

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ROGER HALL, <u>et al.</u>	:	
	:	
Plaintiffs	:	
	:	
v.	:	Civil Action No. 04-0814 (RCL)
	:	
CENTRAL INTELLIGENCE	:	
AGENCY	:	
	:	
Defendants	:	

DECLARATION OF JAMES H. LESAR IN SUPPORT
OF MOTION FOR AWARD OF ATTORNEY FES AND COSTS

I, James H. Lesar, declare and say as follows:

1. I graduated from the University of Wisconsin School of Law in 1969 and was admitted to the Wisconsin Bar that same year. I am no longer a member of the Wisconsin Bar. In 1972, I was admitted to the District of Columbia Bar.

2. I am also admitted to practice before the United States Supreme Court, the United States Court of Claims, and the United States Courts of Appeals for the First, Fourth, Fifth, Sixth, Eleventh and District of Columbia Circuits.

3. I have had extensive practice litigating Freedom of Information Act ("FOIA") cases. I began handling FOIA Act cases in 1970, so I have now had 44 years of experience in this field. My practice has largely been confined to litigating FOIA cases, and in the last two decades I have litigated virtually no other kinds of cases. Since 1970 I have litigated over 200 FOIA cases, including at least 137 cases in federal district court and at least 87 appellate cases. Some 97 opinions rendered in these cases have been published in F.Supp., F.Supp.2d, F.2d and F.3d. See, Attachment 1. Other decisions have been published in Government Disclosure Service ("GDS") or excerpted or summarized in Access Reports, The Privacy Times, The Daily Washington Law Reporter, The News Media and the Law, FOIA Update, and United States Law Week. Several of my cases have set precedents and are cited frequently in standard books and treatises on the FOIA. At least two law review articles have been published on a couple of FOIA cases I handled.

4. A number of the cases I have handled have established precedents. These include Weisberg v. U.S. Dept. of Justice, 543 F.2d 308 (D.C.Cir. 1976), which established the right of a FOIA plaintiff to take discovery on the adequacy of an agency's search; Allen v. Department of Defense, 713

F.Supp. 7 (D.D.C.1989), which held that a FOIA plaintiff could obtain an interim award of attorney fees; Fitzgibbon v. Agency for Intern. Development, which held that an agency could not require a requester eligible for a public interest fee waiver to go to its reading room to examine the documents but must provide him with free copies; Weisberg v. U.S. Dept. of Justice. 631 F.2d 824 (D.C.Cir. 1980), which held that copyrighted crime scene photographs in the possession of the FBI were agency records subject to the FOIA; Summers v. U.S. Dept. of Justice, 999 F.2d 570 (D.C.Cir. 1993), which held that an agency was required to accept unsworn declarations made in conformity with 28 U.S.C. § 1746 to establish a person's identity rather than a notarized waiver required by Department of Justice guidelines; Campbell v. U.S. Dept. of Justice 164 F.3d 20 (D.C.Cir. 1998)(holding that a court balancing public interest in disclosure against privacy interests must make a reasonable effort to account for the death of a person on whose behalf it invokes Exemption 7(C); Clemente v. F.B.I., Civil Action No. 13-0108 Mem Op. Oct. 22, 2013 (citing public interest and plaintiff's health as grounds for order FBI to process 5,000 pages per month on a rolling basis and release all non-exempt records; and Morlev v. C.I.A., 508 F.3d 1108 (D.C.Cir.2007)(holding that the operational files exemption to the CIA FOIA Act

did not except the CIA from having to search and review specified records pertaining to the assassination of President Kennedy).

5. I undertook this case on a contingency but over the course of the litigation received approximately \$5,000 from my client. I normally take FOIA cases on a complete or partial contingency.

6. I am compelled to move for interim fees because I am in dire straits financially. If I am unable to obtain adequate fees from the work I have done on this case so far, my client Roger Hall will have to proceed in this case pro se or obtain another attorney, if possible.

7. I record my time contemporaneously by making a daily entry in a spiral notebook of the amount of time spent on a particular activity in a particular case which I worked on that day. I then periodically record the amount of time I have spent on a particular case in a file on my computer hard drive which itemizes the time spent in that case. I use a number of abbreviations to describe the service performed that relates to the period of time for which compensation is being claimed. For example, "t/c" stands for "telephone conversation," "t/m" for "telephone message." My time is recorded in six minute intervals or tenths of an hour.

8. While I make a conscientious effort to record all time that I believe is compensable, the reality is that I fail to record some of the time worked. Thus, the

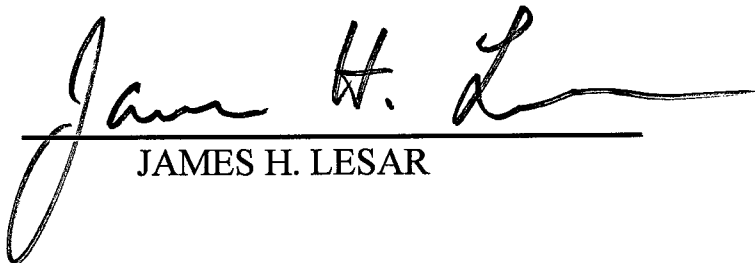
amount of time I have claimed is an understatement of the number of hours actually worked.

9. Attachment 2 is an itemization of my time spent in this case.

10. Chart A gives the total amount of time and fees for which compensation is sought for each year as calculated using the Salazar Laffey matrix hourly rates.

11. Chart B gives the total amount of time and fees for which compensation is sought for each year as calculated using the U.S. Attorneys Office Laffey matrix hourly rates.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 9th day of February, 2015.



JAMES H. LESAR

PUBLISHED FOIA CASES HANDLED BY LESAR

Allen v. Central Intelligence Agcy., 516 F.Supp. 653 (D.D.C.1981)

Allen v. Central Intelligence Agency, 636 F.2d 1287 (D.C.Cir.1980)

Allen v. Department of Defense, 580 F.Supp. 74 (D.D.C.1983)

Allen v. Department of Defense, 658 F.Supp. 15 (D.D.C.1986)

Allen v. Department of Defense, 713 F.Supp. 7 (D.D.C.1989)

Allen v. F.B.I., 551 F.Supp. 694 (D.D.C.1982)

Allen v. F.B.I., 716 F.Supp. 667 (D.D.C.1989)

Allen v. F.B.I., 751 F.Supp. 255 (D.D.C.1990)

Allen v. Federal Bureau of Investigation, 749 F.Supp. 21 (D.D.C.1990)

Allen v. U.S. Secret Service, 335 F.Supp.2d 95 (D.D.C.2004)

Aronson v. U.S. Dept. of Housing & Urban Dev., 822 F.2d 182 (1st Cir.1987)

Aronson v. U.S. Dept. of Housing and Urban Dev., 866 F.2d 1 (1st Cir.1989)

Assassination Archives & Research Center v. C.I.A., 720 F.Supp. 217 (D.D.C.1989)

Assassination Archives and Research Ctr. v. C.I.A. 334 F.3d 55 (D.C.Cir.2003)

Assassination Archives v. Dept. of Justice, 43 F.3d 1542 (D.C.Cir.1995)

Blakey v. Department of Justice, 549 F.Supp. 362 (D.D.C.1982)

Blakey v. Department of Justice, 720 F.2d 215 (D.C.Cir.1983)

Blanton v. U.S. Dept. of Justice, 63 F.Supp.2d 35 (D.D.C.1999)

Blanton v. U.S. Dept. of Justice, 182 F.Supp.2d 81 (D.D.C.2002)

Bowers v. Department of Justice, 930 F.2d 350 (4th Cir.1991)

Attachment 1

- Campbell v. U.S. Department of Justice, 193 F.Supp.2d 29 (D.D.C.2001)**
- Campbell v. U.S. Dept. of Justice, 209 F.R.D. 272 (D.D.C.2002)**
- Campbell v. U.S. Dept. of Justice, 164 F.3d 20 (D.C.Cir.1998)**
- Clemente v. F.B.I., 741 F.Supp.2d 64 (D.D.C.2010)**
- Clemente v. F.B.I., 854 F.Supp.2d 49 (D.D.C.2012)**
- Curran v. Department of Justice, 640 F.Supp. 153 (D.Mass.1986)**
- Curran v. Department of Justice, 813 F.2d 473 (1st Cir.1987)**
- Davis v. Department of Justice, 460 F.3d 92 (D.C.Cir.2006)**
- Davis v. Department of Justice, 608 F.Supp.2d 1 (D.D.C.2009)**
- Davis v. U.S. Department of Justice, 968 F.2d 1276 (D.C.Cir.1992)**
- Davy v. C.I.A., 456 F.3d 162 (D.C.Cir.2006)**
- Davy v. C.I.A., 550 F.3d 1155 (D.C.Cir.2008)**
- Davy v. C.I.A., 357 F.Supp.2d 36 (D.D.C.2004)**
- Davy v. C.I.A., 496 F.Supp.2d 36 (D.D.C.2007)**
- Dettmann v. United States Department of Justice, 802 F.2d 1472 (D.C.Cir.1986)**
- Dismukes v. Department of Interior, 603 F.Supp. 760 (D.D.C.1984)**
- Exner v. U.S. Dept. of Justice, 902 F.Supp. 240 (D.D.C.1995)**
- Fitzgibbon v. Agency for Intern. Development, 724 F.Supp. 1048 (D.D.C.1989)**
- Fitzgibbon v. U.S. Secret Serv., 747 F.Supp. 51 (D.D.C.1990)**
- Freeman v. United States Department of Justice, 822 F.Supp. 1064 (S.D.N.Y.1993)**
- Greenberg v. Dept. v. U.S. Dept. of Treasury, 10 F.Supp.2d 3 (D.D.C.1998)**
- Hall v. C.I.A., 437 F.3d 94 (D.C.Cir.2006)**
- Hall v. C.I.A., 538 F.Supp.2d 64 (D.D.C.2008)**

Hall v. C.I.A., 668 F.Supp.2d 172 (D.D.C.2009)

Hall v. C.I.A., 881 F.Supp.2d 38 (D.D.C. 2012)

Hall v. U.S. Dept. of Justice, 26 F.Supp.2d 78 (D.D.C.1998)

Hall v. U.S. Dept. of Justice, 63 F.Supp.2d 14 (D.D.C.1999)

Hoch v. C.I.A., 593 F.Supp. 675 (D.D.C.1984)

Hoch v. C.I.A., 1990 U.S.App. LEXIS 12344 (D.C.Cir. July 20, 1990)

LaRouche v. U.S. Dept. of Treasury, 112 F.Supp.2d 48 (D.D.C.2000)

Lesar v. United States Dept. of Justice, 455 F.Supp. 921 (D.D.C.1978)

Lesar v. United States Dept. of Justice, 636 F.2d 472 (D.C.Cir.1980)

Lisee v. C.I.A., 741 F.Supp. 988 (D.D.C.1990)

Morley v. C.I.A., 453 F.Supp.2d 137 (D.D.C.2006)

Morley v. C.I.A., 508 F.3d 1108 (D.C.Cir.2007)

Oglesby v. U.S. Dept. of Army, 920 F.2d 57 (D.C.Cir.1990)

Oglesby v. U.S. Dept. of Army, 79 F.3d 1172 (D.D.C.1996)

Schoenman v. F.B.I., 573 F.Supp.2d 119 (D.D.C.2008)

Schoenman v. F.B.I., 575 F.Supp.2d 136 (D.D.C.2008)

Schoenman v. F.B.I., 576 F.Supp.2d 3 (D.D.C.2008)

Schoenman v. F.B.I., 604 F.Supp.2d 174 (D.D.C.2009)

Schrecker v. Department of Justice, 970 F.Supp. 49 (D.D.C.1997)

Schrecker v. U.S. Dept. of Justice, 254 F.3d 162 (D.C.Cir.2001)

Schrecker v.U.S. Dept. of Justice. 349 F.3d 657 (D.C.Cir.2003)

Schrecker v. U.S. Dept. of Justice, 217 F.Supp. 2d 29 (D.D.C.2002)

Schrecker v. U.S. Dept. of Justice, 74 F.Supp. 2d 26 (D.D.C.1999)

Shaw v. F.B.I., 749 F.2d 54 (D.C.Cir.1984)

Sinito v. Dept. of Justice, 176 F.3d 512 (D.C.Cir.1999)

Sloman v. United States Dep't of Justice, 832 F.Supp. 63 (S.D.N.Y.1993)

Southam News v. U.S. I.N.S., 674 F.Supp. 881 (D.D.C.1987)

Spannaus v. United States Dept. of Justice, 643 F.Supp. 698 (D.D.C.1986)

Spannaus v. U.S. Dept. of Justice, 824 F.2 52 (D.C.Cir.1987)

Spannaus v. C.I.A., 841 F.Supp. 14 (D.D.C.1993)

Steinberg v. U.S. Dept. of Justice, 23 F.3d 548 (D.C.Cir.1994)

Stone v. F.B.I., 727 F.Supp. 662 (D.D.C.1990)

Sullivan v. C.I.A., 992 F.2d 1249 (1st Cir.1993)

Summers v. U.S. Dept. of Justice, 733 F.Supp. 443 (D.D.C.1990)

Summers v. Department of Justice, 140 F.3d 1077 (D.C.Cir.1998)

Summers v. United States Dep't of Justice, 934 F.Supp. 458 (D.D.C.1996)

Summers v. U.S. Dept. of Justice, 729 F.Supp. 1379 (D.D.C.1989)

Summers v. U.S. Dept. of Justice, 925 F.2d 450 (D.C.Cir.1991)

Summers v. U.S. Dept. of Justice, 776 F.Supp. 575 (D.D.C.1991)

Summers v. U.S. Dept. of Justice, 999 F.2d 570 (D.C.Cir.1993)

Summers v. Department of Justice, 569 F.3d 500 (D.C.Cir.2009)

Talbot v. C.I.A. 578 F.Supp.2d 24 (D.D.C. 2008); C. A. No. 07-277 (RJL)

Weisberg v. U.S. Dept. of Justice, 543 F.2d 308 (D.C.Cir.1976)

Weisberg v. U.S. Department of Justice, 489 F.2d 1195 (D.C.Cir.1973)(en banc)

Weisberg v. U.S. Dept. of Justice, 763 F.2d 1436 (D.C.Cir.1985)

Weisberg v. U.S. Dept. of Justice, 631 F.2d 824 (D.C.Cir.1980)

Weisberg v. U.S. Dept. of Justice, 745 F.2d 1476 (D.C.Cir.1984)

Weisberg v. U.S. Dept. of Justice, 705 F.2d 1344 (D.C.Cir.1983)

Weisberg v. U.S. Dept. of Justice, 848 F.2d 1265 (D.C.Cir.1988)

Weisberg v. U.S. Dept. of Justice, 720 F.Supp. 1 (D.D.C.1989)

Weisberg v. United States Dept. of Justice, 438 F.Supp. 492 (D.D.C.1977)

Weisberg v. United States Dept. of Justice, 627 F.2d 365 (D.C.Cir.1980)

Weisberg v. Webster, 749 F.2d 864 (D.C.Cir.1984)

Wheeler v. C.I.A., 271 f.Supp.2d 132 (D.D.C.2003)

Civil Action No. 04-0814

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
5/10/04	0.2	t/c R. Hall
	0.2	t/c M. Zaid
5/12/04	0.3	t/c J. Clarke
5/13/04	1.3	complaint [Dkt. #1]
	0.2	t/c R. Hall
	0.2	t/c J. Clarke
5/14/04	0.4	complaint
5/16/04	0.1	t/c J. Clarke
5/19/04	1.2	complaint, summons, civil cover sheet Local Rule 26.1, t/c J. Clarke
	0.2	email Clarke, Hall
5/20/04	0.1	email M. Zaid
6/18/04	0.1	t/c AUSA Fiore
	0.2	email R. Hall
	0.2	email Clarke, Zaid
	0.2	t/c R. Hall
7/22/04	0.3	email to Hall, Zaid
7/27/04	1.5	response to motion to dismiss, motion to stay [Dkt #13]
7/29/04	3.0	“
7/30/04	1.3	“
8/1/04	1.0	request for production of documents
8/2/04	2.5	“
	3.2	motion for fee waiver

Attachment 2

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
8/2/04	0.4	motion for leave to file [Dk #10]
8/3/04	1.0	filed opp. and 2 motions
8/3/04	0.6	mot. for ext.
9/3/04	1.6	reply to opp. to mot. to produce
9/4/04	2.5	“
9/5/04	3.8	“
9/6/04	0.7	“
9/7/04	2.4	“
9/8/04	5.5	“
9/9/04	8.0	“
9/10/04	5.8	“
4/14/05	0.5	read opinion
	0.4	t/c J. Clarke
	1.0	t/c R. Hall
4/15/05	0.3	t/c R. Hall
4/16/05	0.7	reviewed court decision; took notes.
4/17/05	0.5	t/c R. Hall
	1.9	letter to Koch
	1.0	motion to reconsider
4/18/05	0.3	email J. Clarke
	0.3	t/c. R. Hall
	0.3	reviewed Hall documents

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
4/20/05	0.3 0.9	email to M. Zaid motion to reconsider
4/21/05	0.3 3.1	t/c AUSA Rick Fiore motion to reconsider
4/22/05	0.4 2.5	t/c J. Clarke motion to reconsider
4/23/05	4.1	“
4/24/05	1.5	new FOIA
4/27/05	0.6 0.2	motion to reconsider t/c R. Hall
5/21/05	1.0	fee waiver letter
5/22/05	1.2	supplemental fee waiver request
5/24/05	3.4	reply to opposition to motion to reconsider
5/23/05	5.3	“
5/26/05	1.2 0.2	preparation for status call Notice of Filing (NOF)
5/27/05	1.5	status call and preparation therefore
5/28/05	0.8 0.2	letter to CIA email M. Zaid
6/22/05	0.8	reviewed AIM appeal letter; email J. Clarke
7/31/05	0.3	NOF
8/11/05	0.7	letter to Agency Release Panel

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
8/14/05	1.6	Letter to Agency Release Panel
8/15/05	2.6	“
9/25/05	3.5	amended complaint
	0.1	email J. Clarke
2/21/06	0.4	reviewed decision; email R. Hall
4/20/06	0.2	t/c AUSA Momeni
	0.2	t/c AUSA Momeni, Joe West, Deputy Clerk
	0.2	t/c J. Clarke
	0.3	t/c R. Hall
4/25/06	2.0	preparation for oral argument
4/26/06	1.6	status call & preparation therefore
	1.5	Reviewed Clarke's letter to AUSA
	2.3	conference with J. Clarke, R. Hall, and Mr. Stark
4/26/06	0.4	revised letter to Momeni
5/15/06	0.2	t/c J. Clarke
5/16/06	0.6	t/c AUSA Momeni, J. Clarke, JHL
	0.2	t/c J. Clarke
	0.2	t/c R. Hall
5/17/06	0.6	reviewed Clarke letter; letter to Clarke, Hall
5/22/06	0.3	t/c R. Hall
	0.2	t/c J. Clarke (2)
	0.3	t/c AUSA Momeni, Clark
5/23/06	1.0	conf. AUSA Momeni, Clarke

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
5/24/06	0.1 0.1	t/c Court Reporter t/m AUSA Momeni
5/25/06	0.1 0.3 0.8 0.2	t/c R. Hall t/c J. Clarke drafted joint report email AUSA
5/26/06	0.6 0.2	t/c AUSA Momeni, J. Clarke (2) t/c Clarke (2)
6/9/06	0.2 0.2	t/c Annie Shaw t/c R. Hall
8/19/06	2.0	research
8/28/06	0.2	request for production of documents
8/29/06	0.7 0.6 0.3	“ interrogatories AUSA Momeni
10/2/06	2.3	discovery
10/10/06	0.1 0.2 0.3	t/c AUSA Momeni 5/c R. Hall fax to R. Hall
10/18/06	0.1 1.0	email R. Hall reviewed 10/17/06 release
10/19/06	0.4	conference with R. Hall
10/20/06	0.1	t/c AUSA Momeni
11/2/06	1.2	Opposition to motion for summary judgment
11/3/06	0.3	conference with R. Hall

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
11/4/06	1.6	reviewed FBI's motion for summary judgment
11/6/06	2.6	motion to ext. time to move to vacate court's order
11/8/06	1.0	reviewed motion for summary judgment
11/9/06	1.2	"
11/10/06	2.7	opposition to motion for protective order
11/11/06	3.5	"
11/12/06	6.0	"
11/13/06	5.5	"
11/14/06	0.1	t/c R. Hall
1/10/07	0.5	reviewed reply
	0.5	motion for leave to file supplemental mem.
1/13/07	1.8	response to reply
1/25/07	0.2	t/c R. Hall
4/23/07	0.3	t/c J. Clarke
4/26/07	0.2	t/c J. Clarke
	0.2	t/c R. Hall
	1.5	cross-motion for summary judgment
4/28/07	3.8	cross-motion for summary judgment
4/29/07	6.0	"
4/30/07	3.4	"

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
5/1/07	6.4	cross motion for summary judgment
5/3/07	3.5	“
5/4/07	3.7	“
5/5/07	6.8	“
5/6/07	9.8	“
5/7/07	4.5	“
5/8/07	7.4	“
5/9/07	10.0	“
6/13/07	0.2	t/c J. Clarke
8/4/07	0.3	t/c J. Clarke
8/30/07	2.7	opposition to motion to strike
9/1/07	4.5	“
9/2/07	6.4	“
9/3/07	9.2	“
9/4/07	8.3	“
5/17/08	3.3	motion for reconsideration
7/14/08	0.8	“
7/15/08	4.2	research
	0.2	t/c Hall

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
7/16/08	3.5	reply
7/17/08	0.4 0.3	t/c R. Hall reviewed Hall email
7/18/08	0.6	reply
7/19/08	1.8	“
7/20/08	0.3	t/c R. Hall
8/5/08	1.5	reply
8/6/08	2.5	“
8/7/08	3.5	“
8/9/08	3.2	“
8/10/08	6.7	“
8/11/08	9.8	“
9/10/08	0.2	t/c J. Clarke
12/5/08	6.0	cross-motion for summary judgment
12/6/08	7.8	“
12/7/08	6.0	cross-motion for summary judgment
12/8/08	12.5	“
12/14/08	3.8	“

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
12/15/08	6.7	“
12/16/08	6.8	“
12/17/08	11.2	“
12/18/08	12.0	“
2/2/09	0.1	t/c AUSA Momeni
2/8/09	0.3	t/c J. Clarke
2/24/09	0.2	t/c J. Clarke
2/26/09	0.2 1.5	t/c J. Clarke mot./stay
3/1/09	0.1	email AUSA
3/2/09	0.4 0.1	Mot./stay email J. Clarke
3/23/09	2.3	reply
4/8/09	0.5	reviewed 3/24/08 memorandum opinion
6/15/09	0.2	t/c J. Clarke
7/1/09	2.7	mot. for order that CIA file report
7/7/09	0.1	t/c Rybicki
8/24/09	0.1	t/c R. Hall
8/26/09	0.2	t/c J. Clarke
8/27/09	0.2	t/c J. Clarke, R. Hall

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
9/2/09	0.2	reviewed mot., t/c Clarke
9/9/09	2.3	opposition
9/10/09	4.6 0.1	reply email R. Hall
9/11/09	4.1	reply
9/12/09	6.0	“
9/13/09	5.2	“
9/14/09	8.3	“
9/15/09	7.8	“
9/16/09	8.9	“
11/12/09	1.0	reviewed opinion
11/20/09	3.2 1.0	reviewed court's opinion conf. w/client
12/17/09	0.3 0.1 0.3 0.2 0.3	t/c J. Clarke (2) reviewed draft of case management plan reviewed notes on HHK decision t/c R. Hall m/extension
12/18/09	0.1 0.2	t/c J. Clarke t/c AUSA Rybicki
1/5/10	3.2	CMSJ
1/6/10	0.3	t/c AUSA (2), Clark, Hall
1/7/10	1.2	Reviewed Clarke email; email to Rybicki

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
1/8/10	5.5	NOF Pls' Case Management Report
1/10/10	0.4 0.2	reviewed joint proposal t/c Clarke
1/27/10	1.7	proposed order
2/16/10	0.1 0.1	t/c R. Hall read order and Case Management Report Schedule
8/11/10	0.2 0.1	t/c AUSA t/c AUSA, R. Hall
8/24/10	0.4	reviewed CIA release
9/1/10	0.2	t/c J. Clarke
9/2/10	0.2	t/c J. Clarke
9/16/10	0.1 0.2 0.1	t/c AUSA t/c J. Clarke reviewed Clarke email
2/6/11	0.5	conf. w/R. Hall
3/10/11	0.1 0.2	t/c R. Hall t/c J. Clarke
3/15/11	0.3	review of Cole Decl.
3/17/11	2.1	"
3/19/11	3.0	"
3/20/11	2.6 1.0	conf. w/R. Hall reviewed file

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
3/22/11	0.2	t/c J. Clarke
3/24/11	0.4	motion for extension
3/26/11	2.3	response to suppl. memorandum
3/27/11	2.6	“
3/28/11	4.6	“
	0.2	t/c J. Clarke
	0.1	email J. Clarke
3/30/11	3.2	response to suppl. memorandum
3/31/11	3.6	“
4/1/11	3.8	reply
4/2/11	4.8	“
4/3/11	5.6	“
4/6/11	3.2	“
4/7/11	4.1	“
4/13/11	7.8	“
4/14/11	8.1	“
4/15/11	3.8	“
4/16/11	4.0	“
4/17/11	4.7	reply to suppl. memorandum
4/18/11	8.2	“

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
4/19/11	0.7	NOF and filing thereof
5/12/11	0.1	t/c AUSA Rybicki
	0.1	t/c R. Hall
9/28/11	0.1	t/m Rybicki
	0.2	reviewed Intended Notice of Filing
	0.1	t/c R. Hall
11/6/11	0.4	t/c R. Hall re NSA & PNOK
11/7/11	0.1	t/c J. Clarke
11/18/11	0.2	email Momeni
1/12/12	0.3	reviewed NOF, t/c R. Hall
2/8/12	0.3	email J. Clarke re future processing
2/9/12	0.1	email J. Clarke
2/13/12	0.3	t/c J. Clarke (2
	0.2	5/c AUSA Momeni
2/14/12	0.3	T/C AUSA Momeni
	0.1	t/c J. Clarke
	0.1	t/c R. Hall
2/15/12	0.1	email AUSA Momeni
4/3/12	0.1	t/c R. Hall re status of case
4/5/12	0.2	t/c AUSA Momeeni
4/5/12	0.1	t/c R. Hall
	0.2	t/c J. Clarke

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
4/6/12	0.3	emails to and from AUSA, J. Clarke, R. Hall; t/c R. Hall
4/13/12	0.2	t/c J. Clarke
	0.1	t/c R. Hall
4/18/12	2.5	conf. R. Hall, J. Clarke re prep. for status call
4/19/12	2.0	preparation for status call
4/20/12	1.5	preparation for status call
	0.5	conf. call w/Hall, Clarke
5/16/12	0.8	Delivered 2 CDs to R. Hall
	0.2	t/c Hall (2)
	0.3	downloaded defendants' 3/15 filing and email copy to Hall
5/24/12	0.1	t/c Hall
	0.1	email J. Clarke
5/28/12	3.4	conf. w/Hall, J. Clarke
	3.1	reviewed and took notes on Tisdale Decl. and Exh. A.
	0.2	researched 10 U.S.C. § 130b
5/29/12	1.0	review of Tisdale Decl.
5/30/12	1.0	Reviewed Janosek Decl.
5/31/12	1.0	reviewed Culver Decl.
6/2/12	1.0	Reviewed Culver Decl., took notes
6/3/12	0.3	t/c Hall (2)
	1.0	reviewed Culver Decl., took notes

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
6/4/12	0.2 0.8	t/c Hall (3) reviewed Defs' supplemental memo
6/5/12	0.7 0.1 0.2 5.8	conf. w/Hall at my office t/c Hall t/c Eric O'Sullivan, NSA atty reviewed Vaughn index
6/7/12	0.3	Hrdlicke Aff.
6/10/12	1.5	reviewed Culver Exh. B
6/11/12	0.2 0.2 0.2 0.1 2.0 1.0	t/c O'Shea (2) t/c Hall t/c J. Clarke email O'Shea drafted Hrdlicke Decl; revised it reviewed AIM brief
6/13/12	1.2 0.4 3.6	conf. w/Hall t/c Hall (4) draft Hall decl.
6/14/12	1.0	Hall 56(f) Decl.
6/15/12	1.7	received CIA Vaughn index
6/17/12	1.0 2.3	reviewed imagery records just obtained opposition to supplemental response
6/18/12	6.1	opposition to suppl. response
6/19/12	9.1	opposition to defs' memo re Items 4 & 5
7/11/12	0.3	downloaded filings plus email Hall
7/14/12	0.9	reviewed defendants' response

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
	0.1	email Hall
8/7/12	0.2	t/c Hall
8/15/12	0.1	email AUSA
8/18/12	0.1	email AUSA
8/20/12	0.1	t/c J. Clarke
8/21/12	0.4	t/c AUSA, Clarke
	0.1	email AUSA
	0.1	email Hall
8/22/12	1.2	work on response to CIA's planned Joint Report, including records of CIA's annual FOIA reports and compilation of charts
	0.2	email AUSA
8/23/12	0.2	t/c AUSA
	0.2	t/c Clarke (2)
	0.2	t/c Hall
	0.1	email AUSA
	0.4	response to CIA's proposed case management schedule
9/11/12	0.2	t/c Sgt. Mallory, Air Force, Hawaii
	0.1	t/c Hall
	0.9	ltr to AUSA
9/17/12	0.1	t/c R. Hall, email from Air Force
11/8/12	1.6	emails to U.S. Air Force and AUSA Momeni
11/19/12	0.1	received email re status report
11/25/12	0.2	retrieved, reviewed CIA status report

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
11/26/12	0.2	t/c Hall
	0.2	t/c Clarke re status report
	0.4	email AUSA
	0.3	email Clarke re atty fees
	0.4	reviewed records re status of case
11/27/12	0.4	email AUSA
	2.1	Motion to set schedule, etc.
	0.1	email John Clarke re motion to set sched.
11/25/12	0.1	t/c Clarke
	1.5	memo P & A for motion to set schedule
11/30/12	3.0	motion to set schedule; memo P&A
12/2/12	1.6	“
12/3/12	0.1	email Clarke, Hall
	0.1	email AUSA
	1.0	motion to set schedule
12/4/12	0.1	t/c AUSA
	0.2	emails (2) AUSA
	0.1	t/c
	1.6	revised motion to set schedule
12/11/12	0.3	t/c Hall (2) re status call
	0.1	t/c Scott Barrez (?)
12/14/12	0.2	t/c J. Clarke
	0.1	downloaded files
	0.3	reviewed motion
	0.1	email Clarke
	0.1	email Hall
2/11/13	0.1	t/c T. Sorenson re transcript of status call
2/15/13	0.2	retrieved Status Report, reviewed, sent

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
		email R. Hall
2/16/13	0.2	t/c Hall
2/17/13	0.5	reviewed 2/19/12 transcript
2/18/13	0.7 0.4 0.1	reviewed IPS v. C.I.A. transcript drafted FOIA request re CIA searches email Hall, Clarke
2/20/13	0.3	revised FOIA request to CIA
3/18/13	3.2	preparation for hearing
3/19/13	1.3	status call
4/4/13	0.2 0.1	t/c Clarke re conference email T. Sorenson
4/8/13	0,1 0.2	t/m to court reporter reviewed email AUSA momeni
4/9/13	0.2	email Hall, Clarke
4/10/13	0.1 0.1	email J. Clarke emails from Momeni
5/2/13	0.1 0.3	t/c Momeni t/c R. Hall (2) re 5/15 mtg., payment trscept. bill
5/7/13	0.2	email AUSA, t/c R. Hall
5/17/13	0.3 0.1	email j. Clarke re interim atty fee awards t/c R. Hall
5/20/13	2.5	conf. with AUSA and 2 CIA aides re reduction of Item 5 of request and other matters

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
6/12/13	0.1	email Hall
	0.1	t/c Hall
	0.1	email Clarke
	0.3	email AUSA
6/13/13	0.1	email from Court's Clerk
	0.1	email to Clarke
	0.1	email to Court's Clerk
	0.1	t/c Clarke
	0.1	2d email fm AUSA
8/16/13	0.2	email Paul Dell
	1.0	reply
8/17/13	0.1	t/c Hall
	4.4	reply
8/18/13	6.2	reply
8/19/13	3.6	"
8/20/13	4.5	"
8/21/13	9.2	"
8/25/13	0.1	t/c Hall
	0.1	email Hall
10/22/13	0.1	email AUSA Momeni
	0.2	reviewed 9/30/13 order
12/9/13	0.1	email AUSA
	0.1	t/c Hall
12/30/13	0.1	t/c Hall
1/1/14	0.1	t/c Hall

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
	0.8	transferred June and July 2013 releases to hard drive, gave disc to Hall
1/14/14	0.2	email to and from AUSA
1/20/14	0.3	met Hall to deliver 3 CDs
	0.3	reviewed 4 John Clarke emails
	1.7	worked on revising opposition
2/12/14	0.5	reviewed status report
2/13/14	2.5	response to status report
2/14/14	0.2	t/c Hall
	0.1	t/c Clarke
	0.2	t/c AUSA
	1.0	reviewed Disc 1 of last CIA release (1/14/14)
2/15/14	0.2	email AUSA, Clarke and Hall
2/18/14	0.6	response to status report and filing thereof
2/19/14	0.2	email AUSA and forward with comments to Clarke and Hall
2/20/14	0.5	reply email to AUSA re Vaughn sample
2/25/14	0.1	t/c Clarke
	1.1	reply to emails from AUSA
	0.1	second email to AUSA
2/26/14	0.6	redraft of Clarke report to the court
2/27/14	0.2	revised email to AUSA
	0.4	t/c AUSA (3)
	0.1	t/c Clarke
	0.2	t/c Hall
	0.5	email replying to AUSA's 2/27/14 draft at 8:15p

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
2/28/14	0.2	reviewed 2/28/14 email from AUSA
	0.4	email to AUSA et al., setting forth authority re segregability
	0.2	reviewed second AUSA draft
	0.1	t/c Clarke
4/2/14	0.2	attempts to upload CD Rom on five item 7 documents
	0.1	t/c Clarke
4/4/14	0.2	emails to and from Hall
4/16/14	0.3	t/c Hall
4/17/14	0.1	email Hall
	0.2	t/c Clarke
	0.3	2 emails to AUSA
	0.6	work on time sheets
4/18/14	0.3	reviewed AUSA email and replied
4/20/14	2.1	motion to retard briefing schedule
	0.1	t/c Hall
	0.1	email Hall and Clarke
4/22/14	0.1	email AUSA
5/2/14	0.2	email AUSA re motion to extend
5/26/04	0.1	email R. Hall
6/15/14	0.2	t/c R. Hall (2)
6/20/14	0.1	t/c AUSA
6/30/14	0.1	downloaded R. Hall notes and printed out

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
7/1/14	0.3 0.2	reviewed Hall notes on disks email John Clark
7/2/14	0.3 0.2 0.2 0.1 0.1	t/c John Clarke (2) email Clarke t/c R. Hall email AUSA t/c AUSA
7/6/14	0.2 0.1	motion to ext. and to compel t/c J. Clarke
7/7/14	0.1 0.1	email J. Clarke t/c AUSA Momeni
7/8/14	1.6 0.2 0.1	reviewed Disk 2 emails AUSA email Clarke
7/10.14	0.2 0.1 0.1 0.1	t.c AUSA email AUSA t/c J. Clarke t/c R. Hall
7/12/14	0.4 0.2	NOF. Reviewed missing docs from NY article t/c Clarke re FBI docs in NYT article
7/15/14	0.2 0.1 0.1	t/c J. Clarke email R. Hall email AUSA
7/21/14	0.1 0.1	email J. Clarke email AUSA
7/23/14	0.1	reviewed status report
9/18/14	0.1 0.1	email AUSA email R. Hall

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
9/29/14	0.1	email J. Clarke
	0.1	t/c R. Hall
	0.1	email AUSA
10/9/14	0.1	t/c J. Clarke re atty fee application
	1.8	revised and added to draft letter to AUSA Momeni re atty fees application
10/10/14	2.0	attorney fee application
10/11/14	2.8	“
	0.2	t/c R. Hall
10/12/14	0.2	t/c Hall
	2.4	attorney fee application
10/13/14	1.2	“
	0.2	t/c J. Clarke
10/14/14	0.2	t/c Clarke (2)
	0.2	t/c Hall
10/15/14	0.1	email AUSA
	3.4	selected Vaughn sample documents
10/16/14	0.3	t/c AUSA re attorney fee application
10/24/14	1.0	reviewed revised attorney fee application
10/25/14	1.3	“
10/26/14	1.8	“
10/28/14	0.1	t/c/R. Hall
	0.1	email AUSA
11/2/14	2.5	reviewed and revised attorney fee application

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
11/4/14	2.1	reviewed and revised attorney fee application
11/5/14	0.6	conf. call with AUSAs Momeni and Taaffe, John Clarke, and Roger Hall concerning Taaffe's taking over the case for defendants
	0.2	t/c J. Clarke (2)
11/8/14	1.0	USAO Laffey Matrix Chart
	0.5	reviewed Boasberg decision in CREW case
11/14/14	0.4	email replying to email from AUSA regarding joint motion for stay. settlement negotiations, selection of Vaughn documents by Hall
11/15/14	0.2	t/c Hall re stay, selection of Vaughn docs.
11/17/14	0.2	t/c AUSA Taaffee
	0.2	t/c Clarke (2)
11/18/14	1.0	re-drafted Clarke's draft of joint motion
	0.3	5/c Clarke (2)
1/9/15	0.2	t/c Hall
1/10/15	0.3	email AUSA re interim fees, selection of Vaughn docs
1/12/15	0.1	t/c AUSA
1/14/15	0.2	emails to and from AUSA
1/22/15	0.1	email to AUSA re proposed phone conf.
	0.3	tele. conf. with Clarke, AUSA re atty fees
	0.4	t/c Clarke re atty fees issue
	0.2	t.c R. Hall atty fee issue
1/26/15	0.1	email AUSA

<u>Date</u>	<u>Hours</u>	<u>Description of Services</u>
1/26/15	0.3	2d email AUSA
	0.3	T/C ausa (3)
	0.3	t/c J. Clarke (3)
	0.3	revised scheduling motion
	0.1	filed request for schedule
2/3/15	0.2	t/c J. Clarke
	0.2	t/c Dan Alcorn
	0.1	t/c Hall
	0.6	drafted email to AUSA
	1.0	motion for interim atty fees
2/4/15	0.2	t/c J. Clarke
	0.2	emails to and from AUSA
	3.0	motion for interim attorney fees
2/5/15	5.5	motion for interim attorney fees
	0.1	email J. Clarke
2/6/15	7.0	motion for interim attorney fes
2/7/15	8.2	“
	0.1	t/c R. Hall
	0.2	emails J. Clarke (2)
2/8/15	0.2	t.c H, Clarke
	0.1	t/c R. Hall
	5.2	motion for interim atty fees
2/9/15	4.0	“
	1.0	proofed motion

C.A. 04-0814: CHART OF ATTORNEY LESAR CHARGES
USING SALAZAR LAFFEY MATRIX RATES

<u>Year</u>	<u>Rate \$/hr</u>	<u>Hours</u>	<u>Amount in \$</u>
03-04	549	4.4	2,415.60
04-05	574	81.7	46,895.8
05-06	598	24.7	14,770.60
06-07	614	104.9	64,408.6
07-08	645	34.9	22,510.50
08-09	671	118	79,178.00
09-10	686	70.4	48,294.40
10-11	709	87.5	62,037.5
11-12	734	21.8	16,001.20
12-13	753	76.3	57,453.9
13-14	771	49.7	38,318.7
14-15	789	75.4	59,490.6
		<u>Total</u>	\$ <u>511,775.4</u>

Chart A

C.A. 04-0814: CHART OF ATTORNEY LESAR CHARGES
US ATTORNEY'S OFFICE LAFFEY MATRIX RATE

<u>Year</u>	<u>Rate \$/hr</u>	<u>Hours</u>	<u>Amount in \$</u>
2003-04	380	4.4	1,672
2004-05	390	81.7	31,863
2005-06	405	24.7	10,003.5
2006-07	425	104.9	44,582.5
2007-08	440	34.9	15,356
2008-09	465	118	54,870
2009-10	465	70.4	32,736
2010-11	475	87.5	41,562.5
2011-12	495	21.8	10,791
2012-13	505	76.3	38,531.5
2013-14	510	49.7	25,347
2014-15	520	75.4	39,208
	<u>Total</u>	749.7	<u>\$346,523.0</u>

Chart B