of Plaintiffs' key motions. *Id.* Krystel Pickens provided paralegal services. *Id.*

Mr. Knight of the ACLU provided strategic oversight at the outset of the litigation. Ex. B, Davidson Decl., ¶¶ 34, 35. After Mr. Knight retired, Mr. Davidson and Ms. Picasso took on Mr. Knight's role and drafted, reviewed, and edited pleadings; assisted with expert witnesses; and assisted with discovery, among other things. *Id.*, ¶ 35. Ms. Picasso also argued certain key motions. *Id.*

Mr. Horvath and Mr. Hecht of Nixon Peabody have been, or are, counsel of record in five cases, in partnership with the ACLU, addressing gender-affirming care and identity documentation for transgender people. Ex. C, Horvath Decl., ¶¶ 33–39. Mr. Horvath and Mr. Hecht were involved

with formulating litigation strategy, and preparing and editing briefs, at all phases of this case. *Id.*, ¶ 32. They also assisted with expert witnesses and discovery. *Id.*

LEGAL STANDARDS

“Where legal authority exists to award attorney fees,” a district court has broad discretion to determine the appropriate amount of fees. *See Gendron v. Mont. Univ. Sys.*, 2020 MT 82, ¶ 8, 399 Mont. 470, 461 P.3d 115. The district court’s determination stands unless the court “acts arbitrarily, without employment of conscientious judgment, or in excess of the bounds of reason, resulting in substantial injustice.” *Id.*

Montana courts “recognize two primary methods of calculating reasonable fees: the lodestar method, which involves multiplying the number of hours reasonably spent on the case by an appropriate hourly rate in the community for such work, and the percentage of the recovery method, which authorizes fees to be paid from a percentage of a common fund or a contingency fee agreement.” *Id.*, ¶ 12 (cleaned up).

Here, the percentage-of-the-recovery method does not apply because Plaintiffs did not seek a damages award. Instead, the lodestar method applies.

ARGUMENT

Plaintiffs seek a total fee award of \$695,798.75, which encompasses both \$34,665.00 for the sanction the Court awarded for Defendants’ contempt of court and \$661,133.75 for prevailing on the constitutional challenge to SB 280. Plaintiffs also seek a total cost award of \$30,117.70.

These awards are consistent with the Court’s inherent authority to hold a disobedient party in contempt of court. Doc. 133 at 20. They are also consistent with Montana’s private-attorney-general doctrine because (1) the outcome of the case has vindicated constitutional principles, (2) there was a need for private enforcement of the Montana Constitution in the face of Defendants’

conduct, and (3) the case has conferred important benefits generally to a significant number of transgender Montanans. *See id.* at 15–17.

The only issue currently before the Court is whether the fees requested by Plaintiffs are reasonable. They are, as established by the declarations, billing records, and cost records submitted by Plaintiffs. *See* Ex. A, Rate Decl.; Ex. B, Davidson Decl.; Ex. C, Horvath Decl; Ex. D, Summary of Attorneys’ Fees (Mot. to Enforce Preliminary Injunction); Ex. E, Summary of Attorneys’ Fees (Other); Ex. F, Summary of Costs.

I. The lodestar method is appropriate and results in a total fee award of \$695,798.75.

The lodestar method is the appropriate method for calculating the attorneys’ fees owed to Plaintiffs. *Gendron*, ¶ 12. The lodestar method “involves multiplying the number of hours reasonably spent on the case by an appropriate hourly rate in the community for such work” *Id.* (cleaned up). “There is a strong presumption that the lodestar figure represents a reasonable fee.” *See McColl v. Allied Pros. Ins. Co.*, No. CV 17–40–H–SEH–TJC, 2018 WL 5253501 (D. Mont. Oct. 22, 2018) (citing *Jordan v. Multnomah Cnty.*, 815 F.2d 1258, 1262 (9th Cir. 1987)).

The table below multiplies “the number of hours reasonable spent on the case” by “an appropriate hourly rate in the community” for work performed in connection with Plaintiffs’ motion to enforce the preliminary injunction, obtaining a lodestar amount of \$34,665.00. This amount is presumptively reasonable and should be awarded.

Attorney/Paralegal	Rate	Hours	Total
Alex Rate	\$350/hour	7.4	\$2,590.00
Akilah Deernose	\$300/hour	55.4	\$16,620.00
Malita Picasso	\$350/hour	9.65	\$3,377.50
Seth Horvath	\$450/hour	21.7	\$9,765.00
Jon Davidson	\$550/hour	3.0	\$1,650.00
Krystal Pickens	\$125/hour	5.3	\$662.50

The table below multiples “the number of hours reasonably spent on the case” by “an appropriate hourly rate in the community” for the work performed on other aspects of the litigation, obtaining a lodestar amount of \$661,133.75. This amount is presumptively reasonable and should be awarded.

Attorney/Paralegal	Rate	Hours	Total
Alex Rate	\$350/hour	114.60	\$40,110.00
Akilah Deernose	\$300/hour	526.50	\$157,950.00
Malita Picasso	\$350/hour	201.75	\$70,612.50
Seth Horvath	\$450/hour	289.05	\$130,275.00
Jon Davidson	\$550/hour	137.25	\$75,487.50
John Knight	\$550/hour	33.30	\$18,315.00
Tom Hecht	\$550/hour	292.05	\$160,627.50
Krystal Pickens	\$125/hour	62.05	\$7,756.25

A. Counsels’ hourly rates are reasonable.

Plaintiffs seek recovery for their time at the “appropriate hourly rates” of \$350 per hour for Mr. Rate, \$300 per hour for Ms. Deernose, and \$125 per hour for Ms. Pickens of the ACLU of Montana; \$550 per hour for Mr. Knight, \$550 per hour for Mr. Davidson, and \$350 per hour for Ms. Picasso of the ACLU; and \$450 per hour for Mr. Horvath and \$550 per hour for Mr. Hecht of Nixon Peabody. *See Gendron*, ¶ 12. These rates have all been considerably reduced from standard

hourly rates for attorneys with comparable experience and expertise to place the reasonableness of the rates beyond dispute. *See* Ex. A, Rate Decl., ¶ 14; Ex. B, Davidson Decl., ¶ 14; Ex. C, Horvath Decl., ¶¶ 15, 17.

B. The total hours expended on the litigation are reasonable.

Plaintiffs seek recovery for the attorney and paralegal time reasonably spent in securing a victory for Plaintiffs this case. The 1,759 total hours spent by Plaintiffs' counsel and paralegal are reflected in contemporaneous records they kept, which are collected in itemized time statements provided in Exhibit D and E to this brief. *See* Ex. D, Summary of Attorneys' Fees (Mot. to Enforce Preliminary Injunction); Ex. Summary of Attorneys' Fees (Other). The amounts described in this statement reflect counsel's exercise of billing judgment to eliminate unnecessary and redundant time entries, as well as an appropriate division of labor among senior and junior attorneys.

C. Paralegal fees should be awarded in the amount of \$8,418.75.

“In any case or proceeding in which attorney fees are awarded to the prevailing party, the court may, as a component of the attorney fees, include reasonable fees of a paralegal” § 25–10–304, MCA. Paralegal fees are available for work performed by:

a person qualified through education, training, or work experience who is employed or retained to perform, under supervision by a licensed attorney, substantive legal work that:

- (a) requires a substantial knowledge of legal concepts; and
- (b) in the absence of the paralegal, would be performed by an attorney.

§ 25–10–305, MCA.

Ms. Pickens, a paralegal for the ACLU of Montana, meets these requirements. *See* Rate Decl., ¶¶ 22–23. Plaintiffs ask the Court to award paralegal fees at the reasonable hourly rate of \$125 per hour for the 67.35 hours of legal work performed by Ms. Pickens, for a total award of \$8,418.75 in paralegal fees.

II. The requested fee award is reasonable.

To assess whether a requested fee award under the lodestar method is reasonable, courts consider seven factors:

- (1) the amount and character of the services rendered;
- (2) the labor, time and trouble involved;
- (3) the character and importance of the litigation in which the services were rendered;
- (4) the amount of money or the value of the property to be affected;
- (5) the professional skill and experience called for;
- (6) the attorneys' character and standing in their profession; and
- (7) the results secured by the services of the attorneys.

Gendron, ¶ 13. These factors are “nonexclusive,” *In re J.K.N.A.*, 2019 MT 286, ¶ 51, 398 Mont. 72, 454 P.3d 642, and “serve as guidelines for determining what constitutes a reasonable fee,” *Osterman v. Sears, Roebuck & Co.*, 2003 MT 327, ¶ 40, 318 Mont. 342, 80 P.3d 435. Here, all seven factors support awarding Plaintiffs’ their requested attorneys’ fees in full.

A. The amount and character of the services rendered support the requested fee award.

Over the three years Plaintiffs’ counsel spent litigating this case, they worked more than 1,759 hours. *See J.K.N.A.*, ¶ 54 (considering total amount of legal fees under this factor). This litigation required in-depth legal research, analysis, retention of expert witnesses, and briefing on state constitutional law at multiple stages, including the pleading stage, the preliminary-injunction stage, and the summary-judgment stage. Because of Defendants’ conduct, Plaintiffs were forced to file a motion to clarify the preliminary injunction, a motion to enforce the preliminary injunction, and a response to Defendants’ petition for a writ of supervisory control from the Montana Supreme Court. *See Doc. 71; Doc. 103; 10/19/22 Resp. to Pet. for Writ.* Plaintiffs’ counsel devoted nearly three years to litigating this complex case. This factor supports the requested fee award.

B. The labor, time, and trouble involved support the requested fee award.

This case involved complex questions of state constitutional law. Plaintiffs' counsel devoted considerable time and effort to litigating those issues. Plaintiffs' counsel also expended additional time and effort compelling Defendants to comply with the preliminary injunction. Defendants' decision not to do so "created additional and unnecessary trouble which further complicated the litigation and added to the attorneys' labor and time commitments in the case." *J.K.N.A.*, ¶ 55. Indeed, Defendants' conduct added over a year of additional work to this case. This factor further supports the requested fee award.

C. The character and importance of the litigation support the requested fee award.

This matter is "of high importance" to Plaintiffs, who, as a result of the litigation, won the right to amend the sex designation on their Montana birth certificates. *See J.K.N.A.*, ¶ 56. In addition, this litigation is important to all Montanans who value the constitutional rights to equal protection, privacy, and due process of law, which the litigation fortified and defended. It was particularly important to transgender Montanans who won the right to amend their birth certificates. This factor supports the requested fee award.

D. The amount of money, or the value of the property to be affected, support the requested fee award.

This factor is often omitted from the list of those considered and likely is irrelevant here, where Plaintiffs did not seek a damages award. Nevertheless, if this factor is relevant, it should be deemed met here, where, although the litigation did not involve monetary recovery, it resulted in something of far greater value—the vindication of fundamental constitutional rights.

E. The professional skill and experience called for support the requested fee award.

Litigating this matter, which presented several issues of first impression on transgender people's rights under the Montana Constitution, required substantial professional skill and experience. Plaintiffs' counsel's hourly rates fairly reflect the level of skill and experience they brought to bear in litigating the case. Ex. A, Rate Decl., ¶ 14; Ex. B, Davidson Decl., ¶ 14; Ex. C, Horvath Decl., ¶¶ 15, 17. This factor weighs in favor of the requested fee award.

F. The attorneys' character and standing in their profession support the requested fee award.

Plaintiffs' counsel are in good standing in the jurisdictions where they are licensed to practice law and have extensive experience in civil-rights litigation, including constitutional litigation and litigation involving the rights of transgender people in particular. *See* Ex. A, Rate Decl., ¶¶ 18, 20; Ex. B, Davidson Decl., ¶¶ 19, 24, 25, 30, 31, 33; Ex. C, Horvath Decl., ¶¶ 21, 28, 33–39. This factor supports the requested fee award.

G. The results secured by the services of the attorneys support the requested fee award.

Plaintiffs sought and received preliminary and permanent injunctive relief from an unconstitutional law. Doc. 61; Doc. 133. This factor weighs in favor of the requested fee award.

III. Plaintiffs are entitled to recover the costs they incurred.

As prevailing parties, Plaintiffs are entitled to recover the costs of the litigation. Plaintiffs' costs are reasonable, as set forth in the accompanying declarations. *See* Ex. A, Rate Decl., ¶ 17; Ex. B, Davidson Decl., ¶ 18; Ex. C, Horvath Decl., ¶ 19. Each of these costs was necessary and justified to secure the ultimate outcome. Overall, Plaintiffs incurred the following costs during the case:

DESCRIPTION	AMOUNT
ACLU of Montana Case Fees	\$22.20
ACLU of Montana Travel Expense	\$2,212.82
Nixon Peabody Case Fees	\$1,653.26
Nixon Peabody PHV Admissions	\$3,229.05
ACLU Travel Expenses	\$4,647.93
ACLU Expert Witnesses	\$10,198.79
ACLU PHV Admissions	\$1,072.10
ACLU Case Fees	\$234.05
ACLU Professional Services	\$6,847.50
TOTAL	\$30,117.70

CONCLUSION

For these reasons, Plaintiffs request the entry of an order:

- (a) awarding them reasonable attorneys' fees of \$34,665.00 for work performed in connection with the motion to enforce the preliminary injunction, including \$19,872.50 in attorneys' fees attributable to the ACLU of Montana, \$5,027.50 in attorneys' fees attributable to the ACLU, and \$9,765.00 in attorneys' fees attributable to Nixon Peabody;
- (b) awarding them reasonable attorneys' fees of \$661,133.75 for work performed in connection with other aspects of the litigation, including \$205,816.25 in attorneys' fees attributable to the ACLU of Montana, \$164,415.00 in attorneys' fees attributable to the ACLU, and \$290,902.50 in attorneys' fees attributable to Nixon Peabody;
- (c) awarding them reasonable costs of \$30,117.70, including \$2,235.02 in costs attributable to the ACLU of Montana, \$23,000.37 in costs attributable to the ACLU, and \$4,882.31 in costs attributable to Nixon Peabody; and
- (d) granting any other relief in Plaintiffs' favor that the Court deems just.

Respectfully submitted this 19th day of July, 2024.

By: /s/ Alex Rate
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CERTIFICATE OF SERVICE

I hereby certify that I served a true and accurate copy of the foregoing document via eService on counsel for Defendants:

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Electronically signed by Krystal Pickens on behalf of Alex Rate on July 19, 2024

EXHIBIT A

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**IN THE THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF YELLOWSTONE**

AMELIA MARQUEZ, an individual; and)
JOHN DOE, an individual,)
)
 Plaintiffs,)
)
 v.)
)
 STATE OF MONTANA; GREGORY)
GIANFORTE, in his official capacity as the)
Governor of the State of Montana; the)
MONTANA DEPARTMENT OF PUBLIC)
HEALTH AND HUMAN SERVICES; and)
CHARLES T. BRERERTON, in his official)
capacity as the Director of the Montana)
Department of Public Health and Human)
Services,)
)
 Defendants.)
)

Case No. DV 21-00873

Hon. Colette B. Davis

DECLARATION OF ALEX RATE

I, Alex Rate, pursuant § 1-6-105, MCA, state and affirm that the following facts are true and correct to the best of my knowledge:

1. If called upon to do so, I could and would testify competently to the facts set forth in this declaration.

2. I am the Deputy Director and Legal Director at the American Civil Liberties Union of Montana (“ACLU-MT”) and am one of the attorneys representing the plaintiffs in this litigation (“Plaintiffs”).

3. I submit this declaration in support of Plaintiffs’ fee petition, which is being filed simultaneously with the declaration.

4. I am familiar with the process by which ACLU-MT attorneys and paralegals record their time working on a given matter.

5. I am the attorney responsible for reviewing the time ACLU-MT attorneys and paralegals spent on this litigation as well as the costs the ACLU-MT incurred in connection with this litigation.

6. Attorneys and paralegals at the ACLU regularly enter their time on each matter, as well as a task description, on a contemporaneous basis, using the software program Microsoft Excel.

7. Excel spreadsheets provide complete and accurate descriptions of tasks accomplished and the associated fees.

8. The ACLU-MT, which is a nonprofit organization, represents Plaintiffs without charge to them.

9. Although the ACLU-MT does not bill those it represents for the work it performs, the ACLU uses Microsoft Excel to keep track of the time its attorneys and paralegals spend on the ACLU-MT's representation of Plaintiffs.

10. I have reviewed the attorney's fees incurred in connection with the work performed by the ACLU-MT's attorneys and paralegals in this litigation.

11. **Exhibit D** to the fee petition contains true and accurate summaries of work performed by me and by my ACLU-MT colleagues attorney Akilah Deernose and paralegal Krsytel Pickens related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, which were generated from information compiled using Microsoft Excel.

12. **Exhibit E** to the fee petition contains true and accurate summaries of work performed by me and by my ACLU-MT colleagues Akilah Deernose and Krystal Pickens related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the case pursuant to the private attorney general provisions of Montana law that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, which were generated from information compiled using Microsoft Excel.

13. **Exhibit F** to the fee petition contains a true and accurate summary of costs incurred by the ACLU-MT in connection with the litigation, including but not limited to costs incurred for pro hac vice admissions and other case fees.

14. My billing rate for which the ACLU-MT is seeking compensation for my work in this litigation is \$350 per hour, a considerable reduction from standard hourly rates for attorneys with my experience and expertise in Montanan. Akilah Deernose's billing rate for this litigation was \$300 per hour, which also reflects a significant reduction for standard hourly rates for

attorneys with her experience and expertise. Ms. Pickens' billing rate for this litigation was \$125 per hour, which is reflective of her experience.

15. Based on the number of hours I devoted to this litigation, multiplied by my billing rate, the attorney's fees incurred in relation to time I spent working on this litigation related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, were \$2,590.00. In addition, based on the number of hours I devoted to this litigation, multiplied by my adjusted billing rate, the attorney's fees incurred in relation to time I spent working on this litigation related the litigation that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, were \$40,110. The total of both amounts is \$42,700.

16. Based on the number of hours Ms. Deernose devoted to this litigation, multiplied by her adjusted billing rate, the attorney's fees incurred in relation to time Ms. Deernose spent working on this litigation related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, were \$16,620.00. In addition, based on the number of hours Ms. Deernose devoted to this litigation, multiplied by her adjusted billing rate, the attorney's fees incurred in relation to time Ms. Deernose spent working on this litigation that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, were \$157,950.00. The total of both amounts is \$174,570.

17. Based on the number of hours Ms. Pickens devoted to this litigation, multiplied by her billing rate, the fees incurred in relation to time Ms. Pickens spent working on this litigation related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, were \$662.50.

In addition, based on the number of hours Ms. Pickens devoted to this litigation, multiplied by her billing rate, the attorney's fees incurred in relation to time Ms. Pickens spent working on this litigation that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, were \$7,756.25. The total of both amounts is \$8,418.75.

18. The total amount of costs incurred by the ACLU-MT in connection with this litigation, which includes pro hac vice fees and other case fees, was \$2,235.02.

19. I received my bachelor's degree from the University of California – Berkeley in 1999 and my juris doctor degree from the University of Montana School of Law in 2009. Prior to joining ACLU of Montana, I opened my own firm, Rate Law Office, P.C., where I dedicated my practice to protecting the rights of individuals against corporations, insurance companies, government bureaucracies, and employers. I have practiced law for nearly fifteen years, and my experience includes numerous cases in state and federal district court and in matters before the Montana Supreme Court, including successful challenges to legislation or constitutional initiatives, as well as other matters that impact the two-spirit, lesbian, gay, bisexual, transgender, queer, intersex, and asexual (“2S-LGBTQIA”) community. Cases I have been counsel in include:

- *Mont. Democratic Party, et al. v. Jacobsen*, 2024 MT 66, 416 Mont. 44, 545 P.3d 1074, and *Western Native Voice, et al. v. Jacobsen*, Montana Thirteenth Judicial District Court, Yellowstone County, DV 20-0560 (on behalf of Plaintiffs);
- *Blackfeet Nation v. Stapleton*, 2020 U.S. Dist. LEXIS 191221 (on behalf of Plaintiff);
- *Mitchell v. First Call Bail & Sur., Inc.*, 425 F. Supp. 3d 1256 (D. Mont. Dec. 19, 2019) (on behalf of Plaintiffs);

- *Burns v. Cnty. of Musselshell*, 2019 MT 291, ¶ 21, 398 Mont. 140, 150, 454 P.3d 685, 691 (on behalf of Plaintiffs);
- *Weems et al. v. State*, 2019 MT 98, 395 Mont. 350, 440 P.3d 4 (on behalf of Plaintiffs);
- *Espinoza v. Montana Department of Revenue*, 2018 MT 306, 393 Mont. 446, 435 P.3d 603 (on behalf of amicus curiae, ACLU of Montana).

20. Akilah Deernose received her undergraduate degree in Politics from Willamette University. In 2009, she graduated from Santa Clara University School of Law where she was honored with the Outstanding Graduate Award. Prior to joining ACLU Montana as a staff attorney, Ms. Deernose worked as a staff attorney with Montana Legal Services Association providing legal support and assistance to survivors of domestic violence.

21. Ms. Deernose's experience includes numerous cases in state court, including successful challenges to legislation or constitutional initiatives, as well as other matters that impact the 2S-LGBTQIA community. Cases she has been counsel in include:

- *Mont. Democratic Party, et al. v. Jacobsen*, 2024 MT 66, 416 Mont. 44, 545 P.3d 1074, and *Western Native Voice, et al. v. Jacobsen*, Montana Thirteenth Judicial District Court, Yellowstone County, DV 20-0560 (on behalf of Plaintiffs);
- *Weems et al. v. State*, 2019 MT 98, 395 Mont. 350, 440 P.3d 4 (on behalf of Plaintiffs).

22. Among other things, Ms. Deernose, and I were involved in formulating litigation strategy, preparing and editing briefs, assisting with expert witnesses, assisting with discovery, and helping co-counsel prepare for oral arguments on Plaintiffs' motions, two of which Ms. Deernose argued.

23. Krystel Pickens received her A.A.S. degree in paralegal studies at the University of Montana, Missoula College in 2010, and a B.A. degree from the University of Montana in 2011. Ms. Pickens is a member of the state bar of Montana, paralegals' section, and the Montana Association of Legal Assistants/Paralegals. Ms. Pickens has been providing administrative support to attorneys at ACLU-MT for 13 years.

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

Dated: July 18, 2024

/s/ Alex Rate

Alex Rate

EXHIBIT B

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* Admitted *pro hac vice*

**IN THE THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF YELLOWSTONE**

AMELIA MARQUEZ, an individual; and)
JOHN DOE, an individual,)
)
Plaintiffs,)
)
v.)
)
STATE OF MONTANA; GREGORY)
GIANFORTE, in his official capacity as the)
Governor of the State of Montana; the)
MONTANA DEPARTMENT OF PUBLIC)
HEALTH AND HUMAN SERVICES; and)
CHARLES T. BRERERTON, in his official)
capacity as the Director of the Montana)
Department of Public Health and Human)
Services,)
)
Defendants.)
)

Case No. DV 21-00873

Hon. Colette B. Davis

DECLARATION OF JON W. DAVIDSON

I, Jon W. Davidson, pursuant § 1-6-105, MCA, state and affirm that the following facts are true and correct to the best of my knowledge:

1. If called upon to do so, I could and would testify competently to the facts set forth in this declaration.

2. I am a senior staff attorney at the American Civil Liberties Union Foundation (the “ACLU”) in its LGBTQ & HIV Project and am one of the attorneys representing the plaintiffs in this litigation (“Plaintiffs”).

3. I submit this declaration in support of Plaintiffs’ fee petition, which is being filed simultaneously with the declaration.

4. I am familiar with the process by which ACLU attorneys record their time working on a given matter.

5. I am the attorney responsible for reviewing the time ACLU attorneys spent on this litigation as well as the costs the ACLU incurred in connection with this litigation.

6. Attorneys at the ACLU regularly enter their time on each matter, as well as a task description, on a contemporaneous basis, using the software program known as Toggl Track.

7. Time reports generated by the Toggl Track provide complete and accurate descriptions of tasks accomplished and the associated fees.

8. The ACLU, which is a nonprofit organization, represents Plaintiffs without charge to them.

9. Although the ACLU does not bill those it represents for the work it performs, the ACLU uses Toggl Track to keep track of the time its attorneys spend on the ACLU’s representation of Plaintiffs.

10. I have reviewed the attorney's fees incurred in connection with the work performed by the ACLU's attorneys in this litigation.

11. **Exhibit D** to the fee petition contains true and accurate summaries of work performed by me and by my ACLU colleague Malita Picasso related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, which were generated from information compiled using Toggl Track.

12. **Exhibit E** to the fee petition contains true and accurate summaries of work performed by me, by my ACLU colleague Malita Picasso, and by former ACLU attorney John Knight related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the case pursuant to the private attorney general provisions of Montana law that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, which were generated from information compiled using Toggl Track or, for John Knight, using his contemporaneous time records prior to the ACLU's use of Toggl Track.

13. **Exhibit F** to the fee petition contains a true and accurate summary of costs incurred by the ACLU in connection with the litigation, including but not limited to costs incurred for pro hac vice admissions and other case fees.

14. My billing rate for which the ACLU is seeking compensation for my work in this litigation is \$550 per hour, a considerable reduction from standard hourly rates for attorneys with my experience and expertise in the Los Angeles metropolitan area, where I reside, which exceed well over \$1,000 per hour for the period during which I worked on this litigation. Likewise, the billing rate the ACLU is seeking compensation for in this litigation for the work of now-retired John Knight, who had similar experience and expertise as I have me, was also \$550 per hour, a

considerable reduction from standard hourly rates for attorneys with his experience and expertise in Chicago, where he resided at the time, which exceeded over \$900 per hour for the period during which he worked on this litigation. Malita Picasso's billing rate for this litigation was \$350 per hour, which also reflects a significant reduction for standard hourly rates for attorneys with her experience and expertise.

15. Based on the number of hours I devoted to this litigation, multiplied by my adjusted billing rate, the attorney's fees incurred in relation to time I spent working on this litigation related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, were \$1,650.00. In addition, based on the number of hours I devoted to this litigation, multiplied by my adjusted billing rate, the attorney's fees incurred in relation to time I spent working on this litigation related to the litigation that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, were \$75,487.50. The total of both amounts is \$77,137.50

16. Based on the number of hours devoted to this litigation, multiplied by Mr. Knight's adjusted billing rate, the attorney's fees incurred in relation to time Mr. Knight spent working on this litigation were \$18,315.00. As Mr. Knight had already retired during the period from January 10, 2023, through June 1, 2023, there are no fees associated with Mr. Knight's work related to the contempt of court motion in the litigation.

17. Based on the number of hours Ms. Picasso devoted to this litigation, multiplied by her adjusted billing rate, the attorney's fees incurred in relation to time Ms. Picasso spent working on this litigation related to the court's order that Defendants pay Plaintiffs the attorneys' fees associated with the contempt of court motion in the litigation from January 10, 2023, to June 1, 2023, were \$3,377.50. In addition, based on the number of hours Ms. Picasso devoted to this

litigation, multiplied by her adjusted billing rate, the attorney's fees incurred in relation to time Ms. Picasso spent working on this litigation that are not duplicative of the fees associated with the contempt of court motion from January 10, 2023, to June 1, 2023, were \$70,612.50. The total of both amounts is \$73,990.

18. The total amount of costs incurred by the ACLU in connection with this litigation, which includes pro hac vice fees and other case fees, was \$4,882.31.

19. I am a 1976 graduate of Stanford University and a 1979 graduate of Yale Law School. I have been licensed in good standing to practice law since 1979.

20. My practice for the past 36 years has focused on civil rights litigation in trial and appellate courts throughout the country. Prior to that, my practice involved complex civil litigation in federal and state trial and appellate courts primarily in California, with pro bono work addressing civil rights in federal and state trial and appellate courts across the country.

21. Before entering private practice, I was a judicial law clerk for the late Honorable Wm. Matthew Byrne, Jr., who was a federal district court judge for the Central District of California.

22. I entered private practice in 1980 with the law firm Irell & Manella, where I became a partner in 1986.

23. I left private practice in 1988 and joined the staff of the ACLU Foundation of Southern California as staff counsel that year and thereafter was promoted to senior staff counsel. In 1995, I moved from the ACLU Foundation of Southern California to Lambda Legal Defense and Education Fund ("Lambda Legal"), which is the nation's oldest and largest nonprofit legal organization specializing in the rights of lesbian, gay, bisexual, and transgender ("LGBT") people and people living with HIV. I began at Lambda Legal as a supervising attorney, subsequently was

promoted to senior counsel, and then was selected to become the organization's national legal director, a position I served in for more than 12 years. In that position, I ultimately supervised a legal team of 31 attorneys and 16 support staff across Lambda Legal's six offices nationwide.

24. After 22 years at Lambda Legal, I departed in 2017 to briefly become a consultant for several nonprofit entities on LGBT rights issues and then, in 2018, I became Chief Counsel at Freedom for All Americans, a nonprofit organization working to obtain statutory protections against gender identity and sexual orientation discrimination nationwide. In February of 2022, I left that organization to return full-time to litigation at the ACLU, working from Los Angeles. I also have served as an adjunct professor at the UCLA School of Law, the University of Southern California Law Center, Loyola Law School, and the former Whittier Law School, teaching classes that, among other matters, addressed the rights of transgender individuals.

24. I have significant experience and expertise litigating issues central to this litigation, including the rights of transgender people to equal protection, due process, and privacy. For example, I was co-counsel for intervenors in *Doe v. Madison Metropolitan School District*, 403 Wis.2d 369 (2022) (representing intervenors in ultimately successful dismissal of challenge to school district policy protecting rights of transgender students); *Karnoski v. Trump*, 2017 WL 6311305 (Dec. 11, 2017) (granting a preliminary injunction against a federal Executive Order that barred transgender individuals from serving in the military); *Carcaño v. McCrory*, 203 F. Supp. 3d 615 (M.D.N.C. 2016) (granting a preliminary injunction against enforcement of a state law barring transgender individuals from accessing multi-user restrooms and other single-sex facilities unless they have changed the sex marker on their birth certificate); and *Rosati v. Igbinoso*, 791 F.3d 1037 (9th Cir. 2015) (reversing dismissal of transgender prisoner's complaint seeking gender-affirming surgery). I also coordinated the 49 amicus briefs submitted in *Bostock v. Clayton County*,

140 S. Ct. 1731 (2020) (holding that Title VII’s prohibition of workplace discrimination based on sex encompasses gender identity and sexual orientation discrimination). While I was the legal director at Lambda Legal, I additionally supervised numerous other cases involving the rights of transgender individuals, including several seeking accurate identity documents for people who are transgender. I am also currently co-counsel in cases pending in federal court in North Carolina (*Zayre-Brown v. The North Carolina Dept. of Public Safety*, No. 3:22-cv-001910MOC-DCK, 2024 WL 1641795 (W.D.N.C. Apr. 16, 2024), currently on appeal to the 4th Circuit) and in federal court in Oklahoma (*Bridge v. Oklahoma State Dept. of Education*, 2024 WL 150598 (W.D. Okla. Jan 12, 2024), currently on appeal to the 10th Circuit), both of which address the constitutional rights of transgender individuals. Along with ACLU of Montana Legal Director Alex Rate, ACLU of Montana Staff Attorney Marthe VanSickle, ACLU Staff Attorney Malita Picasso, and Thomas Hecht and Seth A. Horvath from Nixon Peabody, LLP, I am also currently co-counsel in *Kalarchik v. State of Montana*, No. DV–25–2024–0000261–CR, pending in the First Judicial District Court, Lewis & Clark County, in which the plaintiffs seek to enjoin the defendants from enforcing various regulatory and statutory restrictions on transgender Montanans’ ability to amend the sex designations on their Montana birth certificates and driver’s licenses.

25. Mr. Knight is a 1983 graduate of Stanford University and a 1988 graduate of the University of Chicago Law School and, prior to his retirement in 2022, was licensed in good standing to practice law since 1988.

26. After graduation from law school, Mr. Knight was a law clerk for Judge Hubert L. Will of the United States District Court for the Northern District of Illinois for two years.

27. From 1990 to 1995, Mr. Knight was an associate at the law firm of Rothschild, Barry & Myers in Chicago. From 1995 until 2000, he also was a clinical lecturer at the Edwin F.

Mandel Legal Aid Clinic of the University of Chicago, where he supervised law students' work on cases and co-taught a course on LGBT rights.

28. Mr. Knight was employed as a trial attorney by the Equal Employment Opportunity Commission from 2000 to 2004.

29. From 2004 until his retirement in 2022, Mr. Knight was a senior staff attorney for the ACLU LGBT & HIV Project as well as Director of the LGBTQ & HIV Project of the Roger Baldwin Foundation, the legal and education arm of the ACLU of Illinois.

30. Beginning in 1995, Mr. Knight developed litigation specialties in the areas of civil rights and civil liberties law, providing trial and appellate representation in numerous complex civil actions involving federal and state statutory and constitutional issues arising in several areas, including employment discrimination, government benefits, housing discrimination, parental rights, prisoner rights, health insurance and family leave benefits for LGBT state employees, marriage for same-sex couples, and the rights of transgender individuals to identity documents consistent with their gender identity. For example, he was co-counsel in *Bostock v. Clayton County*, 140 S. Ct. 1731 (2020) (holding that Title VII's prohibition of workplace discrimination based on sex encompasses gender identity and sexual orientation discrimination); co-counsel in *Iglesias v. Federal Bureau of Prisons*, 2021 WL 6112790 (S.D. Ill. Dec. 27, 2021) (granting preliminary injunction in favor of transgender prisoner seeking gender affirming health care); co-counsel in *Monroe v. Baldwin*, 424 F. Supp. 3d 526 (S.D. Ill. 2019) (granting preliminary injunction in favor of transgender prisoners seeking gender affirming care); co-counsel in *Ray v. McCloud*, 507 F. Supp. 3d 925 (S.D. Ohio 2020) (holding unconstitutional state policy prohibiting changes to sex marker on birth certificates to reflect transgender identity); co-counsel in *Good v. Iowa Department of Human Services*, 924 N.W.2d 853 (Iowa 2019), (holding that an Iowa

regulation banning Medicaid coverage for gender-affirming surgery violated the Iowa Civil Rights Act); co-counsel in *Love v. Johnson*, 146 F. Supp. 3d 848 (E.D. Mich. 2015) (denying motion to dismiss state policy restricting changes of sex-markers on birth certificates); and lead counsel for plaintiffs in *Fields v. Smith*, 653 F.3d 550 (7th Cir. 2011) (overturning state law barring provision of medically necessary care to transgender prisoners).

31. Ms. Picasso is a 2012 graduate of Stanford University and a 2019 graduate of City University of New York School of Law. She has been licensed in good standing to practice law since 2020.

32. After graduation from law school, Ms. Picasso served as a legal fellow at the ACLU LGBTQ & HIV Project from 2019 through 2021, when she became a staff attorney there. Her practice at the ACLU focuses exclusively on the protection and expansion of the rights of transgender people.

33. Ms. Picasso has significant experience and expertise litigating issues central to this litigation, including the rights of transgender people to equal protection, due process, and privacy. She was co-counsel before the Montana Office of Administrative Hearings in *Maloney v. Yellowstone County*, Nos. 1570-2019, 1572-2019 (holding that discrimination against transgender individuals violates Montana law prohibiting sex discrimination); *Doe v. Bethel Local School District*, 2024 WL 864148 (S.D. Ohio Feb. 29, 2024) (representing intervenor in ultimately dismissed suit filed by plaintiffs opposed to school policies protecting transgender students); *Bongo Productions, LLC v. Lawrence*, 603 F. Supp. 3d 584 (M.D. Tenn. 2022) (holding unconstitutional state law requiring businesses to post signs regarding transgender-inclusive restroom policies); *Hershom v. Crouch*, 2022 WL 908503 (S.D. W. Va. March 28, 2022) (ultimately successfully resolved lawsuit challenging West Virginia policy requiring transgender

individuals seeking to amend the sex marker on their birth certificate to produce a court order to amend their birth certificate even after the West Virginia Supreme Court ruled that state circuit courts lacked authority do so so); and *Ray v. McCloud*, 507 F. Supp. 3d 925 (S.D. Ohio 2020) (holding unconstitutional state policy prohibiting changes to sex marker on birth certificates to reflect transgender identity). In addition, Ms. Picasso is currently co-counsel for plaintiffs in *van Garderen v. State of Montana*, No. DA 23-0572 (appeal of ruling in plaintiffs' favor that state law defining "sex" violates the Montana Constitution); *Roe v. Labrador*, Case No. 1:24-cv-00306-DCN (challenge to Idaho law barring use of public funds for gender transition procedures, in which a TRO was granted on July 1, 2024); *Monroe v. Bowman*, 2023 WL 7923709 (S.D. Ill. Nov. 16, 2023) (granting injunctive relief in class action of transgender prisoners denied gender affirming care); and along with ACLU of Montana Legal Director Alex Rate, ACLU of Montana Staff Attorney Marthe VanSickle, Thomas Hecht and Seth A. Horvath from Nixon Peabody, LLP, and myself, she also is currently co-counsel in *Kalarchik v. State of Montana*, No. DV-25-2024-0000261-CR, pending in the First Judicial District Court, Lewis & Clark County, in which the plaintiffs seek to enjoin the defendants from enforcing various regulatory and statutory restrictions on transgender Montanans' ability to amend the sex designations on their Montana birth certificates and driver's licenses.

34. Mr. Knight was involved in all phases of this litigation until his retirement. Since his retirement, Ms. Picasso and I have been involved in all phases of this litigation.

35. Among other things, Mr. Knight, Ms. Picasso, and I were involved in formulating litigation strategy, preparing and editing briefs, assisting with expert witnesses, assisting with discovery, and helping co-counsel prepare for oral arguments on Plaintiffs' motions, two of which Ms. Picasso argued.

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

Dated: July 18, 2024

/s/ Jon W. Davidson
Jon W. Davidson
Senior Staff Attorney
American Civil Liberties Union
Foundation

EXHIBIT C

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* Admitted *pro hac vice*

**IN THE THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF YELLOWSTONE**

AMELIA MARQUEZ, an individual; and)
JOHN DOE, an individual,)
)
Plaintiffs,)
)
v.)
)
STATE OF MONTANA; GREGORY)
GIANFORTE, in his official capacity as the)
Governor of the State of Montana; the)
MONTANA DEPARTMENT OF PUBLIC)
HEALTH AND HUMAN SERVICES; and)
CHARLES T. BRERERTON, in his official)
capacity as the Director of the Montana)
Department of Public Health and Human)
Services,)
)
Defendants.)
)

Case No. DV 21-00873

Hon. Colette B. Davies

DECLARATION OF SETH A. HORVATH

I, Seth A. Horvath, declare and state as follows:

1. I am a legal adult of sound mind and, if called upon to do so, could testify competently to the facts set forth in this declaration.
2. I am a partner at the law firm Nixon Peabody LLP (“Nixon Peabody”) and one of the attorneys representing the plaintiffs in this litigation (“Plaintiffs”).
3. I submit this declaration in support of Plaintiffs’ fee petition, which is being filed simultaneously with the declaration.
4. I am familiar with the process by which Nixon Peabody attorneys and other billable employees record their time working on a given matter.
5. I am the attorney responsible for reviewing the time spent on this litigation.
6. Attorneys at the firm enter, or cause to be entered, their time on each matter, as well as a task description, on a regular basis, using the firm’s billing software.
7. Time reports generated by the firm’s billing software provide complete and accurate descriptions of tasks accomplished and the associated fees and costs.
8. The firm represents Plaintiffs on a pro bono basis.
9. Although the firm represents Plaintiffs pro bono and does not bill them for the work it performs, the firm uses its billing software to keep track of the time its attorneys spend on the firm’s representation of Plaintiffs.
10. I have reviewed the attorney’s fees incurred in connection with the work performed by the firm’s attorneys in this matter.
11. **Exhibits D and E** to the fee petition contain true and accurate summaries of work performed by me, and by my colleague F. Thomas Hecht, that were generated from information compiled using the firm’s billing software.

12. The summaries contained in **Exhibit D** relate to work performed in connection with Plaintiffs' motion to enforce the preliminary injunction.

13. The summaries contained in **Exhibit E** relate to work performed in connection with aspects of the litigation other than the motion to enforce the preliminary injunction.

14. **Exhibit F** to the fee petition contains a true and accurate summary of costs incurred by Nixon Peabody in connection with the litigation, including but not limited to costs incurred for pro hac vice admissions and other case fees.

15. My billing rate, for this matter only, was \$450 per hour, a reduction from my standard hourly rates for the Chicago metropolitan area for the firm's 2021, 2022, and 2023 fiscal years, which were, respectively, \$815 per hour, \$885 per hour, and \$960 per hour.

16. Based on the number of hours I devoted to this matter, multiplied by my adjusted billing rate, the attorney's fees incurred in relation to time I spent working on this matter were \$140,040.00, comprising \$9,765.00 related to the motion to enforce the preliminary injunction and \$130,275.00 related to other aspects of the litigation.

17. Mr. Hecht's billing rate, for this matter only, was \$550 per hour, a reduction from Mr. Hecht's standard hourly rates for the Chicago metropolitan area for the firm's 2021, 2022, and 2023 fiscal years, which were, respectively \$985 per hour, \$1030 per hour, and \$1090 per hour.

18. Based on the number of hours devoted to this matter, multiplied by Mr. Hecht's adjusted billing rate, the attorney's fees incurred in relation to time Mr. Hecht spent working on this matter were \$160,627.50, comprising \$0 related to the motion to enforce the preliminary injunction and \$160,627.50 related to other aspects of the litigation.

19. The total amount of costs incurred by Nixon Peabody in connection with this matter, which includes pro hac vice fees and other case fees, was \$4,882.31.

20. **Exhibit 1** to this declaration is a true and accurate copy of my biography from Nixon Peabody's website, which summarizes my professional experience.

21. I am a 2004 graduate of the University of Illinois College of Law and have been licensed in good standing to practice law since 2004.

22. My practice includes complex commercial litigation, appellate litigation, and employment litigation in courts throughout the country.

23. Before entering private practice, I was a judicial law clerk for the Honorable Rita B. Garman, a justice of the Illinois Supreme Court.

24. I entered private practice in 2007 with the law firm Ungaretti & Harris LLP ("Ungaretti & Harris"), where I became a partner in 2013.

25. In 2015, Ungaretti & Harris merged with Nixon Peabody.

26. I have been a partner at Nixon Peabody since 2015.

27. **Exhibit 2** to this declaration is a true and accurate copy of Mr. Hecht's biography from Nixon Peabody's website as it appeared at or around the time Mr. Hecht retired from the day-to-day practice of law with Nixon Peabody.

28. Mr. Hecht is a 1975 graduate of the University of Chicago Law School and has been licensed in good standing to practice law since 1975.

29. His practice includes complex commercial litigation, including state and federal constitutional matters.

30. Mr. Hecht was a partner at Nixon Peabody from 2015 through the beginning of 2020 and continues to handle pro bono matters for clients of the firm.

31. Mr. Hecht and I were involved in all phases of this case.

32. Among other things, Mr. Hecht and I were involved in formulating litigation strategy, preparing and editing briefs, assisting with expert witnesses, assisting with discovery, and helping our cocounsel prepare for oral arguments on Plaintiffs' motions.

33. Over the last nine years, Mr. Hecht and I have litigated multiple cases involving legal issues faced by transgender people and have acquired substantial knowledge of those issues.

34. In 2015, in partnership with the American Civil Liberties Union Foundation and the ACLU of Iowa Foundation Inc., Mr. Hecht and I began litigating a series of cases challenging the legality and constitutionality of the State of Iowa's ban on Medicaid coverage for gender-affirming surgery.

35. In the first case, *Good v. Iowa Department of Human Services*, 924 N.W.2d 853 (Iowa 2019), the Iowa Supreme Court held that an Iowa regulation banning Medicaid coverage for gender-affirming surgery violated the Iowa Civil Rights Act.

36. In the second case, *Covington v. Reynolds ex rel. State of Iowa*, No. 19–1197 (Aug. 5, 2020), the Iowa Court of Appeals held that the plaintiffs were required to exhaust their administrative remedies before challenging the constitutionality of a law reinstating the illegal regulation at issue in *Good*.

37. In the third case, *Vasquez v. Iowa Department of Human Services*, 990 N.W. 2d 661 (Iowa 2023), the Polk County District Court held that the Iowa regulation banning Medicaid coverage for gender-affirming surgery and a related statute violated the Iowa Constitution's equal-protection guarantee.

38. On appeal, the Iowa Supreme Court held that the Iowa Department of Human Services' appeal was moot given the Department's agreement to pay for the plaintiffs' gender-affirming surgeries.

39. Mr. Hecht and I were also counsel of record in this case and are currently counsel of record in *Kalarchik v. State of Montana*, No. DV-25-2024-0000261-CR, pending in the First Judicial District Court, Lewis & Clark County, in which the plaintiffs seek to enjoin the defendants from enforcing various regulatory and statutory restrictions on transgender Montanans' ability to amend the sex designations on their Montana birth certificates and drivers licenses.

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

Dated: July 18, 2024

/s/ Seth A. Horvath

Seth A. Horvath

Partner

Nixon Peabody LLP

EXHIBIT 1

**CONTACT**

70 West Madison St.
Suite 5200
Chicago, IL 60602
Office +1 312.977.4443
sahorvath@nixonpeabody.com

EDUCATION

University of Illinois College of Law, J.D., *cum laude*, Notes and Comments Editor, *University of Illinois Law Review*

University of Illinois, B.A., *summa cum laude*, Phi Beta Kappa

ADMISSIONS

Illinois
U.S. Court of Appeals, Seventh Circuit
U.S. Court of Appeals, Sixth Circuit
U.S. District Court, Central District of Illinois
U.S. District Court, Eastern District of Michigan
U.S. District Court, Northern District of Illinois
U.S. Supreme Court

LANGUAGES

Spanish

Seth A. Horvath

Partner

Seth Horvath focuses his practice on trial and appellate litigation in state and federal courts nationwide. He represents a wide variety of clients in complex commercial disputes across multiple industries.

/ My focus

My practice includes three main areas:

COMMERCIAL LITIGATION

My commercial litigation experience is wide-ranging. From single-witness administrative hearings to complex, multiparty trials to summary proceedings on issues of law, I represent clients in the real-estate, financial-services, manufacturing, legal, and medical industries, among others. Each commercial case is unique, and I enjoy the challenge of helping clients identify creative and effective legal solutions tailored to meet their business goals.

EMPLOYMENT LITIGATION

My employment practice includes representing employers in restrictive-covenant disputes, trade-secret cases, and discrimination proceedings before federal and state agencies. Whether the matter involves prelitigation counseling or active litigation, I am familiar with all aspects of these disputes and the issues that need to be addressed to resolve them successfully for businesses.

APPELLATE LITIGATION

Appellate advocacy starts in the trial court. I counsel clients on preserving trial issues for appeal and pursuing interlocutory appeals that resolve key legal issues before final judgment. After judgment, I help clients identify their strongest appellate issues and create persuasive arguments to present those issues to reviewing courts.

/ Representative experience

CLERKSHIPS

Before entering private practice, I was a law clerk for Justice Rita B. Garman of the Illinois Supreme Court.

TRIAL COURT LITIGATION

- Representing a medical-device manufacturer in a complex commercial arbitration over the interpretation of its marketing agreement
- Representing the principals of an investment company in a three-week bench trial over the enforcement of their separation agreement with a former employee
- Representing a property owner in a year-long bench trial over the condemnation of subsidized housing by a Chicago-area municipality
- Representing a plaintiff in a three-week jury trial over civil-rights violations by a municipality and its employees
- Litigating third-party professional-liability claims on behalf of a client whose actuaries improperly advised it on computing benefits under an ERISA-qualified benefit plan
- Litigating breach-of-fiduciary-duty and fraud claims for a not-for-profit seniors-care organization against two of its former executives
- Litigating a substantial breach-of-contract dispute for a large law firm against a former municipal client
- Counseling members of a real-estate-development venture through multiple lawsuits involving their former partners, lender, and subcontractors
- Counseling a Chicago-area bank through complex multi-property residential-foreclosure litigation
- Representing the Federal Deposit Insurance Corporation in negligence and breach-of-fiduciary-duty lawsuits against former officers and directors of failed banks

APPEALS

- *Accel Entertainment Gaming, LLC v. Village of Elmwood Park*, 2015 IL App (1st) 143822 (Ill. App. Ct. 1st Dist. 2015) (challenge to constitutionality of local ordinance regulating video gaming)
- *Hyperactive Gaming, LLC v. Williamson Post, American Legion*, 2015 IL App (5th) 140312-U (Ill. App. Ct. 5th Dist. 2015) (dispute over validity of assignment of video-gaming contract)
- *Sarvis v. BMO Harris Bank N.A.*, 619 Fed. Appx. 520 (7th Cir. 2015) (dispute over standing to litigate claims on behalf of trust beneficiary)

- *Schaumburg Bank & Trust Co. v. Alsterda*, 815 F.3d 306 (7th Cir. 2016) (defense of bankruptcy trustee's right to retain settlement proceeds against creditor's claim)
- *Moline School District No. 40 Board of Education v. Quinn*, 2016 IL 119704 (Ill. S. Ct. 2016) (challenge to constitutionality of state law creating tax exemption for aviation-support-service provider)
- *Carle Foundation v. Cunningham Township,,* 2017 IL 120427 (Ill. S. Ct. 2017) (amicus curiae; challenge to constitutionality of state law stating standards for charitable property-tax exemption for not-for-profit hospitals)
- *Grant Park Commodities, LLC v. Attefjord*, 2017 IL App (1st) 161277-U (Ill. App. Ct. 1st Dist. 2017) (appeal from jury trial on breach-of-contract and tortious-interference-with-contract claims)
- *United Investment Group, LLC v. Beggars Pizza Franchise Corporation*, 2017 IL App (1st) 162275-U (Ill. App. Ct. 1st Dist. 2017) (appeal from summary judgment on breach-of-contract claim)
- *Good v. Iowa Department of Human Services*, 924 N.W.2d 853 (Iowa Sup. Ct. 2019) (challenge to legality and constitutionality of gender-identity-based restriction on Medicaid coverage)
- *Frank v. Gaos*, 139 S. Ct. 1041 (2019) (amicus curiae; dispute over *cy pres* remedy in Federal Rule of Civil Procedure 23(b)(3) class-action settlement)
- *Pepper Construction Co. v. Palmolive Tower Condominiums, LLC*, 2021 IL App (1st) 200753 (Ill. App. Ct. 1st Dist. 2021) (appeal from bench trial on breach-of-contract and unjust-enrichment claims)
- *SunAmerica Housing Fund 1050 v. Pathway of Pontiac, Inc.*, 33 F. 4th 872 (6th Cir. 2022) (appeal from summary judgment on claims challenging general partners' decision to exercise right of first refusal in partnership agreement involving low-income-housing tax-credit program)
- *State of Montana v. Montana Thirteenth Judicial District Court, Yellowstone County*, No. OP 22–0552, 2023 WL 142673 (Mont. S. Ct. Jan. 10, 2023) (challenge to legality and constitutionality of statute and regulations requiring surgical procedure to change sex designation on birth certificate)
- *Newmark Group Inc. v. Avison Young (Canada) Inc.*, 293 A.3d 394 (D.C. Ct. App. Apr. 21, 2023) (appeal from summary judgment on claims for trade-secret misappropriation and tortious interference with contracts and business expectancies)
- *Vasquez v. Iowa Department of Human Services*, 990 N.W.2d 661 (Iowa S. Ct. 2023) (challenge to legality and constitutionality of gender-identity-based statutory and regulatory restrictions on Medicaid coverage)

- *Carle Foundation v. Illinois Department of Revenue*, 2023 IL App (4th) 200121 (Ill. App. Ct. 4th Dist. 2023) (amicus curiae; appeal from bench trial granting charitable property-tax exemptions for not-for-profit hospital)
 - *Hooker v. Hooker*, No. 22–1914, 2023 WL 5923984 (7th Cir. Sept. 12, 2023) (appeal from order remanding improperly removed case from federal court to state court and awarding attorney’s fees and costs)
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/ Looking ahead

Discovery analytics continue to evolve at a rapid pace. More so than ever before, success in litigation will be dictated by leveraging data early in a case through conceptual analytics and technology-assisted review.

/ Insights

- Presenter, Nixon Peabody LLP Procure and Protect Presentation Series, December 16, 2021, “Contracting in a Supply-Chain-Constrained Environment”
- Presenter, National Association of State Credit Union Supervisors, Legislative and Regulatory Affairs Committee, September 4, 2019, “American Bankers Association v. National Credit Union Administration”
- Presenter, Nixon Peabody LLP Annual CLE DAY, June 5, 2019, “Protecting the Attorney–Client Privilege and Work-Product Doctrine”
- Presenter, National Association of State Credit Union Supervisors, 2018 NASCUS State System Summit, July 17, 2018, “So It’s Come to This: Suing and Being Sued in the Digital Age”
- Presenter, Nixon Peabody LLP Annual CLE Day, June 7, 2018, “Tricks of the Trade Secret: Protecting Your Company in Trade-Secret Litigation”
- Presenter, National Association of State Credit Union Supervisors, 2017 NASCUS State System Summit, September 1, 2017, “Banks v. Credit Unions: Old Rivalry, New Developments”
- Presenter, Illinois Department of Financial and Professional Regulation, 2017 Credit Union Examiners’ Conference, November 30, 2016, “Red Flags for Regulators”
- Presenter, Illinois Department of Financial and Professional Regulation, 2016 Illinois Bank Examiners’ Conference, October 18, 2016, “Red Flags for Regulators”
- Presenter, National Association of State Credit Union Supervisors, 2016 NASCUS State System Summit, October 5, 2016, “Red Flags for Regulators”

- Coauthor, Trends in charity-care legislation and litigation, September 28, 2023, Nixon Peabody LLP Healthcare Alert
- Author, New developments in Illinois's COVID-19 litigation, June 8, 2020, Nixon Peabody LLP Commercial Litigation Alert
- Author, Illinois's plan to reopen, May 15, 2020, Nixon Peabody LLP Commercial Litigation Alert
- Author, Illinois's coronavirus (COVID-19) stay-at-home order upheld by federal judge as other lawsuits proceed in state court, May 6, 2020, Nixon Peabody LLP Commercial Litigation Alert
- Author, The legality of Illinois's stay-at-home order: A second, broader lawsuit challenges the governor's authority to impose coronavirus (COVID-19) restrictions on Illinois residents, April 30, 2020, Nixon Peabody LLP Commercial Litigation Alert
- Author, Illinois trial court restricts enforcement of coronavirus (COVID-19) stay-at-home order, April 29, 2020, Nixon Peabody LLP Commercial Litigation Alert
- Coauthor, *ABA v. NCUA*: a split decision on expanded fields of membership for credit unions, April 18, 2018, Nixon Peabody LLP Commercial Litigation Alert
- Coauthor, *ABA v. NCUA*: the legality of expanded fields of membership for credit unions, August 22, 2017, Nixon Peabody LLP Commercial Litigation Alert
- Coauthor, Illinois Supreme Court revives charitable property-tax exemptions for Illinois hospitals under 2012 law declared unconstitutional in 2016, March 27, 2017, Nixon Peabody LLP Healthcare Litigation Alert
- Coauthor, *ICBA v. NCUA*: case dismissed, for now, February 21, 2017, Nixon Peabody LLP, Commercial Litigation Alert
- Coauthor, *ICBA v. NCUA*: the legality of relaxed restrictions on nonmember business lending, December 15, 2016, Nixon Peabody LLP Commercial Litigation Alert
- Author, "Disentangling the Eleventh Amendment and the Americans with Disabilities Act: Alternative Remedies for State-Initiated Disability Discrimination under Title I and Title II," *University of Illinois Law Review* 231, 2004

/ Recognitions

- Selected, through a peer-review survey, for inclusion in [The Best Lawyers in America](#)® 2024 in the field of Appellate Practice; listed in *Best Lawyers* since 2023
-

/ Professional activities

- Officer and Rules Committee Co-Chair, Appellate Lawyers Association
- Member, Illinois State Bar Association

EXHIBIT 2



CONTACT

F. Thomas Hecht
Partner

**Chicago -
W. Madison**
Three First National Plaza
70 West Madison, Suite 3500
Chicago, IL 60602
Phone: 312-977-4322
Fax: 844-560-8134
fthecht@nixonpeabody.com

SERVICES

Litigation
Complex Commercial Litigation
Arbitration
Appellate
Environmental Litigation

EDUCATION

University of Chicago Law School,
J.D.
Stanford University, A.B.

ADMISSIONS

U.S. Supreme Court
Illinois
Colorado
U.S. Circuit Court of Appeals for the
D.C. Circuit
U.S. Circuit Court of Appeals, Tenth
Circuit
Various District Courts
U.S. Circuit Court of Appeals,
Seventh Circuit
U.S. Circuit Court of Appeals, Sixth
Circuit

4818-7459-4595.1

F. THOMAS HECHT

Tom Hecht litigates cases at all levels of state and federal courts. He represents clients at trial, in arbitrations, in mediation and on appeals in both state and federal appellate courts. He is a member of the bar of the Fifth, Sixth, Seventh, Tenth and D.C. Circuit Courts of Appeals as well as the bar of the U.S. Supreme Court.

What do you focus on?

I practice across a range of disputes.

Constitutional and Civil Rights Litigation

My background in Constitutional litigation and civil rights disputes is substantial. I have defended developers and owners against claims of discrimination and prosecuted discrimination claims on behalf of individuals and organizations subjected to misconduct.

I have litigated the Establishment Clause, search and seizure disputes, government responsibilities under the Foreign Intelligence Surveillance Act (FISA) and Supremacy Clause challenges to local efforts to control federal housing programs by restrictive zoning and eminent domain proceedings.

Professional Liability Matters

I have represented federal regulatory agencies in numerous investigations and prosecutions arising out of the failure of financial institutions throughout the country. This work has included some of the largest and most visible civil actions against officers, directors, accountants and law firms implicated in the failure of such institutions. These cases require extensive investigations and discovery, competent document control including the management of ESI protocols, wide-ranging motion practice and litigating claims for breach of fiduciary duties, fraud, gross negligence, accounting and attorney malpractice, unjust enrichment and fraudulent conveyance.

I also represent professionals and professional organizations, defending them from claims made by former clients or by regulatory agencies as well as providing counsel to boards of directors concerning their fiduciary duties and duties to regulatory authorities. I also represent law firms in fee disputes with clients.

Environmental Torts

I have represented federal and state agencies in a variety of environmental matters, principally defending large tort claims. I represented the Chicago Housing Authority (CHA) in a 10,000 plaintiff “mass action” involving claims in excess of \$500 million arising out of the presence of PCBs, PAHs and an assortment of other contaminants at a CHA development on the South Side of Chicago. I also secured a substantial recovery for the CHA asserting asbestos property damage in the Johns Manville bankruptcy proceedings.

General Commercial Litigation

My commercial litigation experience is varied. I successfully arbitrated claims on behalf of a federal regulatory agency brought by its former counsel seeking \$25 million in fees. I represented a computer program development company in the theft of programming strategies. I’ve handled a number of breach of contract disputes and litigated claims against GMAC arising out of misleading interest rates used in wholesale inventory financing.

What do you see on the horizon?

The arenas in which professional liability claims are resolved are expanding. Management of professional liability claims in bankruptcy courts or administrative venues or arbitrations will play an increasingly important role in the resolution of professional liability disputes.

EXHIBIT D

SANCTION MOTION FEES				
FIRST	LAST	DATE	TIME	DESCRIPTION
Akilah	Deernose	1/10/2023	1	Team Meeting re: Mtn to Enforce and
Akilah	Deernose	1/13/2023	3	Researching and outlying Mtn to Enforce
Akilah	Deernose	1/17/2023	1.5	Researching and Drafting Mtn to Enforce
Akilah	Deernose	1/18/2023	5	Drafting Mtn to Enforce
Akilah	Deernose	1/19/2023	3	Updating draft and incorporating revisions
Akilah	Deernose	1/19/2023	0.1	Email opposing counsel re: Mtn to Enforce
Akilah	Deernose	1/19/2023	0.5	Meeting with Plaintiffs to discuss Mtn to
Akilah	Deernose	1/23/2023	0.1	Email to opposing counsel re: Mtn to Enforce
Akilah	Deernose	1/24/2023	2.3	Cite checking, finalizing Mtn to Enforce
Akilah	Deernose	1/24/2023	2	Draft and edit supporting docs for Mtn to
Akilah	Deernose	1/24/2023	0.1	Email to opposing counsel re: Mtn to Enforce
Akilah	Deernose	1/25/2023	1.5	Finalizing and filing Mtn to Enforce
Akilah	Deernose	5/14/2023	1.7	Review materials for Mtn to Enforce argument
Akilah	Deernose	5/17/2023	0.7	Review/prep for Motion to enforce moot
Akilah	Deernose	5/17/2023	1	Motion to Enforce moot
Akilah	Deernose	5/25/2023	0.7	Call and correspondences with Plaintiffs regarding upcoming hearing
Akilah	Deernose	5/25/2023	3	Review materials and work on argument for Mtn to Enforce
Akilah	Deernose	5/26/2023	2	Review materials and work on argument for Mtn to Enforce
Akilah	Deernose	5/26/2023	1	Motion to Enforce Moot
Akilah	Deernose	5/28/2023	2	Motion to Enforce argument prep
Akilah	Deernose	5/29/2023	4	Mtn to Enforce Argument prep
Akilah	Deernose	5/30/2023	4.2	Mtn to Enforce Argument prep
Akilah	Deernose	5/30/2023	4	Drive to Billings
Akilah	Deernose	5/31/2023	0.5	Moot Motion to Enforce
Akilah	Deernose	5/31/2023	5	Review, revise argument, and practice argument for hearing
Akilah	Deernose	6/1/2023	1	Final prep and practice for hearing on all
Akilah	Deernose	6/1/2023	0.5	Hearing on all Motions
Akilah	Deernose	6/1/2023	4	Drive home from Billings
TOTAL		x300	55.4	\$ 16,620.00
Alex	Rate	5/17/2023	1	Moot
Alex	Rate	5/24/2023	0.6	Call to discuss hearing logistics
Alex	Rate	5/26/2023	1	Hearing moot
Alex	Rate	5/31/2023	0.5	Hearing moot
Alex	Rate	5/31/2023	2	Trip to Billings for hearing
Alex	Rate	6/1/2023	0.5	SJ and contempt hearing
Alex	Rate	6/1/2023	1.8	Return from Billings
TOTAL		x350	7.4	\$ 2,590.00
Krystel	Pickens	1/25/2023	1.6	Review, finalize and file pleadings

Krystal	Pickens	2/8/2023	0.2	Save and organize Ds' Response to Ps' MfE
Krystal	Pickens	2/16/2023	0.7	Review, finalize and Ps' Reply brief MfE
Krystal	Pickens	2/16/2023	0.9	Draft, circulate and file Notice of submittal
Krystal	Pickens	3/8/2023	0.2	Save and organize pleadings file; calendar
Krystal	Pickens	3/20/2023	0.1	Save and organize pleadings
Krystal	Pickens	5/24/2023	0.6	Team call: hearing details
Krystal	Pickens	5/31/2023	0.5	Hearing moot
Krystal	Pickens	6/1/2023	0.5	Hearing
TOTAL		x125	5.3	\$ 662.50
Malita	Picasso	1/15/2023	0.5	Motion to Enforce
Malita	Picasso	1/17/2023	0.25	Motion to Enforce
Malita	Picasso	1/17/2023	0.1	Motion to Enforce
Malita	Picasso	1/18/2023	0.8	Motion to Enforce
Malita	Picasso	1/18/2023	0.4	Motion to Enforce
Malita	Picasso	1/18/2023	0.3	Motion to Enforce
Malita	Picasso	1/18/2023	0.4	Motion to Enforce
Malita	Picasso	1/18/2023	2.2	Motion to Enforce
Malita	Picasso	1/18/2023	1.7	Motion to Enforce
Malita	Picasso	5/17/2023	1	Motion to Enforce moot
Malita	Picasso	5/26/2023	1	Hearing moot
Malita	Picasso	5/31/2023	0.5	Hearing moot
Malita	Picasso	6/1/2023	0.5	Hearing on all Motions
TOTAL		x350	9.65	\$ 3,377.50
Seth	Horvath	2/10/2023	1	Analyze Defendants' response to motion to enforce preliminary injunction. (.5) Video conference with litigation team regarding issues to address in reply in support of motion to enforce preliminary injunction. (.5)
Seth	Horvath	2/12/2023	4.7	Finish analyzing Defendants' response to motion to enforce preliminary injunction in connection with drafting reply in support of same. (.8) Begin drafting reply in support motion to enforce preliminary injunction. (3.9)

Seth	Horvath	2/13/2023	9	Finish drafting introductory section of reply in support motion to enforce preliminary injunction. (1.1) Finish drafting section of reply in support of motion to enforce preliminary injunction addressing misstatements in response to motion. (2.5) Finish drafting section of reply in support of motion to enforce preliminary injunction addressing Montana Supreme Court's writ order. (1.8) Finish drafting section of reply in support of motion to enforce preliminary injunction addressing justification for contempt finding. (2.1) Finish drafting section of reply in support of motion to enforce preliminary injunction addressing recovery of attorney's fees. (1.5)
Seth	Horvath	2/14/2023	2.6	Analyze authorities regarding lack of good-faith defense to civil contempt in connection with drafting reply in support of motion to enforce preliminary injunction. (1.0) Revise first draft of motion to enforce preliminary injunction in preparation for transmitting same to litigation
Seth	Horvath	2/15/2023	2.4	Analyze proposed revisions to reply in support of motion to enforce preliminary injunction. (.4) Begin revising reply in support of motion to enforce preliminary injunction in preparation for filing same. (2.0)
Seth	Horvath	2/16/2023	2	Finish revising reply in support of motion to enforce preliminary injunction in preparation for filing same. (1.7) Draft correspondence to litigation team regarding reply in support of motion to enforce preliminary injunction in preparation for filing same. (.3)
TOTAL		x450	21.7	\$ 9,765.00
Jon	Davidson	1/18/2023	0.1	Email Akilah Deernose re motion to enforce preliminary injunction
Jon	Davidson	1/18/2023	0.3	Review and edit draft of motion to enforce preliminary injunction and email co-counsel with comments
Jon	Davidson	1/24/2023	0.5	Review and edit revised motion to enforce preliminary injunction and email co-counsel
Jon	Davidson	1/24/2023	0.4	Edit revised motion to enforce and Akilah Deernose affidavit in support
Jon	Davidson	1/24/2023	0.1	Reviewed revised Akilah Deernose affidavit and email comments

Jon	Davidson	1/24/2023	0.3	Review and respond to emails re state's position on enforcing the 2022 Rules and final review of brief, motion, and affidavit in support
Jon	Davidson	2/8/2023	0.4	Review defendants' opposition to motion to enforce and emails with Akilah Deernose
Jon	Davidson	2/10/2023	0.5	Call with co-counsel re reply to opposition to motion to enforce preliminary injunction
Jon	Davidson	2/15/2023	0.2	Review and further edit reply re motion to enforce preliminary injunction
Jon	Davidson	2/16/2023	0.2	Review further edits to motion to enforce preliminary injunction; email additional edits
TOTAL		x550	3	\$1,650.00
GRAND TOTAL				
\$34,665.00				

EXHIBIT E

MARQUEZ: CASE FEES

FIRST	LAST	DATE	TIME	DESCRIPTION
AKILAH DEERNOSE				
Akilah	Deernose	3/4/2021	0.50	Team call regarding case
Akilah	Deernose	3/12/2021	1	Team Call: Plaintiff Search
Akilah	Deernose	3/16/2021	1.2	Team Call: Claims and Plaintiff Search
Akilah	Deernose	3/25/2021	1	Meeting with Potential Plaintiff Adrian J.
Akilah	Deernose	4/9/2021	0.5	Call with Chris Hampton re: plaintiff search
Akilah	Deernose	4/14/2021	1.7	Interview with two potential Plaintiffs
Akilah	Deernose	4/19/2021	0.5	Team Call: Complaint and Plaintiff Search update
Akilah	Deernose	4/21/2021	0.5	Potential Plaintiff call
Akilah	Deernose	4/27/2021	1	Review Draft complaint
Akilah	Deernose	4/28/2021	1	Potential Plaintiff call
Akilah	Deernose	5/3/2021	0.5	Team Call
Akilah	Deernose	5/5/2021	2	Review transcriptions of Senate and Judiciary hearings for SB 280
Akilah	Deernose	5/11/2021	1	Follow up Potential Plaintiff Interview
Akilah	Deernose	5/14/2021	1	Meeting with Potential Plaintiff
Akilah	Deernose	5/17/2021	1	Potential Plaintiff call
Akilah	Deernose	5/20/2021	1	Potential Plaintiff call
Akilah	Deernose	5/21/2021	1	Potential Plaintiff Interview
Akilah	Deernose	5/24/2021	1	Potential Plaintiff Interview AM
Akilah	Deernose	5/26/2021	0.5	Call with AM re: privacy and retainer
Akilah	Deernose	6/1/2021	1.5	Potential Plaintiff Interview (AM)
Akilah	Deernose	6/2/2021	1	Follow up call with AM
Akilah	Deernose	6/4/2021	1.2	Potential Plaintiff Interview

Akilah	Deernose	6/8/2021	2.5	Draft MHRB complaint for AM, call with AM
Akilah	Deernose	6/14/2021	1	Call with Chris Hampton re: Plaintiffs
Akilah	Deernose	6/15/2021	2.5	Team call re: Complaint and PI (1), Plaintiff interviews (1.5)
Akilah	Deernose	6/21/2021	0.5	Follow up call with MW
Akilah	Deernose	6/22/2021	1.5	Team Call re: Complaint and litigation strategy
Akilah	Deernose	6/24/2021	1	Review retainer agreement with plaintiffs
Akilah	Deernose	6/25/2021	3	Initial research and draft for privacy section of BIS of PI
Akilah	Deernose	6/28/2021	0.5	Call with co-counsel S.H. re: drafting BIS of PI
Akilah	Deernose	6/29/2021	4.7	Draft and circulate Plaintiff affidavits to Plaintiffs for review and further information
Akilah	Deernose	7/1/2021	3.2	Draft and research privacy section for BIS of PI
Akilah	Deernose	7/2/2021	4.2	Draft privacy/revise section of BIS of PI and call with co-counsel SH
Akilah	Deernose	7/2/2021	1	Review Ettner Declaration
Akilah	Deernose	7/7/2021	0.6	Team Call re: PI brief and associated docs
Akilah	Deernose	7/11/2021	2	Revise Client affidavits
Akilah	Deernose	7/12/2021	1.5	Call with Plaintiffs re: affidavits
Akilah	Deernose	7/13/2021	0.8	Call with co-counsel J.K. re: finalizing complaint and affidavits
Akilah	Deernose	7/13/2021	9.2	Draft Mtns for over length brief, motion for PI, and Attorney affidavit, review client affidavits, review and edit complaint circulate updated HRB complaint drafts to team and plaintiffs for review
Akilah	Deernose	7/14/2021	0.3	Team Call re: draft revisions and schedule for finalizing complaint and PI, circulation of drafts
Akilah	Deernose	7/14/2021	5.2	PI review and edit, update docs and circulate to plaintiffs and team
Akilah	Deernose	7/15/2021	0.5	Team Call re: complaint and PI
Akilah	Deernose	7/15/2021	4.2	Review and update Complaint and re-circulate to team, check cites and begin finalizing

Akilah	Deernose	7/16/2021	6	Finalizing complaint for filing and continued revise and update PI for filings
Akilah	Deernose	7/21/2021	0.1	Correspondence with Plaintiff JD
Akilah	Deernose	7/25/2021	4	Draft and research for motion to proceed pseudonymously
Akilah	Deernose	7/26/2021	4.8	Draft and research for motion to proceed pseudonymously , finalize and file MHRB docs
Akilah	Deernose	7/27/2021	4.2	Draft and research for motion and brief to proceed pseudonymously
Akilah	Deernose	7/28/2021	4	Update draft motion and brief for pseudonym filing and cite check
Akilah	Deernose	7/29/2021	1	updated drafts for leave to proceed under pseudonym filings
Akilah	Deernose	7/30/2021	1	Finalizing for Pseudonym filing
Akilah	Deernose	8/2/2021	0.8	Finalizing and filing Notice of Constitutional Questions, emails to counsel
Akilah	Deernose	8/3/2021	0.1	Correspondence with Plaintiffs re: MHRB
Akilah	Deernose	8/10/2021	0.1	Revise Proposed Order and sent to Opposing Counsel
Akilah	Deernose	8/12/2021	0.3	Review and confer on stipulated order, correspondence with Defendants' Counsel re: stip order
Akilah	Deernose	8/12/2021	0.1	Correspondence with Plaintiff JD re: MHRB
Akilah	Deernose	8/17/2021	0.7	Emails with Defendants re: signing stipulation, call with Deanne scheduling clerk
Akilah	Deernose	8/18/2021	0.5	Review D's Responsive pleading
Akilah	Deernose	8/22/2021	2.1	Review Defendant's Response to PI and MTD and outline/research
Akilah	Deernose	8/23/2021	0.5	Team Call re: complaint and PI
Akilah	Deernose	8/30/2021	0.1	Correspondence with Plaintiff John Doe
Akilah	Deernose	8/31/2021	2.2	Team Call re: PI Reply and MHRB (.6), MHRB research EP issues (1.6)
Akilah	Deernose	9/1/2021	1.2	Research for PI Reply Privacy section
Akilah	Deernose	9/3/2021	0.1	Correspondence with Plaintiffs re: check-in
Akilah	Deernose	9/7/2021	0.4	Call with Alex and research for PI Reply privacy section

Akilah	Deernose	9/7/2021	0.4	Call with Akilah re: PI reply
Akilah	Deernose	9/8/2021	3.5	Drafting and researching for PI Reply Privacy section
Akilah	Deernose	9/9/2021	3	Drafting and researching for PI Reply Privacy section
Akilah	Deernose	9/10/2021	0.3	Call with Client
Akilah	Deernose	9/11/2021	2	drafting and revising on draft PI Reply Privacy Section
Akilah	Deernose	9/12/2021	4	Drafting and revising PI reply Privacy Section
Akilah	Deernose	9/20/2021	1.5	Team Call: re PI Reply and MTD (.5) and drafting/editing MTD response (1)
Akilah	Deernose	9/21/2021	1.6	Editing and revising MTD response
Akilah	Deernose	9/22/2021	3	Editing and revising the PI Reply and MTD response
Akilah	Deernose	9/23/2021	4.2	Cite check, incorporate edits, finalizes PI Reply and MTD response
Akilah	Deernose	9/24/2021	0.4	Call with Plaintiff
Akilah	Deernose	9/24/2021	0.1	Correspondence with Plaintiffs re: case updates
Akilah	Deernose	9/30/2021	0.1	Correspondence with Defendants' Counsel re: Extension of time for State's MTD Reply
Akilah	Deernose	10/5/2021	0.1	Correspondence with Plaintiff John Doe re: case updates
Akilah	Deernose	10/28/2021	1.2	Review Defendants MTD Reply
Akilah	Deernose	11/2/2021	0.2	Call with Defendant's Counsel Katie Smithgall re: hearing schedule and date
Akilah	Deernose	11/3/2021	0.1	Correspondence with Defendants' Counsel re: scheduling oral argument with clerk
Akilah	Deernose	11/10/2021	0.6	Team Call : MHRB, Amended Complaint, Injunction hearing
Akilah	Deernose	11/10/2021	0.1	Correspondence with Plaintiffs re: MHRB claims and updates
Akilah	Deernose	11/11/2021	0.1	Correspondence with Defendants' Counsel re: dates for oral argument and email to clerk
Akilah	Deernose	11/12/2021	0.1	Correspondence with Defendants' Counsel re: dates for oral argument and email to clerk
Akilah	Deernose	11/15/2021	0.1	Check in with Defendants' Counsel Katie Smithgall re: position on AC

Akilah	Deernose	11/16/2021	0.2	Correspondence with Defendants' Counsel re: Motion to Amend
Akilah	Deernose	11/17/2021	0.3	Check in with A.Rate re: PI hearing oral argument
Akilah	Deernose	11/30/2021	0.6	Work on Amended Complaint
Akilah	Deernose	11/30/2021	0.1	Correspondence with Defendants' Counsel re: Amended Complaint
Akilah	Deernose	12/2/2021	0.4	Editing Amended Complaint
Akilah	Deernose	12/3/2021	1.3	Final editing and review of AC
Akilah	Deernose	12/6/2021	0.5	PI Hearing Prep
Akilah	Deernose	12/7/2021	4	PI Hearing Prep
Akilah	Deernose	12/8/2021	0.5	Check in with A.Rate re: PI hearing oral argument
Akilah	Deernose	12/8/2021	3	PI hearing prep
Akilah	Deernose	12/9/2021	5.1	PI Hearing oral argument prep
Akilah	Deernose	12/10/2021	4.4	PI Hearing oral argument prep (2.9) and moot (1.5)
Akilah	Deernose	12/10/2021	0.1	Correspondence with Plaintiffs: checking in
Akilah	Deernose	12/13/2021	1.7	PI Hearing oral argument prep
Akilah	Deernose	12/13/2021	0.2	Correspondence with Defendants' Counsel, review and signing of doc re: Stipulation to Electronic service
Akilah	Deernose	12/14/2021	0.1	Correspondence with Plaintiffs re: PI hearing
Akilah	Deernose	12/15/2021	2.7	PI Hearing prep
Akilah	Deernose	12/15/2021	4.2	PI Hearing prep, moot, revisions to argument post moot, practice, check in with AR (moot - 1.5, rest 2.7)
Akilah	Deernose	12/15/2021	0.1	Correspondence with Defendants' Counsel re: Oral Argument mechanics/schedule
Akilah	Deernose	12/16/2021	6	PI hearing prep, meeting with Alex, revise argument
Akilah	Deernose	12/16/2021	0.1	Correspondence with Plaintiffs re: PI hearing
Akilah	Deernose	12/17/2021	5.3	PI hearing prep

Akilah	Deernose	12/17/2021	0.1	Correspondence with Defendants' Counsel re: MHRB claims and Amended Complaint
Akilah	Deernose	12/18/2021	1.5	PI hearing oral argument prep
Akilah	Deernose	12/19/2021	4.5	PI hearing oral argument prep,
Akilah	Deernose	12/20/2021	6.5	PI hearing prep, practice and case law chart; team call
Akilah	Deernose	12/20/2021	0.2	Correspondence and call with Defendants' Counsel re: PI and relief
Akilah	Deernose	12/21/2021	8.75	PI hearing prep, pick up rental car, drive to Billings
Akilah	Deernose	12/22/2021	7.5	PI hearing final run through (2), hearing (1.2) post hearing debrief (.3), drive from Billings to Helena (4)
Akilah	Deernose	12/23/2021	0.1	Correspondence with Plaintiffs
Akilah	Deernose	1/4/2022	0.1	Correspondence with Defendants' Counsel re: Extension for Discovery
Akilah	Deernose	1/5/2022	1.3	Initial review of documents for FOFCOL briefing and outlining
Akilah	Deernose	1/5/2022	0.6	Work on post hearing briefing materials
Akilah	Deernose	1/5/2022	0.4	Team Call: debrief PI hearing division of labor for FOFCOL/post hearing briefing
Akilah	Deernose	1/5/2022	2	Cite Checking 2nd AC
Akilah	Deernose	1/7/2022	1.8	proposed FOFCOL drafting
Akilah	Deernose	1/7/2022	3.5	Work on Class Cert Brief
Akilah	Deernose	1/11/2022	0.2	Prep call re: status conference
Akilah	Deernose	1/11/2022	0.2	Email to opposing counsel, correspondences with team re: status conference
Akilah	Deernose	1/11/2022	0.2	Status Conference with Court
Akilah	Deernose	1/12/2022	0.1	Correspondence with Defendants' Counsel re: dates/order of events for stipulated scheduling order
Akilah	Deernose	1/13/2022	1	Researching and editing Statement regarding D's Notice of Supplemental Authority
Akilah	Deernose	1/14/2022	0.1	Correspondence with Defendants' Counsel re: stipulated scheduling order
Akilah	Deernose	1/17/2022	0.8	Review materials for proposed FOFCOL

Akilah	Deernose	1/19/2022	0.1	Correspondence with Defendants' Counsel re: stipulated scheduling order
Akilah	Deernose	1/19/2022	2	Review materials and work on draft proposed FOCOL
Akilah	Deernose	1/20/2022	3.5	Review materials and work on draft proposed FOCOL
Akilah	Deernose	1/21/2022	1.2	Work on draft sections of proposed FOFCOL
Akilah	Deernose	1/26/2022	0.4	Meeting with FOFCOL drafting team
Akilah	Deernose	1/28/2022	1.5	Review Mtn to Dismiss AC and related research related to statutory claims and discrimination
Akilah	Deernose	2/1/2022	1	Team Meeting (.5) and drafting team meeting for FOFCOL (.5)
Akilah	Deernose	2/2/2022	0.5	Meeting with new attorney team member JD and James Esseks and sharing docs
Akilah	Deernose	2/4/2022	0.5	Correspondences with new counsel to get up to date and team for drafting duties
Akilah	Deernose	2/9/2022	2.5	Research, editing, and revising draft response to D's renewed MTD
Akilah	Deernose	2/10/2022	1.4	Revising and incorporating edits to Response to D's renewed MTD, review local rules
Akilah	Deernose	2/11/2022	6	Revising, finalizing, cite checking Response to D's renewed MTD
Akilah	Deernose	2/17/2022	5.2	Consolidate draft sections into FOFCOL, revise and reorganize
Akilah	Deernose	2/18/2022	0.8	Meeting with FOFCOL drafting team to discuss revisions and finalizing next steps, follow up circulating of drafts
Akilah	Deernose	2/23/2022	0.3	Correspondence with Plaintiffs
Akilah	Deernose	2/28/2022	1.1	FOFCOL Drafting and editing
Akilah	Deernose	3/1/2022	1.2	FOFCOL drafting and revising (.8), call (.4)
Akilah	Deernose	3/3/2022	6.4	Review FOFCOL, integrated edits, cite checking, and finalize
Akilah	Deernose	3/4/2022	8.2	Integrated versions and edits of the drafting, reviewing cite checks, finalizing
Akilah	Deernose	3/9/2022	2.5	Review Defendants' FOFCOL and Reply BIS MTD
Akilah	Deernose	3/10/2022	2	Reviewing rules, prep for meeting
Akilah	Deernose	3/10/2022	0.5	Call with Plaintiff Amelia Marquez re: updates and depositions

Akilah	Deernose	3/11/2022	0.5	Team Meeting
Akilah	Deernose	3/21/2022	2	Working on Proof Chart for material facts
Akilah	Deernose	3/22/2022	2	Draft Proof Chart for material facts
Akilah	Deernose	3/22/2022	0.1	Correspondence with Plaintiff JD re: check in and updates
Akilah	Deernose	3/23/2022	3.4	Drafting Proof Chart for material facts and summary of issues
Akilah	Deernose	3/24/2022	1.7	Working on proof chart for material facts and circulate first draft to team for review
Akilah	Deernose	3/24/2022	1	Team Call: re proof chart and division of labor
Akilah	Deernose	3/24/2022	0.7	Call with M.Picasso re: experts, clients, and witnesses
Akilah	Deernose	4/6/2022	0.5	Proof Chart
Akilah	Deernose	4/7/2022	2.5	Worked on Proof chart for material facts
Akilah	Deernose	4/7/2022	1	Interviewed KTM on birth certificate experiences (parent of trans kids)
Akilah	Deernose	4/7/2022	0.1	Call with JD re expert wits
Akilah	Deernose	4/8/2022	1	Team Meeting: Discovery and Experts
Akilah	Deernose	4/8/2022	3.2	Worked on proof chart to determine what material facts remain in dispute (based on D's PFOF) and circulated to team via email with team meeting agenda
Akilah	Deernose	4/11/2022	0.5	Meeting with SH to discuss 2017 Rule for Gender Chang policy
Akilah	Deernose	4/12/2022	1.2	Meeting with ND to discuss 2017 Rule for Gender Change policy
Akilah	Deernose	4/12/2022	1	Meeting with Plaintiff John Doe to discuss experiences with experiences with birth certificate and discrimination
Akilah	Deernose	4/13/2022	1	Meeting with Plaintiff to discuss birth certificate experiences and discrimination
Akilah	Deernose	4/21/2022	1	Reading PI Order from the Court
Akilah	Deernose	4/21/2022	0.1	Correspondence with Plaintiffs: re Order
Akilah	Deernose	4/21/2022	1	Outlining and researching potential issues and next steps based on courts order
Akilah	Deernose	4/22/2022	1	Review Order and mootness research

Akilah	Deernose	4/22/2022	1	Team Meeting
Akilah	Deernose	4/22/2022	1	Interview with potential Expert Dr. Ayden Scheim
Akilah	Deernose	4/26/2022	1.5	Team Meeting
Akilah	Deernose	4/26/2022	0.4	Emails with Colin Gertsner re: PI Order
Akilah	Deernose	4/26/2022	0.1	Review LE letter
Akilah	Deernose	4/27/2022	0.5	Call to check in with clients
Akilah	Deernose	4/28/2022	0.1	Email with Defendant's counsel K. Smithgall re: setting up call for scheduling conference
Akilah	Deernose	4/29/2022	0.8	Reached out to potential experts and witnesses, research discovery related to SJ, correspondence with opposing counsel re: schedule conference
Akilah	Deernose	5/2/2022	1.3	Call with Jon Davidson re: strategy, research status quo
Akilah	Deernose	5/3/2022	3	Reach out to potential experts, follow up with Nick D. Research SJ Motions 56, outline contested facts, research vital statistic uses
Akilah	Deernose	5/4/2022	1.4	Research Mont R. Civ P, review expert report, prepare questions to ask experts
Akilah	Deernose	5/4/2022	1.5	Research, review expert info, prepare questions for expert interview, review Schecter info, review Rule 56 and 26
Akilah	Deernose	5/5/2022	0.3	Research local rules and MRCivP
Akilah	Deernose	5/5/2022	2	Prep and call with Expert Dr. S
Akilah	Deernose	5/5/2022	0.8	Interview with Mark Muir (Law Enforcement)
Akilah	Deernose	5/6/2022	0.8	Research expert materials and review
Akilah	Deernose	5/6/2022	0.1	Emails with Clerk and opposing counsel re: scheduling
Akilah	Deernose	5/6/2022	1	Team Meeting
Akilah	Deernose	5/9/2022	0.3	emails to potential experts and check in with clients
Akilah	Deernose	5/9/2022	0.4	Meeting with Dr. Ayden Scheim
Akilah	Deernose	5/11/2022	1	Review Answer and begin to compare facts with AC

Akilah	Deernose	5/11/2022	2.2	Interview with potential expert Dr. BC: Mental health and ID and review materials
Akilah	Deernose	5/12/2022	1	Research Mootness exemption 9th circuit and prep for team meeting
Akilah	Deernose	5/12/2022	1.5	Reviewed and organized facts from Answer and AC
Akilah	Deernose	5/12/2022	1.5	Research remedies for non-compliance
Akilah	Deernose	5/12/2022	0.5	Call with ND re: DPHHS compliance
Akilah	Deernose	5/13/2022	1.1	Team Meeting re: DPHHS non-compliance
Akilah	Deernose	5/16/2022	1.3	Meeting with new team member Arli: get up to speed on case
Akilah	Deernose	5/19/2022	0.7	Research Appellate procedure and class certification
Akilah	Deernose	5/23/2022	0.1	Correspondence with Plaintiff Amelia Marquez
Akilah	Deernose	5/23/2022	1.8	Research Motion to enforce vs. motion to clarify
Akilah	Deernose	5/23/2022	0.5	Meeting with co-counsel to prep for meet and confer with opposing counsel
Akilah	Deernose	5/23/2022	0.3	Meet and Confer with opposing counsel re: non compliance with PI
Akilah	Deernose	5/23/2022	0.2	Meet and Confer debrief meeting with co-counsel (JD)
Akilah	Deernose	5/24/2022	0.5	Meeting prep
Akilah	Deernose	5/24/2022	0.5	Team Meeting
Akilah	Deernose	5/26/2022	0.9	Edit Malita's Doc and reviewing Arli's research
Akilah	Deernose	5/26/2022	0.2	Email exchange with opposing counsel re: scheduling conference
Akilah	Deernose	5/26/2022	1	Meeting with law school professor: re vital statistic and other uses for birth certificate data
Akilah	Deernose	5/26/2022	0.2	Scheduling conference with Deanne
Akilah	Deernose	5/26/2022	0.7	Edit Malita's Mtn to clarify
Akilah	Deernose	5/26/2022	1	Meeting with co-counsel: Mtn to Clarify Draft
Akilah	Deernose	5/27/2022	1	Interview with Intersex individual (with co-counsel FTH)
Akilah	Deernose	5/27/2022	1.2	Work on draft Mtn to clarify

Akilah	Deernose	5/31/2022	0.6	Meeting with Potential Expert Isabelle Horon
Akilah	Deernose	5/31/2022	1	Meeting with co-counsel (MP and FTH) re: Mtn to Clarify Draft
Akilah	Deernose	6/1/2022	1	Review of Expert Decs
Akilah	Deernose	6/2/2022	2.9	Work on draft Mtn to clarify
Akilah	Deernose	6/2/2022	1.2	Affidavits for Mtn to Clarify
Akilah	Deernose	6/3/2022	1	Prep and meeting with Expert Dr. BC
Akilah	Deernose	6/3/2022	3	Work on draft Mtn to clarify
Akilah	Deernose	6/3/2022	0.4	Client Meeting and correspondence re: Mtn to Clarify and next steps
Akilah	Deernose	6/3/2022	1	Team Meeting
Akilah	Deernose	6/4/2022	0.5	Work on draft Mtn to clarify
Akilah	Deernose	6/6/2022	3	Incorporating edits and cite checking Mtn to Clarify
Akilah	Deernose	6/7/2022	1	Call with potential Plaintiff
Akilah	Deernose	6/7/2022	4.3	Finalizing and editing Mtn to clarify docs to file
Akilah	Deernose	6/8/2022	0.6	Interview with Expert: Bryan Cochran
Akilah	Deernose	6/17/2022	1	Team Meeting
Akilah	Deernose	6/21/2022	0.8	Meeting with re: DPHHS Proposed Rule Hearing Prep
Akilah	Deernose	6/28/2022	0.4	Review and Edit letter to submit to DPHHS Hearing record
Akilah	Deernose	6/28/2022	0.1	Email opposing counsel registering their position on P's submitting a letter to DPHHS Hearing Record and providing courtesy copy
Akilah	Deernose	6/28/2022	0.3	Review Dr. Schechter's Declaration
Akilah	Deernose	6/28/2022	0.5	Team Meeting
Akilah	Deernose	6/29/2022	0.2	Call with Plaintiff
Akilah	Deernose	6/29/2022	0.3	Call with expert Bryan Cochran

Akilah	Deernose	6/29/2022	0.2	Clarification email to Opposing Counsel and update draft letter to submit at DPHHS Hearing
Akilah	Deernose	6/29/2022	1	Review outline for Reply Brief and re-read State's Response Brief
Akilah	Deernose	6/29/2022	1.5	Meeting Re: Motion to Clarify Reply Brief and preliminary outlining
Akilah	Deernose	6/29/2022	2.8	Reading materials and drafting Motion to Clarify Reply Brief
Akilah	Deernose	6/30/2022	2.8	Viewed DPHHS Hearing Re: proposed rule and read the transcript
Akilah	Deernose	6/30/2022	0.5	Meeting with co-counsel (FTH) re: Mtn to Clarify Reply Brief Draft
Akilah	Deernose	6/30/2022	6	Research, drafting, editing Reply Brief Mtn to Clarify Draft
Akilah	Deernose	7/1/2022	0.4	Meeting with co-counsel (FTH) re: Mtn to Clarify Draft
Akilah	Deernose	7/1/2022	5.4	Drafting and editing Reply Brief Mtn to Clarify
Akilah	Deernose	7/1/2022	1.3	Meeting with co-counsel (JD) and further drafting and edits of draft Brief Mtn to Clarify
Akilah	Deernose	7/4/2022	2.8	Meeting with TH and revising draft Mtn to Clarify
Akilah	Deernose	7/5/2022	4.7	Finalizing, incorporating final edits, citing checking, and filing Mtn to Clarify
Akilah	Deernose	7/8/2022	1	Team Meeting: Litigation Strategy
Akilah	Deernose	7/12/2022	0.9	Meeting with Arli, Malita and Law Enforcement Expert
Akilah	Deernose	7/20/2022	2.3	Review and edit draft for CC and BIS
Akilah	Deernose	7/21/2022	0.1	Correspondence with Plaintiff Amelia Marquez re: updates
Akilah	Deernose	8/3/2022	1	Team Meeting re: hearing on Mtn to Clarify
Akilah	Deernose	8/11/2022	0.1	Correspondence with Plaintiff JD re: updates
Akilah	Deernose	8/29/2022	1.5	Review docs to prep for Mtn to Clarify Moot
Akilah	Deernose	8/31/2022	1.3	Mtn to Clarify Moot
Akilah	Deernose	9/6/2022	0.5	Review materials for Mtn to Clarify Moot
Akilah	Deernose	9/8/2022	0.5	Prep for Mtn to Clarify Hearing Moot

Akilah	Deernose	9/8/2022	1.7	Moot for Mtn to Clarify Hearing and short follow up meeting
Akilah	Deernose	9/9/2022	0.7	Read the State's Notice of Rule Amendment, cross reference
Akilah	Deernose	9/12/2022	0.5	Review and provide feedback on hearing outline
Akilah	Deernose	9/12/2022	0.6	Team Meeting: Final hearing prep
Akilah	Deernose	9/14/2022	0.2	Correspondence and updates with Plaintiffs
Akilah	Deernose	9/14/2022	0.5	Rental Car pick up
Akilah	Deernose	9/14/2022	4	Travel to Billings for Mtn to Clarify Hearing
Akilah	Deernose	9/15/2022	5	Hearing on Mtn to Clarify, Debrief team meeting, drive home from Billings
Akilah	Deernose	9/27/2022	0.3	Research SJ
Akilah	Deernose	9/28/2022	3.2	Team Meeting: MSC Writ (.7), summary response research, review of writ, BIS of Mtn for 2nd AC, update CC brief (2.5)
Akilah	Deernose	10/3/2022	2.8	Research and edit Mtn and BIS for Class Cert
Akilah	Deernose	10/3/2022	1.5	Edit BIS Mtn for Leave to file 2nd AC
Akilah	Deernose	10/3/2022	0.6	Team Meeting
Akilah	Deernose	10/3/2022	0.2	Call with Malita re: 2nd AC
Akilah	Deernose	10/3/2022	0.1	email and scheduling
Akilah	Deernose	10/4/2022	0.5	Review D's Writ for Supervisory Control and research MT WSC law
Akilah	Deernose	10/6/2022	5.4	Montana Supreme Court Summary Response Drafting and research for sections
Akilah	Deernose	10/7/2022	6.5	MSC Summary response continued research and drafting sections
Akilah	Deernose	10/11/2022	7.5	MSC Summary response continued research and drafting sections
Akilah	Deernose	10/12/2022	2	Review suggested edits and research accordingly, revise and team meeting
Akilah	Deernose	10/15/2022	1.5	MS Brief edits
Akilah	Deernose	10/16/2022	3	MSC Brief edits and organization of docs
Akilah	Deernose	10/17/2022	2	MSC cite checking

Akilah	Deernose	10/18/2022	2.2	Final review and editing MSC Summary Response brief and email team
Akilah	Deernose	10/21/2022	13	Editing and reviewing 2nd AC and correspondence with Plaintiff Amelia Marquez
Akilah	Deernose	10/24/2022	1.5	Research venue, edit and revise draft 2nd AC and Class Cert briefs and email team
Akilah	Deernose	10/24/2022	0.3	Correspondence with Plaintiff Amelia Marquez: re questions and info 2nd AC
Akilah	Deernose	10/25/2022	5.4	Revise, editing, cite checking BIS of 2nd AC and related research
Akilah	Deernose	10/25/2022	0.1	Email opposing counsel Katie Smithgall
Akilah	Deernose	10/26/2022		Cite Checking 2nd AC
Akilah	Deernose	10/26/2022	0.1	Correspondence with Defendants' Counsel re: position on Rule 23 Motion
Akilah	Deernose	10/27/2022	1.3	Incorporate final edits and review final drafts of 2nd AC and CC filings
Akilah	Deernose	11/7/2022	0.1	Correspondence with Defendants' Counsel re: extension for State's Response
Akilah	Deernose	11/21/2022	1.5	Draft Discovery: interrogatories and RFAs
Akilah	Deernose	11/22/2022	2	Draft Discovery interrogatories and RFAs
Akilah	Deernose	11/28/2022	2.5	Draft discovery interrogatories and rfas and circulate to the group for review
Akilah	Deernose	11/28/2022	0.2	Call with Plaintiff
Akilah	Deernose	12/7/2022	0.6	Team Call
Akilah	Deernose	12/14/2022	0.1	Email with Defendants' Counsel Katie Smithgall re: position on 21 day extension for pending 2nd AC and Class Cert
Akilah	Deernose	12/21/2022	1	Finalize edits and review first discovery request, review reply draft
Akilah	Deernose	12/21/2022	0.4	Team Meeting: Discovery and Class Cert
Akilah	Deernose	12/22/2022	0.1	Email to Defendants; Counsel re: Plaintiffs First Discovery request
Akilah	Deernose	12/26/2022	0.5	Call with Plaintiff re: case updates and questions
Akilah	Deernose	12/29/2022	3.3	Reply Brief 2nd AC
Akilah	Deernose	12/30/2022	0.2	Correspondence and call with Defendants' Counsel re: post hearing briefing schedule

Akilah	Deernose	1/3/2023	4	Drafting and editing Class Cert and 2nd AC
Akilah	Deernose	1/5/2023	0.5	Work on Class Cert docs
Akilah	Deernose	1/6/2023	3.2	Editing and Cite Checking Class Cert and 2nd AC docs
Akilah	Deernose	1/12/2023	0.9	Team Meeting Re: MSC order and Defendant's Notice of Supplemental Authority
Akilah	Deernose	1/25/2023	0.1	Correspondence with Plaintiffs re: updates and filings
Akilah	Deernose	2/13/2023	2.4	Edit and circulate expert disclosures draft and declarations
Akilah	Deernose	2/21/2023	0.2	Plaintiff communication re: depositions and filings
Akilah	Deernose	2/22/2023	0.2	Call with Jon Davidson re: discovery
Akilah	Deernose	2/22/2023	0.1	Correspondence with Defendants' attorney re: stipulated protective order for deposition
Akilah	Deernose	2/22/2023	3	Review Defendants discovery responses and docs
Akilah	Deernose	2/24/2023	0.3	Meeting with Raph (supervising attorney) re: Discovery insufficiency
Akilah	Deernose	2/24/2023	0.2	Correspondence with Plaintiff re: safety concerns
Akilah	Deernose	2/25/2023	0.5	Outline discovery insufficiencies
Akilah	Deernose	2/26/2023	0.5	Review D's discovery and research discovery rules
Akilah	Deernose	2/26/2023	0.5	Call with Plaintiff
Akilah	Deernose	2/26/2023	0.1	Correspondence with Plaintiff JD re: updates
Akilah	Deernose	2/27/2023	1	Team Call: re D's Discovery responses
Akilah	Deernose	2/28/2023	0.1	Correspondence with Defendants' attorney re: stipulated protective order for deposition
Akilah	Deernose	3/2/2023	0.6	Review Order denying Plaintiffs motion to file 2nd AC and CC
Akilah	Deernose	3/2/2023	0.2	Correspondence with Plaintiffs re: deposition
Akilah	Deernose	3/3/2023	1	Team Meeting
Akilah	Deernose	3/8/2023	1	Discovery letter review and disco review w priv log

Akilah	Deernose	3/9/2023	0.7	Team Call re: discovery and call with Defendants' attorney re: discovery deficiency, inform team of results of call review D's first discover requests
Akilah	Deernose	3/9/2023	0.4	Correspondence and call with Plaintiff JD re: deposition
Akilah	Deernose	3/10/2023	1	Research Motion for SJ and share resources with Malita for drafting
Akilah	Deernose	3/10/2023	0.2	Call with Defendants' Counsel re: deposition scheduling and follow up correspondence
Akilah	Deernose	3/14/2023	0.1	Email with Defendants' Counsel re: extension
Akilah	Deernose	3/15/2023	2	Revise SJ draft brief and team meeting
Akilah	Deernose	3/16/2023	1.5	Revise/edit SJ draft brief and circulate to the team
Akilah	Deernose	3/16/2023	0.1	Correspondence with Defendants' attorney re: scheduling conference
Akilah	Deernose	3/16/2023	2	Finalizing SJ draft and associated docs
Akilah	Deernose	3/17/2023	2	Finalizing SJ brief and associated docs, cite checking
Akilah	Deernose	3/19/2023	1.8	Finalizing and cite checking SJ brief and associated docs
Akilah	Deernose	3/20/2023	4	Finalizing SJ brief and associated docs, cite checking, and filing. Correspondence with Defendants' counsel re: call for 3/22
Akilah	Deernose	3/21/2023	0.1	Correspondence with Thane re: scheduling conference and agreement to pause discovery
Akilah	Deernose	3/22/2023	0.9	Prep for status conference (.4), status conference (.3), and follow up meeting with team to discuss and follow up correspondence with Defendants' attorney (.2).
Akilah	Deernose	4/10/2023	0.7	Correspondence with D's attorney re: scope of order vacating June 2, 2022 Scheduling Order and follow up correspondence with team apprising them of conversation. Review Defendant's SJ Response
Akilah	Deernose	4/12/2023	0.75	Team Meeting to discuss Defendant's SJ Response and Plaintiffs' Reply
Akilah	Deernose	4/15/2023	0.1	Correspondence with Plaintiff
Akilah	Deernose	4/18/2023	2	Review and revise SJ Reply brief

Akilah	Deernose	4/19/2023	1.5	Revise and circulate SJ Reply brief to team
Akilah	Deernose	4/20/2023	1	Review and incorporate edits and make further edits, circulate to team- two drafts
Akilah	Deernose	4/23/2023	3	Finalize, cite checking, incorporate edits and circulate updated draft to team
Akilah	Deernose	4/24/2023	0.3	Review and send draft for filing
TOTAL		x300	526.50	\$157,950.00
ALEX RATE				
Alex	Rate	5/24/2022	0.5	Call with team to discuss motion for clarification
Alex	Rate	5/30/2022	2.5	Revision of Brief in support of motion for clarification
Alex	Rate	6/3/2022	1	Team call
Alex	Rate	6/24/2022	0.9	DPHHS hearing prep
Alex	Rate	6/30/2022	2.2	DPHHS hearing
Alex	Rate	8/31/2022	1	Malita moot
Alex	Rate	9/15/2022	4	Travel to and from Billings for Argument
Alex	Rate	9/15/2022	1.2	Hearing on motion to clarify
Alex	Rate	3/4/2021	0.50	Group call re: case
Alex	Rate	4/19/2021	0.5	Call with Nixon Peabody to discuss strategy
Alex	Rate	4/21/2021	0.5	Call with potential Plaintiff
Alex	Rate	4/23/2021	1.5	Revisions to complaint
Alex	Rate	4/26/2021	0.5	Call with Nixon Peabody to discuss strategy
Alex	Rate	4/28/2021	0.5	Call with potential plaintiff
Alex	Rate	5/3/2021	0.5	Call with JK to discuss strategy
Alex	Rate	5/24/2021	0.5	Call with AM
Alex	Rate	6/1/2021	0.5	Call with AM
Alex	Rate	6/4/2021	0.9	Call with potential plaintiff
Alex	Rate	6/15/2021	2.5	Calls with plaintiffs (1.5); team call (1)
Alex	Rate	6/21/2021	0.5	Follow up with Plaintiff MW
Alex	Rate	6/22/2021	1.5	Strategy call with team
Alex	Rate	6/25/2021	0.3	Revision to co counsel agreement
Alex	Rate	7/4/2021	4.1	Revision to PI Brief
Alex	Rate	7/7/2021	0.60	Strategy call with team
Alex	Rate	7/29/2021	0.7	Motion to proceed pseudonymously
Alex	Rate	8/26/2021	1.1	Review of MTD and opposition to PI
Alex	Rate	8/26/2021	0.4	Motion for extension of time
Alex	Rate	8/31/2021	0.6	Call to discuss reply and response briefs
Alex	Rate	9/1/2021	0.2	Call with HRB to discuss exhaustion
Alex	Rate	9/8/2021	0.6	Review of state's response to HRB complaint
Alex	Rate	9/20/2021	4.1	PI Reply and MTD response
Alex	Rate	9/20/2021	0.5	Call with co-counsel about Reply
Alex	Rate	9/22/2021	1.8	PI Reply and MTD response

Alex	Rate	9/23/2021	4.9	PI Reply and MTD response
Alex	Rate	10/28/2021	0.9	Review of State's MTD Reply
Alex	Rate	11/10/2021	0.6	Call with team to discuss amended complaint and oral argument
Alex	Rate	11/12/2021	0.1	Correspondence re: hearing date for MTD and PI
Alex	Rate	11/17/2021	0.3	Call with Akilah to discuss oral argument
Alex	Rate	12/2/2021	2.1	Oral argument prep, MTD
Alex	Rate	12/2/2021	0.8	Amended complaint, motion for leave
Alex	Rate	12/7/2021	2.9	Prep for oral argument on MTD
Alex	Rate	12/10/2021	1.5	Moot
Alex	Rate	12/15/2021	4.1	Prep for oral argument on MTD and PI
Alex	Rate	12/15/2021	1.5	Moot
Alex	Rate	12/16/2021	6.1	Prep for oral argument on MTD and PI, meet with Akilah
Alex	Rate	12/17/2021	5.1	Prep for oral argument on MTD and PI
Alex	Rate	12/20/2021	3.4	Prep for oral argument on MTD and PI; team call
Alex	Rate	12/21/2021	5.5	Prep for oral argument on MTD and PI
Alex	Rate	12/22/2021	4	Travel to and from Billings for Argument
Alex	Rate	12/22/2021	1.2	Oral argument on MTD and PI
Alex	Rate	1/5/2022	0.4	Call to discuss next steps (FOF&COL, Brief)
Alex	Rate	1/11/2022	0.2	Call with court to discuss briefing schedule
Alex	Rate	1/31/2022	0.8	Review of state's new MTD
Alex	Rate	2/1/2022	0.5	Team meeting
Alex	Rate	2/27/2022	2.1	Review of FOF&COL
Alex	Rate	3/4/2022	0.8	Review of FOF&COL
Alex	Rate	4/11/2022	0.50	Call with Hogan and co-counsel
Alex	Rate	4/21/2022	0.8	Review of PI Order
Alex	Rate	4/26/2022	1.50	Call with team
Alex	Rate	5/5/2022	0.2	Call with State to discuss discovery issues
Alex	Rate	5/6/2022	1	Call with team to discuss discovery issues
Alex	Rate	5/13/2022	1	Call with team to discuss discovery issues
Alex	Rate	6/3/2022	1	Team call
Alex	Rate	6/24/2022	0.9	DPHHS hearing prep
Alex	Rate	9/22/2022	0.7	Call to discuss amendment of complaint
Alex	Rate	9/23/2022	0.5	Review of petition for writ of supervisory control
Alex	Rate	9/26/2022	0.4	Discussion of petition for writ
Alex	Rate	9/28/2022	1.1	Revisions to brief in support of motion to file 2nd AC
Alex	Rate	9/28/2022	0.7	Marquez team meeting to discuss writ
Alex	Rate	9/29/2022	0.1	Review of MSC order to respond to writ
Alex	Rate	9/30/2022	2.9	Revisions to motion for class cert
Alex	Rate	10/3/2022	0.6	Call to discuss summary response to writ
Alex	Rate	3/22/2023	0.30	Status Conference
Alex	Rate	6/7/2023	0.6	Weekly call

Alex	Rate	6/13/2023	0.3	Revision of settlement communication to Thane
Alex	Rate	8/4/2023	0.4	Re-review of SJ and sanctions order
Alex	Rate	8/9/2023	0.5	Team call
Alex	Rate	8/16/2023	0.5	Call with team re: attorneys fees and costs
Alex	Rate	8/18/2023	0.1	Correspondence with Randy Bishop re: expert services
Alex	Rate	8/25/2023	0.7	Review of Rule 60 motion
Alex	Rate	8/28/2023	0.3	Review of SJ/Contempt transcript
Alex	Rate	8/30/2023	0.6	Call with team re: Rule 60 motion
Alex	Rate	9/1/2023	2.1	Rule 60 response
Alex	Rate	9/13/2023	0.5	Call with team re: R60
Alex	Rate	9/14/2023	1.1	Rule 60 response revision
Alex	Rate	9/20/2023	1.8	Rule 60 response revision
Alex	Rate	10/23/2023	0.6	Review of State's Rule 60 Reply
Alex	Rate	12/20/2023	0.5	Team call re: R60
Alex	Rate	2/3/2024	0.6	Review of motion to certify, correspondence regarding next steps
Alex	Rate	2/23/2024	0.2	Review of Rule 54 brief
TOTAL		x350	114.60	\$40,110.00

JOHN KNIGHT

John	Knight	4/26/2021	0.90	.3 – review cases regarding exhaustion, .1 – review draft complaint, call with co-counsel – .5
John	Knight	4/27/2021	2.70	review/edit draft complaint
John	Knight	5/3/2021	0.50	conf with co-counsel re plaintiffs, complaint, agreements
John	Knight	6/10/2021	0.40	Emails re new possible plaintiff
John	Knight	6/22/2021	2.30	Montana law and complaint review
John	Knight	6/22/2021	1.50	Call with co-counsel re: strategy
John	Knight	6/26/2021	0.20	Prepare retention letter for Dr. Ettner
John	Knight	6/29/2021	0.80	Review Ettner declarations from other similar matters, finalize retention agreement, review MT rules re experts and email to co-counsel
John	Knight	6/29/2021	0.40	Work on draft declaration for Ettner's review.
John	Knight	7/1/2021	0.80	Call with Dr. Ettner
John	Knight	7/6/2021	0.60	Calls with Dr. Ettner re affidavit edits
John	Knight	7/6/2021	0.70	Review Ettner declaration again
John	Knight	7/6/2021	1.50	Review and edit M for PI
John	Knight	7/7/2021	5.00	Review and edit M for PI
John	Knight	7/7/2021	0.60	Team call re: strategy
John	Knight	7/9/2021	0.50	Call with Ettner re changes to report to get it finalized
John	Knight	7/12/2021	2.20	Review and edit both affidavits

John	Knight	7/12/2021	1.50	Calls with clients to finalize affidavits
John	Knight	7/13/2021	0.30	Review and final edits on Marquez affidavit
John	Knight	7/13/2021	0.90	Review complaint
John	Knight	7/13/2021	0.80	Call with co-counsel - AL- re: complaint and affidavits
John	Knight	7/14/2021	1.30	Review and edit PI brief
John	Knight	7/14/2021	0.30	Call with co-counsel
John	Knight	7/14/2021	0.70	Review and edit complaint
John	Knight	7/18/2021	1.20	Review John D. for PI edits
John	Knight	7/19/2021	0.30	Review of John D. for PI
John	Knight	8/31/2021	0.60	Call with co-counsel re: strategy
John	Knight	9/20/2021	0.5	Call with co-counsel re: strategy
John	Knight	11/10/2021	0.60	Team call re: strategy
John	Knight	12/9/2021	0.80	Review briefs, draft notes to assist with oral argument
John	Knight	12/15/2021	1.50	Moot
John	Knight	1/5/2022	0.4	Team call re: next steps
TOTAL =		x550	33.30	\$18,315.00
JON DAVIDSON				
Jon	Davidson	2/1/2022	0.2	Discuss case with National ACLU Legal Director
Jon	Davidson	2/2/2022	0.5	Zoom call with Akilah Deernose and National ACLU Legal Director re opposition to motion to dismiss
Jon	Davidson	2/2/2022	0.6	Review complaint and amended complaint; emails with Akilah Deernose
Jon	Davidson	2/3/2022	4.6	Review motion to dismiss complaint, opposition, and reply, and motion to dismiss amended complaint
Jon	Davidson	2/4/2022	1.5	Analyze and research potential arguments for opposition to motion to dismiss amended complaint and email with Akilah Deernose re these
Jon	Davidson	2/7/2022	0.1	Review emails re motion to dismiss amended complaint from Thomas Hecht and Akilah Deernose and respond
Jon	Davidson	2/8/2022	0.2	Review and edit notice of appearance and email revised version to Krystal Pickens
Jon	Davidson	2/8/2022	0.5	Review and edit pro hac vice application and email with Krystal Pickens regarding it
Jon	Davidson	2/9/2022	0.2	Emails with Thomas Hecht and Akilah Deernose re review of draft opposition to motion to dismiss amended complaint
Jon	Davidson	2/9/2022	1.9	Review and edit draft opposition to motion to dismiss amended complaint and email edited version to co-counsel

Jon	Davidson	2/10/2022	0.1	Emails with Akilah Deernose and Krystal Pickens re pro hac vice application and opposition to motion to dismiss amended complaint
Jon	Davidson	2/10/2022	0.2	Review and edit revised opposition to motion to dismiss amended complaint
Jon	Davidson	2/11/2022	0.5	Get pro hac vice application notarized and mailed
Jon	Davidson	2/22/2022	0.2	Call with Sean O'Connor at Montana State Bar re pro hac vice application and emails with Krystal Pickens re notice of appearance
Jon	Davidson	2/25/2022	0.1	Review letter from Montana State Bar re pro hac vice application
Jon	Davidson	2/27/2022	2.5	Review and edit proposed findings of fact and conclusions of law
Jon	Davidson	2/27/2022	0.1	Review Alex Rate edits on proposed findings of fact and conclusions of law
Jon	Davidson	3/1/2022	0.4	Call with co-counsel re proposed findings of fact and conclusions of law and pro hac vice status
Jon	Davidson	3/1/2022	2.4	Review and edit revised proposed findings of fact and conclusions of law
Jon	Davidson	3/3/2022	0.2	Draft email to Malita Picasso re case developments in her absence
Jon	Davidson	3/3/2022	0.1	Draft email to co-counsel re pro hac vice issue
Jon	Davidson	3/3/2022	0.1	Review and respond to Malita Picasso email re direct citations in proposed findings of fact and conclusions of law
Jon	Davidson	3/4/2022	0.1	Review defendants' reply brief in support of motion to dismiss amended complaint
Jon	Davidson	3/4/2022	0.1	Review defendants' proposed findings of fact and conclusions of law
Jon	Davidson	3/4/2022	0.5	Review and edit near final version of proposed findings of fact and conclusions of law and email Akilah Deernose re these
Jon	Davidson	3/11/2022	0.5	Call with co-counsel re next steps once court rules on motions to dismiss
Jon	Davidson	3/11/2022	0.7	Research potential experts and email Malita Picasso re expert issues
Jon	Davidson	3/14/2022	1.1	Research and compile rulings and state agency and officials' statements re state sex discrimination laws covering gender identity discrimination
Jon	Davidson	3/15/2022	0.5	Listen to oral argument in Corbitt appeal and email co-counsel re it
Jon	Davidson	3/15/2022	0.2	Emails with potential expert witnesses

Jon	Davidson	3/18/2022	0.1	Review email from Krystal Pickens re pro hac vice issue and response
Jon	Davidson	3/20/2022	0.1	Email co-counsel re further co-counsel meetings
Jon	Davidson	3/23/2022	0.1	Review email from potential expert witness
Jon	Davidson	3/23/2022	0.3	Review Scheim study
Jon	Davidson	3/23/2022	0.2	Email co-counsel re expert witnesses; review agenda for co-counsel call
Jon	Davidson	3/24/2022	0.8	Review draft proof chart and research proof charts
Jon	Davidson	3/24/2022	1	Co-counsel call re experts, proof chart, clients
Jon	Davidson	3/24/2022	0.1	Email ACLU attorneys and co-counsel re proof plans
Jon	Davidson	3/29/2022	0.1	Emails with Krystal Pickens and Akilah Deernose re filing notice of appearance
Jon	Davidson	3/31/2022	0.1	Email co-counsel re proof plan
Jon	Davidson	4/4/2022	0.9	Prepare for and conduct call with potential expert witness
Jon	Davidson	4/5/2022	0.1	Review email from Akilah Deernose re co-counsel meetings and respond
Jon	Davidson	4/5/2022	0.2	Call with Arli Christian re potential expert witnesses
Jon	Davidson	4/7/2022	0.1	Call with Akilah Deernose re potential expert witness
Jon	Davidson	4/8/2022	1	Co-counsel call re status update, discovery and expert witnesses
Jon	Davidson	4/8/2022	0.5	Email ACLU LGBTQ & HIV Project lawyers re potential expert witnesses
Jon	Davidson	4/11/2022	0.5	Call with potential expert witness and email Akilah Deernose re call
Jon	Davidson	4/12/2022	0.2	Draft emails to potential expert witnesses
Jon	Davidson	4/12/2022	0.2	Review email from Ayden Scheim and prior declaration from him and email co-counsel re him
Jon	Davidson	4/13/2022	0.1	Email Ayden Scheim
Jon	Davidson	4/18/2022	0.4	Read D.T. v. Christ decision and email co-counsel re it
Jon	Davidson	4/20/2022	0.2	Emails with Thomas Hecht and Akilah Deernose re Ayden Scheim and proof plan
Jon	Davidson	4/21/2022	0.5	Review decision granting preliminary injunction and denying motions to dismiss and email James Esseks re it
Jon	Davidson	4/21/2022	0.2	Emails with co-counsel re decision and meeting to discuss next steps
Jon	Davidson	4/21/2022	0.1	Email Thomas Hecht re Dr. Ayden Scheim

Jon	Davidson	4/21/2022	1	Review writings by Dr. Ayden Scheim and prepare for call with him
Jon	Davidson	4/22/2022	0.6	Compare court's findings of fact and conclusions of law to plaintiffs' proposed findings and research whether such findings bind later proceedings
Jon	Davidson	4/22/2022	1	Interview Dr. Ayden Scheim
Jon	Davidson	4/22/2022	1	Call with co-counsel and email with Malita Picasso re next steps
Jon	Davidson	5/2/2022	2	Draft declaration in support of pro hac vice motion; review Montana rules of civil procedure and professional conduct; review motion; email co-counsel (.7) and call with Akilah Deernose re motion and declaration in support (1.3)
Jon	Davidson	5/2/2022	0.2	Call with Taylor Brown re Dr. Loren Schechter
Jon	Davidson	5/3/2022	2	Emails with Dr. Loren Schechter, Dr. Ayden Scheim, and co-counsel re expert witness arrangements
Jon	Davidson	5/4/2022	1.3	Review and edit pro hac vice motion and declarations in support and email co-counsel
Jon	Davidson	5/5/2022	0.7	Interview Dr. Loren Schechter and email co-counsel regarding interview
Jon	Davidson	5/5/2022	0.1	Email Tara Borelli re Dr. Loren Schechter and obtaining prior declarations from and transcripts of depositions of him
Jon	Davidson	5/6/2022	0.1	Forward declarations of Dr. Loren Schechter and transcripts of depositions of him to-counsel; further email to Tara Borelli
Jon	Davidson	5/6/2022	1	Call with co-counsel re next steps
Jon	Davidson	5/6/2022	0.2	Review and edit revised motion and declarations in support of pro hac vice motion and email co-counsel re them
Jon	Davidson	5/6/2022	1.1	Draft Dr. Ayden Scheim expert engagement letter and email to him
Jon	Davidson	5/9/2022	0.3	Revise Dr. Ayden Scheim expert engagement letter and email Thomas Hecht re it
Jon	Davidson	5/9/2022	0.2	Review order granting pro hac vice and defendants' answer
Jon	Davidson	5/9/2022	0.2	Draft Dr. Loren Schechter expert engagement letter and email to him
Jon	Davidson	5/10/2022	0.4	Call with Dr. Loren Schechter re declaration from him
Jon	Davidson	5/10/2022	1	Draft shell declaration form for Dr. Loren Schechter

Jon	Davidson	5/10/2022	0.2	Emails with co-counsel re Dr. Loren Schechter declaration
Jon	Davidson	5/11/2022	0.3	Call with Malita Picasso re case developments
Jon	Davidson	5/12/2022	0.1	Email Dr. Loren Schechter
Jon	Davidson	5/12/2022	0.2	Email co-counsel re Arli Christian joining future team calls
Jon	Davidson	5/12/2022	0.1	Email potential expert witness
Jon	Davidson	5/13/2022	1	Call with co-counsel re next steps
Jon	Davidson	5/13/2022	0.2	Emails re potentially amending complaint again
Jon	Davidson	5/13/2022	0.1	Send executed expert engagement letters to co-counsel
Jon	Davidson	5/13/2022	0.4	Review and respond to emails re avoiding mootness
Jon	Davidson	5/16/2022	0.1	Email Arli Christian re potential additional expert
Jon	Davidson	5/16/2022	0.2	Draft expert engagement letter for Dr. Bruce Cochran and email to Akilah Deernose re it
Jon	Davidson	5/17/2022	0.1	Email Arli Christian re setting up calls with potential additional expert
Jon	Davidson	5/17/2022	0.2	Review Malita Picasso's comparison of amended complaint, answer, and defendants' proposed findings of fact and conclusions of law
Jon	Davidson	5/18/2022	0.1	Call with Dr. Ayden Schein
Jon	Davidson	5/18/2022	0.5	Draft shell for declaration of Dr. Ayden Schein and email it to him
Jon	Davidson	5/18/2022	0.4	Draft shell for declaration of Dr. Bryan Cochran and email it to Akilah Deernose
Jon	Davidson	5/18/2022	0.1	Review email from Arli Christian re statistical use of birth certificate information and respond
Jon	Davidson	5/20/2022	1.1	Research potential additional experts and email co-counsel re results of research
Jon	Davidson	5/20/2022	0.2	Review Jessica Clark New England Journal of Medicine article and email Arli Christian re vital statistics issues
Jon	Davidson	5/20/2022	0.4	Compile model class certification motions and email to co-counsel
Jon	Davidson	5/23/2022	0.2	Review Notice of Adoption of Temporary Emergency Rule re amended birth certificates and email co-counsel
Jon	Davidson	5/23/2022	0.8	Research preliminary injunction reverting to status quo and mandatory injunctions and email research results to co-counsel

Jon	Davidson	5/25/2022	0.1	Review Akilah Deernose trial scheduling form responses and email co-counsel re estimated trial length
Jon	Davidson	5/26/2022	0.1	Call from Dr. Loren Schechter re his declaration
Jon	Davidson	5/26/2022	0.3	Reformat Dr. Loren Schechter's declaration
Jon	Davidson	5/26/2022	0.1	Email co-counsel re scheduling conference
Jon	Davidson	5/26/2022	0.5	Call with Prof. Jessica Clarke re vital statistics
Jon	Davidson	5/26/2022	0.2	Attend scheduling conference remotely
Jon	Davidson	5/26/2022	0.1	Email co-counsel regarding potential additional expert witness
Jon	Davidson	5/31/2022	0.3	Review NAPHSIS vital statistics documents
Jon	Davidson	5/31/2022	0.6	Review draft declaration of Dr. Ayden Scheim and email Dr. Scheim
Jon	Davidson	5/31/2022	0.1	Email co-counsel draft declarations of Dr. Loren Schechter and Dr. Ayden Scheim
Jon	Davidson	5/31/2022	0.3	Zoom with Isabelle Heron of National Center for Health Statistics
Jon	Davidson	6/3/2022	0.1	Email Dr. Ayden Schein
Jon	Davidson	6/7/2022	0.1	Emails with Akilah Lane re Dr. Bryan Cochran
Jon	Davidson	6/8/2022	0.3	Review draft declaration of Dr. Bryan Cochran
Jon	Davidson	6/8/2022	0.6	Call with Dr. Bryan Cochran and Akilah Deernose
Jon	Davidson	6/9/2022	0.3	Review Dr. Loren Schechter's declaration and prepare for call with him
Jon	Davidson	6/9/2022	0.3	Call with Dr. Loren Schechter
Jon	Davidson	6/9/2022	1.1	Make non-substantive edits to declaration of Dr. Loren Schechter and indicate changes to be made to conform to phone consultation
Jon	Davidson	6/13/2022	0.5	Call with Dr. Ayden Scheim re his declaration and additional original research to be conducted
Jon	Davidson	6/14/2022	0.2	Review Dr. Bryan Cochran's edits to his declaration and email Akilah Deernose re finalization of the declaration
Jon	Davidson	6/14/2022	0.2	Emails with co-counsel re public hearing on administrative rule change
Jon	Davidson	6/15/2022	0.1	Emails with Akilah Deernose re Dr. Bryan Cochran declaration
Jon	Davidson	6/15/2022	0.5	Review revised declaration of Dr. Loren Schechter and accept changes, send to co-counsel, and email Dr. Schechter
Jon	Davidson	6/17/2022	1	Email co-counsel re response to new proposed regulation
Jon	Davidson	6/24/2022	0.1	Email co-counsel re response to proposed regulation

Jon	Davidson	6/24/2022	0.1	Review final version of declaration of Dr. Ayden Scheim and email him
Jon	Davidson	6/27/2022	0.1	Email Dr. Ayden Scheim re payment of invoice
Jon	Davidson	6/27/2022	0.1	Email Dr. Loren Schechter
Jon	Davidson	6/29/2022	0.2	Call with Dr. Loren Schechter re finalization of his declaration and arrange for payment of his invoice
Jon	Davidson	6/29/2022	0.1	Emails with Akilah Deernose re letter to Montana Department of Public Health and Human Services
Jon	Davidson	6/29/2022	0.3	Call with Dr. Bryan Cochran and Akilah Deernose re finalization of his declaration
Jon	Davidson	7/6/2022	0.1	Review revised declaration of Dr. Bryan Cochran and email Akilah Deernose
Jon	Davidson	7/8/2022	1	Call with co-counsel re second amended complaint, motion for leave to file, experts, motion for class certification, and motion for summary judgment plans
Jon	Davidson	7/8/2022	0.1	Email co-counsel re sex and gender
Jon	Davidson	7/9/2022	2.2	Review and edit draft second amended complaint
Jon	Davidson	7/11/2022	0.7	Review and begin editing motion for class certification
Jon	Davidson	7/12/2022	3.3	Further editing of motion for class certification and email co-counsel
Jon	Davidson	7/15/2022	0.1	Email Akilah Deernose re potential additional expert
Jon	Davidson	7/20/2022	0.3	Emails with Akilah Deernose re potential additional experts
Jon	Davidson	7/21/2022	0.1	Review edits to motion for class certification and edit further
Jon	Davidson	7/25/2022	0.1	Review further revised declaration of Dr. Bryan Cochran
Jon	Davidson	8/3/2022	0.6	Call with co-counsel re status of documents requiring drafting and editing related to class certification and amendment of complaint
Jon	Davidson	8/3/2022	0.2	Review motion for leave to file second amended complaint and order and email edits
Jon	Davidson	9/19/2022	0.1	Email co-counsel re revising amended complaint and finalizing motion for class certification
Jon	Davidson	9/20/2022	0.1	Email co-counsel re 8th version of WPATH Standards of Care
Jon	Davidson	9/21/2022	0.8	Call with Malita Picasso and email co-counsel re moving for summary judgment

Jon	Davidson	9/22/2022	0.7	Call with co-counsel re next steps
Jon	Davidson	9/23/2022	0.3	Review expert witness declarations re 8th version of WPATH Standards of Care and necessary amendments and email co-counsel
Jon	Davidson	9/23/2022	0.4	Research writ of supervisory control and email co-counsel
Jon	Davidson	9/27/2022	0.3	Review memo re constitutional avoidance and email co-counsel
Jon	Davidson	9/28/2022	0.7	Call with co-counsel re next steps
Jon	Davidson	9/29/2022	0.2	Review Montana Supreme Court order and email co-counsel re response
Jon	Davidson	10/3/2022	0.6	Call with co-counsel re summary response to motion for writ of supervisory control
Jon	Davidson	10/6/2022	0.5	Call with Dr. Loren Schechter re revision of declaration
Jon	Davidson	10/11/2022	1.3	Review and edit motion for leave to file amended complaint and second amended complaint
Jon	Davidson	10/12/2022	1.1	Review and edit summary response to motion for writ of supervisory control
Jon	Davidson	10/13/2022	0.1	Email co-counsel re: summary response to motion for writ of supervisory control
Jon	Davidson	10/16/2022	0.7	Review and edit revised summary response to motion for writ of supervisory control
Jon	Davidson	10/17/2022	0.1	Review and edit further revised summary response to motion for writ of supervisory control
Jon	Davidson	10/18/2022	0.2	Emails with Akilah Deernose re summary response to motion for writ of supervisory control
Jon	Davidson	10/21/2022	0.8	Review and edit revised motion for class certification and email co-counsel
Jon	Davidson	10/24/2022	0.3	Email co-counsel re motion for class certification and motion for leave to amend complaint
Jon	Davidson	10/25/2022	0.1	Emails with co-counsel re motion for leave to amend complaint
Jon	Davidson	10/25/2022	0.1	Review and edit revised motion for leave to amend complaint
Jon	Davidson	10/26/2022	1.2	Further edit second amended complaint, motion for leave to file, and motion for class certification and email co-counsel
Jon	Davidson	11/3/2022	0.1	Emails re provision of updated birth certificate to transgender individual
Jon	Davidson	11/7/2022	0.1	Emails re defendants' request for extension to respond to motions

Jon	Davidson	12/6/2022	0.8	Review and edit first discovery request to defendants and email co-counsel
Jon	Davidson	12/9/2022	0.1	Emails re grant of unopposed motion of time to respond to motions
Jon	Davidson	12/20/2023	0.5	Team call re: R60
Jon	Davidson	12/21/2022	0.2	Review revised discovery requests and email co-counsel
Jon	Davidson	1/2/2023	0.3	Review and edit reply brief in support of motion for leave to amend complaint
Jon	Davidson	1/3/2023	0.1	Email Akilah Deernose re edits to reply brief in support of motion for leave to amend complaint
Jon	Davidson	1/3/2023	0.1	Email Akilah Deernose re granting state extension to respond to discovery
Jon	Davidson	1/7/2023	0.6	Edit further revised reply brief in support of motion for leave to amend complaint and email co-counsel
Jon	Davidson	1/7/2023	0.1	Review Seth Horvath's edits to reply briefs
Jon	Davidson	1/10/2023	0.5	Review and analyze Montana Supreme Court writ of supervisory control order and emails with co-counsel regarding it
Jon	Davidson	1/10/2023	0.1	Review email from Akilah Deernose re DPHHS intent to enforce 2022 Rule and email team in response
Jon	Davidson	1/11/2023	0.6	Review email from Akilah Deernose and Notice of Supplemental Authority; research MAPA; email team about research
Jon	Davidson	1/12/2023	0.9	Call with co-counsel re responding to Supreme Court writ order and notice of supplemental authority
Jon	Davidson	1/13/2023	0.3	Review and edit statement re notice of supplemental authority
Jon	Davidson	1/13/2023	0.2	Emails with team regarding statement re notice of supplemental authority and moving to enforce preliminary injunction
Jon	Davidson	1/13/2023	0.1	Review final version of statement re notice of supplemental authority and email team further removing to enforce preliminary injunction
Jon	Davidson	1/22/2023	0.2	Analyze upcoming deadlines and email co-counsel re these and re experts
Jon	Davidson	1/27/2023	0.2	Emails with K.M. Bell re possible law enforcement expert and email co-counsel
Jon	Davidson	1/30/2023	0.1	Emails with K.M. Bell and Diane Goldstein re law enforcement expert
Jon	Davidson	1/30/2023	0.2	Email Loren Schechter about further updating his declaration

Jon	Davidson	1/30/2023	0.5	Emails re expert disclosure requirements and email Dr. Ayden Scheim re whether his declaration needs to be updated
Jon	Davidson	2/1/2023	0.1	Emails re status of expert declaration efforts
Jon	Davidson	2/6/2023	0.1	Email Dr. Loren Schechter re updating his expert declaration
Jon	Davidson	2/7/2023	0.2	Email Dr. Randi Ettner re updating her declaration
Jon	Davidson	2/7/2023	3.3	Make suggested edits to revise Dr. Ettner's expert declaration and email it to her
Jon	Davidson	2/8/2023	1	Email co-counsel re status of updating expert declarations
Jon	Davidson	2/8/2023	0.7	Revise Dr. Ettner and Dr. Schechter declarations; review edits to Scheim declaration; email Akilah Deernose re expert witness disclosure statement
Jon	Davidson	2/9/2023	1.1	Finalize declarations of Dr. Schechter, Dr. Scheim, and Dr. Ettner and send them to them for signature
Jon	Davidson	2/10/2023	0.1	Email Akilah Deernose Dr. Ettner and Dr. Schechter revised declarations, signature pages, CVs, and bibliographies
Jon	Davidson	2/10/2023	0.1	Email Akilah Deernose Dr. Scheim expert declaration, signature page, and CV
Jon	Davidson	2/13/2023	0.1	Research rebuttal expert deadline and email Akilah Deernose
Jon	Davidson	2/13/2023	0.2	Review and edit expert disclosures
Jon	Davidson	2/14/2023	0.2	Emails with Akilah Deernose re plaintiffs' expert disclosures and review and edit further revised version
Jon	Davidson	2/14/2023	0.1	Email Mariama Taifu-Seitu re potential rebuttal law enforcement expert
Jon	Davidson	2/21/2023	0.3	Review and email co-counsel re defendants' response to document requests
Jon	Davidson	2/22/2023	0.2	Zoom call with Akilah Deernose re defendants' discovery responses and upcoming case deadlines
Jon	Davidson	2/22/2023	0.3	Begin reviewing produced documents
Jon	Davidson	2/22/2023	0.3	Review and edit draft stipulated protective order
Jon	Davidson	2/27/2023	1	Call with co-counsel re depositions of clients and defendants' discovery responses
Jon	Davidson	3/1/2023	1	Emails with co-counsel re protective order, depositions, and discovery responses
Jon	Davidson	3/1/2023	0.6	Review defendants' document request responses again and draft list of deficiencies and email to co-counsel

Jon	Davidson	3/2/2023	0.2	Review orders denying motions for leave to amend complaint and for class certification and emails with team
Jon	Davidson	3/3/2023	1	Zoom call with co-counsel re case plans and discovery response deficiencies
Jon	Davidson	3/3/2023	0.2	Emails with Arli Christian and co-counsel re law enforcement experts
Jon	Davidson	3/9/2023	0.7	Call with co-counsel re defendants' production, depositions, and moving for summary judgment
Jon	Davidson	3/9/2023	0.1	Review email from Akilah Deernose re meeting with opposing counsel and respond
Jon	Davidson	3/10/2023	1	Review additionally produced documents and email co-counsel about them and depositions to take
Jon	Davidson	3/14/2023	2.3	Review and edit brief in support motion for summary judgment
Jon	Davidson	3/14/2023	4.2	Further edit brief in support of motion for summary judgment and email co-counsel
Jon	Davidson	3/15/2023	0.7	Call with co-counsel re summary judgment motion, discovery, and status conference
Jon	Davidson	3/16/2023	0.1	Emails with co-counsel re final edits to summary judgment motion
Jon	Davidson	3/20/2023	0.1	Email co-counsel re summary judgment brief filing
Jon	Davidson	3/21/2023	0.1	Review experts witness disclosures and emails with co-counsel
Jon	Davidson	3/22/2023	0.5	Attend scheduling conference with Judge Moses' clerk (.3) and call with co-counsel re scheduling and expert issues (.2)
Jon	Davidson	3/27/2023	0.1	Review email from Alex Rate re call with Thane Johnson and respond
Jon	Davidson	3/28/2023	0.2	Review emails re motions to vacate scheduling order and have all motions heard June 1 and edit
Jon	Davidson	3/29/2023	0.1	Review emails re court orders and email co-counsel
Jon	Davidson	4/12/2023	0.75	Call with co-counsel re reply to response to summary judgment motion and outstanding discovery
Jon	Davidson	4/19/2023	0.1	Email with Malita Picasso re summary judgment argument; email team re reviewing summary judgment reply
Jon	Davidson	4/19/2023	0.8	Edit summary judgment reply
Jon	Davidson	4/20/2023	0.1	Review revised summary judgment reply and email co-counsel

Jon	Davidson	4/21/2023	0.1	Review further revised summary judgment reply and email co-counsel
Jon	Davidson	4/26/2023	0.1	Email co-counsel re MSJ moots
Jon	Davidson	5/8/2023	0.3	Call with Malita Picasso re summary judgment oral argument
Jon	Davidson	6/12/2023	0.1	Email co-counsel re fees issue
Jon	Davidson	6/27/2023	0.3	Email co-counsel re Tennessee birth control decision and next steps
Jon	Davidson	6/28/2023	0.6	Meeting with co-counsel re fees issues
Jon	Davidson	7/11/2023	0.1	Email expert witnesses re conclusion of case
Jon	Davidson	7/19/2023	0.5	Call with co-counsel re fees and related issues
Jon	Davidson	7/20/2023	0.1	Emails with co-counsel re newly assigned judge
Jon	Davidson	7/31/2023	0.1	Emails with co-counsel re clients getting new birth certificates
Jon	Davidson	8/2/2023	0.5	Call with co-counsel re next steps
Jon	Davidson	8/2/2023	0.3	Call with Malita Picasso re staffing of case
Jon	Davidson	8/2/2023	0.3	Research re related case rules
Jon	Davidson	8/7/2023	0.1	Review brief in support of objection to claim for attorneys' fees and emails with co-counsel regarding the objection
Jon	Davidson	8/8/2023	0.3	Further research re related case rules and email co-counsel
Jon	Davidson	8/11/2023	0.1	Review draft stipulation to stay briefing of attorneys' fees
Jon	Davidson	8/14/2023	0.1	Review stipulation and proposed order and email co-counsel
Jon	Davidson	8/15/2023	0.1	Review email from Judge Davies' assistant, email co-counsel, and review proposed response
Jon	Davidson	8/16/2023	0.1	Review email from co-counsel re segregation of attorneys' fees claims
Jon	Davidson	8/16/2023	0.5	Team call
Jon	Davidson	8/23/2023	0.6	Review defendants' motion for reconsideration and emails with co-counsel regarding it
Jon	Davidson	9/5/2023	0.2	Review drafts of sections of opposition to motion for reconsideration and emails with co-counsel
Jon	Davidson	9/6/2023	0.5	Review transcript of contempt hearing argument and email co-counsel re opposition to motion for reconsideration
Jon	Davidson	9/11/2023	5.2	Research and draft section of opposition to Defendants' Rule 60 motion
Jon	Davidson	9/12/2023	2.3	Continue to research and draft section of opposition to Defendants' Rule 60 motion

Jon	Davidson	9/13/2023	0.5	Call with co-counsel re opposition to Defendants' Rule 60 motion
Jon	Davidson	9/14/2023	0.1	Emails re cite-checking of brief
Jon	Davidson	9/15/2023	0.1	Further email re cite-checking of brief
Jon	Davidson	9/18/2023	3.8	Edit revised opposition to Rule 60 motion and email co-counsel
Jon	Davidson	9/20/2023	1.1	Finalize opposition to Rule 60 motion and email co-counsel
Jon	Davidson	9/27/2023	0.3	Call with co-counsel re next steps in the litigation
Jon	Davidson	10/3/2023	0.1	Emails with co-counsel re opposition counsel's request for extension of reply brief deadline and Rule 60(b) ruling deadline
Jon	Davidson	10/22/2023	0.3	Review reply to opposition to Rule 60 motion
Jon	Davidson	12/11/2023	0.1	Emails with co-counsel re second notice of submittal
Jon	Davidson	12/20/2023	0.4	Call with co-counsel re next steps after ruling on Rule 60 motion
Jon	Davidson	1/3/2024	0.3	Call with co-counsel re next steps
Jon	Davidson	1/16/2024	0.8	Research appealability of Rule 60(b) motion and fee awards rulings
Jon	Davidson	1/17/2024	0.3	Call with co-counsel re appeal of denial of Rule 60(B) motion and possible violation of permanent injunction
Jon	Davidson	1/25/2024	0.1	Review Rule 54(b) and stay motion draft and email co-counsel
Jon	Davidson	1/26/2024	0.1	Review revised stipulation re Rule 54(b) motion and stay of attorneys' fees determination and email Alex Rate
Jon	Davidson	2/1/2024	0.1	Draft proposed letter to opposing counsel re Department of Vital Statistics requiring court order and holding birth certificate sex marker change requests
Jon	Davidson	2/6/2024	0.1	Review and edit proposed stipulation and order staying attorneys' fees motion and email co-counsel
Jon	Davidson	2/14/2024	0.1	Email co-counsel re stipulation for stay and Rule 54(b) motion
Jon	Davidson	2/23/2024	0.1	Email co-counsel re filing brief in response to Rule 54(b) motion
Jon	Davidson	2/27/2024	3.4	Draft response to defendants' Rule 54(b) motion and email co-counsel
Jon	Davidson	2/28/2024	1	Call with co-counsel re response to Rule 54(b) motion
Jon	Davidson	3/22/2024	0.1	Review order granting stipulated Rule 54(b) motion

Jon	Davidson	5/29/2024	0.1	Review Rule 4(b) of Montana Rules of App. Proc. And email co-counsel
Jon	Davidson	6/14/2024	0.2	Emails with co-counsel re defendants' appeal
TOTAL =		x550	137.25	\$75,487.50
KRYSTEL PICKENS				
Krystal	Pickens	4/15/2021	0.1	Process correspondence from potential plaintiff
Krystal	Pickens	4/20/2021	0.1	Correspond with potential plaintiff
Krystal	Pickens	4/29/2021	0.1	Correspond with internal team re: plaintiff outreach
Krystal	Pickens	5/6/2021	1.5	Draft initial filing docs and phv docs
Krystal	Pickens	5/11/2021	0.4	Correspond with Amanda and Chris re: PHV
Krystal	Pickens	5/14/2021	0.1	Correspond with potential plaintiff
Krystal	Pickens	5/14/2021	0.2	Correspond with Amanda and Chris re: PHV
Krystal	Pickens	5/14/2021	0.1	Correspond with potential plaintiff
Krystal	Pickens	5/14/2021	0.1	Correspond with potential plaintiff
Krystal	Pickens	5/17/2021	0.1	Correspond with potential plaintiff
Krystal	Pickens	5/17/2021	0.5	Potential Plaintiff call
Krystal	Pickens	5/20/2021	0.2	Correspond with potential plaintiff
Krystal	Pickens	6/2/2021	0.1	Correspond re: client retainer agreement
Krystal	Pickens	6/12/2021	0.3	Draft client retainer agreement
Krystal	Pickens	6/14/2021	0.1	Correspond with Amanda and Chris re: PHV
Krystal	Pickens	6/15/2021	0.1	Correspond with Amanda - NP regarding PHV
Krystal	Pickens	6/22/2021	1.5	Team call
Krystal	Pickens	6/29/2021	0.2	Review and circulate retainer agreement
Krystal	Pickens	7/1/2021	0.2	Review and circulate initial filing docs and outline of steps
Krystal	Pickens	7/12/2021	0.2	Incorporate edits into retainer agreements
Krystal	Pickens	7/13/2021	0.1	Circulate pleadings drafts to the team
Krystal	Pickens	7/15/2021	0.1	Finalize the summonses
Krystal	Pickens	7/16/2021	0.5	Spoke with clerk and filed complaint and initial pleadings
Krystal	Pickens	7/19/2021	0.5	Spoke with clerk and process PI material
Krystal	Pickens	7/21/2021	0.2	File Motion for over length brief
Krystal	Pickens	7/23/2021	0.2	File BIS of PI
Krystal	Pickens	7/28/2021	1.25	Prepare and drop off documents to the process server
Krystal	Pickens	7/28/2021	0.1	Correspond with support staff about pleadings
Krystal	Pickens	7/30/2021	0.5	Review and file PO
Krystal	Pickens	8/10/2021	0.75	Review and file NOF
Krystal	Pickens	8/17/2021	0.2	Save and organize pleadings file
Krystal	Pickens	8/26/2021	0.1	Save and organize pleadings file
Krystal	Pickens	8/26/2021	0.2	File Motion for extension of time
Krystal	Pickens	9/20/2021	0.5	Team meeting
Krystal	Pickens	9/23/2021	0.2	Save and organize pleadings file

Krystal	Pickens	10/1/2021	0.1	Save and organize pleadings file
Krystal	Pickens	10/15/2021	0.1	Save and organize pleadings file
Krystal	Pickens	10/28/2021	0.1	Save and organize pleadings file
Krystal	Pickens	11/2/2021	0.1	Save and organize pleadings file
Krystal	Pickens	11/3/2021	0.1	Save and organize pleadings file
Krystal	Pickens	11/10/2021	0.6	Team meeting
Krystal	Pickens	12/3/2021	0.5	Finalize and filing Motion and supporting docs.
Krystal	Pickens	12/14/2021	0.1	Save and organize pleadings file
Krystal	Pickens	12/22/2021	1.2	PI hearing
Krystal	Pickens	1/5/2022	0.4	Team call to debrief PI hearing and next steps
Krystal	Pickens	1/28/2022	0.2	Save and organize pleadings file
Krystal	Pickens	2/1/2022	0.1	Save and organize pleadings file
Krystal	Pickens	2/4/2022	0.1	Save and organize pleadings file
Krystal	Pickens	2/11/2022	0.1	Save and organize pleadings file
Krystal	Pickens	2/18/2022	0.1	Save and organize pleadings file
Krystal	Pickens	2/23/2022	0.1	Save and organize pleadings file
Krystal	Pickens	3/4/2022	0.2	Save and organize pleadings file
Krystal	Pickens	3/11/2022	0.5	Team call
Krystal	Pickens	3/29/2022	0.2	Pull and review Davidson PHV
Krystal	Pickens	4/8/2022	1	Team call - status, discovery and expert wits.
Krystal	Pickens	4/11/2022	0.5	Call with potential witness
Krystal	Pickens	4/12/2022	1.20	Team call with Nick Domitrovich
Krystal	Pickens	4/21/2022	0.1	Save and organize pleadings file
Krystal	Pickens	4/25/2022	0.5	Draft and circulate PHV motion and docs
Krystal	Pickens	4/26/2022	0.5	review and edit PHV material
Krystal	Pickens	5/3/2022	0.1	Email NP regarding PHV
Krystal	Pickens	5/4/2022	0.3	Edit PHV motion and supporting docs
Krystal	Pickens	5/6/2022	0.3	Edit PHV motion and supporting docs
Krystal	Pickens	5/6/2022	1	Team call re: discovery
Krystal	Pickens	5/9/2022	0.2	Finalize and filing Motion and supporting docs.
Krystal	Pickens	5/9/2022	0.3	Save and organize pleadings file
Krystal	Pickens	6/7/2022	1.2	Review, edit, and file Motion to Clarify
Krystal	Pickens	6/21/2022	0.1	Save and organize pleadings file
Krystal	Pickens	6/21/2022	0.1	Process, circulate Ds' resp to Motion to clarify
Krystal	Pickens	6/28/2022	0.5	Team call
Krystal	Pickens	6/30/2022	2.75	Emergency rule hearing
Krystal	Pickens	7/6/2022	0.1	Save Ps' reply brief MtC
Krystal	Pickens	7/8/2022	0.5	File and circulate Notice of Sub.
Krystal	Pickens	7/8/2022	0.7	Draft, file Notice of Submittal
Krystal	Pickens	9/7/2022	0.1	Request and circulate hearing information
Krystal	Pickens	9/7/2022	0.5	Research and book lodging for hearing
Krystal	Pickens	9/15/2022	1.2	Hearing - mot. to clarify
Krystal	Pickens	9/15/2022	0.1	Circulate hearing debrief info.

Krystal	Pickens	9/22/2022	0.7	Team meeting - amend. Com.
Krystal	Pickens	9/28/2022	0.7	Team meeting - writ
Krystal	Pickens	9/29/2022	0.1	Calendar deadlines
Krystal	Pickens	10/16/2022	0.6	Draft and review append.
Krystal	Pickens	10/16/2022	0.5	Pull append.
Krystal	Pickens	10/16/2022	0.5	Review motions and provide edits
Krystal	Pickens	10/17/2022	1.7	Cite check and start finalizing
Krystal	Pickens	10/26/2022	3.25	Review drafts and cite check
Krystal	Pickens	10/28/2022	0.7	Review, finalize and file pleadings
Krystal	Pickens	11/10/2022	0.1	Calendar deadlines
Krystal	Pickens	11/14/2022	0.6	Draft Notice of change of contact info
Krystal	Pickens	11/21/2022	0.1	Update team meeting info and calendar deadlines
Krystal	Pickens	11/21/2022	0.3	File Notice of Contact
Krystal	Pickens	12/5/2022	0.2	Process Ds pleadings and circulate to team
Krystal	Pickens	12/7/2022	0.6	Team meeting
Krystal	Pickens	12/15/2022	0.8	Draft and file Mot. of Ext.
Krystal	Pickens	12/19/2022	0.1	Reach out to court regarding filing
Krystal	Pickens	12/19/2022	0.2	Process Order and update calendar deadline. Circulate to team
Krystal	Pickens	12/20/2022	0.1	Update calendar deadlines
Krystal	Pickens	1/23/2023	0.6	Assist co-counsel with access to docket
Krystal	Pickens	1/26/2023	0.1	Update calendar deadlines
Krystal	Pickens	1/31/2023	0.1	Email court
Krystal	Pickens	2/6/2023	1.7	Prepare for discovery responses and draft deadline/ discovery spreadsheet
Krystal	Pickens	2/14/2023	1	Review, finalize and file pleadings
Krystal	Pickens	3/2/2023	0.2	Save and organize pleadings file
Krystal	Pickens	3/8/2023	0.2	Save and organize pleadings file; calendar deadlines
Krystal	Pickens	3/20/2023	1	Review and prepare pleadings for filing
Krystal	Pickens	3/28/2023	0.4	Save and organize pleadings
Krystal	Pickens	3/29/2023	0.3	Save and organize pleadings; update calendar deadlines
Krystal	Pickens	4/24/2023	1.2	Review, finalize and file pleadings
Krystal	Pickens	6/26/2023	0.1	Process Order
Krystal	Pickens	6/28/2023	0.1	Update calendar deadlines
Krystal	Pickens	7/6/2023	0.1	Email co-counsel paralegals regarding case costs
Krystal	Pickens	7/11/2023	0.1	Process Notice of Assumption
Krystal	Pickens	7/20/2023	0.2	Process pleadings
Krystal	Pickens	7/21/2023	0.1	Process Notice
Krystal	Pickens	7/24/2023	0.1	Process pleadings
Krystal	Pickens	7/25/2023	0.25	Process pleading and update calendar deadlines
Krystal	Pickens	7/26/2023	0.1	Process pleading
Krystal	Pickens	7/27/2023	0.2	Process pleadings

Krystal	Pickens	8/7/2023	0.2	Process pleadings
Krystal	Pickens	8/9/2023	0.1	Update calendar deadlines
Krystal	Pickens	8/14/2023	0.6	Draft stip PO
Krystal	Pickens	8/16/2023	0.5	Team call
Krystal	Pickens	8/16/2023	0.2	E-file pleadings
Krystal	Pickens	8/16/2023	0.1	Save pleadings and email team
Krystal	Pickens	8/18/2023	0.1	Process Order
Krystal	Pickens	8/25/2023	0.5	Process and review pleadings
Krystal	Pickens	8/30/2023	0.5	Team call to debrief PI hearing and next steps
Krystal	Pickens	9/5/2023	0.1	Update calendar deadlines
Krystal	Pickens	9/7/2023	0.1	Review email from co-counsel
Krystal	Pickens	9/13/2023	0.5	Team check -in
Krystal	Pickens	9/22/2023	0.6	Organize and file pleading. Organize case file
Krystal	Pickens	9/27/2023	0.2	Mail pleading to the court and confirm via email
Krystal	Pickens	10/6/2023	0.3	Process pleadings from 5th and 6th
Krystal	Pickens	10/16/2023	0.4	Draft NOA
Krystal	Pickens	10/19/2023	0.2	File NOA
Krystal	Pickens	10/19/2023	0.1	Process Orders that were issued 10/18/23
Krystal	Pickens	10/23/2023	0.1	Process pleading
Krystal	Pickens	10/24/2023	0.1	Process pleading
Krystal	Pickens	12/7/2023	0.1	Email T. Hecht
Krystal	Pickens	12/12/2023	0.1	Process pleading
Krystal	Pickens	12/14/2023	0.1	Voicemail re: birth certificate request
Krystal	Pickens	12/20/2023	0.5	Team call
Krystal	Pickens	1/31/2024	0.3	Send and review email correspondence regarding denial of BCs
Krystal	Pickens	2/1/2024	1.2	Call re: BCs
Krystal	Pickens	2/6/2024	0.1	Process pleadings
Krystal	Pickens	2/23/2024	0.2	Process pleadings
Krystal	Pickens	2/28/2024	0.6	File Pleading (.5). Organize and update calendar deadline (.1)
Krystal	Pickens	3/11/2024	0.1	Process pleading
Krystal	Pickens	3/22/2024	0.1	Process pleading and update calendar
Krystal	Pickens	5/20/2024	0.1	Process pleading
Krystal	Pickens	5/29/2024	0.1	Process pleading
Krystal	Pickens	7/8/2024	2.6	Organize and format material for fee petition
TOTAL =		x125	62.05	\$7,756.25
MALITA PICASSO				
Malita	Picasso	1/28/2022	1.20	Marquez: PHV application
Malita	Picasso	1/28/2022	2.40	Marquez: PHV application
Malita	Picasso	1/31/2022	0.80	Marquez: MTD Briefing
Malita	Picasso	1/31/2022	0.10	Marquez: MTD Briefing
Malita	Picasso	1/31/2022	2.00	Marquez: MTD Briefing
Malita	Picasso	1/31/2022	2.50	Marquez: MTD Briefing

Malita	Picasso	2/1/2022	0.50	Marquez: Team Meeting
Malita	Picasso	3/3/2022	2.20	Marquez: Cite Checking Findings of Fact and Conclusions of Law
Malita	Picasso	3/3/2022	4.00	Marquez: Cite Checking Findings of Fact and Conclusions of Law
Malita	Picasso	3/14/2022	0.70	Marquez: Expert Search
Malita	Picasso	3/24/2022	1.00	Marquez: Team Meeting
Malita	Picasso	3/24/2022	0.7	Call with Akilah re: experts, clients, and witnesses
Malita	Picasso	4/8/2022	1.00	Marquez: Litigation Team Meeting
Malita	Picasso	4/11/2022	0.50	Marquez: Meeting with Hogan
Malita	Picasso	4/12/2022	1.20	Marquez: Meeting with Nick
Malita	Picasso	4/13/2022	1.00	Marquez: meeting with Plaintiff
Malita	Picasso	4/14/2022	0.60	Marquez: Emailing Sandy
Malita	Picasso	4/26/2022	1.50	Team call re: next steps
Malita	Picasso	5/11/2022	0.3	Call with JD re status update
Malita	Picasso	5/13/2022	2.70	Marquez: Briefing
Malita	Picasso	5/17/2022	2.00	Marquez: Briefing
Malita	Picasso	5/17/2022	0.70	Marquez: Briefing
Malita	Picasso	5/23/2022	1.50	Marquez: Motion for Class Certification
Malita	Picasso	5/23/2022	1.00	Marquez: Motion for Class Certification
Malita	Picasso	5/23/2022	2.20	Marquez: Motion for Class Certification
Malita	Picasso	5/24/2022	2.60	Marquez: Motion for Class Certification
Malita	Picasso	5/24/2022	0.10	Marquez: Motion for Class Certification
Malita	Picasso	5/25/2022	2	Motion to Clarify
Malita	Picasso	5/25/2022	3.4	Motion to Clarify
Malita	Picasso	5/26/2022	0.60	Marquez: Expert Search
Malita	Picasso	5/26/2022	1.4	Motion to Clarify
Malita	Picasso	5/31/2022	0.60	Marquez: Expert Search
Malita	Picasso	5/31/2022	1	Call with Tom and Akilah regarding MfC
Malita	Picasso	5/31/2022	0.4	Motion to Clarify
Malita	Picasso	5/31/2022	0.2	Motion to Clarify
Malita	Picasso	5/31/2022	0.2	Motion to Clarify
Malita	Picasso	6/1/2022	0.25	Motion to Clarify
Malita	Picasso	6/14/2022	1.40	Marquez: Proposed Rule Testimony
Malita	Picasso	6/16/2022	4.00	Marquez: Schechter Declaration
Malita	Picasso	6/17/2022	1.30	Marquez: Reviewing Expert Declarations
Malita	Picasso	6/17/2022	0.20	Marquez: Reviewing Expert Declarations
Malita	Picasso	6/21/2022	0.75	Marquez: Proposed Rule Hearing Prep.
Malita	Picasso	6/22/2022	2.30	Marquez: Class Cert Brief
Malita	Picasso	6/23/2022	0.20	Marquez: Drafting Written Comment to Proposed Rule
Malita	Picasso	6/29/2022	0.6	Motion to Clarify - Reply Brief
Malita	Picasso	7/1/2022	3.1	Motion to Clarify - Reply Brief
Malita	Picasso	7/8/2022	0.10	Marquez: Expert Exclusion Research
Malita	Picasso	7/10/2022	0.90	Marquez: Second Amended Complaint
Malita	Picasso	7/10/2022	0.20	Marquez: Second Amended Complaint

Malita	Picasso	7/10/2022	1.30	Marquez: Second Amended Complaint
Malita	Picasso	7/12/2022	0.90	Marquez: Law Enforcement Expert Meeting
Malita	Picasso	7/21/2022	0.60	Marquez: Class Certification
Malita	Picasso	7/21/2022	0.50	Marquez: Class Certification
Malita	Picasso	8/4/2022	0.8	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/4/2022	1	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/6/2022	0.5	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/15/2022	5.5	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/15/2022	0.25	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/16/2022	2.3	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/16/2022	2	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/16/2022	1.3	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/16/2022	1.2	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/24/2022	4.4	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/26/2022	0.2	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/26/2022	1.2	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/26/2022	0.6	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/29/2022	4.8	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/29/2022	2.8	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/30/2022	3	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/31/2022	1.00	Oral Argument Moot
Malita	Picasso	8/31/2022	4.5	Motion to Clarify - Oral Argument Prep
Malita	Picasso	8/31/2022	1.3	Mtn to Clarify Moot
Malita	Picasso	9/4/2022	4	Motion to Clarify - Oral Argument Prep
Malita	Picasso	9/6/2022	3	Motion to Clarify - Oral Argument Prep
Malita	Picasso	9/7/2022	3	Motion to Clarify - Oral Argument Prep
Malita	Picasso	9/8/2022	2	Motion to Clarify - Oral Argument Moot
Malita	Picasso	9/8/2022	1.7	Moot for Mtn to Clarify Hearing and meeting
Malita	Picasso	9/9/2022	1	Motion to Clarify - Oral Argument Prep
Malita	Picasso	9/10/2022	1	Motion to Clarify - Oral Argument Prep
Malita	Picasso	9/12/2022	1.5	Motion to Clarify - Oral Argument Moot
Malita	Picasso	9/14/2022	2	Motion to Clarify - Oral Argument Prep
Malita	Picasso	9/15/2022	3	Motion to Clarify - Proposed Order
Malita	Picasso	9/15/2022	1	Motion to Clarify - Hearing Debrief Proposed Order
Malita	Picasso	9/17/2022	1.8	Motion to Clarify - Proposed Order
Malita	Picasso	9/19/2022	1.1	Motion to Enforce
Malita	Picasso	9/23/2022	1.00	Marquez: 2nd Amended Complaint
Malita	Picasso	10/3/2022	3.50	Marquez: 2nd Amended Complaint
Malita	Picasso	10/3/2022	0.2	Call with Akilah to discuss 2 AC
Malita	Picasso	10/24/2022	0.10	Marquez: Class Certification
Malita	Picasso	10/24/2022	0.70	Marquez: Class Certification
Malita	Picasso	11/30/2022	1.00	Marquez: Discovery Requests
Malita	Picasso	12/5/2022	1.10	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/7/2022	0.60	Marquez: Team Meeting

Malita	Picasso	12/8/2022	1.60	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/9/2022	2.50	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/16/2022	1.50	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/16/2022	0.10	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/17/2022	2.00	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/17/2022	0.60	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/17/2022	0.90	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/21/2022	1.40	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/21/2022	0.10	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/21/2022	0.40	Marquez: litigation Meeting
Malita	Picasso	12/21/2022	2.10	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/21/2022	1.00	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/21/2022	0.10	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/22/2022	0.50	Marquez: Reply to Motion for Class Certification
Malita	Picasso	12/22/2022	0.75	Marquez: Reply to Motion for Class Certification
Malita	Picasso	1/2/2023	0.10	Marquez: Reply Brief 2nd Am. Compl
Malita	Picasso	1/2/2023	0.50	Marquez: Reply Brief 2nd Am. Compl
Malita	Picasso	1/2/2023	3.30	Marquez: Reply Brief 2nd Am. Compl
Malita	Picasso	1/4/2023	0.50	Marquez: Strategy Call
Malita	Picasso	1/10/2023	1.50	Marquez: Writ of Supervisory Control
Malita	Picasso	1/12/2023	0.10	Marquez: Writ of Supervisory Control
Malita	Picasso	1/12/2023	1.10	Marquez: Writ of Supervisory Control
Malita	Picasso	1/12/2023	1.70	Marquez: Writ of Supervisory Control
Malita	Picasso	1/12/2023	0.90	Marquez: Writ of Supervisory Control
Malita	Picasso	2/27/2023	1.00	Marquez: Discovery Discussion
Malita	Picasso	3/1/2023	1.00	Discovery: Deficiency Letter
Malita	Picasso	3/3/2023	1.00	Strategy Meeting re next steps and discovery
Malita	Picasso	3/9/2023	0.70	Team Meeting
Malita	Picasso	3/9/2023	1.10	Research: Motion for Summary Judgement
Malita	Picasso	3/10/2023	0.30	Discovery
Malita	Picasso	3/10/2023	0.20	Discovery
Malita	Picasso	3/10/2023	0.10	discovery
Malita	Picasso	3/10/2023	0.10	Discovery

Malita	Picasso	3/10/2023	0.90	Research: Motion for Summary Judgement
Malita	Picasso	3/10/2023	0.10	Research: Motion for Summary Judgement
Malita	Picasso	3/10/2023	0.30	Research: Motion for Summary Judgement
Malita	Picasso	3/11/2023	2.20	Research: Motion for Summary Judgement
Malita	Picasso	3/11/2023	1.20	Research: Motion for Summary Judgement
Malita	Picasso	3/13/2023	6.10	Research: Motion for Summary Judgement
Malita	Picasso	3/15/2023	0.70	Team Meeting
Malita	Picasso	3/22/2023	0.30	Status Conference
Malita	Picasso	4/12/2023	0.75	Team Meeting
Malita	Picasso	4/13/2023	0.60	MSJ Reply Brief
Malita	Picasso	4/13/2023	0.30	MSJ Reply Brief
Malita	Picasso	4/16/2023	2.70	MSJ Reply Brief
Malita	Picasso	4/17/2023	1.40	MSJ Reply Brief
Malita	Picasso	5/1/2023	1.30	MSJ Oral Argument Prep
Malita	Picasso	5/1/2023	2.60	MSJ Oral Argument Prep
Malita	Picasso	5/16/2023	3.70	MSJ Oral Argument
Malita	Picasso	5/24/2023	2.00	MSJ Oral Argument
Malita	Picasso	5/24/2023	3.00	MSJ Oral Argument
Malita	Picasso	5/26/2023	1.50	MSJ Oral Argument prep
Malita	Picasso	5/31/2023	1.00	MSJ Hearing Prep
TOTAL =		x350	201.75	\$70,612.50

SETH HORVATH

Seth	Horvath	6/15/2021	1.50	Telephone conference with A. Rate, A. Lane, J. Knight, and T. Hecht regarding litigation strategy. Telephone conference with A. Rate, A. Lane, J. Knight, T. Hecht, and A. Marquez regarding factual background of A. Marquez's gender transition.
Seth	Horvath	6/16/2021	1.00	Analyze co-counsel and client engagement letters. Draft proposed language to add to co-counsel engagement letter.
Seth	Horvath	6/22/2021	1.50	Telephone conference with A. Lane, A. Rate, T. Hecht, J. Knight, K. Pickens, and M. Welch to discuss litigation strategy.
Seth	Horvath	6/25/2021	6.80	Begin drafting memorandum in support of motion for preliminary injunction. Draft correspondence to A. Lane regarding same.
Seth	Horvath	6/28/2021	0.50	Teleconference with A. Lane regarding preparation of brief in support of motion for preliminary injunction.
Seth	Horvath	7/1/2021	10.10	Finish drafting equal-protection and due-process arguments for preliminary-injunction brief.

Seth	Horvath	7/2/2021	3.00	Telephone conference with A. Lane regarding preliminary-injunction brief. Revise equal-protection and due-process arguments for preliminary-injunction brief. Review full first draft of preliminary-injunction brief.
Seth	Horvath	7/7/2021	0.60	Telephone conference with A. Lane, M. Welch, J. Knight, A. Rate, and T. Hecht regarding motion for preliminary injunction.
Seth	Horvath	7/11/2021	2.00	Revise brief in support of motion for preliminary injunction in preparation for filing same.
Seth	Horvath	7/12/2021	10.00	Analyze authorities addressing constitutional challenges to restrictions on alterations to identity documents in connection with revising brief in support of motion for preliminary injunction. Revise brief in support of motion for preliminary injunction. Draft correspondence to litigation team transmitting same.
Seth	Horvath	7/14/2021	3.20	Revise complaint in preparation for filing same. (2.9) Telephone conference with A. Lane, J. Knight, T. Hecht, and A. Rate regarding revisions to complaint and motion for preliminary injunction (.3).
Seth	Horvath	7/15/2021	2.30	Revise complaint in preparation for filing same. Revise brief in support of motion for preliminary injunction in preparation for filing same (1.8). Telephone conference with A. Lane, J. Knight, T. Hecht, A. Rate, and M. Welch regarding revisions to complaint and motion for preliminary injunction (.5).
Seth	Horvath	7/16/2021	7.20	Analyze legislative history for SB 280 in connection with revising brief in support of motion for preliminary injunction. Revise brief in support of motion for preliminary injunction in preparation for filing same.
Seth	Horvath	7/17/2021	0.70	Revise brief in support of motion for preliminary injunction in preparation for filing same.
Seth	Horvath	7/28/2021	1.00	Revise motion for leave to proceed pseudonymously in preparation for filing same.
Seth	Horvath	8/23/2021	0.50	Telephone conference with litigation team regarding next steps in drafting reply in support of motion for preliminary injunction and response to motion to dismiss.

Seth	Horvath	8/24/2021	0.20	Analyze response to motion for preliminary injunction to identify issues to address in reply brief.
Seth	Horvath	8/31/2021	1.80	Revise outline for reply in support of motion for preliminary injunction. (1.2) Telephone conference with A. Lane, A. Rate, T. Hecht, and J. Knight regarding reply in support of motion for preliminary injunction. (.6)
Seth	Horvath	9/13/2021	0.20	Telephone conference with T. Hecht regarding reply in support of motion for preliminary injunction.
Seth	Horvath	9/19/2021	8.10	Begin drafting reply in support of motion for preliminary injunction.
Seth	Horvath	9/20/2021	13.80	Finish first draft of reply in support of motion for preliminary injunction (13.3); teleconference with J. Knight, T. Hecht, A. Lane, K. Pickens, and A. Rate regarding next steps in finalizing reply in support of motion for preliminary injunction (.5)
Seth	Horvath	9/21/2021	3.80	Revise first draft of reply in support of motion for preliminary injunction in preparation for circulating same for review.
Seth	Horvath	9/22/2021	10.10	Finish drafting equal-protection section of reply in support of motion for preliminary injunction. Begin revising response to motion to dismiss.
Seth	Horvath	9/23/2021	3.80	Finish revising reply in support of motion for preliminary injunction in preparation for filing same. Finish revising response to motion to dismiss in preparation for filing same.
Seth	Horvath	9/30/2021	0.30	Finalize pro hac vice applications for S. Horvath, T. Hecht, and T. Solis.
Seth	Horvath	11/10/2021	0.60	Telephone conference with T. Hecht, J. Knight, A. Rate, A. Lane, and K. Pickens regarding next steps in litigation.
Seth	Horvath	11/11/2021	0.50	Telephone conference with T. Hecht regarding issues to address in amended complaint and motion for leave to file amended complaint.
Seth	Horvath	11/16/2021	0.20	Draft correspondence to A. Lane regarding strategy for pursuing motion to amend complaint based on Montana Human Rights Bureau's ruling.
Seth	Horvath	11/22/2021	0.30	Draft amended complaint. Begin drafting motion for leave to file amended complaint.

Seth	Horvath	11/23/2021	4.50	Draft amended complaint. Draft motion for leave to file amended complaint. Draft correspondence to T. Hecht regarding same.
Seth	Horvath	12/10/2021	1.50	Telephone conference (moot) with A. Lane, A. Rate, T. Hecht, and J. Knight regarding arguments to address at hearing on motion for preliminary injunction and motion to dismiss.
Seth	Horvath	12/15/2021	1.50	Videoconference (moot) with T. Hecht, A. Lane, A. Rate, and J. Knight to discuss issues to address at hearing on motion for preliminary injunction.
Seth	Horvath	12/18/2021	0.50	Draft correspondence to A. Rate, A. Lane, J. Knight, and T. Hecht regarding State's objection to motion for leave to file Amended Complaint.
Seth	Horvath	12/20/2021	1.50	Participate in Zoom conference with A. Lane, T. Hecht, A. Rate, and J. Knight in preparation for hearing on motion for preliminary injunction.
Seth	Horvath	12/22/2021	1.50	Participate in hearing on motion for preliminary injunction and motion to dismiss (1.2). Telephone conference with T. Hecht regarding same (.3).
Seth	Horvath	1/5/2022	2.80	Videoconference with T. Hecht, A. Lane, A. Rate, K. Pickens, and J. Knight regarding proposed findings of fact and conclusions of law (.4). Draft template for proposed findings of fact and conclusions of law. Draft correspondence to T. Hecht and A. Lane regarding proposed findings of fact and conclusions of law. (2.4)
Seth	Horvath	1/13/2022	1.40	Begin drafting proposed findings of fact and conclusions of law.
Seth	Horvath	1/14/2022	1.00	Continue drafting proposed findings of fact and conclusions of law.
Seth	Horvath	1/15/2022	3.00	Continue drafting proposed findings of fact and conclusions of law.
Seth	Horvath	1/16/2022	2.00	Continue drafting proposed findings of fact and conclusions of law.
Seth	Horvath	1/19/2022	0.50	Revise proposed findings of fact and conclusions of law.
Seth	Horvath	1/20/2022	1.90	Revise proposed findings of fact and conclusions of law.
Seth	Horvath	1/21/2022	0.20	Telephone conference with T. Hecht regarding proposed findings of fact and conclusions of law.

Seth	Horvath	1/26/2022	0.40	Videoconference with T. Hecht and A. Lane regarding next steps in finalizing proposed findings of fact and conclusions of law.
Seth	Horvath	1/28/2022	0.50	Analyze motion to dismiss amended complaint. Draft correspondence to A. Lane regarding same.
Seth	Horvath	2/1/2022	0.50	Telephone conference with T. Hecht and A. Lane regarding next steps in finalizing proposed findings of fact and conclusions of law.
Seth	Horvath	2/5/2022	3.00	Begin drafting response to Defendants' motion to dismiss Amended Complaint.
Seth	Horvath	2/7/2022	0.50	Continue drafting response to motion to dismiss.
Seth	Horvath	2/8/2022	8.40	Analyze cases and statutes to cite in response to Defendants' motion to dismiss amended complaint. Continue drafting response to Defendants' motion to dismiss amended complaint.
Seth	Horvath	2/9/2022	2.70	Finish analyzing cases and statutes to cite in response to Defendants' motion to dismiss amended complaint. Finish first draft of response to Defendants' motion to dismiss amended complaint. Draft correspondence to A. Lane, T. Hecht, and J. Davidson regarding same.
Seth	Horvath	2/10/2022	3.10	Analyze comments on response to motion to dismiss.
Seth	Horvath	2/11/2022	1.00	Revise response to motion to dismiss amended complaint in preparation for filing same.
Seth	Horvath	2/18/2022	0.80	Analyze A. Lane's revisions to Plaintiffs' proposed findings of fact and conclusions of law. Videoconference with A. Lane and T. Hecht regarding same.
Seth	Horvath	2/22/2022	0.50	Analyze T. Hecht's proposed revisions to proposed findings of fact and conclusions of law.
Seth	Horvath	2/23/2022	4.10	Begin revising proposed findings of fact and conclusions of law.
Seth	Horvath	2/24/2022	4.30	Continue revising proposed findings of fact and conclusions of law.
Seth	Horvath	2/25/2022	1.90	Continue revising proposed findings of fact and conclusions of law.
Seth	Horvath	2/26/2022	5.60	Finish revising proposed findings of fact and conclusions of law.

Seth	Horvath	3/2/2022	1.00	Revise proposed findings of fact and conclusions of law in preparation for filing same.
Seth	Horvath	3/3/2022	2.60	Revise Plaintiffs' proposed findings of fact and conclusions of law in preparation for filing same.
Seth	Horvath	3/4/2022	0.20	Analyze final, filed version of Plaintiffs' proposed findings of fact and conclusions of law.
Seth	Horvath	3/11/2022	0.50	Videoconference with T. Hecht, M. Picasso, J. Davidson, and K. Pickens regarding next steps in litigation.
Seth	Horvath	4/11/2022	0.50	Videoconference with S. Hogan, T. Hecht, A. Lane, M. Picasso, A. Rate, and K. Pickens regarding S. Hogan's knowledge of rule preceding SB 280.
Seth	Horvath	4/12/2022	1.20	Videoconference with N. Domitrovich, T. Hecht, A. Lane, M. Picasso, and K. Pickens regarding N. Domitrovich's knowledge of rule preceding SB 280.
Seth	Horvath	4/21/2022	1.40	Analyze findings of fact and conclusions of law on motion for preliminary injunction. Telephone conference with T. Hecht regarding next steps in litigation in light of same.
Seth	Horvath	4/22/2022	2.10	Videoconference with T. Hecht and ACLU litigation team regarding litigation strategy in light of preliminary-injunction ruling (1). Analyze regulation accompanying SB 280 to evaluate revisions to previous version of regulation. Analyze authorities regarding reversion to prior version of statute or regulation after finding of unconstitutionality (1.1).
Seth	Horvath	4/25/2022	0.40	Analyze authorities regarding exceptions to mootness doctrine in connection with formulating strategy for next steps in litigation. Revise pro hac vice declarations of S. Horvath, T. Hecht, and T. Solis in preparation for submitting motion for pro hac vice admissions.
Seth	Horvath	4/26/2022	1.60	Continue analyzing authorities regarding exceptions to mootness doctrine in connection with formulating strategy for next steps in litigation (.1). Videoconference with M. Picasso, A. Rate, A. Lane, and T. Hecht regarding litigation strategy (1.5)

Seth	Horvath	4/29/2022	0.40	Analyze information regarding potential law-enforcement effort to testify in support of permanent injunctive relief.
Seth	Horvath	5/3/2022	2.10	Draft motion for attorneys from Nixon Peabody LLP and ACLU Foundation to appear pro hac vice.
Seth	Horvath	5/4/2022	0.20	Analyze correspondence regarding retention of potential expert witnesses. Draft correspondence to T. Hecht, A. Lane, and J. Davidson regarding use of L. Schechter as expert.
Seth	Horvath	5/6/2022	1.00	Videoconference with A. Lane, A. Rate, T. Hecht, J. Davidson, and K. Pickens regarding retention of experts and overall litigation strategy.
Seth	Horvath	5/10/2022	0.20	Analyze materials to be used in drafting L. Schechter's expert affidavit. Draft correspondence to J. Davidson regarding same.
Seth	Horvath	5/13/2022	1.00	Videoconference with A. Lane, J. Davidson, M. Picasso, A. Rate, and T. Hecht regarding litigation strategy, including but not limited to expert retention and motion for summary judgment.
Seth	Horvath	5/23/2022	2.10	Draft Second Amended Complaint to incorporate class-action allegations.
Seth	Horvath	6/27/2022	5.30	Telephone conference with T. Hecht regarding next steps in litigation. Revise amended complaint with allegations regarding class certification and preliminary-injunction order.
Seth	Horvath	7/8/2022	3.20	Videoconference with litigation team regarding next steps in litigation (1). Revise second amended complaint in preparation for transmitting same to litigation team. Draft correspondence to litigation team regarding second amended complaint (2.2).
Seth	Horvath	7/18/2022	0.20	Begin analyzing first draft of motion for leave to file Second Amended Complaint.
Seth	Horvath	7/21/2022	0.40	Analyze motion for class certification.
Seth	Horvath	7/29/2022	1.00	Analyze revisions to Second Amended Complaint. Analyze motion for leave to file Second Amended Complaint. Video conference with T. Hecht regarding Second Amended Complaint and next steps in litigation.

Seth	Horvath	7/30/2022	8.50	Revise brief in support of motion for leave to file Second Amended Complaint. Draft motion for leave to file Second Amended Complaint. Draft proposed order to accompany motion for leave to file Second Amended Complaint. Revise Second Amended Complaint in accordance with T. Hecht's proposed revisions.
Seth	Horvath	8/3/2022	2.30	Revise motion for leave to file Second Amended Complaint in accordance with T. Hecht's proposed revisions. Revise Second Amended Complaint in accordance with T. Hecht's proposed revisions. Video conference with T. Hecht regarding revisions to motion for leave to file Second Amended Complaint. (1.7) video conference with litigation team regarding next steps in litigation (.6)
Seth	Horvath	8/31/2022	1.00	Video conference (moot) with litigation team to prepare M. Picasso for hearing on motion to clarify ruling on preliminary injunction.
Seth	Horvath	9/22/2022	0.70	Attend video conference with T. Hecht and ACLU team to discuss litigation strategy.
Seth	Horvath	9/28/2022	0.70	Telephone conference with T. Hecht regarding revisions to Second Amended Complaint. Video conference with litigation team regarding next steps in litigation.
Seth	Horvath	10/2/2022	3.00	Revise proposed Second Amended Complaint in preparation for circulating same to litigation team for further review.
Seth	Horvath	10/3/2022	1.80	Telephone conference with T. Hecht regarding next steps in litigation. Finish revising proposed Second Amended Complaint in preparation for circulating same to litigation team. Draft correspondence to litigation team regarding Second Amended Complaint. (1.2) Video conference with litigation team regarding litigation strategy (.6)
Seth	Horvath	10/7/2022	2.70	Analyze motion to clarify, reply in support of motion to clarify, and motion for writ of supervisory control in preparation for drafting response to sections I and V of motion for writ of supervisory control. Begin drafting response to sections I and V of motion for writ of supervisory control.

Seth	Horvath	10/10/2022	6.50	Analyze authorities cited in motion for writ of supervisory control in connection with drafting response to sections I and V of same. Continue drafting response to sections I and V of motion for writ of supervisory control.
Seth	Horvath	10/11/2022	3.00	Continue analyzing authorities cited in motion for writ of supervisory control in connection with drafting response to sections I and V of same. Continue drafting response to sections I and V of motion for writ of supervisory control.
Seth	Horvath	10/12/2022	2.20	Analyze J. Davidson's proposed revisions to motion for writ of supervisory control. Begin revising updated draft of response to motion for writ of supervisory control.
Seth	Horvath	10/13/2022	2.80	Finish revising response to motion for writ of supervisory control in preparation for transmitting same to T. Hecht for further revisions.
Seth	Horvath	10/14/2022	1.80	Analyze T. Hecht's proposed revisions to response to motion for writ of supervisory control. Revise updated version of response to motion for writ of supervisory control in preparation for transmitting same to ACLU attorneys for further review. Draft correspondence to ACLU attorneys regarding revised version of response to motion for writ of supervisory control.
Seth	Horvath	10/16/2022	0.40	Analyze exhibits to append to response to motion for supervisory control. Draft correspondence to A. Lane regarding open issues to address in finalizing response to motion for supervisory control.
Seth	Horvath	10/18/2022	0.50	Revise response to petition for writ of supervisory control in preparation for filing same.
Seth	Horvath	10/20/2022	0.70	Begin revising motion for class certification.
Seth	Horvath	10/21/2022	5.70	Finish revising motion for class certification. Revise motion for leave to file Second Amended Complaint. Revise brief in support of motion for leave to file Second Amended Complaint.
Seth	Horvath	10/22/2022	1.20	Finish revising motion for leave to file Second Amended Complaint. Finish revising brief in support of motion for leave to file Second Amended Complaint.

Seth	Horvath	10/24/2022	2.50	Analyze T. Hecht's additional proposed revisions to Second Amended Complaint and brief in support of motion for leave to file Second Amended Complaint. Finish revising Second Amended Complaint and brief in support of motion for leave to file Second Amended Complaint. Analyze authorities regarding effect of change in residency on venue in connection with revising Second Amended Complaint. Draft correspondence to A. Lane regarding effect of change in residency on venue.
Seth	Horvath	10/26/2022	2.50	Revise motion for class certification and supporting brief in preparation for filing same. Revise brief in support of motion for leave to file Second Amended Complaint and Second Amended Complaint in preparation for filing same.
Seth	Horvath	12/7/2022	0.60	Video conference with litigation team to discuss litigation strategy. Begin revising document requests and interrogatories.
Seth	Horvath	12/8/2022	4.00	Revise document requests and interrogatories. Draft correspondence to litigation team regarding same.
Seth	Horvath	1/2/2023	1.80	Revise reply in support of motion for leave to file Second Amended Complaint.
Seth	Horvath	1/3/2023	3.30	Revise reply in support of motion for class certification.
Seth	Horvath	1/7/2023	2.30	Revise reply in support of motion for leave to file Second Amended Complaint in preparation for filing same. revise reply in support of motion for class certification in preparation for filing same.
Seth	Horvath	1/10/2023	0.60	Analyze Montana Supreme Court's order on Defendants' motion for supervisory writ to identify next steps in litigation in response to same.
Seth	Horvath	1/12/2023	1.70	Analyze J. Davidson's memorandum regarding next steps in litigation in light of Montana Supreme Court's order on motion for writ of supervisory relief. (.8) Call with co-counsel regarding next steps in litigation in light of Montana Supreme Court's order on motion for writ of supervisory relief (.9)

Seth	Horvath	1/13/2023	0.90	Revise statement regarding Defendants' notice of supplemental authority in preparation for filing same. Analyze correspondence from J. Davidson regarding next steps in litigation. Draft correspondence to J. Davidson regarding next steps in litigation.
Seth	Horvath	2/27/2023	1.00	Video conference with litigation team regarding discovery issues. Revise proposed confidentiality order. Draft correspondence to litigation team regarding proposed confidentiality order.
Seth	Horvath	3/2/2023	1.00	Analyze order on motion for leave to file second amended complaint and order on motion for class certification.
Seth	Horvath	3/9/2023	0.70	Video conference with litigation team regarding next steps in litigation.
Seth	Horvath	3/14/2023	1.20	Revise motion for summary judgment on vagueness claim.
Seth	Horvath	3/15/2023	3.40	Revise Plaintiffs' motion for summary judgment (2.75). Confer with litigation team regarding next steps in litigation (.70).
Seth	Horvath	3/16/2023	0.30	Revise motion for summary judgment in preparation for filing same.
Seth	Horvath	3/20/2023	0.50	Analyze final, filed version of Plaintiffs' motion for summary judgment on vagueness claim. Draft administrative correspondence to Nixon Peabody Docket Department regarding e-filing access in Yellowstone County.
Seth	Horvath	3/21/2023	1.30	Analyze Defendants' expert disclosures. Draft additional administrative correspondence to Nixon Peabody Docket Department regarding e-filing access in Yellowstone County.
Seth	Horvath	4/12/2023	0.75	Participate in video conference with litigation team to discuss litigation strategy and reply in support of motion for summary judgment.
Seth	Horvath	4/21/2023	0.60	Revise reply in support of motion for summary judgment in preparation for filing same.
Seth	Horvath	5/17/2023	0.60	Video conference with litigation team to prepare for hearing on motion for summary judgment

Seth	Horvath	6/15/2023	0.50	Analyze Nixon Peabody time entries to identify on motion to clarify preliminary injunction and motion to enforce preliminary injunction to identify additional time entries to address in settlement correspondence to State of Montana regarding attorney's fees.
Seth	Horvath	6/28/2023	2.00	Analyze time entries to be submitted with fee petition. (1.5) Draft correspondence to K. Pickens regarding time entries to be submitted with fee petition. (.5)
Seth	Horvath	7/12/2023	0.50	Analyze disbursement descriptions for fee petition. (.3) Draft correspondence to K. Pickens regarding same. (.2)
Seth	Horvath	8/2/2023	0.60	Video conference with litigation team regarding status of fee petition and next steps in litigation in light of DPHHS's reversion to 2017 birth-certificate-amendment policy.
Seth	Horvath	8/9/2023	0.50	Video conference with A. Rate, A. Lane, and T. Hecht regarding next steps in fee-shifting litigation.
Seth	Horvath	8/10/2023	0.20	Draft correspondence to T. Hecht regarding next steps in litigation.
Seth	Horvath	8/11/2023	1.00	Draft stipulation regarding briefing schedule on objection to request for attorney's fees. (.6) Draft correspondence to litigation team regarding same. (.2) Revise same in accordance with J. Davidson's comments. (.2)
Seth	Horvath	8/16/2023	1.70	Revise stipulation and proposed order staying briefing and hearing on attorney's-fee issues. (.5) Video conference with J. Davison, A. Rate, T. Hecht, and K. Pickens regarding status of discussions with State regarding attorney's fees. (.5) Analyze case law regarding availability of fee-shifting for multiple related claims in preparation for objecting to State's response to request for attorney's fees. (.7)
Seth	Horvath	8/30/2023	0.80	Video conference with litigation team regarding next steps in litigation with respect to contempt ruling and fee-shifting. (.5) Analyze Defendants' Rule 60 motion to identify issues to address in response to same. (.3)

Seth	Horvath	9/3/2023	9.20	Analyze Defendants' Rule 60 motion to identify issues to be addressed in responding to same. (1.5) Analyze motion to enforce preliminary injunction, and reply in support of same, to identify issues to address in responding to Defendants' Rule 60 motion. (1.5) Analyze prior pleadings and orders in connection with drafting response to background section of Defendants' Rule 60 motion. (1.5) Begin drafting response to background section of Defendants' Rule 60 motion. (4.7)
Seth	Horvath	9/4/2023	1.80	Continue analyzing prior pleadings and orders in connection with drafting response to background section of Defendants' Rule 60 motion. (.6) Finish drafting response to background section of Defendants' Rule 60 motion. (1.2)
Seth	Horvath	9/7/2023	0.30	Draft correspondence advising J. Davidson regarding issues to address in response to Defendants' Rule 60 motion.
Seth	Horvath	9/13/2023	4.20	Revise unified draft of response to Defendants' Rule 60 motion.(3.5) Participate in video conference with litigation team. (.5) Draft correspondence to A. Rate regarding unified draft of response to Defendants' Rule 60 motion. (.2)
Seth	Horvath	9/19/2023	1.10	Revise response to Defendants' Rule 60 motion in preparation for filing the same. (.9) Draft correspondence to J. Davidson regarding revisions to the same. (.2)
Seth	Horvath	12/20/2023	0.50	Video conference with litigation team regarding next steps in litigation.
Seth	Horvath	1/3/2024	0.30	Video conference with ACLU litigation team and T. Hecht to discuss next steps in litigation, including fee petition.
Seth	Horvath	6/4/2024	1.50	Analyze orders, pleadings, and other materials relevant to drafting fee petition. Draft correspondence to T. Hecht regarding fee petition. Draft correspondence instructing M. Borse, K. Mallon, and C. Kurow regarding fee petition.
TOTAL =		x450	289.05	\$130,275.00
THOMAS HECHT				
Thomas	Hecht	3/4/2021	0.50	ACLU MT - Discussion of the nature of the case.

Thomas	Hecht	3/12/2021	1.00	ACLU MT - Zoom call regarding search for plaintiffs.
Thomas	Hecht	3/16/2021	1.20	ACLU MT - Call with ACLU regarding status of the Plaintiffs and potential claims.
Thomas	Hecht	4/6/2021	2.00	ACLU MT - Research underlying claims.
Thomas	Hecht	4/19/2021	0.50	ACLU MT - Status call with ACLU team.
Thomas	Hecht	4/20/2021	1.50	ACLU MT - Draft Complaint.
Thomas	Hecht	4/21/2021	4.00	ACLU MT - Draft and revise Complaint.
Thomas	Hecht	4/24/2021	4.00	ACLU MT - Draft and revise Complaint.
Thomas	Hecht	4/30/2021	2.50	ACLU MT - Review comments on draft Complaint from ACLU; confer with Horvath on new draft for distribution.
Thomas	Hecht	5/13/2021	2.30	Review case law on claims and outline preliminary injunction witnesses.
Thomas	Hecht	5/26/2021	2.00	Prepare for interviews with potential plaintiffs and interviews with same.
Thomas	Hecht	6/1/2021	0.50	Conference regarding Plaintiff Marquez.
Thomas	Hecht	6/4/2021	0.90	Conference call regarding Plaintiff
Thomas	Hecht	6/14/2021	2.50	Review complaint and Plaintiff drafts.
Thomas	Hecht	6/15/2021	1.00	Conference call with team regarding strategy.
Thomas	Hecht	6/16/2021	0.30	Multiple e-mails regarding schedule.
Thomas	Hecht	6/22/2021	1.50	Conferences regarding the Complaint.
Thomas	Hecht	7/7/2021	2.00	Review and edit Plaintiff's brief.
Thomas	Hecht	7/7/2021	0.60	Conference call with team.
Thomas	Hecht	7/8/2021	1.00	Continued edit and drafting for Plaintiff's materials.
Thomas	Hecht	7/10/2021	1.20	Outline tasks for PI hearing and review comments on brief.
Thomas	Hecht	7/14/2021	3.50	Editing the complaint and injunction brief.
Thomas	Hecht	7/14/2021	0.30	Conference call with co-counsel.
Thomas	Hecht	7/15/2021	3.00	Editing the complaint and the preliminary injunction papers.
Thomas	Hecht	8/10/2021	0.40	Review service papers and calculate pleading deadlines.
Thomas	Hecht	8/19/2021	2.50	Review Defendants' brief and outline same.
Thomas	Hecht	8/20/2021	1.50	Research exhaustion issues.
Thomas	Hecht	8/23/2021	0.50	Confer with S. Horvath regarding Zoom call Zoom call with team regarding next steps and research tasks (.50).
Thomas	Hecht	8/24/2021	2.60	Collect cases and draft internal memo on exhaustion under Montana law.
Thomas	Hecht	8/29/2021	3.00	Review preliminary injunction case law and critique of Defendants' filing.
Thomas	Hecht	8/30/2021	5.00	Draft outline for Reply brief and confer with S. Horvath regarding same.

Thomas	Hecht	8/31/2021	3.00	Revisions to outline. (2.4) Conference call with Montana team regarding drafting responses to defendants' submissions. (.6)
Thomas	Hecht	9/8/2021	4.20	Research and review exhaustion cases and draft section of reply brief.
Thomas	Hecht	9/9/2021	3.70	Edit exhaustion section and research due process cases for reply brief.
Thomas	Hecht	9/10/2021	4.00	Continue due process research and begin drafting.
Thomas	Hecht	9/11/2021	3.50	Edit both exhaustion and due process sections of reply.
Thomas	Hecht	9/11/2021	0.25	Circulate draft of exhaustion and due process sections of reply.
Thomas	Hecht	9/13/2021	0.20	Call with Seth H. re: PI
Thomas	Hecht	9/17/2021	4.00	Drafting Reply brief and edits to sections by others.
Thomas	Hecht	9/18/2021	2.30	Legal research on due process and exhaustion.
Thomas	Hecht	9/19/2021	3.00	Continued drafting and edits on response to motion to dismiss and Reply.
Thomas	Hecht	9/20/2021	2.50	Zoom call with Montana team (.5) and review drafts (2).
Thomas	Hecht	9/21/2021	3.50	Continued drafting and revisions to briefs. Continued legal research on same.
Thomas	Hecht	9/22/2021	4.20	Review various drafts of both briefs and edit same; confer with Horvath.
Thomas	Hecht	9/23/2021	2.50	Finalize briefs and edit for filing.
Thomas	Hecht	11/10/2021	0.60	Conference call with Montana team.
Thomas	Hecht	11/11/2021	0.50	Call with Seth H. re AC
Thomas	Hecht	11/11/2021	4.00	Draft amendments to complaint in light of HRB decision.
Thomas	Hecht	11/12/2021	4.00	Drafting amendments and legal research on amendments.
Thomas	Hecht	12/9/2021	0.20	Prepare for moot court presentations for Preliminary Injunction hearing.
Thomas	Hecht	12/10/2021	2.00	Prepare for moot court presentations for Preliminary Injunction hearing (.5). Moot (1.5)
Thomas	Hecht	12/15/2021	2.50	Prepare for moot court presentations for Preliminary Injunction hearing (1), moot (1.5).
Thomas	Hecht	12/20/2021	1.50	Preparing for hearing; team call
Thomas	Hecht	12/22/2021	1.50	Preliminary Injunction hearing (1.2) and post mortem with S. Horvath (.3).
Thomas	Hecht	1/21/2022	0.20	Call with Seth H. about PFOF and COL
Thomas	Hecht	1/26/2022	0.40	Zoom call Re Montana strategy.
Thomas	Hecht	1/28/2022	2.00	Research and drafting for MTD response.

Thomas	Hecht	2/1/2022	1.00	Team meeting (.5) and call with AL and SH re: FOFCOL (.5)
Thomas	Hecht	2/6/2022	5.00	Continued research into MTD issues and draft memo.
Thomas	Hecht	2/9/2022	4.00	Research declaratory judgment issues.
Thomas	Hecht	2/9/2022	1.00	Draft memo regarding declaratory judgment issues.
Thomas	Hecht	2/10/2022	2.00	Edits to MTD response.
Thomas	Hecht	2/10/2022	1.50	Revise draft of MTD response.
Thomas	Hecht	2/26/2022	4.00	Edit Findings of Fact and Conclusions of law.
Thomas	Hecht	2/27/2022	3.00	Continued edits and review of Findings of Fact and Conclusions of Law.
Thomas	Hecht	3/1/2022	0.40	Zoom call regarding tasks, FOF and COL and MTD.
Thomas	Hecht	3/11/2022	0.50	Call with co-counsel regarding litigation.
Thomas	Hecht	3/24/2022	1.00	Call regarding tasks and proof issues.
Thomas	Hecht	4/8/2022	1.00	Zoom call with team regarding status of case, discovery and expert witnesses.
Thomas	Hecht	4/11/2022	0.50	Call with S. Hogan.
Thomas	Hecht	4/12/2022	1.20	Zoom call with N. Domitrovich regarding history of 2017 regulation.
Thomas	Hecht	4/12/2022	3.40	Draft edits to Proof summary.
Thomas	Hecht	4/14/2022	3.60	Draft edits to proof summary and legal research.
Thomas	Hecht	4/15/2022	3.50	Draft edits to Proof summary.
Thomas	Hecht	4/21/2022	5.00	Research on evidence rules. Review decision on PI motion; confer with S. Horvath regarding same.
Thomas	Hecht	4/22/2022	6.00	Zoom calls with Montana team and potential expert (2); inserts from PI to proof summary (4).
Thomas	Hecht	4/26/2022	1.50	Team call re: strategy
Thomas	Hecht	5/5/2022	4.00	Zoom calls with potential experts and prep for same.
Thomas	Hecht	5/6/2022	1.00	Zoom call with team regarding status.
Thomas	Hecht	5/9/2022	0.40	Zoom call with Ayden Scheim regarding status of assignment.
Thomas	Hecht	5/10/2022	0.80	Conference with Prof. Cochran to discuss retention and assignment.
Thomas	Hecht	5/13/2022	1.00	Zoom call with team regarding status and mootness issues.
Thomas	Hecht	5/31/2022	1	Call with Malita and Akilah re: motion for clarification
Thomas	Hecht	6/27/2022	3.20	Review draft class certification motion; edit same. Call with S. Horvath.
Thomas	Hecht	7/18/2022	4.00	Draft motion for Leave to Amend and memo.
Thomas	Hecht	7/19/2022	2.50	Edits to Second Amended Complaint.

Thomas	Hecht	7/20/2022	3.80	Draft motion and memo for Leave to Amend.
Thomas	Hecht	7/28/2022	1.60	Edits to memo for Leave to File Amended Complaint.
Thomas	Hecht	7/29/2022	3.00	Edits to Complaint and memo; confer with S. Horvath regarding same.
Thomas	Hecht	8/26/2022	2.00	Draft responses to questions.
Thomas	Hecht	8/31/2022	1.00	Prepare for and participation in moot of Malita for September 15, 2022 argument.
Thomas	Hecht	9/22/2022	0.70	Conference call regarding AC
Thomas	Hecht	10/6/2022	3.60	Draft summary response sections.
Thomas	Hecht	10/7/2022	2.50	Research and draft summary response section.
Thomas	Hecht	10/9/2022	2.30	Research and draft summary response section.
Thomas	Hecht	10/17/2022	3.50	Continued drafting and review of summary response.
Thomas	Hecht	10/19/2022	2.50	Draft and edit cert brief.
Thomas	Hecht	10/20/2022	3.00	Draft and edit class client. brief.
Thomas	Hecht	11/16/2022	2.00	Draft interrogatories and requests for documents.
Thomas	Hecht	11/17/2022	2.50	Draft requests for documents.
Thomas	Hecht	11/18/2022	2.50	Draft requests for documents and interrogatories.
Thomas	Hecht	12/5/2022	0.50	Review Defendants brief in opposition to class.
Thomas	Hecht	12/5/2022	0.70	Review Defendants brief in opposition to filing second amended complaint.
Thomas	Hecht	12/7/2022	0.60	Zoom call with team to discuss status of case.
Thomas	Hecht	12/16/2022	3.00	Draft reply brief for motion to amend.
Thomas	Hecht	12/18/2022	4.50	Continued work on reply brief.
Thomas	Hecht	12/19/2022	4.50	Continued work on drafting reply.
Thomas	Hecht	12/21/2022	0.40	Team meeting.
Thomas	Hecht	12/23/2022	1.50	Continued review of draft reply and edits.
Thomas	Hecht	12/30/2022	1.00	Review edits to replies.
Thomas	Hecht	1/4/2023	0.50	Zoom call on status and prep for same.
Thomas	Hecht	2/6/2023	0.50	Review JD email re expert reports for 2/14 filing.
Thomas	Hecht	2/7/2023	0.80	Search for Ettner bibliography.
Thomas	Hecht	2/22/2023	3.00	Review discovery responses from defendants.
Thomas	Hecht	2/27/2023	2.30	Zoom call with team. Discuss discovery responses (1). Draft deficiency letter (1.3).
Thomas	Hecht	2/28/2023	2.20	Draft deficiency letter. Research State discovery obligations.
Thomas	Hecht	3/3/2023	1	Team call regarding discovery and next steps

Thomas	Hecht	3/9/2023	0.70	Conference with team regarding discovery issues and compliance letter.
Thomas	Hecht	3/15/2023	0.50	Review summary judgment pleading and case law.
Thomas	Hecht	3/19/2023	0.50	Review summary judgment draft and edit same.
Thomas	Hecht	3/22/2023	0.30	Conference with court on schedule issues.
Thomas	Hecht	4/10/2023	0.50	Review Defendant's response to summary judgment.
Thomas	Hecht	4/12/2023	0.70	Review Defendant's response to summary judgment and prep for zoom call.
Thomas	Hecht	4/12/2023	0.75	Team meeting by zoom. Discuss status and briefing on summary judgment and next steps.
Thomas	Hecht	4/20/2023	1.50	Review draft Reply Brief and edit same.
Thomas	Hecht	4/22/2023	0.70	Edit Reply Brief.
Thomas	Hecht	5/17/2023	1.00	Review argument on summary judgment.
Thomas	Hecht	5/17/2023	0.50	Preparations for argument and outline questions for moot.
Thomas	Hecht	5/24/2023	0.60	Meet with team to discuss court hearing
Thomas	Hecht	5/24/2023	0.75	Prep via zoom for Moses argument; review case law and appellate court decisions on summary judgment.
Thomas	Hecht	5/26/2023	1.00	Moot for MSJ
Thomas	Hecht	8/9/2023	0.50	Team meeting
Thomas	Hecht	8/16/2023	0.50	Team meeting: atty fee debrief
Thomas	Hecht	8/25/2023	1.80	Research standard for Montana Rule 60 motion. (.6) Review Defendant's Montana Rule 60 motion. (1.2)
Thomas	Hecht	8/26/2023	2.00	Begin drafting response to Rule 60 motion.
Thomas	Hecht	8/27/2023	1.50	Continue drafting response to Rule 60 motion.
Thomas	Hecht	8/30/2023	0.80	Videoconference with litigation team regarding Rule 60(b) motion and related issues.
Thomas	Hecht	9/5/2023	4.30	Continue drafting response to Rule 60 motion. (3.0) Research limits of the rule. (1.3)
Thomas	Hecht	9/6/2023	3.40	Continued drafting response to Rule 60 motion.
Thomas	Hecht	9/7/2023	4.00	Review team members' drafts of sections of response to Rule 60 motion. (2.5) Review additional case law regarding Rule. (1.0) Edit drafts of sections of response to Rule 60 motion. (.5)
Thomas	Hecht	9/8/2023	3.50	Continue revising response to Rule 60 motion.

Thomas	Hecht	9/12/2023	2.00	Revise response to Rule 60 motion.
Thomas	Hecht	9/13/2023	1.50	Videoconference with litigation team regarding response to Rule 60 motion. (.5) Review draft sections of response to Rule 60 motion. (1)
Thomas	Hecht	9/16/2023	1.30	Revise response to Rule 60 motion.
Thomas	Hecht	9/17/2023	2.50	Revise response to Rule 60 motion.
Thomas	Hecht	12/20/2023	0.50	Team call
Thomas	Hecht	1/3/2024	0.30	Team call
Thomas	Hecht	6/14/2024	0.30	Confer with S. Horvath re: DC Atty fees
Thomas	Hecht	6/17/2024	2.00	Research reasonableness and MT attys fees cases
Thomas	Hecht	6/19/2024	2.50	Draft fee request memo
Thomas	Hecht	6/24/2024	0.80	Draft fee memo and forward to Horvath
TOTAL =		x550	292.05	\$160,627.50
GRAND TOTAL FOR ALL FEES				
\$661,133.75				

EXHIBIT F

ACLU OF MT -- MARQUEZ COSTS	
EXPENSE	Amount
Case Fees	\$ 20.60
Case Fees	\$ 1.60
Travel Expense	\$ 137.48
Travel Expense	\$ 226.92
Travel Expense	\$ 34.17
Travel Expense	\$ 39.00
Travel Expense	\$ 3.00
Travel Expense	\$ 39.00
Travel Expense	\$ 3.00
Travel Expense	\$ 152.55
Travel Expense	\$ 22.87
Travel Expense	\$ 26.01
Travel Expense	\$ 4.75
Travel Expense	\$ 11.29
Travel Expense	\$ 23.41
Travel Expense	\$ 26.00
Travel Expense	\$ 78.74
Travel Expense	\$ 33.36
Travel Expense	\$ 292.52
Travel Expense	\$ 50.00
Travel Expense	\$ 62.68
Travel Expense	\$ 7.49
Travel Expense	\$ 585.04
Travel Expense	\$ 12.84
Travel Expense	\$ 22.97
Travel Expense	\$ 311.78
Travel Expense	\$ 5.95
TOTAL =	\$ 2,235.02
NIXON PEABODY -- MARQUEZ COSTS	
Expense	Amount
Case fees	\$ 15.00
Case fees	\$ 46.01
Case fees	\$ 1,532.25
Case fees	\$ 20.00
Case fees	\$ 20.00
Case fees	\$ 20.00
PHV admissions	\$ 561.35
PHV admission	\$ 561.35
PHV admission	\$ 561.35
PHV admission	\$ 1,545.00
TOTAL	\$ 4,882.31

NATIONAL ACLU -- MARQUEZ COSTS	
Invoice From	Amount
Travel expenses	\$ 1,011.43
Travel expenses	\$ 2,504.65
Travel expenses	\$ 1,131.85
Expert witnesses	\$ 8,147.50
Expert witnesses	\$ 901.29
Expert witnesses	\$ 750.00
Expert witnesses	\$ 400.00
PHV admission	\$ 561.35
PHV admission	\$ 510.75
Case fees	\$ 234.05
Professional services	\$ 6,847.50
TOTAL	\$ 23,000.37
MARQUEZ ENTIRE LEGAL TEAM COSTS	
\$30,117.70	

CERTIFICATE OF SERVICE

I, Alexander H. Rate, hereby certify that I have served true and accurate copies of the foregoing Answer/Brief - Brief In Support of Motion to the following on 07-19-2024:

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Electronically signed by Krystel Pickens on behalf of Alexander H. Rate
Dated: 07-19-2024