

## **Exhibit 8: Line-by-Line Invoice Review – Terry Case**

Table 8 is the ledger reproduced. Exhibit 127 is the court filing log, retyped.

### **September 2016**

8.1 **First meeting billed Cole's time when said not-billed, 9/19/16.** This was described for the museum case, and it would be reasonable to give me for Cole's time in this meeting for this Terry case, too, **a credit of 0.75 x \$340 = \$255.**

8.2 **Meeting with Prior Counsel, 9/30/16.** This was described for the museum case. Krabill billed 1.5 hours the day before to read the pleadings, which takes about 30 minutes, so 1.5 hours for this meeting on this case alone was excessive. Krabill on October 4, 2016, at the airplane hangar asked me to make a list of the 3-5 things each person did wrong, and he would go after the defendants for those. This reflects that in this meeting with Vice he learned nothing at all about the Terry case. Vice did not know what they did wrong. In December, 2.5 months after this September meeting, Krabill was still demanding my list of 3-5 things, because he had no idea what any of the Terry defendants did wrong, and thought Terry Rogers did nothing wrong. It would be reasonable to bill a maximum 1 hour for the meeting with Vice on this case, and give me a credit for 30 minutes for Krabill and Cole, **a credit of \$225 + \$170 = \$395.**

### **October**

8.3 **Mahaffey Settlement Offer Received 10/3/16** – This was sent to me by Krabill's secretary, in Exhibit 128. Krabill did not send this to me, or ever discuss it with me. His time is combined with other activities, but is estimated as 0.5 to review this, and Cole billed 0.3, which is 18 minutes, for : "Review settlement offer from Mahaffey and research law regarding same." This can be read, slowly, in 1 minute and 11 seconds. This firm should be familiar with Rule 167,

and so there was nothing for Cole to research. **A reasonable credit would be for 0.4 of Krabill's time, and 0.2 of Cole.**

8.4 **“Audit documents received from prior counsel” 10/21 to 10/31, MTB.** 12.2 hours total over 7 days, for \$4,087. There was no identifiable value from this, not in the long run.

- a. 10/5: 0.1 (estimated of 0.4 total with other tasks)
- b. 10/17: 0.7 (estimated of 1.7 total including draft subpoenas)
- c. 10/21: 1.0 – all this.
- d. 10/23: 3.2 = all this
- e. 10/24: 2.8 – all this
- f. 10/28: 2.5 – all this.
- g. 10/31: 1.0 – all this.

8.5 **Vendor meeting, 10/5/16:** MC billed 0.5, \$110, for:

“Office conference with Ms. Biblo and Mr. Cole to discuss case and next steps; coordinate with vendor to set up a document review database.”

This vendor was never identified to me, and was a function LPCH should have had, and ultimately was of no value to me. A reasonable credit would be 0.5 hours.

8.6 **Deposition Summaries by MC, 10/7 to 10/19.** These sometimes have other items on the same day, and so times are estimated, but appear to be:

|          |           |      |                                  |
|----------|-----------|------|----------------------------------|
| a. 10/7  | 1.9 hours | 418  | Mahaffey                         |
| b. 10/10 | 6.0 hours | 1320 | Finish Mahaffey, start Washburne |
| c. 10/14 | 3.0 hours | 660  | James Terry-1                    |
| d. 10/17 | 2.7 hours | 594  | James Terry 1                    |
| e. 10/18 | 1.4 hours | 308  | James Terry 2                    |
| f. 10/19 | 3.4 hours | 748  | Finish James Terry -2, Rogers    |

This was 18.4 hours, \$4,048, and it is not clear these were ever provided to me, or ever used by anyone. The depositions were already read by Krabill for 30 hours, during which he probably took his own notes. Cole was preparing an amended petition, and on 10/21 and 10/24 reviewed the original depositions to do so, not these summaries, so they were not used by Cole either:

- a. 10/24 5.6 hours: “Review depositions in connection with amending petition.”
- b. 10/25 2.0 hours: “Review depositions in connection with amending petition.”

- c. 10/26 1.0 hours: “Review discovery responses and depositions in connection with amending petition.”

It is not reasonable to bill me for any of MC’s summaries.

8.7 **Organizing LPCH file for in-house attorneys, 10/10 and 10/14** – MC spent time on this, and putting it on their system, but this had no long term value, for me.

8.8 **Westlaw Research, 10/12/16:** MC billed 5.1 hours, an estimated 2.5 for:

“Westlaw research on Messrs. Nelson and Bradley; prepare deposition exhibits binder and index same;

On 10/31/16 this was “Westlaw research for October 2016:” \$493.66. This is an unreasonable and unapproved amount, to research two young men who were in their early 20s when they started working on the projects. There was no charge for Westlaw research of the other numerous people in these cases. By contrast, in the VFM case the charges for Westlaw research were: 11/30/16 was \$110.30; 12/31/16 was \$4.13, and 6/30/17 \$42.95. **A reasonable credit is all the 2.5 hours 10/12, and all the contractor cost 10/31.**

8.9 **Review and digest depositions, 10/3 to 10/17** – At this point in the Terry suit, the following depositions had taken place, with the time sheets in Exhibit 129:

- a. April 25, 2016 – James Terry, from 10:01 a.m. to 7:54 p.m., recorded time 8:02.
- b. April 26, 2016 – James Terry – from 1:29 p.m. to 8:18 p.m., recorded time 5:39.
- c. May 2, 2016 - Pat Mahaffey – from 10:06 a.m. to 6:34 p.m., recorded time 6:06.
- d. May 6, 2016 – Terry Rogers – from 10:11 a.m. to 4:08 p.m., recorded time 4:22.
- e. May 9, 2016 – Seth Washburne – 10:08 a.m. to 3:53 p.m., recorded time 4:16.

This was a total 28 hours, 25 min. On July 5, 2018, I read Roger’ deposition, originally 4:22, in 1 hour and 25 minutes, though without pulling up the 31 exhibits. Including those, one could probably read that one in 2 hours, and certainly in 2:11, half the original time. One may then estimate that all of these could be read in half their original 28 hours of time, i.e. in 14 hours.

To “Review and digest depositions,” Krabill billed 29.85 hours, as shown below:

**Krabill Hours to "Review and Digest Depositions" (estimated from daily totals)**

| 10/3 | 10/4 | 10/5 | 10/6 | 10/11 | 10/12 | 10/13 | 10/14 | 10/17 | Total |
|------|------|------|------|-------|-------|-------|-------|-------|-------|
| 4.6  | 2.4  | 1.9  | 2.15 | 6     | 2     | 5     | 3     | 2.8   | 29.85 |

This appears excessive, being twice as long as estimated, and longer than the original depositions.

A reasonable credit would be for 8 of the 16 excess hours billed, e.g. those on 10/13 and 10/14.

8.10 **Bazeley Discussions 10/13 to 10/28** – these produced a worthless report, and are all unreasonable.

8.11 **MC to review docs, 10/18** – this is a third, and often a fourth, person reviewing the same documents as Krabill and Cole, and so is unreasonable, \$308.

8.12 **Amended Petition, 10/14 to 10/31** – Billing on this is listed as:

- a. 10/6 – KDK estimated 0.2 hours – “strategy meeting with Mr. Cole and Ms. Biblo regarding amending Petition”
- b. 10/12 – KDK estimated 0.2 hours - strategy conference with Mr. Cole and Ms. Biblo regarding depositions, discovery, amending petition, etc
- c. 10/14 – SMC estimated 2.0 hours - attention to revising petition; confer with Mr. Krabill regarding revising petition.
- d. 10/17 – SMC estimated 1.6 hours – “Attention to revising petition (estimated split)”
- e. 10/18 – SMC 4.8 hours – “Draft amended petition.”
- f. 10/19 – SMC 2.8 hours - “Continue drafting amended petition.
- g. 10/20 – SMC 2.5 hours - 'Continue drafting amended petition.
- h. 10/21 – SMC 3.8 hours - 'Review depositions in connection with drafting amended petition.
- i. 10/24 – KDK 0.3 hours – “Review and revise Third Amended Petition.
- j. 10/24 – SMC 5.6 hours - 'Review depositions in connection with amending petition.
- k. 10/25 – SMC 2.0 hours - 'Review depositions in connection with amending petition.
- l. 10/26 – SMC 1.0 hours - 'Review discovery responses and depositions in connection with amending petition.
- m. 10/27 – KDK 1.1 hours - 'Review and revise Third Amended Petition; confer with Mr. Cole regarding same; email exchange with Mr. Washburne regarding same; email exchange with Mr. Bazeley regarding inspection.
- n. 10/27 - SMC - 0.7 hours: ““Revise petition to incorporate comments from Mr. Krabill.” This day included for Krabill to read this an estimated 1.0 hours (out of 1.1 billed, including a call to Bazeley).
- o. 10/31 – KDK 0.2 hours - 'Confer with Mr. Cole regarding Amended Petition; review and revise same; review email from Mr. Washburne regarding same; review letter from opposing counsel, Mr. Dowdy, regarding discovery issues.

p. 10/31 - SMC 1.3 hours: “Finalize and file amended petition.”

This in summary was for KDK 2.0 hours, and for Cole 28.1 hours, for a total cost \$10,454. The prior petition, the Second Amended, filed by prior counsel, is included as Exhibit 130, and the third amended petition is Exhibit 131. The changes are relatively minor. The amount billed is unreasonable. Credit time 10/19 and 10/20, \$952 + \$850.

8.13 **Potential error 10/31** – MTB billed 0.5 hours on this day twice for the same “Audit documents from prior counsel,” appearing to be an error. \$167.50.

8.14 **Copies for notebook, in expenses at end, 10/17, \$305** – I received no papers from LPCH, and so this is unreasonable.

8.15 **10/31/16-6/30/17: Disco Hosting.** Krabill billed for “Disco Monthly Hosting” to which I never agreed. In response to my complaint about this he replied: “This is the system we use to host your docs.” Krabill billed for this for the Terry case \$3,599.46:

|           |          |
|-----------|----------|
| 10/31/16: | \$230.92 |
| 11/30/16: | \$258.50 |
| 12/31/16: | \$312.41 |
| 1/31/17:  | \$466.34 |
| 2/28/17:  | \$466.34 |
| 3/31/17:  | \$466.34 |
| 4/30/17:  | \$466.34 |
| 5/31/17:  | \$466.34 |
| 6/30/17:  | \$466.34 |

The engagement letter, which is the legal contract, states in section VII. Expenses:

“In addition to legal fees, our statements will include out-of-pocket expenses that we have advanced on behalf of the Client and our internal charges which may exceed direct costs for support activities. Our internal charges typically include such items as long distance telephone tolls, facsimile transmissions, messenger services, overnight courier services, charges for computer research and complex document production, secretarial and paralegal time, and charges for photocopying or printing materials sent to Client or third parties or required for our use.”

LPCH had an obligation to disclose this cost, because it was an internal charge, not unexpected, and c) larger than all of these other items mentioned, and so was not insignificant.

## November

### 8.16 MTB to “Review and analyze documents received from former counsel,”

**11/1/16 to 11/20/16.** MTB is Biblo, and she billed 25.54 hours, \$8,555.90, all noted as “Review and analyze documents received from former counsel,” of her total \$8,723 for the month. She never did anything after this, so it was not reasonable for me to pay for her to come up to speed, but Krabill replied defending this writing:

“MALLORY REVIEWED ALL DOCS AND MARKED AS RELEVANT, HOT DOC, PRIVILEGED, AND ISSUE CODED. THIS HAD TO BE DONE BY SOMEBODY, AND MALLORY DID AN EXCELLENT, EFFICIENT JOB. REVIEWING DOCS, MARKING THEM AS HOT AND ISSUE CODING TAKES TIME.”

But for this Bilbo failed to find any of the RFDs, or anything about Rogers, or what anyone else did, such that Krabill was still demanding my list of 3-5 things. She also did this in October.

This was a fourth lawyer assigned to my case. It would be reasonable to credit all of this time.

8.17 **Day with Expert at Hangar, 11/18/16.** There was no reason for both Krabill and Cole to spend 8 hours at the hangar on this day, no reason for even one of them to be there, and they lied about what they would do.

Krabill emailed me November 17, 2016 (page 4-**Error! Reference source not found.****Error! Reference source not found.****Error! Reference source not found.****Error! Bookmark not defined.**, Exhibit 132) regarding his second visit to the hangar, this time with the expert, with three representations, which were all false:

“Stephen and I will be there to follow him along and assist in any way we can and hopefully learn more about the damages in the case.”

Cole and Krabill did not follow Bazeley around, did not assist him in any way, and learned nothing more about the damages.

“Paul will be opining on the items listed in his disclosure in the case. Part of the reason for this visit is to narrow down his opinions, as a jury can only digest so much

material. However, we will have an outline with us tomorrow to keep us all focused. Stephen will email that outline later today “

The outline, attached to Exhibit 133, was sent to me at 11:29 a.m. the morning before Bazeley arrived, with almost no time for me to review it. It was completely worthless and laughable, e.g. asking Bazeley to opine on the airworthiness of my plane Billie, which is completely dismantled, with the fuselage torn in half – it does not take an expert to determine if this is airworthy, and plane JR with no wings or oil tanks or props, and damage to several areas – obviously not airworthy. I had to create my own list of areas where work was done, for Bazeley to evaluate, part of which was the two pages in Exhibit 134. This was a perfect list of areas to opine on, but on the day of the inspection, Krabill said he would not provide this to Bazeley.

In addition, Krabill indicated he would bring some other work along to do, but never did any other work. This was a boondoggle, and excessive billing.

I questioned the hours billed on this day, writing:

11/18- you billed 8.2 for the day at LNC, which began at 8 a.m. and were finished at 4 p.m. – my photo of you and Paul was taken outside at 3:51 p.m. – you can click on the attached, and select properties, and see it was a 3:51 p.m., so until then was 7.8, hours, including lunch. You said beforehand that you would bring some work with you to do, and so did you do anything else during this time? I know you could not do work at your office during this time, but is this normal, to bill the full time for mostly hanging out there? I realize we talked about the case for a few minutes, but don't recall any substantive discussion, other than you saying you wanted the spreadsheets. Does this include any driving time? SMC also billed 6.7 for this day, and I recall had a call in the afternoon so would be less, but wonder if it is normal for both of you to charge a full rate for a day like that when partly or mostly bs-ing? Since you billed 8.2 hours, did you include the time we sat at lunch, and what was the additional 0.4? Perhaps reading docs I your car before the others arrived? I was expecting these to reflect less than the total time there, to reflect you bringing some other work with you, or for non-legal work time.

Krabill replied:

STEPHEN'S TIME WAS LESS THAN MINE BECAUSE, AS YOU NOTE, HE HAD A CALL THAT HE HAD TO HANDLE THAT DAY, WORKED A LITTLE ON SOME OTHER MATTERS, AND WORKED SOME ON THE MUSEUM MSJ RESPONSE. IT WAS NECESSARY FOR US TO BE THERE SO WE COULD BE AVAILABLE TO

TALK WITH YOU AND PAUL ABOUT HIS TESTIMONY AND THE CASE STRATEGY IN GENERAL (WHICH WE DISCUSSED AT LENGTH ON SEVERAL OCCASIONS THROUGHOUT THE DAY). I TOLD YOU THIS BEFORE THE INSPECTION AND YOU APPROVED IT

I allowed them to be there because he said: “Stephen and I will be there to follow him along and assist in any way we can and hopefully learn more about the damages in the case,” and he said he would bring items to work on for other clients in any downtime, which would reduce my cost, but he failed to do either of these. I deserve a credit for all Krabill’s and Cole’s time billed this day.

8.18 **Krabill lied that he did not bill me for lunch 11/18/16.** After the hangar day, I asked Krabill whether he billed for lunch on that day, and Krabill shot back:

**“No! And we paid for YOUR lunch!”**

My lunch cost about \$7. When Krabill arrived at the hangar I had just ordered a breakfast sandwich at the café and had been looking out for him, and noted the time he arrived was about 7:50 a.m. I took a photo at the time he left, which was 3:51 p.m., and so was almost exactly 8 hours. When I received the bill, I noticed Krabill billed for 8.2 hours, which was puzzling. I asked if he billed for driving time, and he said no. It seemed he had indeed billed me for lunch. I asked him about this, and he would only say and repeat “The bill is correct as stated,” and refused to explain what the extra 0.8 hours were for, if he had not billed for lunch. Eventually I asked Cole, and Cole stated yes, they both billed for lunch. **Krabill intentionally lied about this.** I deserve a credit for at least 0.2 above the 8 hours, plus, 0.5 for lunch, for Krabill and Cole. This would be covered by a credit for the entire day.

8.19 **Process server for wrong Steve Swift, in expenses, 11/19/16.** As I note in an email November 17, 2016, the process server LPCH hired served the wrong Steve Swift. For 11/19/16 Krabill billed in the fee section: “Process service for Stephen D. Swift, \$126.” I received a slightly upset call from that Steve Swift that night. This was inept. LPCH should have



checked with me about the details of Steve Swift before sending a process server. It is reasonable for me to get a credit for \$126. The invoice for December, too, had a line item for 11/26/16: “Process services to Stephen D. Swift,” for \$120, perhaps reflecting finding the correct one.

8.20 **Process server to Charles Montgomery 11/23/16 (billed 11/26/16).** This was premature, as his deposition was never required or taken. I should get a credit for \$236.

8.21 **Process server to Gary Worth 11/17/16 (billed 11/26/16).** This was premature, as his deposition was never required or taken. I should get a credit for \$193.50.

### **December**

8.22 **Gary Worthy Subpoena, 12/1 and 12/2.** This was never taken, so was a waste.

8.23 **MC time all month seems excessive** – and should be each reduced 50%:

- a. 1.3 hours 12/1: Dana Wood deposition preparation; receipt and review of our amended disclosures; docket our deadline to produce attorney's fees invoices.
- b. 1.6 hours 12/2: Confirm court reporter for Wood deposition; receipt and review of background information on Oscar Cardenas in an attempt to serve him for deposition; receipt and review of notice of hearing on Mahaffey's motion for summary judgment and docket same along with our response deadline; prepare exhibits for Wood deposition; receipt and review of correspondence regarding Mahaffey testifying as expert.
- c. 1.4 hours 12/6: Receipt and review of notice of service on Oscar Cardenas; revise calendar to show service update; update case notebooks; prepare depositions log to track deposition and exhibits; receipt and review of various deposition notices and subpoenas and docket each; schedule reporter and videographer for each; receipt and review of correspondence regarding conflicts with deposition schedule.
- d. 1.2 hours 12/7: Receipt and review of additional correspondence regarding deposition scheduling; docket tentative dates for deposition preparation with client and deposition; work on assembling and organizing key documents.
- e. 1.4 hours 12/12: Schedule reporter and videographer for Perdue and Worthy depositions; download maintenance records for JR and Billie; update calendar and reschedule reporter for Williams deposition; receipt and review of Perdue documents responsive to subpoena; prepare Perdue documents for production; update production log; upload Perdue production to FfP site and produce to opposing counsel; forward new Williams deposition notice to court reporter;

- f. 3.1 hours 12/13: Schedule reporter for Montgomery deposition; receipt of Wood transcript and exhibits, add to file and update depositions log; receipt and review of update on service of Stephen Swift; upload new client documents to review database for production; prepare document production; serve production; update production log; send documents to expert for review; update deposition exhibits binder. Review Mr. Mahaffey's Motion for Summary Judgment and
- g. 2.3 hours 12/14: Receipt and review of additional documents from client; search database to see if they have been produced, confirm they are not and prepare them for production; serve production; update production log; download key documents from review database and begin organizing in chronological order; receipt and review of Mahaffey's supplement to his motion for summary judgment.
- h. 1.3 hours 12/15: Prepare case calendar to track upcoming deadlines and depositions; receipt and review of several emails regarding changes in deposition scheduling; update calendar and make changes with court reporter as needed; confer with Messrs. Cole and Krabill regarding additional documents to assemble and send to expert; assemble expert documents and serve same; prepare document production and serve same; update production log; receipt and review of FOIA request and docket response date.
- i. 3.1 hours 12/16: Receipt and review of notice of deposition duces tecum of Paul Bazeley and docket same; update expert files; assemble potential exhibits for Perdue deposition, organize in chronological order and finalize exhibit binders and folders; prepare another supplemental production, Bates-label and serve; update production log; send additional document to expert for review.
- j. 2.4 hours 12/20: Receipt and review of notice of intent to serve deposition notice duces tecum on Michael Bradley and docket same; confer with Mr. Krabill regarding responding to questions from client; obtain court reporter and videographer cost information for client; confer regarding whether to get a court reporter for our expert's deposition since defendant only noticed it for video; continue organizing and de-duplicating key documents.
- k. 1.4 hours 12/22: Redact account numbers from bank statements; Bates label and prepare documents for production; begin working on chronology.
- l. 3.4 hours 12/28: Receipt and review of Defendant Terry's amended motion for summary judgment; receipt and review of Pacific Prowler's motion for summary judgment; receipt and review of Defendant Douglas87745's motion for summary judgment; receipt and review of Defendant Pacific Prowler NP and GGA's motion for summary judgment; receipt and review of notice of hearing on Terry Defendant's motions for summary judgment and docket same; also docket our response deadline; receipt and review of Defendant Mahaffey's discovery responses: update case notebooks for attorneys; receipt and review of task list and make sure that all upcoming deadlines and depositions are on calendar; prepare Wood deposition summary excerpts; organize deposition exhibits in chronological order.

8.24 **Fact Witness Dana Wood Deposition Prep, 12/2 to 12/5/16.** Cole took the Dana Wood deposition, and to prepare for it billed: 12/2 - 4.0 hours, 12/4 - 0.2 hours, and 12/5 - 4.9 hours to prepare and take the deposition, and other items. This hearing is included as Exhibit 135, and had the points below. The Deposition began at 8:54 a.m. and ended at 11:12 a.m., being 2 hours and 18 minutes, and excluding breaks lasted 1 hour and 48 minutes. Cole prepared only four substantive questions, underlined below. He asked additional ones, but I emailed many of those to him on that morning:

- a. Personal background, when started with Jim Terry.
- b. GGA is a dba for Pacific Prowler Non-Profit
- c. Her company GGA Productions stands for "God Gives Abundantly."
- d. About gga1.org website - when created - by John Ragland, and then greatestgenerataionaircraft.org by Franklin Poole.
- e. Did GGA or PPN have a newsletter? "We would send out email blasts..."
- f. Did you have an understanding of what the workers were trying to do?
- g. Seth hired Jim Terry to restore the C-47?
- h. Showed her page from Wayback Machine, the 7/28/11 greatestgenerationaircraft.org web page - she did not know who created the page.
- i. Next a page from warbirdinformationexchange.org - about Thirsty 13<sup>th</sup> reunion.
- j. Washburne002149 - "Last surviving C-47 combat vet" and paragraph below that - who wrote it - doesn't know.
- k. Ever market Seth's plane to airshows? - showed email marketed JR to 30 airshows. No, did not market it that she knew of.
- l. Do you have other documents responsive to a subpoena in the other case? No.
- m. 1026-1033: Who were Ricky, Oscar, Steven, Joe Tooley, Kandi Thomas, Steve Swift, Gary Worthy, Leslie Chapman..., what did they do.

The following were all written by me on the morning of 12/5/16 and emailed to Cole:

- n. Why she stopped working for Terry
- o. Hasn't had any contact with Terry since around May 2015, few weeks after quit.
- p. "I really spoke to him [Seth] very little. If I've spent - probably less than an hour in conversation with Seth over the - since the time I've known him." "If it was nonbusy flight time, I might only be out there once every two or three weeks." If it was busy flight time, Christmas light season, for example., I was there every day."
- q. 1033 - baby bottle incident - and police report
- r. "Did you ever ask Mr. Terry whether he did steal any of Mr. Washburne's parts? Jim Terry may be a lot of things. He's not a thief. You only have to know Jim for a couple of days to know he's not terribly organized, but he's an honest man." !!!!!!!!!!!

- s. Asked about baby bottle affidavit – and says only the FAA letter.
- t. Any knowledge of a storage facility? Never been there. Kandi ran it. Doesn't know of any other storage facility.
- u. "I have not been in a position to pay Charlie. Charlie's been representing me. I don't believe Jim is paying him for that."
- v. Asked about boat on Eagle Mountain Lake.

Cole's 4.2 hours plus some of 4.9 this are excessive. A reasonable credit would be 2 hours 12/2.

**8.25 Krabill time to review hot documents, 12/5 1.5 hours and 12/6 4.8 hrs** – This is a total 6.3 hours, 378 minutes, and there were 142 files, so that is 2.7 minutes per document, but many are quite short and could be read in 30 seconds. Krabill a week later had no idea what any of the defendants did wrong, and never found the RFDs. A reasonable credit is half this time.

**8.26 MTB billed 2.9 hours, \$972, to attend the Dana Wood hearing 12/5/16.** There were 7 newly added exhibits introduced, and three prior ones, and so this did not involve hundreds of documents which might need an assistant. It was unreasonable for MTB to attend this, and bill \$972. Cole took Wood's deposition alone in the Museum case, and in this case Wood was only a fact witness. A reasonable credit would be for all of this time.

**8.27 All contacts with expert** – these were all a waste.

**8.28 Our potential Terry and Mahaffey MSJ, but never filed** – LPCH billed:

- a. 12/7 SMC 2.5 hours (estimated): "begin gathering evidence for motion for summary judgment against Terry and Mahaffey; call with client regarding documents for expert."
- b. 12/14 SMC 1.9 hours (estimated): "evaluate potential motion for summary judgment against Terry and Mahaffey;
- c. 12/19 SMC 2 hours (estimated): "review evidence supporting claims against Mahaffey; discuss same with Mr. Krabill;"
- d. 12/20 SMC 7.1 hours: Review evidence in support of claims against Mahaffey; research issues regarding contractual limitation of liability clause; draft discovery responses."

This was never filed. These charges are unreasonable, credit all.

8.29 **Mahaffey MSJ Response** – TBD as part of January.

8.30 **Krabill time 12/13 and 12/14 to Review Mahaffey MSJ** – this is on both days:

- a. 12/13 part of 2.9 hours: Review Mr. Mahaffey's Motion for Summary Judgment and analyze issues regarding responding to same; review documents regarding same; confer with Mr. Cole regarding same
- b. 12/14, part of 3.2 hours for: Review Mr. Mahaffey's Motion for Summary Judgment and Supplement and confer with Mr. Cole regarding responding to same;

A reasonable credit would be an estimated 1.6 hours 12/14, seemingly duplicateive.

8.31 **Prep for Deposition of Scott Perdue** – Cole billed:

- a. 12/15 5.8 hours estimated: “Prepare for deposition of Scott Perdue;
- b. 12/16 4.5 hours for: “Confer with Mr. Krabill regarding Mahaffey's motion for summary judgment and claims against him; continue preparing for deposition of Mr. Perdue.
- c. 12/17 1.8 hours: “Continue preparing for deposition of Mr. Perdue and review proposed questions from Mr. Washburne.

The only day that was required was 12/17. This was a simple deposition of a fact witness, which lasted for 2 hours 56 minutes, from 8:37 to 11:33 a.m., recording for 2 hours 11 minutes. There were almost no substantive issues. Credit 12/15 and 12/16.

As an aside, on 12/19/16, MTB for this Terry suit billed items for the VFM case:

1.1 hours - “Telephone conference with Mr. Krabill regarding schedule of depositions; draft notice of subpoena and subpoena to Richard Bradley; attention to service of same; “serve notice of deposition of corporate representative of VFM; serve notice of deposition of representative of the Hospers Trust; serve notice of deposition of notice to Charlyn Hospers; serve notice of deposition of notice to Bill Gorin.

In the museum case she did not also bill this, so it is ok.

8.32 **Excessive Process server charges** – this for Scott Perdue was \$229.50, and Oscar Carenas \$380.50. If they checked the locations with me, this may have cost less.

8.33 **Disco monthly hosting** - \$312.41 for December is unreasonable.

## January 2017

### 8.34 **Excess Billing by MEC.** Similar to December, MEC bills unreasonable amounts:

- a. 1/3/17: 2.2 hours for quick admin jobs of: “Receipt and review of correspondence regarding Bradley deposition; cancel court reporter and videographer; prepare amended notice of deposition for Diver; revisions to case calendar and circulate to attorneys for review; schedule reporter and videographer for Diver deposition; update attorneys' case notebooks; work on chronology.
- b. 1/5/17 5.0 hours for: “Review Mahaffey response one more time and make edits; insert citations from Washburne and Bazeley declarations; finalize response and exhibits and prepare for filing; review response to Terry Defendants motion for summary judgment and insert citations to declarations and exhibits; finish assembling exhibits, marking and prepare all for filing; prepare orders denying all 5 motions for summary judgment; receipt and review of correspondence regarding logistics for Bazeley deposition; purchase SD memory card to obtain copy of Bazeley video.
- c. 1/6/17: 3.0 hours for: “Meeting with Mr. Krabill to discuss hearing preparations; meeting with Mr. Cole to discuss preparations for Bazeley deposition; assemble Bazeley deposition preparation binder; update case notebooks.”

Krabill billed 2.9 hours for their meeting, and SMC 3.3 hours. It was not reasonable to have MEC attend this meeting.

- d. 1/9/17: 4.0 hours for: “Prepare hearing notebooks; receipt and review of Mahaffey's reply in support of his motion for summary judgment; prepare first draft of Terry motion for summary judgment presentation; receipt and review of Bazeley report; prepare supplemental document production; work on first draft of Mahaffey motion for summary judgment presentation.

8.35 **Worthless Expert Report, 1/4/17-1/8/17** – Krabill and Cole spoke with the expert, named Paul Bazeley, on December 14, 2016, and intentionally excluded me from the call. Krabill then called me, and told me he Cole planned to talk again to Bazeley that afternoon, and I demanded he include me on that call. Krabill and Cole again refused to include me.

Bazeley was then scheduled to fly from Oregon to Dallas on Saturday afternoon, January 7, then meet with Cole on Sunday, January 8, from around noon until 7 p.m., to finalize his expert report, and prepare for his deposition Monday. Krabill and Cole did not even tell me about the

January 8 meeting, and then when I learned about it did not want me to attend. I had to beg them to let me attend, and they relented, but it was clear they still wanted no input from me.

I asked Cole to forward to me a draft of Bazeley's report as soon as he got it, so I could at least review this. Cole sent me an email, Exhibit 136, with the report, Saturday, January 7, at 4:09 p.m., as I was about to leave to drive to the airport to pick up Paul, and then go to dinner with him, so I had no time to review it that night or the next morning. I had extensive spreadsheets of all of the costs, and could not even begin to review this and provide any input in the little time allowed me.

I was shocked when I asked Paul on what date he sent it to Krabill, and he said it he had sent it much earlier. Krabill's ledger for Wednesday, January 4, 2017, 3 days before, states:

“Review Mr. Bazeley's draft opinions and confer with Mr. Cole regarding same,”  
so he had it at least on Wednesday, but waited to share it with me until late Saturday afternoon.

I attended the work session Sunday, January 7, but Cole was talking in general terms, which made no sense to me, ignoring all the details, and that is the way they wanted it.

Imagine if I owned a big B-17 bomber, upon which many people had worked, and the last group made many technical errors so I hired a lawyer to sue them, and found a great B-17 expert. Then imagine if the lawyer wanted zero input from me about what was wrong, and expected the expert to distinguish what the latest group did, from what for 75 years was done by prior owners, or WWII mechanics. That would make no sense. Obviously the owner who initiated the suit would have an exact list of what the defendant did, and did wrong, and should be included.

The final report is in Exhibit 137. It is almost 100% worthless. Bazeley states:

**Jim Terry**

1. Pre-purchase inspection estimate should have been 2x that quoted – but there are no specific examples, and this is a function of the labor rate, so is unsupported.
2. Changing engines was not necessary – we knew this already. Regarding the damages:
  - a. The \$88,094 and \$92,362 both include \$22,362 (and the second amount had \$35,000 x 2 for the shop work; actually \$22,367) for engine parts, so this is double-counted.
  - b. This gives no credit for the maybe \$120,000 value of the newly-overhauled 1830s.
  - c. The 480 hours to reinstall the 1820 nacelles and engines – engines can be installed by two people in 1 day each, for 32 hours, so this is 450 hours, two people full time for 28 weeks, 7 months to reinstall the nacelles. Those are being put back on to the nacelles they came off of, so can probably be done in a week each, 2 weeks total
3. A donor plane was not necessary – this is agreed, but the damages include \$65,707 for the Missouri plane, but this was already claimed (with the \$22,377 parts) as part of the \$88,094 engine cost, and the full cost of JR, with no credit to their value after purchased. This did not result from the inspection.
4. The center section should not have been separated – this is a good point, but did not result from the inspection.
5. Parts should have been bagged and tagged – did not result from inspection.

### **Mahaffey**

1. Windshield structure replacement with Missouri parts led to misaligned fasteners – ok, but no photo proof. One would expect the few problems could be otherwise repaired.
2. 020 bulkhead repair with Missouri part led to misaligned fasteners – ok, but no photo proof. One would expect the few problems could be otherwise repaired.



3. Parts outside should have been secured – first he says these were still in the “care, control, and custody” of Mahaffey, 3.5 months after Mahaffey quit, which might not stand up in trial. Next this did not require an inspection, only for the damages. The damages include replacement of Billie (N4715) in addition to repairing it, which seems to be double-counting.
4. Repainting the control pedestal (the black I wanted instead of gray Mahaffey picked without authorization) will cost \$4,020. This seems high.

### **Terry Rogers**

1. Doublers AD has poor quality holes and Hilock fasteners not allowed – ok, but arguable.
2. The center wing “butt plates” are out of tolerance – ok.
3. Paint stripping and repainting was not completed – ok.
4. Nacelle removal and replacement for changing to 1830s was misguided – damages include 80 hours to reinstall the original nacelle structure, yet under point 2 Bazeley estimated 480 hours for this and installing the engines.

### **Additional Opinions**

1. The total amount billed should have been \$350,000, so I was greatly overcharged – Bazeley does not break this down, or compare it to the total in fact paid to the workers.
2. JR requires \$112,500 more work before signed off to fly, including repairing the wings.
3. Stolen or borrowed elevator produced value of \$800 – ok, but no inspection needed to produce this opinion.
4. Instruments overhauled by non-certified place when overhauled and certified by approved place will cost \$5,000 to \$9,000 – but this should list the instruments.
5. Stolen parts would be valued at \$110,000 to \$130,000 – but provides no itemized list.

This includes exactly five areas for Jim Terry, four for each of Mahaffey and Rogers, and five additional, perhaps reflecting Krabill's intention to only pursue "3-5" claims against each person. As a result, Krabill and Cole missed dozens of complaints.

LPCH billed me an enormous amount to get to this opinion, but provided almost no value, as this could be done without their involvement. It is unreasonable for me to pay them for this.

**8.36 Krabill review and revise Response to MSJ 1/5/17** – Krabill 1/4/17 billed 4.9 hours, including for:

“Review and revise Responses to Motions for Summary Judgment; confer with Mr. Cole regarding Responses to Motions for Summary Judgment; review multiple emails and redlines sent from Mr. Washburne regarding same;

The very next day, Krabill billed 2.7 hours for doing almost exactly the same:

“Review and revise Responses to Motions for Summary Judgment and Declarations; confer with Mr. Cole regarding same; confer with Mr. Washburne regarding same.

It is not believable that the day after spending maybe 4 hours reviewing and making changes that Krabill would spend another 2.7 hours making more changes. A reasonable credit is 2 hours 1/5.

**8.37 Legal Research re DTPA Claims by MTB 1/9 and 1/10/17.** MTB billed:

- a. 1/9/17 1.8 hours: “Legal research regarding DTPA claim (specifically, 500,000 limitation)”
- b. 1/10/17 0.5 hours: “Legal research regarding DTPA claim (specifically, 500,000 limitation); draft memorandum regarding same”

On May 15, 2018, I Googled “texas dtpa claim 500,000 limit,” and in 5 seconds found a website, Exhibit 138, <http://www.statutes.legis.state.tx.us/Docs/BC/htm/BC.17.htm>, with a sentence:

“the DTPA does not apply to: 6) causes of action arising from a transaction(s), or project, involving total consideration by the consumer of more than \$500,000, other than a cause of action involving a consumer's residence

A supposedly top firm such as LPCH should have known about this from day 1. The correct amount of research time is about 1 minute, and 3 minutes to write it up. Credit the time 1/9/17.

8.38 **Motion to Reconsider** – this was due to Krabill’s failure to make clear his arguments at the MSJ hearing. This should be billed as \$0.

8.39 **Defendants visit to Hangar January 20, 2017** – Cole billed 3.5 hours to attend this, but there was no reason for him or anyone from LPCH to be there at all.

8.40 **Trial Prep time** – Krabill refused to go to trial, so this time should all be credited.

8.41 **Cole Prep for Depositions of Bradley, Diver, and Mahaffey** – Cole billed:

- a. 1/17/17: ~2.0 hours for: "begin preparing for depositions of Mr. Diver and Mr. Mahaffey"
- b. 1/19/17: 2.9 hours for: "Continue preparing for depositions of Messrs. Diver and Mahaffey.
- c. 1/30/17: 3.5 hours for: "Prepare for depositions of Bradley, Diver, and Mahaffey; review documents in preparation for trial; confer with opposing counsel regarding discovery issues.
- d. 1/31/17: 6.8 hours for: "Prepare for depositions of Bradley, Diver, and Mahaffey.

This was 15.2 hours, 5 hours per person, but there was little to ask any of these fact and expert witnesses. This was excessive. A reasonable credit would be 3.0 hour on January 31.

8.42 **Copies for Motion for Summary Judgment hearing, 1/17/18.** Krabill billed \$423.04 for this, but: a) never explained the price per page they charged, and b) never provided me any of these hardcopies of documents. This is an unreasonable amount to charge, and it is unreasonable to charge this then not provide the documents. Credit 100%, \$423.04.

8.43 **Disco hosting** – this \$466.34 is unreasonable.

8.44 **MSJ replies** – these totaled an estimated \$53,145, which was unreasonable. A reasonable credit is TBD.

## **February**

8.45 **Depositions of Bradley, Diver, and Mahaffey 2/1/17.** SMC billed 11.0 hours as:

“Prepare for and take depositions of Ricky Bradley, Rob Diver, and Patrick Mahaffey.”

The times recorded for these were:

- a. Bradley: 8:57 a.m. to 11:58 a.m.

- b. Mahaffey: 1:23 pm. to 3:04 p.m.
- c. Diver: 3:18 p.m. to 5:43 p.m.

This was overall from 8:57 a.m. to 5:43 p.m., 8 hours and 43 minutes, which includes 1 hour 24 minutes billed for lunch. Cole billed 2 hours and 17 minutes more than this, e.g. as if he arrived in the office at 6:30 a.m., in the depth of winter long before sunrise, so he could start preparing at 6:45 a.m., after already billing 6.8 hours to prepare Jan 31, 3.5 hours Jan 30, 2.9 hours Jan 19, 2 hours Jan 17, a total of 15.2 hours. A reasonable credit is 1.0 hours.

8.46 **Deposition Summaries for Perdue and Nelson, 2/1/17** – MEC billed 1.9 hours for these, but they are of no long term use, just an added expense, and so should be credited.

8.47 **Motion to Transfer - Cole's 1.5 hours to draft 2/2/17.** This is shown in Exhibit 139, and is 2-pages long, six paragraphs, plus signature pages and the order. The first paragraph is introduction, the second is boilerplate case law. The rest is 9 sentences. To bill 1.5 hours for writing 9 sentences, plus introduction, is unreasonable. Credit half this time.

8.48 **Trial Prep** – Krabill refused to take the case to trial in March, and then quit, and so all of this preparation time is unreasonable.

8.49 **Preparing for hearing for Motion for Reconsideration, 2/7/17.** On this day Cole billed 5.0 hours – to attend the hearing on the MSJ, and “draft and file motion to reconsider judge's summary judgment ruling.” This is Exhibit 140, is 5.2 pages long, can be read in 5 minutes, and has no difficult issues. Yet to prepare for the hearing Cole billed:

- a. 2/6/17: 2.3 hours for: “prepare for hearing on motion for reconsideration.” .
- b. 2/7/17: 3.8 hours for: “Prepare for hearing on Motion for Reconsideration”
- c. 2/8/17: 4.3 hours for: “Prepare for and argue hearing on Plaintiff's Motion for Reconsideration; confer with Mr. Krabill regarding same; review correspondence from Mr. Dowdy regarding special exceptions and respond to same.”

It is not reasonable that Cole spent 6.1 hours, plus 1 or 2 more on the day of the hearing, to prepare for this hearing on a motion which is 5 pages long, and is only about clarifying a prior ruling. I should receive a credit for items a and b, 2/6 and 2/7, \$2,074.

**8.50 Redacting Invoices 2/14/17** –MEC billed:

2/13/14: 3.4 hours for: “Correspondence to Mr. Burgess enclosing production; check court's docket sheet to see if the order transferring the case has been signed; receipt and review of notice of trial setting and call to court coordinator for the 352nd regarding same; receipt and review of order transferring our case to the 48th district court; call to court coordinator for the 48th to see if they know what will happen to our trial setting; assemble all attorneys' fees invoices and begin reviewing and redacting same for production; receipt and review of correspondence from court reporter to opposing counsel with deposition transcripts for review for witnesses.”

2/14/14: 2.4 hours for: “Receipt of Bradley, Diver and Mahaffey transcripts and update depositions log; continue reviewing and redacting attorneys' fees invoices.”

The other activities listed would take minimal time, and so this 5.8 hours is probably 4.0 hours or redacting invoices, which is excessive, and can probably be done in half the time. Credit 2 hours.

**8.51 Response to Motion to Consolidate, 2/14/17-2/22/17:** This is Exhibit 141, filed 2/22/17, and is 5 pages long. LPCH billed to draft this:

- a. 2/20 Cole – 5.4 hours, \$1,836: “Draft response to Motion to Consolidate.”
- b. 2/21 KDK – 2.1 hours, \$945: “Review and revise Response to Motion to Consolidate; confer with Mr. Cole regarding same;”
- c. 2/22 KDK – 1.0 hours (estimated), \$450: “review and revise Response to Motion to Consolidate and confer with Mr. Cole regarding same;”
- d. 2/22 SMC – 1.8 hours (estimated of 2.3): “Review and revise Rob Diver deposition designation; confer with Mr. Krabill, with client, and with opposing counsel regarding scheduling; revise response to motion to consolidate and file same.”

This is an unreasonable 10.3 hours for a 5-page long document. A reasonable credit would be the 1.0 hours of KDK time, and 1.8 hours for Cole.

**8.52 Parking Feb 21** – this is described as: “Parking for Mr. Krabill for Hospers deposition,” but that is the 153<sup>rd</sup> case, and was also billed there as \$10, so this should be credited.

**8.53 Copies.** I received no paper copies, credit all.

**8.54 Disco Hosting.** All unreasonable.

### **March 2017**

8.55 **Trial Prep** – I received no long term value out of this.

8.56 **Hearing on Motion to Consolidate, 3/8** – this was argued against my wishes to not continue the trial, and Krabill even demanded I get up and move to a back bench. Credit all.

8.57 **Bazeley communications** – these were all worthless, and would not be required if LPCH got a good estimate from Bazeley in the first place.

8.58 **Disco Hosting**. Unreasonable.

### **April 2017**

8.59 **Radio Operator's Chair, 4/7/17** – this SMC 0.8 is excessive.

8.60 **Bazeley communications were all worthless**. See March.

8.61 **Disco Hosting**. Unreasonable.

### **May 2017**

8.62 **Bazeley communications were all worthless**. See March.

8.63 **Taxi to meeting for Kelley 5/21/17, \$24.19**. No time was billed in this case in all of May for Kelley. No time was billed in the other case on this day for Kelley. This was because Kelley's purple 1965 Ford Mustang was in the shop. It is not my problem that he owned an unreliable car. This charge is unreasonable.

### **June 2017**

8.64 **Bazeley communications were all worthless**. See March.

8.65 **Disco Hosting**. Unreasonable.

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description   | Hours Each | Diff. | Ref  |
|------|--------------|---|------------|-------|------|
| 9/19 | SMC          | First Meeting<br>Meet with Mr. Washburne to discuss case background; review background documents from Mr. Washburne; analyze cases' status.   | 0.9<br>306 | -255  | 8.01 |
| 9/20 | KDK          | Initial<br>Review and analyze pleadings; confer with Mr. Cole regarding case strategy and hearing strategy; review multiple email exchanges with Messrs. Vice and Dilbeck regarding case status, background, hearings, and motions;and revise Motion to Substitute Counsel. | 1.6<br>720 |       |      |
|      | SMC          | Initial<br>Review pleadings, motion, discovery, and other background information from client and prior counsel; calls with prior counsel to discuss upcoming hearings; calls with opposing counsel regarding same; calls with court regarding hearings (1/2 time).          | 2<br>680   |       |      |
|      | MC           | Initial<br>Obtain copy of docket sheet from court website per Mr. Cole's request; conference call with court coordinator regarding status of hearing; receipt and review of motion for leave to file amended petition and proposed petition.                                | 0.3<br>66  |       |      |
| 9/21 | KDK          | Initial<br>Confer with Mr. Cole regarding Motion to Substitute Counsel and strategy.  | 0.2<br>90  |       |      |
| 9/21 | SMC          | Initial<br>Calls and emails with opposing counsel and prior counsel regarding motions for substitution and for continuance; discuss case status with Mr. Krabill; prepare for hearings (1/2 time).  | 2.1<br>714 |       |      |
|      | MC           | Initial<br>Receipt and review of scheduling order and docket all pretrial deadlines; receipt and review of various emails with current counsel regarding case status; work with Ms. Baker to prepare case notebooks for attorneys.  | 0.4<br>88  |       |      |
| 9/22 | SMC          | Initial<br>Prepare for and attend hearing on motion for substitution.   | 1.5<br>510 |       |      |
| 9/23 | KDK          | Initial<br>Confer with Mr. Cole regarding Motion to Substitute Counsel and strategy and discovery response; review emails from opposing counsel, Mr. Dowdy, regarding discovery responses.  | 0.2<br>90  |       |      |
|      | SMC          | Initial<br>Review discovery requests and obtain extension on responses from opposing counsel.   | 0.8<br>272 |       |      |

Table 8-1

**Terry Case Invoice and Adjustments**

| Date           | Initial Code | Description    | Hours Each  |     | Diff.        | Ref         |
|----------------|--------------|----------------|---|-----|--------------|-------------|
| 9/26           | SMC          | Initial        | Review discovery requests and draft responses from Mr. Washburne.   | 0.7 | 238          |             |
| 9/27           | KDK          | Initial        | Confer with Mr. Cole regarding case status, discovery, meeting with Mr. Vice, and experts; review notice of settlement from Mr. Mahaffey; confer with Mr. Cole regarding same.                  | 0.4 | 180          |             |
|                | SMC          | Initial        | Review and update task list; discuss case status and next steps with Mr. Krabill; review emails from client regarding meeting with prior counsel and issue with expert.                         | 0.7 | 238          |             |
|                | SMC          | Initial        | Review and update task list; discuss case status and next steps with Mr. Krabill; review emails from client regarding meeting with prior counsel.   | 0.3 | 102          |             |
| 9/29           | KDK          | Initial        | Review pleadings and background documents in preparation for meeting with Mr. Vice.   | 1.5 | 675          |             |
| 9/29           | SMC          | Initial        | Review correspondence from client regarding meeting with prior counsel; review background documents and compile list of questions and topics to discuss with prior counsel.                     | 0.4 | 136          |             |
| 9/30           | KDK          | Initial        | Meeting with Messrs. Cole and Vice regarding case background and strategy; confer with Mr. Cole regarding documents received from Mr. Vice; review same; review hot documents; draft task list. | 3.1 | 1,395        | -225 8.02   |
|                | MTB          | Initial        | In-person conference with Messrs. Krabill and Cole regarding case background and strategy moving forward; review task list.   | 0.2 | 67           |             |
|                | SMC          | Initial        | Review background documents and meet with Mr. Vice to discuss case background, claims, discovery status, and strategy. Counsel.   | 1.6 | 544          | -170 8.02   |
| 9/21           |              | Fees           | Filing fee for Plaintiff's Unopposed Motion for Substitution of Counsel.  |     | 2            |             |
|                |              | Fees           | Filing fee for Plaintiff's Amended Unopposed Motion for Substitution of   |     | 2            |             |
| 9/30           |              | Copies         | Copies of case notebooks.   |     | 45           |             |
|                |              | <b>Total</b>   | <b>Total amount of this invoice</b>   |     | <b>7,160</b> | <b>-650</b> |
| <b>October</b> |              |                |   |     |              |             |
| 10/2           | MTB          | Review Ct Docs | Review documents filed with court (including petitions and answers  | 0.4 | 134          |             |



**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description   | Hours Each | Diff. | Ref  |
|------|--------------|---|------------|-------|------|
| 10/3 | KDK          | Purdue Depo<br>Review email from Mr. Vice regarding Mr. Purdue and Ms. Lee and potentially interviewing them  | 0.3 135    |       |      |
|      | KDK          | Digest Depos<br>review and digest depositions; (est'd time split)   | 4.6 2,070  |       |      |
|      | KDK          | Mahaffey 167<br>review settlement offer from counsel for Mr. Mahaffey. (estimated time split)   | 0.5 225    | -180  | 8.03 |
|      | SMC          | Mahaffey 167<br>Review settlement offer from Mahaffey and research law regarding same.  | 0.3 102    | -68   | 8.03 |
| 10/4 | KDK          | Digest Depos<br>Review and digest depositions; (estimated split)  | 2.4 1,080  |       |      |
| 10/4 | KDK          | Meet LNC<br>meet with Messrs. Washburne and Cole at airport [at 10 a.m.] to inspect aircraft and parts; (split)   | 3 1,350    |       |      |
| 10/4 | KDK          | Disco Resp<br>review documents provided by Mr. Washburne; confer with Ms. Biblo regarding reviewing discovery response, exhibits, and documents and drafting deposition notices. (estimated split time) | 1 450      |       |      |
|      | MTB          | Rev Docs MTB<br>In-person conference with Mr. Krabill regarding case background and strategy moving forward; review task list.  | 0.2 67     |       |      |
|      | SMC          | Meet LNC<br>Client meeting at hangar to observe and discuss various matters regarding damage to client's airplanes; discuss same with Mr. Krabill.  | 3 1,020    |       |      |
| 10/5 | KDK          | Digest Depos<br>Review and digest depositions; (estimated split)  | 1.9 855    |       |      |
|      | KDK          | Review Depositions<br>confer with Mr. Cole regarding expert issues; review and analyze evidence files notebook; analyze expert issues; email exchange with Mr. Washburne regarding same.                | 1.9 855    |       |      |
|      | MTB          | Rev Docs MTB<br>In-person conference with Mr. Cole and Ms. Cawthon regarding transferring of file from prior counsel; audit documents received from prior counsel.                                      | 0.4 134    | -134  | 8.04 |
|      | SMC          | Disco Resp<br>Draft discovery responses and review documents in connection with same.   | 5.7 1,938  |       |      |
|      | MC           | Rev Docs MC<br>Office conference with Ms. Biblo and Mr. Cole to discuss case and next steps; coordinate with vendor to set up a document review database.   | 0.5 110    | -110  | 8.05 |
| 10/6 | KDK          | Digest Depos<br>Continue reviewing and digesting depositions; (estimated time split)  | 2.15 968   |       |      |

Table 8-3

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description   | Hours Each   |      | Diff. | Ref    |      |
|-------|--------------|---------------|--|------|-------|--------|------|
|       | KDK          | Disco Resp    | confer with Mr. Cole regarding responding to discovery requests; review and revise Responses to Requests for Admission; send same to Mr. Washburne for review; strategy meeting with Mr. Cole and Ms. Biblo regarding amending Petition, review documents and marking hot, experts and depositions; conferencecall with Mr. Bazeley's assistant, Ms. Manbu, regarding Mr. Bazeley serving as expert. | 2.15 | 968   |        |      |
|       | MTB          | Draft sub     | Draft subpoena to Stephen Nelson; draft notice of subpoena to Stephen Nelson.  | 0.8  | 268   |        |      |
|       | SMC          | Disco Resp    | Draft discovery responses and review documents in connection with same; confer with Mr. Krabill and Ms. Biblo regarding next steps.  | 1    | 340   |        |      |
| 10/7  | SMC          | Disco Resp    | Continue drafting discovery responses.   | 2.7  | 918   |        |      |
| 10/7  | MC           | Rev Docs MC   | Organize defendants' production, Bates-label same and coordinate with vendor to upload to review database; review and organize file (est'd time split)   | 1.9  | 418   |        |      |
| 10/7  | MC           | Depo Summ     | create deposition summary for Mahaffey deposition. (estimated time split)  | 1.9  | 418   | -418   | 8.06 |
| 10/10 | MTB          | Draft sub     | Draft subpoenas to potential witnesses; draft notices of subpoena to potential witnesses.  | 0.6  | 201   |        |      |
|       | SMC          | Disco Resp    | Attention to drafting and revising discovery responses.  | 4.2  | 1,428 |        |      |
| 10/10 | MC           | Rev Docs MC   | Prepare Mahaffey deposition summary; prepare Washburne deposition summary; (time split)  | 6    | 1,320 | -1,320 | 8.06 |
|       | MC           | Organize File | work on separating pages in our document productions in order to have a better document review set for attorneys; serve Bates-labeled copies of defendants' productions to them.   | 1.4  | 308   | -308   | 8.07 |
| 10/11 | KDK          | Digest Depos  | Continue reviewing and digesting depositions (estimated time split)  | 6    | 2,700 |        |      |
| 10/11 | KDK          | Disco Resp    | and reviewing and analyzing key documents; confer with Mr. Cole regarding responding to discovery requests; review and revise discovery responses.   | 1.4  | 630   |        |      |
|       | SMC          | Disco Resp    | Revise discovery responses; discuss same with Mr. Krabill.   | 4.1  | 1,394 |        |      |

Table 8-4

**Terry Case Invoice and Adjustments**

| Date  |  | Initial Code | Description  | Hours Each |       | Diff.  | Ref  |
|-------|--|--------------|--|------------|-------|--------|------|
|       |  | MC           | Organize File<br>Finish organizing file; create list of gaps in Bates numbering; create case notebooks for attorneys; continue separating documents in our production.   | 5.6        | 1,232 |        |      |
| 10/12 |  | KDK          | Digest Depos<br>Continue reviewing and digesting depositions (estimated time split)  | 2          | 900   |        |      |
| 10/12 |  | KDK          | Disco Resp<br>and reviewing and analyzing key documents; review emails from Mr. Marshall regarding discovery responses; strategy conference with Mr. Cole and Ms. Biblo regarding depositions, discovery, amending petition, etc.; email exchanges with Mr. Washburne regarding petition; email exchange with expert Mr. Bazely and Ms. Nanbu regarding expert issues; review and revise request for production responses. | 1.1        | 495   |        |      |
|       |  | MTB          | Draft Sch Ord<br>Draft scheduling order; in-person conference with Messrs. Krabill and Cole regarding strategy moving forward.   | 1.2        | 402   |        |      |
|       |  | MTB          | Mtg<br>In-person conference with Messrs. Krabill and Cole regarding strategy moving forward.   | 0.5        | 168   |        |      |
|       |  | SMC          | Disco Resp<br>Meet with Mr. Krabill and Ms. Biblo to discuss discovery needs and next steps; attention to revising discovery responses; review deposition of Mahaffey.   | 2.3        | 782   |        |      |
| 10/12 |  | MC           | Westlaw<br>Westlaw research on Messrs. Nelson and Bradley; prepare deposition exhibits binder and index same; (split)  | 2.5        | 550   | -550   | 8.08 |
| 10/12 |  | MC           | Doc Review<br>office conference with Ms. Biblo regarding status of several projects; continue working on document production. (split)  | 2.6        | 572   |        |      |
| 10/13 |  | KDK          | Digest Depos<br>Continue reviewing and digesting depositions   | 5          | 2,250 | -2,250 | 8.09 |
| 10/13 |  | KDK          | Bazeley<br>and reviewing and analyzing key documents; analyze damages; confer with Mr. Cole regarding damages; email exchanges with Mr. Bazeley.   | 0.4        | 180   | -180   | 8.10 |
|       |  | SMC          | Review Depositions<br>Continue reviewing depositions of Mahaffey, Terry, and Washburne; confer with Mr. Krabill regarding strategy on damages; draft memo regarding damages claims.  | 3.7        | 1,258 |        |      |
| 10/14 |  | KDK          | Digest Depos<br>Continue reviewing and digesting depositions (estimated time split)  | 3          | 1,350 | -1,350 | 8.09 |

Table 8-5

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description  | Hours Each | Diff. | Ref       |
|-------|--------------|--|------------|-------|-----------|
| 10/14 | KDK          | Bazeley and reviewing and analyzing key documents; email exchanges with Mr. Bazeley regarding expert issues.   | 0.3        | 135   | -135 8.10 |
|       | SMC          | Disco Resp   | 0.3        | 102   |           |
|       | SMC          | Bazely call with assistant to Mr. Bazeley; draft engagement letter for Mr. Bazeley; review deposition of Mr. Washburne;  | 2.3        | 782   |           |
|       | SMC          | Amend Petition attention to revising petition; confer with Mr. Krabill regarding revising petition.  | 2          | 680   |           |
| 10/14 | MC           | Organize File Finish bookmarking productions to facilitate a better document review by attorneys (time split)  | 1.4        | 308   | -308 8.07 |
| 10/14 | MC           | Depo Summ begin Terry deposition summary (time split)  | 3          | 660   | -660 8.06 |
| 10/17 | KDK          | Review Depositions Continue reviewing and digesting depositions and reviewing and analyzing key documents  | 2.8        | 1,260 |           |
| 10/17 | KDK          | Bazeley Conference call with Mr. Bazeley regarding expert issues; email exchange with Mr. Washburne regarding visit by Mr. Bazeley; (split)  | 1          | 450   | -450 8.10 |
| 10/17 | KDK          | Doc Review review and analyze Mr. Vice's draft Motion for Summary Judgment on fraud regarding the elevator; review and analyze Mr. Vice's draft Motion for Summary Judgment against Mr. Rogers regarding center section; review expert disclosures; conference call with Mr. Washburne regarding depositions; email exchange with Mr. Washburne regarding Mr. Mahaffey's settlement offer. | 1          | 450   |           |
| 10/17 | MTB          | Doc Review In-person conference with Mr. Cole regarding coding documents received from prior counsel; audit documents received from prior counsel; draft subpoenas to various individuals.   | 1.7        | 570   | -570 8.04 |
| 10/17 | SMC          | Amend Petition Attention to revising petition (estimated split)  | 1.6        | 544   |           |
| 10/17 | SMC          | Bazely Call with Mr. Bazeley to discuss expert work  | 1.6        | 544   | -544 8.10 |
| 10/17 | SMC          | MSJ confer with Ms. Biblo regarding reviewing documents; attention to revising responses to requests for disclosure; review drafts of motions for summary judgment; review depositions.  | 1.5        | 510   |           |

Table 8-6

### Terry Case Invoice and Adjustments

| Date  | Initial Code | Description    | Hours Each   | Diff. | Ref   |        |      |
|-------|--------------|----------------|--|-------|-------|--------|------|
| 10/17 | MC           | Depo Summ      | Begin summarizing James Terry deposition, volume 1   | 2.7   | 594   | -594   | 8.06 |
| 10/18 | MTB          | Draft          | Draft notice of deposition to experts.   | 0.7   | 235   |        |      |
| 10/18 | SMC          | Amend Petition | Draft amended petition.  | 4.8   | 1,632 |        |      |
| 10/18 | MC           | Doc Rev        | Receipt and review of our amended responses to defendants' request for disclosure; receipt and review of Thirsty 13th's response to Mahaffey's request for admissions; receipt and review of plaintiffs' response to Terry defendants request for production; and review of Washburne's response to Mahaffey's request for admissions; receipt and review of plaintiffs' answers to Terry defendants interrogatories; update attorneys' case notebooks | 1.4   | 308   | -308   | 8.11 |
| 10/18 | MC           | Depo Summ      | continue working on Terry summaries. (split)   | 1.4   | 308   | -308   | 8.06 |
| 10/19 | KDK          | Bazeley        | Analyze expert issues; email exchanges with Mr. Bazeley regarding same; review deposition notices and subpoenas; confer with Ms. Biblo regarding same.   | 0.5   | 225   | -225   | 8.10 |
|       | MTB          | Draft Subp     | Draft deposition notice of Ken Williams; draft subpoenas to various individuals.   | 0.8   | 268   |        |      |
| 10/19 | SMC          | Amend Petition | Continue drafting amended petition.  | 2.8   | 952   | -952   | 8.12 |
| 10/19 | MC           | Doc Rev        | Confer with trial team regarding upcoming deadlines; add Ms. Biblo to all pretrial deadlines; research to locate 3 potential witnesses;  | 0.6   | 132   |        |      |
| 10/19 | MC           | Depo Summ      | finish summarizing Terry volume 2; summarize Rogers deposition. (estimated time)   | 3.4   | 748   | -748   | 8.06 |
|       | MC           | Loc wit        | Research to locate 3 potential witnesses   | 0.6   | 132   |        |      |
| 10/20 | SMC          | Amend Petition | Continue drafting amended petition.  | 2.5   | 850   | -850   | 8.12 |
| 10/21 | KDK          | Confer re depo | Confer with Mr. Cole regarding Mr. Terry's deposition testimony.   | 0.1   | 45    |        |      |
|       | MTB          | Doc Rev        | Audit documents received from prior counsel.   | 1     | 335   | -335   | 8.04 |
|       | SMC          | Amend Petition | Review depositions in connection with drafting amended petition.   | 3.8   | 1,292 |        |      |
| 10/23 | MTB          | Doc Rev        | Audit documents received from prior counsel.   | 3.2   | 1,072 | -1,072 | 8.04 |
| 10/24 | KDK          | Bazely         | Email exchanges with Mr. Bazeley regarding inspection of aircraft and parts; email exchange with Mr. Washburne regarding same  | 0.2   | 90    | -90    | 8.10 |

Table 8-7

### Terry Case Invoice and Adjustments

| Date  | Initial Code | Description      | Hours Each   |     | Diff.         | Ref       |
|-------|--------------|------------------|--|-----|---------------|-----------|
| 10/24 | KDK          | Amend Petition   | review and revise Third Amended Petition.  | 0.3 | 135           |           |
|       | MTB          | Doc Rev          | Audit documents received from prior counsel.   | 2.8 | 938           | -938 8.04 |
|       | SMC          | Amend Petition   | Review depositions in connection with amending petition.   | 5.6 | 1,904         |           |
| 10/25 | KDK          | Bazeley          | Email exchange with Mr. Bazeley regarding inspection.  | 0.1 | 45            | -45 8.10  |
|       | SMC          | Amend Petition   | Review depositions in connection with amending petition.   | 2   | 680           |           |
| 10/26 | SMC          | Amend Petition   | Review discovery responses and depositions in connection with amending petition.   | 1   | 340           |           |
| 10/27 | KDK          | Amend Petition   | Review and revise Third Amended Petition; confer with Mr. Cole regarding same; email exchange with Mr. Washburne regarding same; email exchange with Mr. Bazeley regarding inspection.               | 1.1 | 495           |           |
|       | SMC          | Amend Petition   | Revise petition to incorporate comments from Mr. Krabill.  | 0.7 | 238           |           |
| 10/28 | KDK          | Bazeley          | Email exchange with Mr. Bazeley regarding inspection dates.  | 0.1 | 45            | -45 8.10  |
|       | MTB          | Doc Rev          | Audit documents received from prior counsel.   | 2.5 | 838           | -838 8.04 |
| 10/29 | MTB          | Email Mr. Waters | Email Mr. Waters regarding court order granting motion to compel and denying motion for protection.  | 1   | 335           |           |
| 10/31 | KDK          | Amend Petition   | Confer with Mr. Cole regarding Amended Petition; review and revise same; review email from Mr. Washburne regarding same; review letter from opposing counsel, Mr. Dowdy, regarding discovery issues. | 0.2 | 90            |           |
|       | MTB          | Doc Rev          | Audit documents received from prior counsel.   | 0.5 | 168           | -168 8.04 |
|       | MTB          | Doc Rev          | Audit documents received from prior counsel.   | 0.5 | 168           | -168 8.13 |
|       | SMC          | Amend Petition   | Finalize and file amended petition.  | 1.3 | 442           |           |
|       | MC           | Disco Resp       | Receipt and review of correspondence from opposing counsel Mr. Dowdy regarding discovery issue.  | 0.1 | 22            |           |
| 10/12 |              | Parking          | Cole parking at hearing  |     | 5             |           |
| 10/17 |              | Copies           | Copies for notebooks and deposition exhibit binders.   |     | 305           | -305 8.14 |
| 10/31 |              | Westlaw          | Westlaw research for October 2016  |     | 494           | -494 8.08 |
|       |              | Disco            | Disco monthly hosting  |     | 230           | -230 8.15 |
|       |              |                  | <b>Total amount of this invoice</b>  |     | <b>57,069</b> |           |

Table 8-8

### Terry Case Invoice and Adjustments

| Date                   | Initial Code | Description        | Hours | Each          | Diff.          | Ref |
|------------------------|--------------|--------------------|-------|---------------|----------------|-----|
| <b>October Summary</b> |              |                    |       |               |                |     |
|                        | Items        | Digest Depos       | 27    | 12,173        | -3,600         |     |
|                        |              | Amend Petition     | 30    | 10,274        | -1,802         |     |
|                        |              | Disco Resp         | 26    | 9,467         | 0              |     |
|                        |              | Doc Rev            | 13    | 3,958         | -3,826         |     |
|                        |              | Review Depositions | 8     | 3,373         | 0              |     |
|                        |              | Depo Summ          | 12    | 2,728         | -2,728         |     |
|                        |              | Meet LNC           | 6     | 2,370         | 0              |     |
|                        |              | Organize File      | 8     | 1,848         | -616           |     |
|                        |              | Rev Docs MC        | 8     | 1,848         | -1,430         |     |
|                        |              | Doc Review         | 5     | 1,592         | -570           |     |
|                        |              | Bazely             | 4     | 1,416         | -634           |     |
|                        |              | MSJ                |       | 510           | 0              |     |
|                        |              | Draft sub          |       | 469           | 0              |     |
|                        |              | Draft Sch Ord      |       | 402           | 0              |     |
|                        |              | Email Mr. Waters   |       | 335           | 0              |     |
|                        |              | Mahaffey 167       |       | 327           | -248           |     |
|                        |              | Draft Subp         |       | 268           | 0              |     |
|                        |              | Draft              | 1     | 235           | 0              |     |
|                        |              | Rev Docs MTB       |       | 201           | -134           |     |
|                        |              | Mtg                |       | 168           | 0              |     |
|                        |              | Purdue Depo        |       | 135           | 0              |     |
|                        |              | Review Ct Docs     |       | 134           | 0              |     |
|                        |              | Loc wit            |       | 132           | 0              |     |
|                        |              | Confer re depo     |       | 45            | 0              |     |
|                        |              | Discovery          |       | 0             | 0              |     |
|                        | Fees         | Westlaw            |       | 1,044         | -1,044         |     |
|                        |              | Copies             |       | 305           | -305           |     |
|                        |              | Disco              |       | 230           | -230           |     |
|                        |              | Parking            |       | 5             | 0              |     |
|                        |              | <b>Total</b>       |       | <b>55,989</b> | <b>-17,166</b> |     |

### November

|      |     |             |   |     |     |      |      |
|------|-----|-------------|---|-----|-----|------|------|
| 11/1 | KDK | Sched Depos | Confer with Mr. Cole regarding discovery issues; analyze discovery issues and depositions.  | 0.4 | 180 |      |      |
|      | MTB | Rev FC docs | Review and analyze documents received from former counsel; in-person conference with Mr. Krabill regarding strategy moving forward; email client regarding addresses for subpoenas. | 1.6 | 536 | -536 | 8.16 |
|      | SMC | Sched Depos | Confer with Kent regarding deposition scheduling and strategy.  | 0.5 | 170 |      |      |

Table 8-9

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description   | Hours Each   | Diff. | Ref   |        |      |
|-------|--------------|---------------|--|-------|-------|--------|------|
| 11/2  | KDK          | Sched Depos   | Confer with Mr. Cole regarding discovery issues; conference call with opposing counsel, Mr. Dowdy, regarding deposition scheduling; email exchange with Mr. Bazeley regarding same; email exchanges with opposing counsel, Messrs. Dowdy, Burgess and Deitchman, regarding same; conference call with Mr. Bazeley regarding expert issues. | 0.8   | 360   |        |      |
|       | MTB          | Sched Depos   | Telephone conference with opposing counsel regarding scheduling depositions.   | 0.2   | 67    |        |      |
| 11/3  | MTB          | Rev FC docs   | Review and analyze documents received from former counsel.   | 1.8   | 603   | -603   | 8.16 |
|       | MC           | Rev FC docs   | Fill in missing documents from production received from prior counsel and coordinate with vendor to upload same to document review database.   | 0.8   | 176   | -176   | 8.16 |
| 11/4  | MTB          | Rev FC docs   | Review and analyze documents received from former counsel.   | 1.8   | 603   | -603   | 8.16 |
| 11/5  | MTB          | Rev FC docs   | Review and analyze documents received from former counsel.   | 0.54  | 181   | -181   | 8.16 |
| 11/7  | MC           | Third Am Ans  | Receipt and review of Mahaffey's third amended answer, special exceptions and verified denials.  | 0.1   | 22    |        |      |
| 11/13 | MTB          | Rev FC docs   | Review and analyze documents received from former counsel.   | 2.7   | 905   | -905   | 8.16 |
| 11/14 | MTB          | Rev FC docs   | Review and analyze documents received from former counsel.   | 1.3   | 436   | -436   | 8.16 |
| 11/15 | KDK          | Sched Depos   | Confer with Mr. Cole and Ms. Biblo regarding deposition scheduling and strategy.   | 0.5   | 225   |        |      |
|       | MTB          | Rev FC docs   | Review and analyze documents received from former counsel; in-person conference with team regarding subpoenas.   | 5.8   | 1,943 | -1,943 | 8.16 |
|       | SMC          | Sched Depos   | Confer with Mr. Krabill and Ms. Biblo regarding subpoenas and other discovery issues.  | 0.5   | 170   |        |      |
|       | MC           | Case Nbks     | Update attorneys' case notebooks.  | 0.4   | 88    |        |      |
| 11/16 | KDK          | Bazeley Visit | Confer with Mr. Cole regarding hangar inspection; review voicemail from Mr. Bazeley regarding same.  | 0.2   | 90    | -90    | 8.17 |

Table 8-10



**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description  | Hours Each | Diff. | Ref    |               |
|-------|--------------|--|------------|-------|--------|---------------|
| 11/17 | KDK          | Bazeley Visit<br>Confer with Mr. Cole regarding hangar inspection; conference call with Mr. Bazeley regarding same; prepare for inspection; email exchanges with Mr. Washburne regarding inspection; review and revise outline for Mr. Bazeley's visit; review all expert issues.  | 1.5        | 675   | -675   | 8.17          |
| 11/17 | MTB          | Rev FC docs<br>Review and analyze documents received from former counsel.  | 4.7        | 1,575 | -1,575 | 8.16          |
|       | SMC          | Bazeley Visit<br>Prepare for hanger inspection and gather materials for expert.  | 3.8        | 1,292 | -1,292 | 8.17          |
| 11/18 | KDK          | Bazeley Visit<br>Prepare for meeting with Mr. Bazeley; inspect hangar in Lancaster with Messrs. Bazeley, Cole and Washburne; review and analyze documents; revise Expert Disclosure; call with Mr. Cole regarding expert strategy.   | 8.2        | 3,690 | -3,690 | 8.17,<br>8.18 |
|       | MTB          | Rev FC docs<br>Review and analyze documents received from former counsel.  | 3          | 1,005 | -1,005 | 8.16          |
|       | MTB          | G.Worthy Depo<br>Telephone conference with Gary Worthy regarding subpoena.   | 0.1        | 34    |        | Split         |
|       | SMC          | Bazeley Visit<br>Attend hanger inspection with expert, Mr. Washburne, and Mr. Krabill.   | 6.7        | 2,278 | -2,278 | 8.17          |
|       | MC           | Subpoenas<br>Receipt and review of correspondence regarding scheduling of depositions and service of subpoenas.  | 0.1        | 22    |        |               |
| 11/19 | MTB          | Rev FC docs<br>Review and analyze documents received from former counsel.  | 0.8        | 268   | -268   | 8.16          |
| 11/20 | MTB          | Rev FC docs<br>Review and analyze documents received from former counsel.  | 1.4        | 469   | -469   | 8.16          |
| 11/21 | KDK          | Bazeley Visit<br>Email exchanges with Mr. Bazeley regarding expert issues; confer with Mr. Cole regarding expert issues; email exchanges with opposing counsel, Messrs. Dowdy, Deitchman, and Burgess regarding expert issues; analyze issues regarding depositions; confer with Ms. Biblo regarding same; review email from Mr. Dowdy regarding return of chair; confer with Mr. Cole regarding same. | 0.6        | 270   |        |               |
| 11/21 | MC           | Search address<br>Receipt and review of Rule 11 agreement; research alternate service address for Oscar Cardenas.  | 0.3        | 66    |        |               |

Table 8-11

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description     | Hours Each  | Diff. | Ref |  |  |
|-------|--------------|-----------------|---|-------|-----|--|--|
| 11/22 | MC           | Subpoenas       | Receipt and review of several deposition notices and subpoena duces tecums and docket each; confer with attorneys regarding status of the depositions and confirming who has been served; receipt and review of Mahaffey's fourth amended answer, special exceptions and verified denial to our third amended petition.   | 0.7   | 154 |  |  |
| 11/28 | KDK          | Deposition prep | Strategy conference with Mr. Cole and Ms. Biblo regarding depositions and discovery; confer with Ms. Biblo regarding conversation with opposing counsel, Mr. Burgess, and deposition of Ms. Wood.   | 0.4   | 180 |  |  |
|       | MTB          | Deposition prep | In-person conference with Messrs. Krabill and Cole regarding subpoenas; telephone conference with process server for subpoena to Steve Swift.   | 0.3   | 101 |  |  |
|       | SMC          | Deposition prep | Confer with Mr. Krabill and Ms. Biblo regarding upcoming depositions.   | 0.2   | 68  |  |  |
|       | MC           | Deposition prep | Receipt and review of various emails with opposing counsel regarding deposition dates; receipt and review of Mahaffey's amended disclosures; receipt and review of Mahaffey's second request for production and calculate ad docket our response; schedule court reporter and videographer for Dana Wood and Steven Swift depositions.  | 0.7   | 154 |  |  |
| 11/29 | KDK          | Deposition prep | Confer with Ms. Biblo regarding conversation with potential witnesses and deposition strategy; review and analyze Mr. Mahaffey's Fourth Amended Petition; review and analyze Mr. Mahaffey's Third Amended Responses to Requests for Disclosure; email exchanges with opposing counsel, Mr. Dowdy, regarding expert disclosures and deposition dates; review Mr. Mahaffey's Motion for Summary Judgment; confer with Mr. Cole regarding deposition preparation for Ms. Wood. | 1.6   | 720 |  |  |
| 11/29 | SMC          | Bazeley Visit   | Confer with Mr. Krabill regarding strategy; call with expert regarding report; review and gather documents for expert; confer with opposing counsel regarding Rule 11   | 1     | 340 |  |  |

Table 8-12

### Terry Case Invoice and Adjustments

| Date                    | Initial Code | Description       | Hours Each   | Diff. | Ref           |                |      |
|-------------------------|--------------|-------------------|--|-------|---------------|----------------|------|
|                         | MC           | MSJ-<br>Mahaf     | Receipt and review of Mahaffey's no-evidence motion for summary judgment and motion for traditional summary judgment and exhibits thereto; receipt and review of Dana Wood's production in response to our subpoena duces tecum and confer on same and compare her production to what we requested; confer with attorneys regarding deficiencies in same; review document database for any emails to or from Ms. Wood that may be responsive; assemble documents for expert, load to FTP site and send link to same. | 3.6   | 792           |                |      |
| 11/30                   | KDK          | Subpoen<br>as     | Confer with Ms. Biblo regarding serving Subpoenas; review and revise Amended Responses to Mr. Mahaffey's Requests for Disclosure; confer with Mr. Cole regarding same; review fax from opposing counsel, Mr. Dowdy, regarding expert issues; email exchanges with Mr. Dowdy regarding same; email exchange with Mr. Vice regarding prior agreements with counsel regarding experts.  | 0.6   | 270           |                |      |
|                         | SMC          | RFD<br>Reply      | Draft and serve amended responses to Mahaffey's request for disclosure.  | 0.7   | 238           |                |      |
|                         | MC           | Subpoen<br>as     | Confer with Ms. Biblo regarding service on Mr. Tooley.   | 0.1   | 22            |                |      |
| 11/19                   |              | Process<br>Server | Process service for Stephen D. Swift 11/16/2016  |       | 126           | -126           | 8.19 |
| 11/26                   |              | Process<br>Server | Process service for Charles Montgomery 11/23/2016.   |       | 236           | -236           | 8.20 |
|                         |              | Process<br>Server | Process service for Dana Wood 11/21/2016.  |       | 213           |                |      |
| 11/26                   |              | G.Worth<br>y Depo | Process service for Gary Worthy 11/17/2016.  |       | 194           | -194           | 8.21 |
|                         |              | Courier           | Courier to 153rd District Court 11/22/2016.  |       | 84            |                |      |
| 11/30                   |              | Copy              | Copy charges   |       | 3             |                |      |
|                         |              | Disco             | Disco monthly hosting  |       | 259           | -259           |      |
|                         |              |                   | <b>Total amount of this invoice</b>  |       | <b>22,549</b> | <b>-17,537</b> |      |
| <b>November Summary</b> |              |                   |  |       |               |                |      |
|                         | Items        | Rev FC docs       |  | 26    | 8,698         | -8,698         |      |
|                         |              | Bazeley Visit     |  | 22    | 8,635         | -8,025         |      |
|                         |              | Deposition prep   |  |       | 1,223         | 0              |      |
|                         |              | Sched Depos       |  |       | 1,172         | 0              |      |

Table 8-13

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description    | Hours Each    | Diff.          | Ref |
|------|--------------|----------------|---------------|----------------|-----|
|      |              | MSJ-Mahaf      | 792           | 0              |     |
|      |              | Process Server | 575           | -362           |     |
|      |              | Subpoenas      | 468           | 0              |     |
|      |              | RFD Reply      | 238           | 0              |     |
|      |              | G.Worthy Depo  | 227           | -194           |     |
|      |              | Case Nbks      | 88            | 0              |     |
|      |              | Search address | 66            | 0              |     |
|      |              | Third Am Ans   | 22            | 0              |     |
|      | Fees         | Disco          | 259           | -259           |     |
|      |              | Copy           | 3             | 0              |     |
|      |              | Courier        | 84            | 0              |     |
|      |              | <b>Total</b>   | <b>22,549</b> | <b>-17,537</b> |     |

**December**

|      |     |                 |   |     |       |      |      |
|------|-----|-----------------|---|-----|-------|------|------|
| 12/1 | KDK | MSJ-Mahaf       | Conference call with Mr. Dowdy regarding summary judgment hearing; confer with Messrs. Cole and Washburne regarding same; email exchanges with Mr. Dowdy regarding same.                                      | 0.2 | 90    |      |      |
|      | MTB | Subpoenas       | Call and email with counsel for the FAA, Yolanda Bernal, regarding subpoena to Gary Worthy; legal research regarding FOIA request; emails with Special Delivery regarding service of subpoena to Steve Swift. | 0.4 | 134   | -134 | 8.22 |
|      | MC  | D.Wood Dep Prep | Dana Wood deposition preparation; receipt and review of our amended disclosures; docket our deadline to produce attorney's fees invoices.   | 1.3 | 286   | -143 | 8.23 |
| 12/2 | KDK | D.Wood Dep Prep | Confer with Mr. Cole regarding depositions and preparation.   | 0.2 | 90    |      |      |
|      | MTB | G.Worthy        | Email counsel for the FAA, Yolanda Bernal, regarding subpoena to Gary Worthy and FOIA request.  | 0.1 | 34    | -34  | 8.22 |
|      | SMC | D.Wood Dep Prep | Prepare for deposition of Dana Wood.  | 4   | 1,360 | -680 | 8.24 |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description                 | Hours Each  | Diff. | Ref   |        |      |
|------|--------------|-----------------------------|---|-------|-------|--------|------|
|      | MC           | D.Wood<br>Dep Prep          | Confirm court reporter for Wood deposition; receipt and review of background information on Oscar Cardenas in an attempt to serve him for deposition; receipt and review of notice of hearing on Mahaffey's motion for summary judgment and docket same along with our response deadline; prepare exhibits for Wood deposition; receipt and review of correspondence regarding Mahaffey testifying as expert. | 1.6   | 352   | -176   | 8.23 |
| 12/4 | SMC          | D.Wood<br>Dep Prep          | Prepare for deposition of Dana Wood.  | 0.2   | 68    |        |      |
| 12/5 | KDK          | Hot Docs                    | Confer with Mr. Cole regarding depositions and preparation and experts; review emails from Mr. Washburne regarding depositions; confer with Ms. Biblo regarding discovery issues; review and analyze hot documents.   | 1.9   | 855   | -338   | 8.25 |
|      | MTB          | D.Wood<br>Depo              | Attend deposition of third-party Dana Wood.   | 2.9   | 972   | -972   | 8.26 |
|      | SMC          | D.Wood<br>Depo              | Prepare for and take deposition of Dana Wood; confer with Mr. Krabill and with client regarding same; confer with Mr. Krabill regarding case strategy, possible motion for summary judgment, and upcoming depositions; confer with Ms. Biblo regarding upcoming depositions.  | 4.9   | 1,666 |        |      |
| 12/6 | KDK          | Hot Docs                    | Confer with Mr. Cole regarding drafting Motion for Summary Judgment on theft and conversion; review and analyze all hot documents and confer with Ms. Biblo regarding drafting chronology.  | 4.9   | 2,205 | -1,080 | 8.25 |
|      | MTB          | Expert<br>Depositi<br>oPrep | Draft deposition notice to expert Ken Williams; draft deposition notice to expert Rob Diver; draft subpoena and notice of subpoena to Steven Nelson; draft subpoena and notice of subpoena to Richard Bradley; email opposing counsel regarding depositions.  | 0.9   | 302   |        |      |
|      | SMC          | Expert<br>Depositi<br>oPrep | Review email from opposing counsel regarding expert deposition; confer with Mr. Krabill about important documents and their effect on our case strategy.  | 0.8   | 272   |        |      |

Table 8-15

### Terry Case Invoice and Adjustments

| Date  | Initial Code | Description            | Hours Each  |     | Diff. | Ref  |      |
|-------|--------------|------------------------|---|-----|-------|------|------|
|       | MC           | Expert Deposition Prep | Receipt and review of notice of service on Oscar Cardenas; revise calendar to show service update; update case notebooks; prepare depositions log to track deposition and exhibits; receipt and review of various deposition notices and subpoenas and docket each; schedule reporter and videographer for each; receipt and review of correspondence regarding conflicts with deposition schedule. | 1.4 | 308   | -154 | 8.23 |
| 12/7  | KDK          | Expert Deposition Prep | Review email from opposing counsel, Mr. Deitchman, regarding experts and depositions; confer with Ms. Biblo regarding same; email Mr. Deitchman regarding same.   | 0.4 | 180   |      |      |
|       | SMC          | Expert Deposition Prep | Review documents to send to expert and confer with expert regarding same; discuss upcoming depositions with Ms. Biblo   | 2.5 | 850   | -850 | 8.27 |
|       | SMC          | Our T-M MSJ            | begin gathering evidence for motion for summary judgment against Terry and Mahaffey; call with client regarding documents for expert.   | 2.5 | 850   | -850 | 8.28 |
|       | MC           | Expert Deposition Prep | Receipt and review of additional correspondence regarding deposition scheduling; docket tentative dates for deposition preparation with client and deposition; work on assembling and organizing key documents.   | 1.2 | 264   | -132 | 8.23 |
| 12/8  | KDK          | Expert Deposition Prep | Prepare for depositions; attention to scheduling depositions; email exchanges with Mr. Bazeley regarding same; email exchanges with opposing counsel, Mr. Deitchman, regarding same.  | 0.7 | 315   | -315 | 8.27 |
|       | MTB          | Expert Deposition Prep | Email client regarding status of depositions; emails with opposing counsel regarding depositions of experts.  | 0.4 | 134   | -134 | 8.27 |
| 12/9  | KDK          | Discovery              | Review email from Mr. Washburne regarding discovery issues.   | 0.1 | 45    |      |      |
|       | MC           | Expert Deposition Prep | Receipt and review of various emails regarding scheduling depositions.  | 0.2 | 44    |      |      |
| 12/10 | KDK          | Discovery              | Review email from Mr. Washburne regarding discovery issues.   | 0.1 | 45    |      |      |

Table 8-16

### Terry Case Invoice and Adjustments

| Date  | Initial Code | Description  | Hours Each | Diff. | Ref  |      |
|-------|--------------|--|------------|-------|------|------|
| 12/12 | MTB          | Discover y<br>Draft FOIA request to FAA regarding James Terry, Pacific Prowler, LLC, Pacific Prowler Nonprofit, Greatest Generation Aircraft, and DOUGLASN87745.   | 0.2        | 67    |      |      |
| 12/12 | SMC          | Expert Deposition Prep<br>Review emails from Mr. Washburne regarding documents for expert; review documents produced by Mr. Perdue.  | 1.2        | 408   |      |      |
|       | MC           | Expert Deposition Prep<br>Schedule reporter and videographer for Perdue and Worthey depositions; download maintenance records for JR and Billie; update calendar and reschedule reporter for Williams deposition; receipt and review of Perdue documents responsive to subpoena; prepare Perdue documents for production; update production log; upload Perdue production to FfP site and produce to opposing counsel; forward new Williams deposition notice to court reporter;   | 1.4        | 308   | -154 | 8.23 |
| 12/13 | KDK          | MSJ-Mahaf<br><u>Review Mr. Mahaffey's Motion for Summary Judgment and analyze issues regarding responding to same; review documents regarding same; confer with Mr. Cole regarding same; review email from opposing counsel, Mr. Dowdy, regarding Fifth Amended Answer from Mr. Mahaffey; review analyze same; confer with Mr. Cole regarding upcoming depositions; review and revise FOIA request for information regarding Mr. Terry and his companies and confer with Ms. Biblo regarding same; research issues regarding filing Motion for Summary Judgment against Messrs. Terry and Mahaffey; review and analyze First Supplement to Mr. Mahaffey's Motion for Summary Judgment.</u> | 2.8        | 1,260 |      | 8.29 |
|       | MTB          | Discover y<br>Draft FOIA request to FAA regarding James Terry, Pacific Prowler, LLC, Pacific Prowler Nonprofit, Greatest Generation Aircraft, and DOUGLASN87745; emails with opposing counsel regarding deposition schedule; email Mr. Perdue confirming his deposition.   | 0.2        | 67    |      |      |
|       | SMC          | Perdue Depo Prep<br>Begin preparing for deposition of Perdue; confer with Mr. Washburne regarding same; review records sent by Mr. Washburne; review FOIA request.   | 1.4        | 476   |      |      |

Table 8-17

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description                 | Hours Each   | Diff. | Ref |      |               |
|-------|--------------|-----------------------------|--|-------|-----|------|---------------|
|       | MC           | MSJ-<br>Mahaf               | Schedule reporter for Montgomery deposition; receipt of Wood transcript and exhibits, add to file and update depositions log; receipt and review of update on service of Stephen Swift; upload new client documents to review database for production; prepare document production; serve production; update production log; send documents to expert for review; update deposition exhibits binder. Review Mr. Mahaffey's Motion for Summary Judgment and   | 3.1   | 682 | -341 | 8.23          |
| 12/14 | KDK          | MSJ-<br>Mahaf               | <u>Review Mr. Mahaffey's Motion for Summary Judgment and Supplement and confer with Mr. Cole regarding responding to same;</u>   | 1.6   | 720 | -720 | 8.29,<br>8.30 |
|       | KDK          | Expert<br>Depositi<br>oPrep | confer with Mr. Cole regarding deposition strategy and preparation; confer with Ms. Biblo regarding deposition scheduling; email exchanges with Mr. Bazeley regarding deposition scheduling and damages; conference call with Mr. Bazeley regarding same; conference call with Mr. Washburne [101 minutes] regarding case strategy, depositions and dismissing parties; email exchanges with Mr. Bloom regarding deposition preparation scheduling; review emails from Mr. Burgess regarding discovery issues and depositions. | 1.6   | 720 | -720 | 8.27          |
|       | MTB          | Subpoen<br>as               | In-person conference with Messrs. Krabill and Cole regarding deposition schedule; emails with Mr. Cole regarding subpoena of Joe Tooley; email to opposing counsel cancelling depositions of Charles Montgomery and Oscar Cardenas.  | 1.1   | 369 |      |               |
|       | SMC          | Perdue<br>Depo<br>Prep      | Emails regarding depositions; discuss upcoming depositions and strategy with Mr. Krabill and Ms. Biblo; continue preparing for Perdue deposition.  | 1.9   | 646 |      |               |
|       | SMC          | Expert<br>Depositi<br>oPrep | calls with Mr. Bazeley and Mr. Washburne regarding case and expert work  | 1.9   | 646 | -646 | 8.27          |
|       | SMC          | Our T-M<br>MSJ              | evaluate potential motion for summary judgment against Terry and Mahaffey;   | 1.9   | 646 | -646 | 8.28          |

Table 8-18



**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description                             | Hours Each  | Diff. | Ref   |        |      |
|-------|--------------|---|---|-------|-------|--------|------|
|       | MC           | Doc production                          | Receipt and review of additional documents from client; search database to see if they have been produced, confirm they are not and prepare them for production; serve production; update production log; download key documents from review database and begin organizing in chronological order; receipt and review of Mahaffey's supplement to his motion for summary judgment.  | 2.3   | 506   | -253   | 8.23 |
| 12/15 | KDK          | Expert Deposition Prep                  | Confer with Mr. Cole regarding depositions; review and digest Ms. Wood's deposition; review deposition schedule and prepare for depositions.  | 1.1   | 495   | -495   | 8.27 |
|       | MTB          | Cancel Cardenas, Montgomery Depositions | Telephone conference with Charles Montgomery cancelling his deposition; email Oscar Cardenas regarding cancelling his deposition; draft letter to Oscar Cardenas regarding cancelling his deposition.   | 0.5   | 168   |        |      |
|       | SMC          | Perdue Deposition Prep                  | Prepare for deposition of Scott Perdue;   | 5.8   | 1,972 | -1,972 | 8.31 |
|       | SMC          | Expert Deposition Prep                  | confer with Mr. Krabill, Mr. Bazeley, and with client regarding claims against Terry Rogers.  | 1     | 340   | -340   | 8.27 |
|       | MC           | Doc production                          | Prepare case calendar to track upcoming deadlines and depositions; receipt and review of several emails regarding changes in deposition scheduling; update calendar and make changes with court reporter as needed; confer with Messrs. Cole and Krabill regarding additional documents to assemble and send to expert; assemble expert documents and serve same; prepare document production and serve same; update production log; receipt and review of FOIA request and docket response date. | 1.3   | 286   | -143   | 8.23 |
| 12/16 | KDK          | Our T-M MSJ                             | Review email from Mr. Washburne regarding discovery issues; confer with Ms. Biblo regarding deposition scheduling and subpoenas; review documents and analyze claims and evidence against Mr. Mahaffey; confer with Mr. Cole regarding same;  | 1.3   | 585   | -585   | 8.28 |

Table 8-19

### Terry Case Invoice and Adjustments

| Date  | Initial Code | Description            | Hours Each   | Diff. | Ref   |        |      |
|-------|--------------|------------------------|--|-------|-------|--------|------|
| 12/16 | KDK          | Expert Deposition Prep | review email from Mr. Bazeley regarding expert issues; conference call with Mr. Washburne regarding Mr. Perdue's deposition.   | 1.3   | 585   | -585   | 8.27 |
|       | MTB          | FOIA                   | Review letter from FOIA officer Judy Shipp regarding FOIA request to FAA regarding James Terry, Pacific Prowler, LLC, Pacific Prowler Nonprofit, Greatest Generation Aircraft, and DOUGLASN87745; telephone conference with Special Delivery regarding address of Joe Tooley.  | 0.3   | 101   |        |      |
| 12/16 | SMC          | Perdue Depo Prep       | Confer with Mr. Krabill regarding Mahaffey's motion for summary judgment and claims against him; continue preparing for deposition of Mr. Perdue.  | 4.5   | 1,530 | -1,530 | 8.31 |
|       | MC           | Doc production         | Receipt and review of notice of deposition duces tecum of Paul Bazeley and docket same; update expert files; assemble potential exhibits for Perdue deposition, organize in chronological order and finalize exhibit binders and folders; prepare another supplemental production, Bates-label and serve; update production log; send additional document to expert for review.  | 3.1   | 682   | -341   | 8.23 |
| 12/17 | MC           | Subpoenas              | Receipt and review of proof of service on Stephen Kyle Nelson and update calendar.   | 0.1   | 22    |        |      |
| 12/18 | SMC          | Perdue Depo Prep       | Continue preparing for deposition of Mr. Perdue and review proposed questions from Mr. Washburne.  | 1.8   | 612   |        | 8.31 |
| 12/19 | KDK          | Expert Deposition Prep | Confer with Mr. Cole regarding depositions and preparation; confer with Mr. Washburne regarding depositions and claims against Mr. Mahaffey; multiple email exchanges with opposing counsel, Mr. Dowdy, regarding scheduling expert depositions; review and analyze Mr. Mahaffey's Third Amended Responses to Requests for Disclosure; confer with Messrs. Cole and Washburne regarding depositions and strategy and Mr. Mahaffey's claims; analyze deposition schedule and strategy; prepare for depositions. | 3.2   | 1,440 | -1,440 | 8.27 |

### Terry Case Invoice and Adjustments

| Date  | Initial Code | Description            | Hours Each   | Diff. | Ref   |        |      |
|-------|--------------|------------------------|--|-------|-------|--------|------|
|       | MTB          | Subpoenas              | Telephone conference with Mr. Krabill regarding schedule of depositions; draft notice of subpoena and subpoena to Richard Bradley; attention to service of same; serve notice of deposition of corporate representative of VFM; serve notice of deposition of representative of the Hospers Trust; serve notice of deposition of notice to Charlyn Hospers; serve notice of deposition of notice to Bill Gorin.                            | 1.1   | 369   |        |      |
|       | SMC          | Perdue Depo            | Prepare for and take deposition of Mr. Perdue; discuss same with Mr. Washburne;  | 3     | 1,020 |        | 8.31 |
|       | SMC          | Our T-M MSJ            | review evidence supporting claims against Mahaffey; discuss same with Mr. Krabill;   | 2     | 680   |        | 8.28 |
|       | SMC          | Expert Deposition Prep | call with expert to discuss report and testimony.  | 3     | 1,020 | -1,020 | 8.27 |
| 12/20 | KDK          | MSJ-Mahaf              | Prepare for depositions; confer with Ms. Cawthon regarding depositions; review and analyze research regarding Mr. Mahaffey's claims; confer with Mr. Cole regarding same; research issues regarding intent and limitation of liability clauses; conference calls with Mr. Washburne regarding Mr. Mahaffey's claims.   | 4.1   | 1,845 |        |      |
|       | MTB          | Subpoenas              | Leave voicemail for Stephen Nelson regarding confirmation of his deposition.   | 0.1   | 34    |        |      |
|       | SMC          | Our T-M MSJ            | Review evidence in support of claims against Mahaffey; research issues regarding contractual limitation of liability clause; draft discovery responses.  | 7.1   | 2,414 |        |      |
|       | MC           | Subpoenas              | Receipt and review of notice of intent to serve deposition notice duces tecum on Michael Bradley and docket same; confer with Mr. Krabill regarding responding to questions from client; obtain court reporter and videographer cost information for client; confer regarding whether to get a court reporter for our expert's deposition since defendant only noticed it for video; continue organizing and de-duplicating key documents. | 2.4   | 528   | -264   | 8.23 |

Table 8-21

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description           | Hours Each  | Diff. | Ref   |      |      |
|-------|--------------|-----------------------|---|-------|-------|------|------|
| 12/21 | KDK          | MSJ-<br>Mahaf         | Confer with Mr. Cole regarding Mr. Mahaffey's claims and responding to Motion for Summary Judgment; review evidence to respond to Motion for Summary Judgment; review and revise Responses to Requests for Production and confer with Mr. Cole regarding same; email exchanges with opposing counsel, Messrs. Dowdy, Deitchman and Burgess, regarding deposition scheduling; conference call with Mr. Washburne regarding claims against Mr. Mahaffey and related strategy.   | 0.9   | 405   |      |      |
|       | SMC          | MSJ-<br>Mahaf         | Discuss claims against Mahaffey and motions for summary judgment with Mr. Krabill; review documents for production. Upload client documents to database for attorney review and production.   | 1.5   | 510   |      |      |
| 12/21 | MC           | Doc<br>producti<br>on | Upload client documents to database for attorney review and production.   | 0.2   | 44    |      |      |
| 12/22 | KDK          | MSJ-<br>Mahaf         | Review and analyze Mr. Terry's Motion for Summary Judgment and confer with Mr. Cole regarding drafting response to same; revise task list and prepare for depositions; confer with Ms. Biblo regarding deposition scheduling; review Motions for Summary Judgment filed by the Terry parties and confer with Mr. Cole regarding same; email exchanges with court coordinator, Ms. Blair, regarding hearing schedule; email exchanges with opposing counsel, Mr. Burgess, regarding hearing dates; email exchange with opposing counsel, Mr. Dowdy, regarding expert deposition. | 1.6   | 720   |      |      |
|       | MTB          | Subpoen<br>as         | Emails with team regarding status of upcoming depositions; email Stephen Nelson regarding confirmation of his deposition.   | 0.2   | 67    |      |      |
|       | SMC          | MSJ-<br>Mahaf         | Begin drafting response to Mahaffey's motion for summary judgment; review motions for summary judgment by Terry defendants; review bank statements for production.  | 3.4   | 1,156 |      |      |
|       | MC           | Doc<br>producti<br>on | Redact account numbers from bank statements; Bates label and prepare documents for production; begin working on chronology.   | 1.4   | 308   | -154 | 8.23 |

Table 8-22

**Terry Case Invoice and Adjustments**

| Date  | Initial Code | Description            | Hours Each   | Diff. | Ref   |      |      |
|-------|--------------|------------------------|--|-------|-------|------|------|
| 12/23 | KDK          | Expert Deposition Prep | Review email from opposing counsel, Mr. Dowdy, regarding depositions.  | 0.1   | 45    | -45  | 8.27 |
| 12/26 | SMC          | Expert Deposition Prep | Confer with Ms. Biblo regarding upcoming depositions.  | 0.1   | 34    | -34  | 8.27 |
| 12/27 | SMC          | MSJ-Mahaf              | Continue drafting response to Mahaffey's motion for summary judgment.  | 3.3   | 1,122 |      | 8.30 |
| 12/28 | SMC          | MSJ-Mahaf              | Continue drafting response to Mahaffey's motion for summary judgment. Receipt and review of Defendant Terry's amended motion   | 3.4   | 1,156 |      | 8.30 |
| 12/28 | MC           | Review Documents       | Receipt and review of Defendant Terry's amended motion for summary judgment; receipt and review of Pacific Prowler's motion for summary judgment; receipt and review of Defendant Douglas87745's motion for summary judgment; receipt and review of Defendant Pacific Prowler NP and GGA's motion for summary judgment; receipt and review of notice of hearing on Terry Defendant's motions for summary judgment and docket same; also docket our response deadline | 1.7   | 374   | -187 | 8.23 |
| 12/28 | MC           | Discovery              | receipt and review of Defendant Mahaffey's discovery responses   | 0.2   | 44    | -22  | 8.23 |
| 12/28 | MC           | Wood depo summary      | update case notebooks for attorneys; receipt and review of task list and make sure that all upcoming deadlines and depositions are on calendar; prepare Wood deposition summary excerpts; organize deposition exhibits in chronological order.   | 1.5   | 330   | -165 | 8.23 |
| 12/29 | MTB          | Setup Depos            | Emails with opposing counsel regarding upcoming depositions; email Richard Bradley regarding his deposition.   | 0.3   | 101   |      |      |
|       | SMC          | MSJ-Mahaf              | Continue drafting response to Mahaffey's motion for summary judgment.  | 2.5   | 850   |      | 8.30 |
| 12/30 | SMC          | MSJ-Mahaf              | Continue drafting response to Mahaffey's motion for summary judgment.  | 6.6   | 2,244 |      | 8.30 |
| 12/31 | SMC          | MSJ-Mahaf              | Continue drafting response to Mahaffey's motion for summary judgment.  | 0.9   | 306   |      | 8.30 |
| 12/3  |              | Process Service        | Process service for Joe Tooley 11/30/2016.   |       | 140   |      |      |
|       |              | Process Service        | Process service for Scott Perdue 11/17/2016.   |       | 230   | -115 | 8.32 |
| 12/10 |              | Process Service        | Process services for Oscar Cardenas 12/06/2016.  |       | 381   | -190 | 8.32 |

Table 8-23

**Terry Case Invoice and Adjustments**

| Date                    | Initial Code | Description                       | Hours Each  |               | Diff.          | Ref  |
|-------------------------|--------------|-----------------------------------|---|---------------|----------------|------|
| 12/10                   |              | Process S                         | Process services for Stephen Kyle Nelson 12/09/2016.                    |               |                |      |
| 12/15                   |              | Depo Video                        | Copies of the video transcript of the deposition of Dana Wood.          |               |                |      |
|                         |              | Transcrip<br>t                    | Original and one copy of the transcript of the deposition of Dana Wood. |               |                |      |
| 11/26                   |              | Process S                         | Process services to Stephen D. Swift                                    |               |                |      |
| 12/24                   |              | Process S                         | Process services for Richard Michael Bradley on 12/21/2016.             |               |                |      |
| 12/30                   |              | Disco                             | Disco monthly hosting.  |               | -312           | 8.33 |
| 12/31                   |              | Copies                            | Copy charges.   |               |                |      |
|                         |              |                                   | <b>48,638</b>   |               |                |      |
| <b>December Summary</b> |              |                                   |   |               |                |      |
|                         | Items        | MSJ-Mahaf                         | 36  | 13,066        | -1,061         |      |
|                         |              | Expert Depositi<br>Prep           | 24.4  | 8,710         | -7,064         |      |
|                         |              | Perdue Depo Prep                  | 15  | 5,236         | -3,502         |      |
|                         |              | Our T-M MSJ                       | 14.8  | 5,175         | -2,081         |      |
|                         |              | Hot Docs                          | 7   | 3,060         | -1,418         |      |
|                         |              | D.Wood Dep Prep                   | 7   | 2,156         | -999           |      |
|                         |              | D.Wood Depo                       | 7.8   | 2,638         | -972           |      |
|                         |              | Doc production                    | 8.3   | 1,826         | -891           |      |
|                         |              | Subpoenas                         | 5   | 1,522         | -398           |      |
|                         |              | Perdue Depo                       | 3   | 1,020         | 0              |      |
|                         |              | Discovery                         | 0.8   | 268           | -22            |      |
|                         |              | Review Documents                  | 2   | 374           | -187           |      |
|                         |              | Wood depo summary                 | 2   | 330           | -165           |      |
|                         |              | Cancel Cardenas, Montgomery Depos | 0.5   | 168           | 0              |      |
|                         |              | FOIA                              | 0.3   | 101           | 0              |      |
|                         |              | Setup Depos                       | 0   | 101           | 0              |      |
|                         |              | G.Worthy Depo                     | 0.1   | 34            | -34            |      |
|                         | Fees         | Process Server                    | 0   | 1,168         | -305           |      |
|                         |              | Depo Video                        |   | 765           | 0              |      |
|                         |              | Transcript                        |   | 611           | 0              |      |
|                         |              | Disco                             | 0   | 312           | -312           |      |
|                         |              | Copies                            |   | 0.15          | 0              |      |
|                         |              |                                   |   |               |                |      |
|                         |              | <b>Total</b>                      |   | <b>48,638</b> | <b>-19,410</b> |      |
| <b>January</b>          |              |                                   |   |               |                |      |
| 1/1                     | SMC          | Ter/Mah<br>MSJs                   | Begin drafting response to Terry's Motion for Summary Judgment.         |               |                |      |
|                         |              |                                   | 3   | 1,020         |                |      |

**Terry Case Invoice and Adjustments**

| Date |     | Initial Code             | Description  | Hours Each |       | Diff. | Ref  |
|------|-----|--------------------------|--|------------|-------|-------|------|
| 1/2  | KDK | Ter/Mah<br>MSJs          | Confer with Mr. Cole regarding Responses to Motions for Summary Judgment; review and revise Responses to Motions for Summary Judgment.   | 6.3        | 2,835 |       |      |
|      | SMC | Ter/Mah<br>MSJs          | Continue drafting response to Terry's Motion for Summary Judgment; revise response to Mahaffey's Motion for Summary Judgment.  | 7.9        | 2,686 |       |      |
| 1/3  | KDK | Ter/Mah<br>MSJs          | Continue reviewing and revising Responses to Motions for Summary Judgment; office conference with Mr. Cole regarding same and deposition schedule; email exchanges with opposing counsel, Mr. Burgess, regarding Mr. Diver's deposition; email exchanges with Mr. Washburne regarding Responses to Motions for Summary Judgment; digest Mr. Perdue's deposition; review email from Mr. Deitchman regarding deposition scheduling.              | 6.1        | 2,745 |       |      |
|      | MTB | Bradley<br>depo<br>setup | Email Richard Bradley regarding his deposition; call Richard Bradley regarding his deposition; email Steven Nelson regarding his deposition; update schedule of upcoming deposition.   | 0.5        | 168   |       |      |
| 1/3  | SMC | Ter/Mah<br>MSJs          | Continue drafting responses to motions for summary judgment; call with Mr. Washburne to discuss third party depositions; attention to scheduling of depositions.   | 9.1        | 3,094 |       |      |
|      | MEC | Bradley<br>depo<br>setup | Receipt and review of correspondence regarding Bradley deposition; cancel court reporter and videographer; prepare amended notice of deposition for Diver; revisions to case calendar and circulate to attorneys for review; schedule reporter and videographer for Diver deposition; update attorneys' case notebooks; work on chronology.  | 2.2        | 484   | -242  | 8.34 |
| 1/4  | KDK | Ter/Mah<br>MSJs          | Review and revise Responses to Motions for Summary Judgment; confer with Mr. Cole regarding Responses to Motions for Summary Judgment; review multiple emails and redlines sent from Mr. Washburne regarding same; review case law on alter ego and analyze issues regarding the alter ego claim against Mr. Terry and his entities; conference call with Mr. Washburne regarding responding to Motions for Summary Judgment (estimated split) | 3.4        | 1,530 |       |      |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description        | Hours Each  | Diff. | Ref   |      |      |
|------|--------------|--------------------|---|-------|-------|------|------|
| 1/4  | KDK          | Bazeley Report     | review Mr. Bazeley's draft opinions and confer with Mr. Cole regarding same   | 0.5   | 225   | -225 | 8.35 |
| 1/4  | KDK          | Scheduling         | review email from opposing counsel, Mr. Dowdy, regarding discovery and production issues; email exchange with Mr. Burgess regarding deposition scheduling; email exchange with opposing counsel, Mr. Turner, regarding deposition scheduling; email exchanges with opposing counsel, Mr. Deitchman, regarding Mr. Bazeley's deposition. | 1     | 450   |      |      |
|      | SMC          | Ter/Mah MSJs       | Continue revising responses to motions for summary judgment and begin organizing exhibits; attention to deposition scheduling; call with Mr. Washburne to discuss summary judgment responses.   | 12.4  | 4,216 |      |      |
|      | MEC          | Document prod      | Prepare document production; serve production; update production log; continue working on chronology  | 0.9   | 198   | -99  | 8.34 |
|      | MEC          | Ter/Mah MSJs       | confer with Mr. Cole regarding responses to motion for summary judgment; receipt and review of draft response to Mahaffey's motion for summary judgment and assemble exhibits to same; revisions to Mahaffey response brief   | 3     | 660   | -330 | 8.34 |
|      | MEC          | Bradley depo setup | prepare amended notice of deposition and subpoena duces tecum for Richard Bradley;  | 0.5   | 110   | -55  | 8.34 |
|      | MEC          | Ter/Mah MSJs       | receipt and review of draft response to the Terry Defendants' motion for summary judgment and begin assembling exhibits to same.  | 0.5   | 110   | -55  | 8.34 |
| 1/5  | KDK          | Ter/Mah MSJs       | Review and revise Responses to Motions for Summary Judgment and Declarations; confer with Mr. Cole regarding same; confer with Mr. Washburne regarding same.  | 2.7   | 1,215 | -900 | 8.36 |
|      | SMC          | Ter/Mah MSJs       | Revise and finalize motions for summary judgment; attention to finalizing declarations and gathering other exhibits; discuss declaration with Mr. Bazeley; confer with opposing counsel regarding discovery responses and document production.  | 4.4   | 1,496 |      |      |



**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description       | Hours Each  | Diff. | Ref   |        |      |
|------|--------------|-------------------|---|-------|-------|--------|------|
|      | MEC          | Ter/Mah MSJs      | Review Mahaffey response one more time and make edits; insert citations from Washburne and Bazeley declarations; finalize response and exhibits and prepare for filing; review response to Terry Defendants motion for summary judgment and insert citations to declarations and exhibits; finish assembling exhibits, marking and prepare all for filing; prepare orders denying all 5 motions for summary judgment; receipt and review of correspondence regarding logistics for Bazeley deposition | 5     | 1,100 |        |      |
|      | MEC          | Bazeley Report    | purchase SD memory card to obtain copy of Bazeley video. (split)  | 0.6   | 132   | -132   | 8.35 |
| 1/6  | KDK          | MSJ Hrg Prep      | Confer with Mr. Cole and Ms. Cawthon regarding preparation for Motion for Summary Judgment hearings; prepare for Motion for Summary Judgment hearings; email exchanges with Mr. Burgess regarding deposition scheduling; email exchange with Mr. Dowdy regarding deposition scheduling; review and revise Bazeley report.   | 2.9   | 1,305 |        |      |
|      | SMC          | MSJ Hrg Prep      | Discuss upcoming depositions and summary judgment hearing with Mr. Krabill and Ms. Cawthon; prepare for deposition of Mr. Bazeley; review draft report from Mr. Bazeley.  | 3.3   | 1,122 |        |      |
|      | MEC          | Bazeley Depo Prep | Meeting with Mr. Krabill to discuss hearing preparations; meeting with Mr. Cole to discuss preparations for Bazeley deposition; assemble Bazeley deposition preparation binder; update case notebooks.  | 3     | 660   | -660   | 8.35 |
| 1/7  | KDK          | Bazeley Report    | Review and revise Bazeley report; conference call with Mr. Washburne regarding depositions and expert issues; conference call with Mr. Cole regarding Bazeley report and depositions; prepare for Motion for Summary Judgment hearing.  | 1.3   | 585   | -585   | 8.35 |
|      | SMC          | Bazeley Report    | Confer with Messrs. Bazeley and Krabill regarding report.   | 0.5   | 170   | -170   | 8.35 |
| 1/8  | KDK          | MSJ Hrg Prep      | Prepare for Motion for Summary Judgment hearing.  | 1.5   | 675   |        |      |
|      | SMC          | Bazeley Report    | Meet with Messrs. Bazeley and Washburne to prepare for Mr. Bazeley's deposition.  | 8.4   | 2,856 | -2,856 | 8.35 |

Table 8-27

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description    | Hours Each  |     | Diff. | Ref         |
|------|--------------|----------------|---|-----|-------|-------------|
| 1/9  | KDK          | MSJ Hrg Prep   | Confer with Mr. Cole regarding Bazeley report and Mr. Bazeley's deposition; prepare for Motion for Summary Judgment hearing and draft PowerPoints for same; research case law cited by Defendants; review Reply Brief filed by Mr. Mahaffey.  | 5.8 | 2,610 |             |
|      | MTB          | DTPA           | Legal research regarding DTPA claim (specifically, 500,000 limitation)  | 1.8 | 603   | -603 8.37   |
|      | SMC          | Bazeley Report | Confer with Mr. Bazeley and Mr. Washburne regarding report; attend deposition of Mr. Bazeley; confer with Mr. Washburne regarding Bazeley report and declaration.   | 7.2 | 2,448 | -2,448 8.35 |
|      | MEC          | MSJ Hrg Prep   | Prepare hearing notebooks; receipt and review of Mahaffey's reply in support of his motion for summary judgment; prepare first draft of Terry motion for summary judgment presentation; receipt and review of Bazeley report; prepare supplemental document production; work on first draft of Mahaffey motion for summary judgment presentation.                             | 4   | 880   | -440 8.34   |
| 1/10 | KDK          | MSJ Hrg Prep   | Prepare for Motion for Summary Judgment hearing; draft PowerPoints for same; confer with Ms. Biblo regarding case law for use in hearing; review and analyze case law; confer with Ms. Cawthon regarding hearing preparation; confer with Mr. Cole regarding hearing preparation and strategy; review offer sent by Terry defendants and confer with Mr. Cole regarding same. | 5.8 | 2,610 |             |
| 1/10 | MTB          | DTPA           | Legal research regarding DTPA claim (specifically, 500,000 limitation); draft memorandum regarding same.  | 0.5 | 168   |             |
|      | SMC          | KW depo prep   | Prepare for deposition of Ken Williams  | 1.5 | 510   |             |
|      | SMC          | MSJ Hrg Prep   | attention to preparing for hearing on Defendants' motions for summary judgment; confer with Mr. Krabill regarding hearing; confer with Mr. Washburne regarding declaration and report of Mr. Bazeley.   | 3   | 1,020 |             |

### Terry Case Invoice and Adjustments

| Date | Initial Code | Description              | Hours Each   | Diff. | Ref   |      |      |
|------|--------------|--------------------------|--|-------|-------|------|------|
|      | MEC          | MSJ Hrg<br>Prep          | Finish Bazeley production; update production log; upload production to secure FTP site and serve documents on opposing counsel; finish initial draft of Mahaffey presentation; confirm court reporter and videographer for Ken Williams deposition; revisions to Terry presentation and insert exhibits; receipt and review of correspondence cancelling Williams deposition and subsequent emails whether he'll remain a fact witness; cancel the reporter and videographer; several rounds of revisions to both Terry and Mahaffey presentations; receipt and review of Mahaffey's declaration invoking TRCP 167 | 5.6   | 1,232 | -616 | 8.34 |
| 1/11 | KDK          | MSJ Hrg<br>Prep          | Prepare for Motion for Summary Judgment hearing; confer with Mr. Cole regarding same; review PowerPoints and confer with Ms. Cawthon regarding same.   | 2.6   | 1,170 |      |      |
|      | SMC          | MSJ Hrg<br>Prep          | Review reply brief from Defendant Mahaffey; prepare for hearing on motions for summary judgment  | 3.2   | 1,088 |      |      |
|      | SMC          | Nelson<br>depo<br>prep   | begin preparing for deposition of Steve Nelson; confer with Mr. Krabill regarding hearing.   | 3.1   | 1,054 |      |      |
|      | MEC          | MSJ Hrg<br>Prep          | Call to court coordinator for the 153rd to check on status of our hearings for tomorrow; prepare quick report to attorneys regarding same; correspondence with Mr. Deitchman regarding obtaining copy of Bazeley video; finalize both Power Point presentations and print copies for hearing; finalize orders and make copies for hearing; put presentations on flash drive for hearing  | 1     | 220   | -110 | 8.34 |
|      | MEC          | Bradley<br>depo<br>setup | put presentations on flash drive for hearing; finalize Bradley deposition notice; serve notice on all counsel of record; send courtesy copy of notice to Mr. Bradley; docket deposition; schedule court reporter and videographer; coordinate with process server to serve notice on Mr. Bradley.  | 1.1   | 242   | -121 | 8.34 |

### Terry Case Invoice and Adjustments

| Date | Initial Code | Description   | Hours Each | Diff. | Ref  |
|------|--------------|---|------------|-------|------|
| 1/12 | KDK          | MSJ Hrg Prep<br>Prepare for Motion for Summary Judgment hearings; revise PowerPoints for same; attend and argue Motion for Summary Judgment hearings; confer with Mr. Washburne regarding same and strategy; review emails from opposing counsel, Messrs. Dowdy and Deitchman, regarding inspection of aircraft by their clients and experts; analyze discovery; confer with Ms. Cawthon regarding drafting additional discovery; (split) | 5 2,250    |       |      |
| 1/12 | KDK          | Motion Reconsd<br>review Order on Motion for Summary Judgment; confer with Mr. Cole regarding drafting Motion for Reconsideration; email Mr. Washburne regarding same; review and revise Motion for Reconsideration. (split)  | 1.6 720    |       |      |
|      | SMC          | MSJ Hrg Prep<br>Prepare for and attend hearing on motions for summary judgment; (time split)  | 3.5 1,190  |       |      |
|      | SMC          | Motion Reconsd<br>draft and file motion to reconsider judge's summary judgment ruling (split)   | 1.5 510    |       |      |
|      | SMC          | Nelson depo prep<br>prepare for deposition of Steve Nelson.   | 4.5 1,530  |       |      |
|      | MEC          | Motion Reconsd<br>Finalize service details on Mr. Bradley; draft second set of request for production to all defendants; receipt and review of order denying defendants' summary judgment motions; confirm court reporter and videographer for Nelson deposition; confer with Mr. Cole regarding motion to reconsider; review rules regarding non-stenographic recording of depositions; receipt and review of motion to reconsider.      | 2.5 550    | -275  | 8.34 |
| 1/13 | KDK          | Motion Reconsd<br>Confer with Ms. Cawthon regarding drafting Order for court to sign on Motion for Clarification; review and revise same; file same; confer with Mr. Cole regarding deposition; email exchanges with opposing counsel, Messrs. Dowdy, BurgessDeitchman regarding inspection and regarding depositions.  | 0.6 270    |       |      |
|      | SMC          | Nelson depo<br>Prepare for and take deposition of Steve Nelson.   | 4.7 1,598  |       |      |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description         | Hours Each  | Diff. | Ref |      |      |
|------|--------------|---------------------|---|-------|-----|------|------|
| 1/13 | MEC          | Motion Reconsd      | Draft proposed orders on motions for summary judgment to correct the court's rulings;   | 0.6   | 132 | -132 | 8.38 |
| 1/13 | MEC          | RFP to Douglas87745 | draft first set of request for production to Douglas87745; review file to confirm only other discovery to Douglas was request for disclosure.   | 0.6   | 132 |      |      |
| 1/17 | KDK          | Motion Reconsd      | Review and revise discovery requests; confer with Mr. Cole regarding same; set Motion for Reconsideration hearing; review research on exemplary damages and confer with Mr. Cole regarding same and trial strategy and witnesses; email exchange with Mr. Washburne about Defendants' inspection of hangar; prepare for depositions; (time split) | 2     | 900 | -900 | 8.38 |
| 1/17 | KDK          | Trial Prep          | digest deposition transcripts to prepare for trial.   | 0.8   | 360 |      |      |
|      | SMC          | Settlement          | Call with Mr. Washburne to discuss inspection and settlement potential; research statutory limits on exemplary damages and confer with Mr. Washburne regarding same   | 0.5   | 170 |      |      |
|      | SMC          | Diver/M d-prep      | begin preparing for depositions of Mr. Diver and Mr. Mahaffey   | 2     | 680 |      |      |
|      | SMC          | Trial Strategy      | confer with Mr. Krabill regarding trial strategy and outstanding to-do items prior to trial.  | 0.2   | 68  |      |      |
|      | MEC          | RFPs                | Edit and finalize 8 sets of request for production to defendants; serve document; calculate and docket defendants' response deadline; update deposition log; prepare notice of deposition for Pat Mahaffey; prepare notice under Rule 193.7,  | 1.2   | 264 |      |      |
| 1/18 | KDK          | Motion Reconsd      | Review court Order setting hearing on Motion to Reconsider and confer with Mr. Cole regarding same.   | 0.1   | 45  | -45  | 8.38 |
|      | MEC          | Motion Reconsd      | Finalize Mahaffey deposition notice and serve on opposing counsel; docket the deposition; coordinate with court reporter; follow up with court regarding motion for reconsideration; receipt and review of notice of hearing and docket same.   | 0.5   | 110 | -110 | 8.38 |
| 1/19 | SMC          | Diver/M d-prep      | Continue preparing for depositions of Messrs. Diver and Mahaffey.   | 2.9   | 986 |      |      |

Table 8-31

### Terry Case Invoice and Adjustments

| Date | Initial Code | Description              | Hours Each   | Diff. | Ref   |  |      |
|------|--------------|--------------------------|--|-------|-------|--|------|
| 1/20 | KDK          | Diver/M<br>d-prep        | Confer with Mr. Cole regarding deposition rescheduling; review email from Mr. Burgess regarding same.  | 0.1   | 45    |  |      |
| 1/20 | SMC          | Diver<br>LNC visit       | Attend inspection of Mr. Washburne's planes and parts by Defendants and Mr. Diver.   | 3.5   | 1,190 |  | 8.39 |
|      | MEC          | Bradley<br>depo<br>setup | Confirm depositions for Monday; receipt of Nelson transcript and exhibits and update deposition log.   | 0.2   | 44    |  |      |
| 1/23 | MEC          | Bradley<br>depo<br>setup | Prepare amended deposition notices for Diver and Mahaffey; serve notices; reschedule court reporter and videographer; update calendar; receipt of Bazeley deposition video from opposing counsel and click on each video file to make sure they play; update deposition log.   | 0.6   | 132   |  |      |
| 1/24 | SMC          | Bradley<br>depo<br>setup | Discuss upcoming deadlines with Ms. Cawthon.   | 0.1   | 34    |  |      |
| 1/25 | MEC          | Mahaf<br>193.7<br>notice | Receipt and review of Mahaffey's notice under Rule 193.7 and docket our deadline to respond.   | 0.1   | 22    |  |      |
| 1/26 | MEC          | Get<br>Transcr.          | Coordinate with court reporter to obtain copy of transcript.   | 0.1   | 22    |  |      |
| 1/27 | KDK          | Mahaf<br>193.7<br>notice | Confer with Mr. Cole regarding strategy and transferring case to new judge and deposition preparation and deposition scheduling; multiple email exchanges with opposing counsel, Messrs. Burgess, Deitchman and Dowdy, regarding same; review Rule 193.7 notice filed by Mr. Mahaffey; email exchanges with Mr. Deitchman regarding scheduling; email exchange with Mr. Burgess regarding same; email Mr. Washburne regarding settlement amounts; begin digesting Mr. Nelson's deposition. | 1.5   | 675   |  |      |
|      | SMC          | Diver/M<br>d-prep        | Confer with Mr. Krabill regarding upcoming depositions and preparing for trial.  | 0.5   | 170   |  |      |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description        | Hours Each   | Diff. | Ref   |        |      |
|------|--------------|--------------------|--|-------|-------|--------|------|
|      | MEC          | Mahaf 193.7 notice | Confer with Mr. Cole regarding responding to the Rule 193.7 notice; confer and review correspondence with opposing counsel regarding moving trial date; re-upload Bazeley production for opposing counsel and share the link; confer with Mr. Krabill regarding deposition summaries.                                      | 0.5   | 110   |        |      |
| 1/30 | KDK          | Trial Prep         | Digest depositions and review and analyze documents in preparation for trial; review email from opposing counsel, Mr. Dowdy, regarding scheduling issues; multiple email exchanges with Mr. Burgess regarding document production and Motion to Compel; confer with Mr. Cole regarding same.                               | 5.6   | 2,520 | -2,520 | 8.40 |
| 1/30 | SMC          | Diver/M d-prep     | Prepare for depositions of Bradley, Diver, and Mahafey; review documents in preparation for trial; confer with opposing counsel regarding discovery issues.  | 3.5   | 1,190 |        |      |
|      | MEC          | Discovery          | Receipt and review of correspondence regarding discovery issues; follow up on expert disclosure for Mr. Diver; review production correspondence from prior counsel and assemble all prior production letters and emails from us as well in response to Mr. Burgess' claims that we have not produced all documents to him. | 0.8   | 176   |        |      |
| 1/31 | KDK          | Trans to 153rd     | Confer with Mr. Cole regarding deposition preparation and strategy; email exchanges with opposing counsel, Messrs. Deithman, Burgess and Dowdy, regarding trial and potentially transferring case to Judge McCoy; email exchanges with Mr. Burgess regarding Mr. Williams deposition; confer with Mr. Cole regarding same. | 0.5   | 225   |        |      |
|      | SMC          | Diver/M d-prep     | Prepare for depositions of Bradley, Diver, and Mahaffey.   | 6.8   | 2,312 | -1,020 | 8.41 |
|      | MEC          | Bradley depo setup | Prepare document production and serve same; update production log; confirm court reporter for tomorrow's depositions; prepare deposition binder and exhibits for Diver, Bradley and Mahaffey depositions; update deposition exhibits chronology.   | 2.6   | 572   |        |      |

**Terry Case Invoice and Adjustments**

| Date                   | Initial Code | Description                | Hours Each   |               | Diff.          | Ref  |
|------------------------|--------------|----------------------------|--|---------------|----------------|------|
| 1/4                    |              | Video copies               | Copies of the video deposition of Scott Perdue.                        |               |                |      |
| 1/5                    |              | Transcript                 | Original and one copy of the transcript of deposition of Scott Perdue. |               |                |      |
| 1/13                   |              | Parking                    | Cole parking at hearing  |               |                |      |
| 1/17                   |              | MSJ Copies                 | Copies for Motion for Summary Judgment hearing.                        |               | -423           | 8.42 |
| 1/19                   |              | FedEx                      | FedEx to Federal Aviation Administration on 12/13/16.                  |               |                |      |
|                        |              | FedEx                      | FedEx to Oscar Cardenas Fort Worth, TX on 12/15/16.                    |               |                |      |
| 1/21                   |              | Parking                    | Parking for Mr. Krabill at courthouse for Motion for Summary Judgment. |               |                |      |
|                        |              | Flashdrive                 | Flashdrive for Bazeley deposition.                                     |               |                |      |
|                        |              | Memory card                | Memory card for Bazeley deposition.                                    |               |                |      |
|                        |              | Parking                    | Cole parking at hearing  |               |                |      |
|                        |              | Process server             | Process services for Richard Michael Bradley 01/19/17.                 |               |                |      |
| 1/23                   |              | Video copies               | Copies of the video transcript of deposition of Steven K. Nelson.      |               |                |      |
| 1/31                   |              | Disco                      | Disco monthly hosting.   |               | -466           | 8.43 |
|                        |              |                            | <b>Total amount of this invoice</b>                                    |               | <b>-16,538</b> |      |
|                        |              |                            |  | <b>73,292</b> |                |      |
| <b>January Summary</b> |              |                            |  |               |                |      |
|                        | Items        | Ter/Mah MSJs               | 63.8   | 22,707        | -1,285         |      |
|                        |              | MSJ Hrg Prep               | 47.2   | 17,372        | -1,166         |      |
|                        |              | <u>MSJ-Mahaf - January</u> |  | <u>13,066</u> |                |      |
|                        |              | Prepare MSJ reply          | 111  | 53,145        |                | 8.44 |
|                        |              | Bazeley Report             | 18.5   | 6,416         | -6,416         |      |
|                        |              | Diver/M d-prep             | 15.8   | 5,383         | -1,020         |      |
|                        |              | Nelson depo prep           | 7.6  | 2,584         | 0              |      |
|                        |              | Trial Prep                 | 6.4  | 2,880         | -2,520         |      |
|                        |              | Motion Reconsd             | 9.4  | 3,237         | -1,462         |      |
|                        |              | KW depo prep               | 1.5  | 510           | 0              |      |
|                        |              | Nelson depo                | 4.7  | 1,598         | 0              |      |
|                        |              | Diver LNC visit            | 3.5  | 1,190         | 0              |      |
|                        |              | Bradley depo setup         | 7.8  | 1,786         | -418           |      |
|                        |              | DTPA                       | 2.3  | 771           | -603           |      |
|                        |              | Transcript                 | 0  | 823           | 0              |      |
|                        |              | Mahaf 193.7 notice         | 2.1  | 807           | 0              |      |
|                        |              | Bazeley Depo Prep          | 3  | 660           | -660           |      |

Table 8-34



### Terry Case Invoice and Adjustments

| Date | Initial Code | Description         | Hours | Each   | Diff.   | Ref |
|------|--------------|---------------------|-------|--------|---------|-----|
|      |              | Scheduling          | 1     | 450    | 0       |     |
|      |              | Trans to 153rd      | 0.5   | 225    | 0       |     |
|      |              | MSJ Copies          | 0     | 423    | -423    |     |
|      |              | RFPs                | 1.2   | 264    | 0       |     |
|      |              | Document prod       | 0.9   | 198    | -99     |     |
|      |              | Discovery           | 0.8   | 176    | 0       |     |
|      |              | Settlement          | 0.5   | 170    | 0       |     |
|      |              | RFP to Douglas87745 | 0.6   | 132    | 0       |     |
|      |              | Trial Strategy      | 0.2   | 68     | 0       |     |
|      | Fees         | Video copies        |       | 1,714  | 0       |     |
|      |              | Disco               |       | 466    | -466    |     |
|      |              | Process server      |       | 127    | 0       |     |
|      |              | FedEx               |       | 43     | 0       |     |
|      |              | Memory card         |       | 31     | 0       |     |
|      |              | Parking             |       | 30     | 0       |     |
|      |              | Flashdrive          |       | 29     | 0       |     |
|      |              | Get Transcr.        |       | 22     | 0       |     |
|      |              |                     |       |        | 0       |     |
|      |              | Total               |       | 73,292 | -16,538 |     |

#### February

|     |     |                            |   |     |       |      |      |
|-----|-----|----------------------------|---|-----|-------|------|------|
| 2/1 | KDK | Diver and Mahaf depo prep  | Review emails from opposing counsel, Mr. Burgess, attaching documents; review expert reports of Messrs. Diver and Mahaffey; confer with Mr. Cole regarding depositions; email exchanges with Messrs. Burgess, Deitchman and Dowdy regarding transferring case to Judge McCoy; analyze and research issues regarding Motion to Transfer; confer with Mr. Cole regarding same; email exchange with opposing counsel, Mr. Dowdy, regarding same. | 1.6 | 720   |      |      |
|     | SMC | Bradley, Diver, Mahaf depo | Prepare for and take depositions of Ricky Bradley, Rob Diver, and Patrick Mahaffey.   | 11  | 3,740 | -340 | 8.45 |
|     | MEC | Perdue + Nelson summs      | Prepare Perdue and Nelson deposition summaries.   | 1.9 | 418   | -418 | 8.46 |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description     | Hours Each  |     | Diff. | Ref    |      |
|------|--------------|-----------------|---|-----|-------|--------|------|
| 2/2  | KDK          | Mtn to Transfer | Confer with Mr. Cole regarding drafting Agreed Motion to Transfer; review and revise Agreed Motion to Transfer; review and revise proposed Order on Agreed Motion to Transfer; email Agreed Motion to Transfer Venue to opposing counsel, Messrs. Dowdy, Burgess and Deitchman; email proposed Order to same; multiple email exchanges with Mr. Burgess regarding same; confer with Mr. Cole regarding depositions and regarding trial preparation; email exchanges with Mr. Dowdy regarding same; revise Motion to Transfer to incorporate opposing counsel's edits. | 2.2 | 990   |        |      |
| 2/2  | SMC          | Mtn to Transfer | Draft motion to transfer; (estimated split)   | 1.5 | 510   | -255   | 8.47 |
| 2/2  | SMC          | Trial Prep      | review documents in preparation for trial.  | 3   | 1,020 | -1,020 | 8.48 |
|      | MEC          | Mtn to Transfer | Send Mahaffey volume one transcript to reporter so she can continue with volume 2; prepare order on motion to transfer; receipt and review of Mahaffey and Diver expert reports.  | 0.6 | 132   |        |      |
| 2/3  | KDK          | Mtn to Transfer | Email exchanges with opposing counsel, Messrs. Burgess, Dowdy and Deitchman, regarding Motion to Transfer; review and revise Motion to Transfer and review and revise Order and email to Messrs. Burgess, Dowdy and Deitchman for review and approval; review responses; revise and file Motion to Transfer and Order.  | 1.1 | 495   |        |      |
|      | SMC          | M-Amn Ans       | Review Mahaffey's amended answer.   | 0.2 | 68    |        |      |
|      | MEC          | Bad Docs        | Assemble bad documents binders per Mr. Cole's request.  | 1.4 | 308   |        |      |
| 2/6  | KDK          | Mtn to Transfer | Review Mr. Mahaffey's notice regarding use of documents; confer with Mr. Cole regarding response to same; review and revise response; confer with Mr. Cole regarding Motion to Transfer, proposed Order, and strategy for same and regarding preparing for Wednesday's hearing.   | 0.5 | 225   |        |      |

Table 8-36

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description                              | Hours Each  | Diff. | Ref   |        |       |
|------|--------------|--|---|-------|-------|--------|-------|
|      | SMC          | M-Amn Ans                                | Review Defendants' amended answer; respond to Rule 193.7 request; confer with opposing counsel regarding discovery dispute; review letter to 153rd Judicial District Court regarding transfer   | 2.4   | 816   |        | Split |
|      | SMC          | Prep Hrg Mf Recon                        | prepare for hearing on motion for reconsideration.  | 2.3   | 782   | -782   | 8.49  |
|      | MEC          | Edit Power point                         | Receipt and review of response to Rule 193.7 letter; follow up on hearing transcript; edits to Williams deposition notice; receipt and review of correspondence with prior counsel and Mr. Burgess regarding plaintiffs' document production; receipt and review of defendant Mahaffey's amended notice under rule 193.7 and docket response date; edits to Power Point presentation. | 0.9   | 198   |        |       |
| 2/7  | KDK          | Perrin Docs at trial                     | Review Notice of Use of Documents at Trial by Perrin Warbirds; confer with Ms. Cawthon regarding same.  | 0.1   | 45    |        |       |
|      | SMC          | Prep Hrg Mf Recon                        | Prepare for hearing on Motion for Reconsideration.  | 3.8   | 1,292 | -1,292 | 8.49  |
|      | MEC          | Rev Maha 6th Amded Petition              | Receipt and review of Mahaffey's sixth amended petition and compare against the fifth amended petition and note differences; receipt and review of Rogers defendants' Rule 193.7 notice; finalize and serve Williams notice; schedule court reporter and videographer; docket deposition.   | 0.8   | 176   |        |       |
| 2/8  | SMC          | Motion for Reconsideration (stolen item) | Prepare for and argue hearing on Plaintiff's Motion for Reconsideration; confer with Mr. Krabill regarding same; review correspondence from Mr. Dowdy regarding special exceptions and respond to same.   | 4.3   | 1,462 |        | Exces |

### Terry Case Invoice and Adjustments

| Date | Initial Code | Description      | Hours Each  | Diff. | Ref |      |      |
|------|--------------|------------------|---|-------|-----|------|------|
|      | MEC          | Scheduling       | Confer regarding transfer; receipt and review of correspondence regarding scheduling issues; receipt and review of Mahaffey's response to our second requests for production; update case notebooks; research on jury fee; correspondence to prior counsel requesting copies of attorney's fees invoices; prepare jury fee request and coordinate filing same.  | 1     | 220 |      |      |
| 2/9  | KDK          | Mtn to Transfer  | Review emails from Messrs. Dowdy and Burgess regarding transfer of case; confer with Mr. Cole regarding same; confer with Ms. Cawthon regarding paying jury fee.  | 0.2   | 90  |      |      |
|      | SMC          | Mtn to Transfer  | Confer with opposing counsel regarding potential transfer; draft proposed order on summary judgments; confer with opposing counsel regarding summary judgment orders.   | 1     | 340 |      |      |
| 2/10 | MEC          | Doc Prod'n       | Copy of all plaintiff's production to DVD and send to Mr. Burgess to resolve any claims that he has not received all of the production in this case.  | 0.4   | 88  |      |      |
| 2/12 | SMC          | MSJ Agreed Order | Confer with Mr. Krabill regarding proposed agreed order on Terry Defendants' summary judgment motions, and review pleadings related to same.  | 0.5   | 170 |      |      |
| 2/13 | SMC          | MSJ Agreed Order | Revise proposed order on Defendants' Motions for Summary Judgment.  | 0.2   | 68  |      |      |
|      | MEC          | Court Related    | Correspondence to Mr. Burgess enclosing production; check court's docket sheet to see if the order transferring the case has been signed; receipt and review of notice of trial setting and call to court coordinator for the 352nd regarding same; receipt and review of order transferring our case to the 48th district court; call to court coordinator for the 48th to see if they know what will happen to our trial setting; assemble all attorneys' fees invoices and begin reviewing and redacting same for production; receipt and review of correspondence from court reporter to opposing counsel with deposition transcripts for review for witnesses. | 3.4   | 748 | -374 | 8.50 |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description     | Hours Each  | Diff. | Ref   |      |       |
|------|--------------|-----------------|---|-------|-------|------|-------|
| 2/14 | KDK          | Mtn to Consol   | Review Mr. Mahaffey's Response to Plaintiffs' Second Requests for Production; review email from opposing counsel, Mr. Burgess, attaching Motion to Consolidate; review and analyze Motion; conference call with Mr. Cole regarding same; analyze issues regarding net worth discovery   | 0.8   | 360   |      | Split |
| 2/14 | KDK          | Trial Prep      | analyze trial strategy.   | 0.4   | 180   | -180 | 8.48  |
|      | MEC          | Redact invoices | Receipt of Bradley, Diver and Mahaffey transcripts and update depositions log; continue reviewing and redacting attorneys' fees invoices.   | 2.4   | 528   | -264 | 8.50  |
| 2/15 | KDK          | Trial Prep      | Confer with Mr. Cole regarding deposition preparation; strategy conference with Mr. Cole regarding trial preparation, responding to consolidation motion, and final depositions; prepare for trial.   | 0.8   | 360   | -360 | 8.48  |
|      | SMC          | Ken W Dep prep  | Attention to producing documents; prepare for deposition of Ken Williams;   | 4     | 1,360 |      | Split |
|      | SMC          | Trial Prep      | confer with Mr. Krabill about trial preparation.  | 0.9   | 306   | -306 | 8.48  |
| 2/15 | MEC          | Court Related   | Confer with Mr. Cole regarding documents that need to be produced prior to the close of discovery; prepare document production; serve production; update production log; assemble potential exhibits and binder for Williams deposition; confirm court reporter and videographer for Williams deposition; work on potential trial exhibits. | 2.8   | 616   |      |       |
| 2/16 | KDK          | Mtn to Consol   | Review Motion to Consolidate filed by opposing counsel, Mr. Burgess; email Mr. Burgess regarding same; conference call with Mr. Cole regarding deposition of Mr. Williams.  | 0.3   | 135   |      |       |
|      | SMC          | Ken W Dep prep  | Prepare for and take deposition of Ken Williams.  | 6.1   | 2,074 |      |       |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description   | Hours Each  | Diff. | Ref   |             |
|------|--------------|---------------|---|-------|-------|-------------|
|      | MEC          | Trial Prep    | Receipt and review of Terry defendants' motion to consolidate; review TRCP Rule 174; check Judge Evans' website to see if he has any specific local rules; finish assembling binders of potential trial exhibits for attorney review; assemble files for supplemental production; Bates-label documents for production; receipt of photos taken by Mahaffey unable to open so I had to convert each one to JPEG format; | 4.2   | 924   | -924 8.48   |
| 2/17 | MEC          | Trial Prep    | Work on chronology.   | 0.6   | 132   | -132 8.48   |
| 2/20 | KDK          | Trial Prep    | Review and analyze documents to prepare exhibit list for trial; meet with Mr. Cole to review exhibit list and prepare for trial; digest depositions and mark deposition designations to serve on Friday; confer with Ms. Cawthon regarding same; email exchanges with opposing counsel, Messrs. Burgess, Dowdy and Deitchman, regarding trial logistics and pretrial matters.   | 6.1   | 2,745 | -2,745 8.48 |
|      | SMC          | Mtn to Consol | Draft response to Motion to Consolidate   | 5.4   | 1,836 | Split 4     |
|      | SMC          | Trial Prep    | confer with Mr. Krabill regarding exhibit list and review potential trial exhibits  | 0.5   | 170   | -170 8.48   |
|      | SMC          | RFD response  | revise responses to requests for disclosure   | 1     | 340   | Split 4     |
|      | SMC          | Discovery     | confer with opposing counsel regarding discovery responses.   | 0.5   | 170   | Split 4     |
| 2/20 | MEC          | Trial Prep    | Prepare list of deposition designations for Mr. Krabill; run designations report from trial director for Mr. Krabill's review; prepare amended disclosures; prepare witness list; begin assembling final exhibits and exhibit list; confer with Mr. Cole regarding amended disclosures.   | 4.6   | 1,012 | -1,012 8.48 |
| 2/21 | KDK          | Mtn to Consol | Review and revise Response to Motion to Consolidate; confer with Mr. Cole regarding same;   | 2.1   | 945   | Split       |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description   | Hours Each | Diff.  | Ref  |
|------|--------------|---|------------|--------|------|
| 2/21 | KDK          | Trial Prep<br>continue digesting depositions and marking deposition designations to serve on Friday; email exchanges with opposing counsel, Messrs. Burgess, Dowdy and Deitchman, regarding pretrial matters; review Defendants' Supplemental Responses to Requests for Disclosure.   | 2 900      | -900   | 8.48 |
|      | SMC          | Trial Prep<br>Review transcript of Rob Diver's deposition and designate clips for trial.  | 1.4 476    | -476   | 8.48 |
|      | MEC          | Trial Prep<br>Receipt and review of court reporter certificate for deposition of Steve Nelson; contact court reporter to obtain advance copies of Williams deposition exhibits in order to review for potential trial exhibits; receipt and review of Terry defendants' supplemental response to request for disclosure; confer with Mr. Krabill regarding status of Ken Williams transcript; print initial Bradley excerpts for Mr. Krabill; continue working on trial exhibits; work on Diver deposition designations.                        | 2.1 462    | -462   | 8.48 |
| 2/22 | KDK          | Trial Prep<br>Continue digesting depositions and marking deposition designations to serve on Friday; confer with Ms. Cawthon regarding same and trial date; confer with Mr. Cole regarding drafting jury charge; review new documents produced by opposing counsel, Mr. Deitchman; confer with Mr. Cole regarding trial preparation and strategy; prepare for trial; multiple email exchanges with opposing counsel, Messrs. Deitchman, Burgess and Dowdy, regarding trial date and continuance; conference calls with Mr. Cole regarding same. | 6.2 2,790  | -2,790 | 8.48 |
| 2/22 | KDK          | Mtn to Consol<br>review and revise Response to Motion to Consolidate and confer with Mr. Cole regarding same; (estimated split)   | 1 450      | -450   | 8.51 |
| 2/22 | SMC          | Bradley, Diver, Mahaf depo<br>Review and revise Rob Diver deposition designation; confer with Mr. Krabill, with client, and with opposing counsel regarding scheduling;   | 0.5 170    |        |      |
| 2/22 | SMC          | Mtn to Consol<br>revise response to motion to consolidate and file same.  | 1.8 612    | -612   | 8.51 |

Table 8-41

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description | Hours Each   |     | Diff. | Ref    |            |
|------|--------------|-------------|--|-----|-------|--------|------------|
|      | MEC          | Trial Prep  | Receipt of photographs produced by defendants Rogers & Perrin and save to system; update production log; continue working on trial exhibits and exhibit list; call and leave message for court coordinator to inquire about trial setting; work on designations; receipt and review of motion to consolidate, assemble and prepare exhibits for filing; draft proposed order denying the motion; finish initial draft of exhibit list and number exhibits. | 6.8 | 1,496 | -1,496 | 8.48, high |
| 2/23 | KDK          | Trial Prep  | Finish digesting depositions and marking deposition designations to serve on Friday; review and revise Witness List to file Friday; review and revise Exhibit List to file Friday; email exchanges with opposing counsel, Messrs. Burgess, Deitchman, and Dowdy, regarding continuance of trial date; confer with Mr. Cole regarding trial strategy and preparation.   | 6.1 | 2,745 | -2,745 | 8.48       |
|      | SMC          | Trial Prep  | Review depositions and make designations; confer with Mr. Krabill regarding trial strategy.  | 7   | 2,380 | -2,380 | 8.48       |
|      | MEC          | Trial Prep  | Receipt and review of order regarding the summary judgment motions; receipt and review of correspondence from opposing counsel regarding moving for continuance; make several edits to the exhibit list and the exhibits based on comments from attorneys; work on deposition designations.  | 5.8 | 1,276 | -1,276 | 8.48, high |



**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description | Hours Each   |     | Diff. | Ref    |      |
|------|--------------|-------------|--|-----|-------|--------|------|
| 2/24 | KDK          | Trial Prep  | Finish digesting depositions and marking deposition designations; final review and revision of Witness List and Exhibit List; multiple email exchanges with opposing counsel, Messrs. Burgess, Deitchman, and Dowdy, regarding continuance of trial date, consolidation hearing, and special exceptions; review emails from court coordinator regarding hearings and trial and continuance; confer with Mr. Cole regarding trial strategy and preparation; confer with Ms. Cawthon regarding same; review and analyze Terry Defendants' Sixth Amended Answer and confer with Mr. Cole regarding same; issues regarding verified pleas made in Sixth Amended Answer and confer with Mr. Cole regarding same; review Mr. Mahaffey's Exhibit List and Witness List; review Mr. Rogers' Exhibit List and Witness List. | 7.2 | 3,240 | -3,240 | 8.48 |
| 2/24 | SMC          | Trial Prep  | Review depositions in preparation for trial and make deposition designations; confer with opposing counsel regarding special exceptions, consolidation, and continuance; confer with Mr. Krabill regarding trial strategy and opening argument.  | 5.1 | 1,734 | -1,734 | 8.48 |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description | Hours Each  |     | Diff. | Ref    |      |
|------|--------------|-------------|---|-----|-------|--------|------|
|      | MEC          | Trial Prep  | Receipt and review of proposed motion for continuance; receipt and review of correspondence regarding setting hearing on motion to consolidate; edits to exhibit list; review all designations to confirm that any cited exhibits also appear on our exhibit list; docket hearing on motion to consolidate and special exceptions; read through all of the designations and make sure all of the questions and answers are appropriately captured; edits to exhibit list; edits to witness list; review exhibit list a final time and compare to each document designated to ensure everything was captured appropriately; finalize all the pretrial exchange pleadings; number trial exhibits and endorse same with exhibit labels; serve all pretrial documents; receipt and review of correspondence regarding motion for continuance; receipt and review of defendants' pretrial documents. | 6.7 | 1,474 | -1,474 | 8.48 |
| 2/26 | KDK          | Trial Prep  | Prepare for trial; email exchanges with Mr. Cole regarding same and scheduling; email exchanges with opposing counsel, Messrs. Burgess, Dowdy and Dietchman, regarding scheduling of trial and related issues.  | 0.4 | 180   | -180   | 8.48 |
|      | SMC          | Trial Prep  | Draft motion to strike and continuing preparing for trial.  | 1.5 | 510   | -510   | 8.48 |
| 2/27 | KDK          | Trial Prep  | Multiple email exchanges with opposing counsel, Messrs. Burgess, Deitchman, and Dowdy, regarding continuance of trial date, consolidation hearing, and special exceptions; confer with Mr. Cole regarding same; review emails from Mr. Bazeley regarding same.  | 0.3 | 135   | -135   | 8.48 |
|      | SMC          | Trial Prep  | Continue drafting motion to strike; confer with expert, with Mr. Washburne, and with opposing counsel regarding scheduling.   | 2.5 | 850   | -850   | 8.48 |
|      | MEC          | Trial Prep  | Receipt and review of correspondence with opposing counsel regarding potential trial dates; create trial exhibit binders for attorneys; confer with Mr. Cole regarding trying to obtain special setting; call and message to court coordinator to inquire about possibility of getting a special setting in April.  | 1.1 | 242   | -242   | 8.48 |

Table 8-44

### Terry Case Invoice and Adjustments

| Date | Initial Code | Description   | Hours Each |       | Diff.  | Ref  |
|------|--------------|---|------------|-------|--------|------|
| 2/28 | KDK          | Trial Prep<br>Prepare for trial and draft opening statement; confer with Mr. Cole regarding continuance and trial preparation; review multiple emails from opposing counsel, Messrs. Burgess, Deitchman and Dowdy, regarding continuance of trial date; review emails from Mr. Bazeley regarding availability for trial; review email from Mr. Dowdy attaching discovery and review discovery; review and revise Motion to Strike Witnesses; conference call with Mr. Bazeley regarding trial; email Mr. Bazeley regarding same; email Mr. Washburne regarding expert issues.   | 6.7        | 3,015 | -3,015 | 8.48 |
|      | SMC          | Trial Prep<br>Continue preparing for trial; confer with Mr. Krabill regarding scheduling; revise motion to strike witnesses.  | 3.3        | 1,122 | -1,122 | 8.48 |
|      | MEC          | Trial Prep<br>Contact court to check on May availability; receipt and review of James Terry, et al's 6th amended answer and compare to their original answer; confirm via the court's docket sheet that there were no other amended answers filed in between; draft motion in limine; receipt and review of additional attorneys' fees invoices from Mr. Vice and discuss need to produce; receipt and review of notice of hearing on motion for continuance; update case notebooks; receipt and review of correspondence to Mr. Burgess requesting he withdraw his special exceptions and affirmative defenses; revisions to witness preparation binder. and Patrick Mahaffey. | 3.4        | 748   | -748   | 8.48 |
| 2/8  |              | Parking<br>Cole parking at hearing  |            | 5     |        |      |
| 2/9  |              | FedEx?<br>Letter to court paying jury fee.  |            | 41    |        |      |
| 2/11 |              | Courier<br>Courier to 153rd District Court 02/06/17.  |            | 68    |        |      |
| 2/15 |              | Depositi on Copies<br>Copies for the deposition preparation of Hospers, Wood, and Ken Williams.   |            | 729   |        |      |
|      |              | Depositi on Copies<br>Copies and one original transcript of deposition of Richard Bradley, Rob Diver,   |            | 1,796 |        |      |
| 2/21 |              | Parking<br>Parking for Mr. Krabill for Hospers deposition.  |            | 12    | -12    | 8.52 |
|      |              | Parking<br>Parking for Mr. Cole at hearing for motion for reconsideration.  |            | 5     |        |      |
|      |              | Printing<br>Printing for deposition preparation.  |            | 15    |        |      |

Table 8-45

**Terry Case Invoice and Adjustments**

| Date                    | Initial Code | Description                              | Hours                                | Each | Diff.         | Ref            |      |
|-------------------------|--------------|--|--------------------------------------|------|---------------|----------------|------|
|                         |              | Parking                                  | Cole parking for deposition of Wood  |      | 20            |                |      |
| 2/28                    |              | Phone                                    | Long distance charges.               |      | 2             |                |      |
|                         |              | Postage                                  | Postage fees.                        |      | 2             |                |      |
|                         |              | Copies                                   | Copy charges.                        |      | 2             |                |      |
|                         |              | Copy trial binder                        | Copies for trial exhibit binders.    |      | 530           | -530           | 8.53 |
|                         |              | Copies                                   | Copies for potential exhibits.       |      | 701           | -701           | 8.53 |
|                         |              | Disco                                    | Monthly minimum of hosting in disco. |      | 466           | -466           | 8.54 |
|                         |              |  | <b>Total amount of this invoice</b>  |      | <b>60,716</b> | <b>-39,121</b> |      |
| <b>February Summary</b> |              |  |                                      |      |               |                |      |
|                         | Items        | Trial Prep                               |                                      | 97   | 32,624        | -32,624        |      |
|                         |              | Mtn to Consol                            |                                      | 11   | 4,338         | -1,062         |      |
|                         |              | Bradley, Diver, Mahaf depo               |                                      | 12   | 3,910         | -340           |      |
|                         |              | Ken W Dep prep                           |                                      | 10   | 3,434         | 0              |      |
|                         |              | Mtn to Transfer                          |                                      | 7    | 2,782         | -255           |      |
|                         |              | Prep Hrg Mf Recon                        |                                      | 6    | 2,074         | -2,074         |      |
|                         |              | Motion for Reconsideration (stolen item) |                                      | 4    | 1,462         | 0              |      |
|                         |              | Court Related                            |                                      | 6    | 1,364         | -374           |      |
|                         |              | M-Amn Ans                                |                                      | 3    | 884           | 0              |      |
|                         |              | Diver and Mahaf depo prep                |                                      | 2    | 720           | 0              |      |
|                         |              | Redact invoices                          |                                      | 2    | 528           | -264           |      |
|                         |              | Perdue + Nelson summs                    |                                      | 2    | 418           | -418           |      |
|                         |              | RFD response                             |                                      | 1    | 340           | 0              |      |
|                         |              | Bad Docs                                 |                                      | 1    | 308           | 0              |      |
|                         |              | MSJ Agreed Order                         |                                      | 1    | 238           | 0              |      |
|                         |              | Scheduling                               |                                      | 1    | 220           | 0              |      |
|                         |              | Edit Power point                         |                                      | 1    | 198           | 0              |      |
|                         |              | Rev Maha 6th Amded Petition              |                                      | 1    | 176           | 0              |      |
|                         |              | Discovery                                |                                      | 1    | 170           | 0              |      |
|                         |              | Doc Prod'n                               |                                      | 0    | 88            | 0              |      |
|                         |              | Perrin Docs at trial                     |                                      | 0    | 45            | 0              |      |
|                         | Fees         | Copies                                   |                                      |      | 704           | -701           |      |
|                         |              | Copy trial binder                        |                                      |      | 530           | -530           |      |
|                         |              | Courier                                  |                                      |      | 68            | 0              |      |
|                         |              | Deposition Copies                        |                                      |      | 2,526         | 0              |      |
|                         |              | Disco                                    |                                      |      | 466           | -466           |      |
|                         |              | FedEx?                                   |                                      |      | 41            | 0              |      |
|                         |              | Parking                                  |                                      |      | 42            | -12            |      |
|                         |              | Phone                                    |                                      |      | 2             | 0              |      |
|                         |              | Postage                                  |                                      |      | 2             | 0              |      |
|                         |              | Printing                                 |                                      |      | 15            | 0              |      |
|                         |              |  |                                      |      |               | 0              |      |

Table 8-46

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description | Hours Each | Diff.   | Ref |
|------|--------------|-------------|------------|---------|-----|
|      |              | Total       | 60,716     | -39,121 |     |

**March**

|     |     |            |   |     |       |        |      |
|-----|-----|------------|---|-----|-------|--------|------|
| 3/1 | KDK | Trial Prep | Prepare for trial and continue reviewing exhibits and drafting opening statement; confer with Mr. Cole regarding same and hearing and trial strategy; review email from opposing counsel, Mr. Burgess, regarding special exceptions; email exchanges with Mr. Bazeley regarding trial; confer with Mr. Cole regarding Motion to Strike and review and revise same; review documents just produced by Mr. Burgess; email exchanges with opposing counsel, Messrs. Burgess, Dowdy and Deitchman, regarding deadlines and conferring on pretrial matters; confer with Ms. Cawthon regarding hearing preparation; review and revise letter brief to court regarding late noticed hearing on special exceptions. | 5.8 | 2,610 | -2,610 | 8.55 |
|     | SMC | Trial Prep | Discuss scheduling with Mr. Krabill; continue drafting proposed jury charge; review and begin drafting responses to special exceptions; confer with Mr. Krabill regarding trial strategy and potential exhibits.  | 7.8 | 2,652 | -2,652 | 8.55 |

### Terry Case Invoice and Adjustments

| Date | Initial Code | Description | Hours Each   |     | Diff. | Ref    |      |
|------|--------------|-------------|--|-----|-------|--------|------|
|      | MEC          | Trial Prep  | Finish updating witness binder; split Mahaffey trial exhibits into individual documents; create binders with defendants' trial exhibits for attorneys to review and prepare objections; follow up with Mr. Deitchman regarding his need to produce exhibits to us; prepare hearing binders; receipt and review of correspondence from court coordinator regarding our objection to the hearing on special exceptions; draft letter to Judge Davis objecting to both hearings on the special exceptions for Mr. Cole's review; compare Mahaffey's trial exhibits and note any that are also on our exhibits so we don't object to them; receipt and review of correspondence from Mr. Burgess regarding his special exceptions and confer with attorneys regarding same; begin reviewing Terry Defendants' exhibits and comparing them to what is on our exhibit list to note any duplicates so we don't object to them; brief research on filing special exceptions. | 6.3 | 1,386 | -1,386 | 8.55 |
| 3/2  | KDK          | Trial Prep  | Continue reviewing and analyzing exhibits, revising opening, and prepping for trial; review emails from opposing counsel, Messrs. Burgess, Deitchman and Dowdy, regarding pretrial issues; final revisions of Motion to Strike; confer with Mr. Cole regarding same.   | 6.1 | 2,745 | -2,745 | 8.55 |
|      | SMC          | Trial Prep  | Continue revising jury charge; revise motion to strike witnesses; continue drafting response to special exceptions; continue preparing for trial.  | 4.2 | 1,428 | -1,428 | 8.55 |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description   | Hours Each | Diff. | Ref         |
|------|--------------|---|------------|-------|-------------|
|      | MEC          | Trial Prep<br>Receipt and review of correspondence with Mr. Burgess regarding special exceptions hearing; prepare first amended exhibit list; add new exhibits to exhibits folder, endorse with exhibit stickers and update exhibit binders for attorneys; follow up email to Mr. Deitchman regarding missing exhibits; receipt and review of correspondence regarding extending the meet and confer deadline and update the calendar with same; receipt of Ken Williams video and update depositions log; finish going through the defendants' trial exhibits, comparing to our exhibits; and noting any that appear on ours; draft orders denying Terry defendants and Mahaffey's special exceptions. | 2.2        | 484   | -484 8.55   |
| 3/3  | KDK          | Trial Prep<br>Continue reviewing and analyzing exhibits, revising opening, and preparing for trial; confer with Mr. Cole regarding hearing and trial preparation; conference call with Mr. Washburne regarding exhibits of missing parts.   | 3.3        | 1,485 | -1,485 8.55 |
| 3/3  | SMC          | Trial Prep<br>Continue drafting responses to Defendants' special exceptions; confer with Mr. Krabill regarding trial exhibits; confer with Court regarding hearing.   | 6          | 2,040 | -2,040 8.55 |
|      | MEC          | Trial Prep<br>Revisions to exhibit list and binders.  | 0.6        | 132   | -132 8.55   |
| 3/6  | KDK          | Trial Prep<br>Prepare for trial; prepare for hearing; office conference with Mr. Cole regarding hearing and trial preparation; review and revise Responses to Special Exceptions; review discovery produced by Mr. Deitchman regarding net worth.   | 5.8        | 2,610 | -2,610 8.55 |
|      | SMC          | Trial Prep<br>Continue drafting jury charge; revise response to special exceptions; begin preparing for hearing; confer with Mr. Krabill regarding expert report.   | 5.7        | 1,938 | -1,938 8.55 |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description   | Hours Each   |     | Diff. | Ref         |
|------|--------------|---|--|-----|-------|-------------|
|      | MEC          | Trial Prep  | Receipt and review of responses to Terry defendants and Pat Mahaffey's special exception; assemble exhibits to same and prepare for filing; update attorneys' hearing notebooks for Wednesday; receipt and review of Mr. Deitchman's vacation letter; load deposition video to trial software and begin editing clips.   | 2.4 | 528   | -528 8.55   |
| 3/7  | KDK          | Trial Prep  | Prepare for trial; prepare for hearing; confer with Mr. Cole regarding same; review and analyze Terry Defendants' Reply to our Response to Motion to Consolidate.  | 4.2 | 1,890 | -1,890 8.55 |
|      | SMC          | Prep for hearing on continuance, special exceptions | Confer with Mr. Krabill regarding expert report; prepare for hearing on special exceptions, continuance, and consolidation; confer with Mr. Krabill regarding same; review reply in support of special exceptions; research law on point for trial opening.  | 5.7 | 1,938 | -1,938 8.56 |
|      | MEC          | Trial Prep  | Receipt and review of Terry Defendants' reply in support of motion to consolidate; update hearing binders; receipt and review of financial report for Terry Rogers; update amended trial exhibit list; highlight deposition transcripts with designations for use at trial; continue reviewing and editing video clips; begin working on opening presentation for Mr. Krabill. | 4.8 | 1,056 | -1,056 8.55 |
| 3/8  | DSC          | Trial Prep  | Confer with Mr. Cole regarding jury charge issues.   | 0.4 | 220   | -220 8.55   |
|      | KDK          | Hearing on MT Consolidate                           | Prepare for and attend hearing on consolidation, continuance, and special exceptions; confer with Mr. Cole regarding same; confer with Mr. Washburne regarding case strategy; prepare for trial.   | 5.9 | 2,655 | -2,655 8.56 |
|      | SMC          | Trial Prep  | Continue preparing for trial   | 2   | 680   | -680 8.55   |
|      | SMC          | Hearing on MT Consolidate                           | prepare for and attend hearing on continuance, consolidation, and special exceptions.  | 5.9 | 2,006 | -2,006 8.56 |



**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description               | Hours Each   | Diff. | Ref |           |
|------|--------------|---------------------------|--|-------|-----|-----------|
|      | MEC          | Trial Prep                | Assemble motion for summary judgment pleadings for Mr. Cole per his request; assemble deposition designation binders; work on opening presentation.  | 1.2   | 264 | -264 8.55 |
| 3/9  | KDK          | Bazeley Damage estimate   | Confer with Mr. Cole regarding case strategy and special exceptions order; review emails with Mr. Bazeley regarding scheduling and strategy; conference call with Messrs. Bazeley and Cole regarding same; review and revise special exceptions order. | 1     | 450 | -450 8.57 |
|      | SMC          | Bazeley Damage estimate   | Confer with Ms. Cawthon regarding hearing and scheduling; draft letter agreement regarding special exceptions; review expert report; call with Mr. Bazeley to discuss trial date and testimony.  | 2.8   | 952 | -952 8.57 |
|      | MEC          | Trial Prep                | Confer with Mr. Cole regarding status of case after yesterday's hearing and possible next steps; work power point.   | 1.9   | 418 | -418 8.55 |
| 3/10 | KDK          | Review order              | Review email from opposing counsel, Mr. Deitchman, and Order Granting Continuance.   | 0.1   | 45  |           |
|      | MEC          | Special exceptions letter | Receipt and review of draft letter discussing special exceptions and correspondence with opposing counsel regarding same; receipt and review of proposed order on motion for continuance.  | 0.3   | 66  |           |
| 3/13 | MEC          | Trial Prep                | Finish working on initial edits to opening presentation; prepare list of outstanding tasks to be completed upon next trial setting; check online docket sheet for any updates on case status.  | 2.3   | 506 | -506 8.55 |
| 3/16 | KDK          | Scheduling Order          | Review email from opposing counsel, Mr. Dowdy, regarding Scheduling Order; review email from Mr. Washburne regarding denial of consolidation; confer with Mr. Cole regarding same.   | 0.3   | 135 |           |
|      | SMC          | Bazeley Damage estimate   | Review damages overview and strategize concerning Mr. Bazeley's testimony on damages.  | 2.6   | 884 | -884 8.57 |
| 3/17 | SMC          | Bazeley Damage estimate   | Review damages overview and strategize concerning Mr. Bazeley's testimony on damages.  | 0.6   | 204 | -204 8.57 |

Table 8-51

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description             | Hours Each  | Diff. | Ref |      |      |
|------|--------------|-------------------------|---|-------|-----|------|------|
| 3/20 | KDK          | Trial Prep              | Review and revise opening PowerPoint and confer with Ms. Cawthon regarding revising same; review documents; confer with Mr. Cole regarding Scheduling Order; review email from opposing counsel, Mr. Dowdy, regarding same. | 0.5   | 225 | -225 | 8.55 |
|      | SMC          | Scheduling Order        | Confer with Mr. Krabill concerning amended scheduling order and trial strategy.   | 0.2   | 68  |      |      |
|      | MEC          | Scheduling Order        | Receipt and review of order denying consolidation; receipt and review of order on the continuance and ordering a new scheduling order to be submitted; docket deadline to submit new order.                                 | 0.2   | 44  |      |      |
| 3/21 | KDK          | Bazeley Damage estimate | Review damages summary and revise same; confer with Mr. Cole regarding same and amending Disclosures and Petition; review emails from expert, Mr. Bazeley, regarding same.  | 0.8   | 360 | -360 | 8.57 |
|      | SMC          | Bazeley Damage estimate | Confer with Mr. Krabill concerning case status and damages opinion from Mr. Bazeley.  | 0.5   | 170 | -170 | 8.57 |
| 3/23 | SMC          | Bazeley Damage estimate | Review deposition of Mr. Bazeley; review disclosures; strategize concerning Mr. Bazeley's testimony; confer with Mr. Bazeley regarding same; review and revise draft scheduling order.                                      | 2.7   | 918 | -918 | 8.57 |
| 3/27 | KDK          | Scheduling Order        | Review and revise email from Mr. Dowdy regarding proposed Scheduling Order; confer with Mr. Cole regarding same; review and revise same.  | 0.4   | 180 |      |      |
|      | SMC          | Scheduling Order        | Attention to amended scheduling order; confer with Mr. Krabill regarding same.  | 0.2   | 68  |      |      |
|      | MEC          | Trial Prep              | Receipt and review of court reporter's certificates for Bradley, Diver and Mahaffey; update deposition log; edits to opening presentation; receipt and review of Mr. Deitchman's vacation letter.                           | 0.5   | 110 | -110 | 8.55 |
| 3/28 | KDK          | Scheduling Order        | Review email from Mr. Dowdy regarding proposed Scheduling Order; confer with Mr. Cole regarding same; analyze expert issues and supplementing Responses to Requests for Disclosures.  | 0.2   | 90  |      |      |

Table 8-52

**Terry Case Invoice and Adjustments**

| Date                 | Initial Code | Description                                    | Hours Each   |     | Diff.         | Ref            |
|----------------------|--------------|--|--|-----|---------------|----------------|
| 3/29                 | KDK          | Scheduling Order                               | Confer with Mr. Cole regarding filing Scheduling Order; email exchanges with opposing counsel, Messrs. Dowdy and Burgess, regarding same.                                  | 0.2 | 90            |                |
|                      | MEC          | Scheduling Order                               | Receipt and review of our proposed scheduling order and correspondence with opposing counsel regarding same. Mahaffey. payment of invoices 20170059, 20170261 and 20170455 | 0.1 | 22            |                |
| 3/9                  |              | Copies of deposition                           | Copies of the video deposition of Ken Williams.  |     | 896           |                |
|                      |              | Copies of deposition                           | Copies of the video deposition of Richard Bradley, Rob Diver and Patrick   |     | 1,794         |                |
| 3/15                 |              | Copies   | Copies of defendant's trial exhibits.  |     | 130           |                |
| 3/31                 |              | Copy   | Copy charges   |     | 1             |                |
|                      |              | Disco  | Disco monthly hosting  |     | 466           | -466 8.58      |
|                      |              |  | <b>Total amount of this invoice</b>  |     | <b>40,039</b> | <b>-36,410</b> |
| <b>March Summary</b> |              |  |  |     |               |                |
|                      | Items        | Trial Prep                                     |  | 74  | 25,407        | -25,407        |
|                      |              | Hearing on MT Consolidate                      |  | 12  | 4,661         | -4,661         |
|                      |              | Bazeley Damage estimate                        |  | 11  | 3,938         | -3,938         |
|                      |              | Prep for hearing on continuance, sp exceptions |  | 6   | 1,938         | -1,938         |
|                      |              | Special exceptions letter                      |  | 0   | 66            | 0              |
|                      |              | Scheduling Order                               |  | 2   | 697           | 0              |
|                      |              | Review order                                   |  | 0   | 45            | 0              |
|                      | Fees         | Copies of deposition                           |  |     | 2,691         | 0              |
|                      |              | Copies   |  |     | 130           | 0              |
|                      |              | Copy   |  |     | 1             | 0              |
|                      |              | Disco  |  |     | 466           | -466           |
|                      |              |  |  |     |               | 0              |
|                      |              | <b>Total</b>                                   |  |     | <b>40,039</b> | <b>-36,410</b> |
| <b>April</b>         |              |  |  |     |               |                |
| 4/3                  | SMC          | Radio Operator's Chair                         | Review prior production and review communications regarding radio operator chair.  | 0.8 | 272           | -272 8.59      |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description             | Hours Each  | Diff. | Ref |      |      |
|------|--------------|-------------------------|---|-------|-----|------|------|
| 4/7  | KDK          | Bazeley Damage estimate | Confer with Mr. Cole regarding clarifying expert damages with Mr. Bazeley and regarding amending petition and request for disclosure responses to address Defendants' special exceptions and the motion for summary judgment order and regarding asking for motion for status conference to try to get earlier trial date; email exchanges with Mr. Bazeley regarding damages; confer with Mr. Cole regarding conversation with Mr. Washburne and use of history. | 0.3   | 135 | -135 | 8.60 |
|      | SMC          | Bazeley Damage estimate | Confer with Mr. Krabill regarding Bazeley testimony and motion for status conference; confer with Mr. Washburne regarding same.   | 0.3   | 102 | -102 | 8.60 |
| 4/10 | MEC          | Scheduling Order        | Receipt and review of new scheduling order; calculate and docket all pretrial deadlines.  | 0.2   | 44  |      |      |
| 4/19 | KDK          | Bazeley Damage estimate | Confer with Mr. Cole regarding clarifying expert damages with Mr. Bazeley and regarding amending petition; email exchanges and leave message with Mr. Bazeley regarding same.   | 0.3   | 135 | -135 | 8.60 |
| 4/19 | SMC          | Bazeley Damage estimate | Confer with Mr. Krabill regarding amending petition and disclosure and obtaining opinions from Mr. Bazeley.   | 0.2   | 68  | -68  | 8.60 |
| 4/21 | KDK          | Bazeley Damage estimate | Email exchanges with Mr. Bazeley regarding damages; confer with Mr. Cole regarding same and amending petition and request for disclosure responses.   | 0.2   | 90  | -90  | 8.60 |
| 4/24 | KDK          | Bazeley Damage estimate | Email exchanges with Mr. Bazeley regarding expert issues; confer with Mr. Cole regarding same.  | 0.1   | 45  | -45  | 8.60 |
| 4/25 | KDK          | Bazeley Damage estimate | Email exchange with Mr. Bazeley regarding amending expert report; confer with Mr. Cole regarding same; review emails from opposing counsel, Mr. Turner, regarding settlement proposal.  | 0.3   | 135 | -135 | 8.60 |
|      | SMC          | Special Exceptions      | Revise petition and response to requests for disclosure to address special exceptions and summary judgment orders.  | 1.4   | 476 |      |      |

Table 8-54

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description              | Hours Each   | Diff. | Ref |      |      |
|------|--------------|--------------------------|--|-------|-----|------|------|
| 4/26 | KDK          | Bazeley Damage estimate  | Email exchange with Mr. Bazeley regarding amending expert report; confer with Mr. Cole regarding same.   | 0.1   | 45  | -45  | 8.60 |
|      | SMC          | Bazeley Damage estimate  | Call with Mr. Bazeley to discuss opinions.   | 0.2   | 68  | -68  | 8.60 |
| 4/27 | KDK          | Bazeley Damage estimate  | Email exchanges with Messrs. Bazeley and Cole regarding amending expert report.  | 0.1   | 45  | -45  | 8.60 |
|      | SMC          | Bazeley Damage estimate  | Review production and send documents to Mr. Bazeley for review.  | 0.5   | 170 | -170 | 8.60 |
|      | MEC          | Bazeley Damage estimate  | Receipt and review of list of questions and assumptions from expert and discuss same with attorneys.   | 0.1   | 22  | -22  | 8.60 |
|      | MEC          | Bazeley Damage estimate  | Receipt and review of correspondence with expert enclosing documents for review and update expert log; follow up on status of producing the expert reports.  | 0.3   | 66  | -66  | 8.60 |
| 4/28 | KDK          | Bazeley Damage estimate  | Email exchange with Mr. Bazeley regarding amending expert report; review questions sent by Mr. Bazeley; email same to Mr. Washburne to call Mr. Bazeley to finalize damage model; confer with Mr. Cole regarding same. | 0.3   | 135 | -135 | 8.60 |
| 4/30 | KDK          | Bazeley Damage estimate  | Email exchanges with Mr. Bazeley regarding damages.  | 0.1   | 45  | -45  | 8.60 |
| 1/18 |              | Transcript -Steve Nelson | Original and one copy of the transcript of deposition of Steven K. Nelson.   |       | 757 |      |      |
| 2/23 |              | Transcript -Ken Williams | Original and one copy of the transcript of deposition of Ken Williams.   |       | 713 |      |      |
| 3/21 |              | Parking                  | Parking for Mr. Krabill at courthouse for hearing.   |       | 10  |      |      |
| 3/21 |              | Parking                  | Parking for Mr. Cole at hearing  |       | 10  |      |      |
| 4/30 |              | Copy                     | Copy charges   |       | 1   |      |      |

Table 8-55

### Terry Case Invoice and Adjustments

| Date                 | Initial Code | Description              | Hours                        | Each | Diff. | Ref    |      |
|----------------------|--------------|--------------------------|------------------------------|------|-------|--------|------|
|                      |              | Disco                    | Disco monthly hosting        |      | 466   | -466   | 8.61 |
|                      |              |                          | Total amount of this invoice |      | 4,055 | -2,044 |      |
| <b>April Summary</b> |              |                          |                              |      |       |        |      |
|                      | Items        | Bazeley Damage estimate  |                              | 3    | 1,306 | -1,306 |      |
|                      |              | Special Exceptions       |                              | 1    | 476   | 0      |      |
|                      |              | Radio Operator's Chair   |                              | 1    | 272   | -272   |      |
|                      |              | Scheduling Order         |                              | 0    | 44    | 0      |      |
|                      | Fees         | Transcript -Steve Nelson |                              |      | 757   | 0      |      |
|                      |              | Transcript -Ken Williams |                              |      | 713   | 0      |      |
|                      |              | Parking                  |                              |      | 20    | 0      |      |
|                      |              | Copy                     |                              |      | 1     | 0      |      |
|                      |              | Disco                    |                              |      | 466   | -466   |      |
|                      |              |                          |                              |      |       | 0      |      |
|                      |              | Total                    |                              |      | 4,055 | -2,044 |      |

#### May

|      |     |                     |   |     |    |     |      |
|------|-----|---------------------|---|-----|----|-----|------|
| 5/1  | KDK | Bazeley Damage Est. | Email exchange with Mr. Bazeley regarding damages.  | 0.1 | 45 | -45 | 8.62 |
| 5/2  | KDK | Bazeley Damage Est. | Confer with Mr. Kelley regarding damages and revising Responses to Requests for Disclosure after we get damage number from Mr. Bazeley. | 0.2 | 90 | -90 | 8.62 |
| 5/9  | KDK | Bazeley Damage Est. | Email exchange with Mr. Bazeley regarding revised expert report.  | 0.1 | 45 | -45 | 8.62 |
| 5/10 | KDK | Bazeley Damage Est. | Confer with Mr. Washburne regarding expert and discovery issues; email Mr. Bazeley regarding expert issues.                             | 0.2 | 90 | -90 | 8.62 |
| 5/16 | KDK | Bazeley Damage Est. | Email Mr. Bazeley regarding expert issues; confer with Mr. Kelley regarding same.   | 0.2 | 90 | -90 | 8.62 |
| 5/17 | KDK | Bazeley Damage Est. | Email Mr. Washburne regarding expert issues; confer with Mr. Kelley regarding same; email Mr. Bazeley regarding same.                   | 0.2 | 90 | -90 | 8.62 |
| 5/18 | KDK | Bazeley Damage Est. | Email exchanges with Mr. Bazeley regarding damages; review email from Mr. Washburne regarding same.                                     | 0.1 | 45 | -45 | 8.62 |
| 5/19 | KDK | Bazeley Damage Est. | Email exchanges with Mr. Bazeley regarding damages.   | 0.1 | 45 | -45 | 8.62 |

**Terry Case Invoice and Adjustments**

| Date                | Initial Code | Description             | Hours   | Each | Diff.        | Ref         |      |
|---------------------|--------------|-------------------------|---|------|--------------|-------------|------|
| 5/22                | KDK          | Bazeley Damage Est.     | Email exchanges with Mr. Bazeley regarding damages; confer with Mr. Kelley regarding same.  | 0.1  | 45           | -45         | 8.62 |
| 5/24                | KDK          | Bazeley Damage Est.     | Email exchanges with Mr. Bazeley regarding reports; email exchange with Mr. Washburne about him reviewing same prior to us reviewing. | 0.1  | 45           | -45         | 8.62 |
| 5/29                | KDK          | Bazeley Damage Est.     | Email Mr. Washburne regarding Mr. Bazeley's report; analyze damages. partial payment of 20170627, 20170829                            | 0.2  | 90           | -90         | 8.62 |
| 5/21                |              | Taxi                    | Taxi for Mr. Kelley to meeting  |      | 24           | -24         | 8.63 |
| 5/31                |              | Long distance           | Long distance charges.  |      | 2            |             |      |
|                     |              | Disco                   | Disco monthly hosting   |      | 466          |             |      |
|                     |              |                         | <b>Total amount of this invoice</b>   |      | <b>1,212</b> |             |      |
| <b>May Summary</b>  |              |                         |   |      |              |             |      |
|                     | Items        | Bazeley Damage Est.     |   | 2    | 720          | -720        |      |
|                     | Fees         | Taxi                    |   | 0    | 24           | -24         |      |
|                     |              | Long distance           |   | 0    | 2            | 0           |      |
|                     |              | Disco                   |   | 0    | 466          | 0           |      |
|                     |              |                         |   |      |              | 0           |      |
|                     |              | <b>Total</b>            |   |      | <b>1,212</b> | <b>-744</b> |      |
| <b>June</b>         |              |                         |   |      |              |             |      |
| 6/20                | KDK          | Bazeley Damage estimate | Confer with Mr. Washburne regarding expert issues; review email from Mr. Washburne regarding Mr. Bazeley's report.                    | 0.2  | 90           | -90         | 8.64 |
| 6/23                | KDK          | Bazeley Damage estimate | Review emails from Messrs. Washburne and Bazeley  | 0.1  | 45           | -45         | 8.64 |
| 6/30                |              | Copy char               | Copy charges.   |      | 7            |             |      |
|                     |              | Disco                   | Monthly minimum of hosting in disco.  |      | 466          | -466        | 8.65 |
|                     |              |                         | <b>Total amount of this invoice</b>   |      | <b>608</b>   |             |      |
| <b>June Summary</b> |              |                         |   |      |              |             |      |
|                     | Items        | Bazeley Damage estimate |   | 0    | 135          | -135        |      |
|                     | Fees         | Copy charges.           |   | 0    | 7            | 0           |      |
|                     |              | Disco                   |   | 0    | 466          | -466        |      |

**Terry Case Invoice and Adjustments**

| Date | Initial Code | Description  | Hours Each | Diff. | Ref |
|------|--------------|--------------|------------|-------|-----|
|      |              |              |            | 0     |     |
|      |              | <b>Total</b> | 608        | -601  |     |

| <b>Summary</b> |  |                              |   |         |          |
|----------------|--|------------------------------|---|---------|----------|
| 9/30           |  | Total amount of this invoice | x | 7,160   | -650     |
| 10/31          |  | Total amount of this invoice | x | 56,967  | -17,166  |
| 11/30          |  | Total amount of this invoice | x | 22,549  | -17,537  |
| 12/31          |  | Total amount of this invoice | x | 48,638  | -19,410  |
| 1/31           |  | Total amount of this invoice | x | 73,292  | -16,538  |
| 2/28           |  | Total amount of this invoice | x | 60,716  | -39,121  |
| 3/31           |  | Total amount of this invoice | x | 40,039  | -36,410  |
| 4/30           |  | Total amount of this invoice | x | 4,055   | -2,044   |
| 5/31           |  | Total amount of this invoice | x | 1,212   | -744     |
| 6/30           |  | Total amount of this invoice | x | 608     | -601     |
|                |  | <b>Total</b>                 |   | 315,237 | -150,222 |

|          |               |         |
|----------|---------------|---------|
| Payments | 86,676        |         |
|          | 116,462       |         |
|          | <u>93,228</u> |         |
|          | 296,366       | 146,144 |

|   |         |          |
|---|---------|----------|
| <b>Due</b>                                    | 18,871  | -131,351 |
| <b>Less retainer</b>                          | -30,000 |          |
| <b>Net Due to LPCH (or to me if negative)</b> | -11,129 | -161,351 |