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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

BEVERLY BLAKE, STEPHANIE) CIVIL NO. CV08 00281 LEK
CAMILLERI, ARLENE SUPAPO,)
individually, and on behalf of all) (Contract)(Declaratory
persons similarly situated,) Judgment)(Other Civil Action)
) Class Action
)
Plaintiffs,)
)
) **PLAINTIFFS' MOTION FOR**
vs.) **AWARD OF ATTORNEYS'**
) **FEES AND COSTS;**

CRAIG NISHIMURA, in his official capacity as Acting Director of the Department of Facility Maintenance, City and County of Honolulu; CITY AND COUNTY OF HONOLULU, a municipal corporation,)	DECLARATION OF WILLIAM H. DURHAM; EXHIBIT 1; CERTIFICATE OF SERVICE
)	
Defendants.)	
_____)	

PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES

Plaintiffs BEVERLY BLAKE, STEPHANIE CAMILLERI, ARLENE SUPAPO, individually, and on behalf of all persons similarly situated, respectfully move for an award of attorneys' fees and costs against Defendant CITY AND COUNTY OF HONOLULU. Specifically, Plaintiffs request an award of \$ 33,415.20 in attorneys' fees incurred by Lawyers for Equal Justice. Plaintiffs' other counsel, Alston Hunt Floyd & Ing, will submit a separate application for their attorneys' fees and costs.

This Motion is made pursuant to Rules 7, 23(h)(1), and 54 of the Federal Rules of Civil Procedure, Local Rule 54.3, 42 U.S.C. § 1988, and HRS § 480-13 and is supported by the Memorandum in Support of Motion submitted in support of Alston Hung Floyd & Ing's Motion for Award of Attorneys Fees and Costs,

incorporated by reference herein, the Declaration and Exhibits attached hereto, as well as the pleadings and files herein.

DATED: Honolulu, Hawai`i, February 12, 2010.

/s/ Elizabeth M. Dunne
VICTOR GEMINIANI
WILLIAM H. DURHAM
GAVIN K. THORNTON
ELIZABETH M. DUNNE
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

IT HEREBY CERTIFY that on the dates and methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served electronically through CM/ECF:

D. Scott Dodd, Esq. dsdodd@honolulu.gov	February 12, 2010
David M. Louie, Esq. dlouie@rlhlaw.com	February 12, 2010
James Shin, Esq. jshin@rlhlaw.com	February 12, 2010

Attorneys for Defendant
CITY AND COUNTY OF HONOLULU

DATED: Honolulu, Hawai`i, February 12, 2010.

/s/ Elizabeth M. Dunne
VICTOR GEMINIANI
WILLIAM H. DURHAM
GAVIN K. THORNTON
Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

BEVERLY BLAKE, STEPHANIE)
CAMILLERI, ARLENE SUPAPO,)
individually, and on behalf of all persons)
similarly situated,)

Plaintiffs,)

vs.)

CRAIG NISHIMURA, in his official capacity)
as Acting Director of the Department of)
Facility Maintenance, City and County of)
Honolulu; CITY AND COUNTY OF)
HONOLULU, a municipal corporation,)

Defendants.)

CIVIL NO. CV08 00281 SPK LEK
DECLARATION OF WILLIAM H. DURHAM

DECLARATION OF WILLIAM H. DURHAM

I, WILLIAM H. DURHAM, hereby declare that:

- 1. I am an attorney with the non-profit public interest law firm of Lawyers for Equal Justice (“LEJ”), duly licensed to practice law in the State of Hawai'i, and am one of the attorneys for Plaintiffs.
- 2. I make this declaration based on my personal knowledge and am competent to testify to the matters discussed herein.
- 3. In my capacity as an attorney at LEJ and one of the attorneys for Plaintiffs in this matter, I have access to the files and records described herein, which are kept by Lawyers for Equal Justice in the ordinary course of its business. I have reviewed the timesheet entries for services rendered in this matter. The timesheet entries made by the billing individuals

identified herein are made in the course of a regularly conducted activity, at or near the time of the acts, events, conditions or opinions described herein.

4. From April 2008 through December 2009, LEJ attorneys have spent a total of 128.3 hours associated with this lawsuit. The amount of attorneys' fees LEJ has incurred to date is \$32,130.00. This amount (\$32,130.00), plus general excise tax in the amount of \$1,285.20, results in a total request of attorneys' fees for LEJ's services in the amount of \$33,415.20. The amount of Plaintiffs' legal fees is calculated by multiplying the legal hours by the corresponding hourly rates.

5. The attorneys' fees accrued by LEJ are reasonable and were necessarily incurred in this lawsuit in prosecuting and prevailing on their claims against Defendants.

6. Plaintiffs incurred attorneys' fees in, among other things:
- a. conducting a factual investigation into Defendants' conduct and interviewing potential plaintiffs and declarants;
 - b. drafting their Complaint, Motion for Third Party Complaint, Motion for Class Certification;
 - c. preparing witness declarations;
 - d. reviewing and analyzing documents;
 - e. drafting, preparing written discovery requests;
 - f. preparing this fee application.

7. Attached hereto as Exhibit "1" is an Itemization of Work Performed and Description of Services Rendered that I prepared. Exhibit "1" identifies the total amount of attorneys' fees LEJ incurred in this matter, itemized by category as required under L.R. 54.3(d)(1) and (2).

8. As detailed in Exhibit "1", the actual amount of attorneys' fees incurred by LEJ in each litigation phase is summarized below and was recorded contemporaneously at the time that the services were provided:

LITIGATION PHASE	HOURS	TOTAL FEES
A. Case Background	57.4	\$15,242.50
B. Pleadings	49.1	\$11,510.00
C. Written Discovery	14.2	\$3,520.00
D. Depositions	2.1	\$417.50
E. Motions Practice	4.7	\$1,260.00
F. Court Hearings		
G. Trial Preparation, Trial	0.8	\$180.00
	SUBTOTAL:	\$32,130.00
	TAX:	\$ 1,285.20
	TOTAL AMOUNT:	<u>\$33,415.20</u>

9. The following is a brief description of the relevant qualifications, experience, contributions and hourly rates of each attorney for whom fees are claimed in this brief:

a. **M. Victor Geminiani.** Mr. Geminiani has been practicing law since 1969 and is currently a member of the Bars of Georgia, California and Hawaii. His exclusive area of practice has been in poverty law with emphasis on federal litigation involving issues that affect the low income population including voting rights enforcement, jail reform, constitutionality of state statutes, enforcement of ADA/504 requirements and utility subsidy entitlements for low income tenants. Mr. Geminiani's hourly rate of \$350 in this matter is well within the range for attorneys with similar experience in this community.

b. **William Durham.** Mr. Durham has been admitted to practice in the State of Hawai'i and before this Court since 2004 and has 5+ years of litigation experience. His hourly rate of \$225.00 in this matter is well within the range of rates for attorneys with similar experience in this community.

c. **Gavin Thornton.** Mr. Thornton has been admitted to practice in Washington state since 2002 and has 7+ years litigation experience. He has been admitted in the State of Hawai'i and before this Court since 2003. His hourly rate of \$250 is well within the range of rates for attorneys with similar experience in this community.

d. **Delia L'Heureux.** Ms. L'Heureux has been admitted to practice in Hawai'i and before this Court since 2008. She has 1+ years litigation experience. Her hourly rate of \$100.00 in this matter is well within the range of rates for experienced paralegals in this community.

10. I have reviewed the time and charges set forth in Exhibit "1". The time spent was reasonable and necessary under the circumstances of this case. Plaintiffs did no more than what was necessary to prosecute their claims against Defendants.

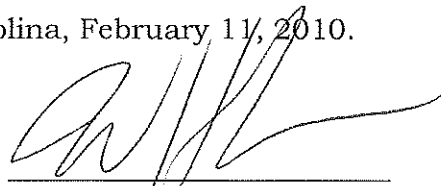
11. Plaintiffs' fees are based on work ordinarily performed by licensed attorneys, paralegals and law clerks. The rates for legal services charged by LEJ are reasonable, and are commensurate with the billing rates of other law firms in Honolulu.

12. Plaintiffs reserve the right to seek additional attorneys' fees and costs incurred to complete this matter.

13. If and to the extent the Court determines that Exhibit "1" attached hereto, is not properly before this Court, then I request that the Court take judicial notice of the documents and the substantive content of the same, pursuant to Rule 201 of the Federal Rules of Evidence.

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

Executed in Durham, North Carolina, February 11, 2010.



WILLIAM H. DURHAM



lawyers for equal justice
a hawaii non-profit corporation

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**ITEMIZATION OF WORK PERFORMED AND DESCRIPTION OF SERVICES
RENDERED AS REQUIRED BY L.R. 54.3(d)(1) AND (2)**

RE: Federal Class Action to Recover for Improperly Calculated Utility Allowances

I. Case Development, Investigation, and Communications with Clients, Co-Counsel, and Opposing Counsel

DATE	ATTORNEY	DESCRIPTION	HOURS
4/3/2008	DURHAM	Researching potential clients	0.1
4/5/2008	DURHAM	Meeting with Beverly Blake (client)	1.0
4/7/2008	DURHAM	Emails to G. Thompson re: Utility Allowance at Ala Ilima	0.1
4/9/2008	DURHAM	Ala Ilima Calls	0.2
4/9/2008	DURHAM	Draft POA	0.3
4/9/2008	THORNTON	Review research memo from J. Walsh regarding utility allowance claims against city	0.1
4/10/2008	DURHAM	Draft POA on HUD	0.1
4/10/2008	DURHAM	Travel for Meeting	0.3
4/10/2008	DURHAM	Meet with Potential Client, Beverly Blake	0.8
4/10/2008	THORNTON	Call with W. Durham regarding factual information needed from clients	0.1
4/11/2008	DURHAM	Letter request to City for HUD Forms	0.2
4/11/2008	DURHAM	Letter to Beverly re: Case	0.1
4/17/2008	DURHAM	Utility Allowance Calls	0.3
4/18/2008	DURHAM	Call Arlene Supapo (Client)	0.3
4/24/2008	THORNTON	Draft demand letter and research controlling CFRs for Section 8 Loan Management project at Westlake	2.2
4/28/2008	GEMINIANI	Review draft retainer	0.3
4/28/2008	DURHAM	Call with Stephanie Camilleri	0.1
4/28/2008	DURHAM	Draft Retainer	0.3
5/3/2008	DURHAM	Westlake Retainer Revised	0.1
5/5/2008	DURHAM	Draft Westlake Case Memo	0.2
5/5/2008	DURHAM	Calls to Ala Ilima Potential Clients	0.2
5/6/2008	DURHAM	Call Supapo (Clt)	0.2
5/6/2008	DURHAM	Call Camilleri (Clt)	0.2
5/6/2008	DURHAM	Prepare Client Lists	0.1

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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5/7/2008	THORNTON	Edit case planning memorandum	0.3
5/8/2008	DURHAM	Call Beverly Blake	0.1
5/9/2008	DURHAM	Prep for Client Meeting	0.1
5/9/2008	DURHAM	Travel for Client Meeting (17 Miles)	0.4
5/9/2008	DURHAM	Meeting with Arlene Supapo (client)	1.0
5/9/2008	DURHAM	Travel Back	0.3
5/9/2008	DURHAM	Scan in Client Docs	0.1
5/10/2008	DURHAM	Copying and Mailing Back Docs to Beverly Blake and Arlene Supapo	0.3
5/10/2008	DURHAM	Travel / Meeting with Stephanie Camilleri (17 miles)	2.0
5/12/2008	GEMINIANI	Read information re clients	0.1
5/12/2008	DURHAM	Letter to Stephanie Camilleri, returning docs (and copying docs)	0.3
5/13/2008	DURHAM	Scan and Circulate Camilleri Docs	0.3
5/15/2008	GEMINIANI	Review settlement proposal letter to City	0.3
5/15/2008	THORNTON	Draft settlement proposal letter to City	1.0
5/16/2008	DURHAM	Review Blakes Documents- HUD form 50059 (2001-2007)	0.1
5/24/2008	DURHAM	Email HUD form 50059 to Paul Alston	0.1
6/2/2008	DURHAM	Draft Demand Letter	0.1
6/2/2008	DURHAM	Call Arlene Supapo	0.1
6/7/2008	DURHAM	Summary of Rent Increase Documents	0.3
6/8/2008	DURHAM	Call Supapo re: Filing on Thursday	0.1
6/8/2008	DURHAM	Call Supapo re: Filing on Thursday	0.1
6/9/2008	DURHAM	Email Paul Alston re: Co-counsel agreement	0.1
6/10/2008	DURHAM	Finalizing Co-Counsel Agreement	0.4
6/10/2008	DURHAM	Email to Gavin Thornton, Paul Alston, Jason Kim and Victor Geminiani re overview of the case	0.2
6/10/2008	DURHAM	Call Beverly Blake re: Complaint filing	0.3
6/19/2008	DURHAM	Updating Client Info to Contacts	0.1
6/23/2008	DURHAM	Call from B. Blake re: new manager	0.1
6/26/2008	DURHAM	Email Victor re: Rate Info	0.1
6/26/2008	DURHAM	Draft Letter to City re: Class Cert.	0.6
6/27/2008	DURHAM	Draft Letter to Counsel re: Rule 26(f); Stip. on Class Cert.; Stay on Evictions	0.3
6/28/2008	DURHAM	Email Gavin re: Waters	0.1
6/28/2008	DURHAM	Call from Stephanie Camilleri	0.1
6/30/2008	DURHAM	Call with Stephanie Camilleri	0.3

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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7/2/2008	DURHAM	Email V. Geminiani (and finding rules and call from Federal court) re: Not being registered	0.2
7/3/2008	THORNTON	Review draft letter to city regarding eviction stay and other issues	0.1
7/3/2008	THORNTON	Conference call with W. Durham, J. Kim, and V. Geminiani regarding utility rate information and next steps; email J. Kim gathering factual information regarding Westlake	0.9
7/4/2008	DURHAM	Call Supapo	0.1
7/11/2008	THORNTON	Email to team regarding utility rate information	0.2
7/14/2008	DURHAM	Preparing letter to city re: default	0.1
7/14/2008	DURHAM	Letter re: early stipulation	0.5
7/15/2008	DURHAM	Call from Camilleri (re: Never Received Letter)	0.1
7/15/2008	DURHAM	Sent new letter to Camilleri	0.2
7/17/2008	DURHAM	Research Camilleri Bankruptcy	0.2
7/17/2008	DURHAM	Review Letter to Opposing Counsel re: Evictions	0.1
7/17/2008	DURHAM	Call Camilleri re: Evictions	0.1
7/18/2008	DURHAM	Call Stephanie Camilleri re: Threatened Eviction	0.1
7/18/2008	DURHAM	Draft Letter to Yanagi	0.1
7/19/2008	DURHAM	Draft Letter to Yanagi	0.4
7/19/2008	THORNTON	Review correspondence to R. Yanagi and email team	1.6
7/21/2008	GEMINIANI	Review draft letter to Yanagi	0.3
7/21/2008	DURHAM	Letter to Yanagi (finish editing, print, scan)	0.5
7/23/2008	GEMINIANI	Review utility usage chart for clients	0.3
7/24/2008	GEMINIANI	Review HECO response chart	0.5
7/25/2008	DURHAM	Call from Stephanie Camilleri	0.1
7/31/2008	GEMINIANI	Co-Counsel Meeting	0.5
7/31/2008	GEMINIANI	Call with Will Durham	0.1
7/31/2008	DURHAM	Send out "To Do" List	0.1
7/31/2008	DURHAM	Call with Victor	0.1
8/1/2008	L'HEUREUX	Pull Smith files, scanned, emailed to W. Durham	0.5
8/1/2008	DURHAM	Review Email (from J. Kim)	0.1
8/4/2008	L'HEUREUX	Pull Waters files, scanned, emailed to W. Durham	0.3
8/5/2008	L'HEUREUX	Scan Waters files, email to W. Durham	0.5
8/12/2008	GEMINIANI	Read Yanagi letter	0.1
8/12/2008	DURHAM	Draft Letter to Camilleri re: Richard Yanagi's letter on Bankruptcy and HECO authorization	0.2
8/12/2008	DURHAM	Call with Camilleri	0.2

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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8/20/2008	DURHAM	Review HUD Manual re: Utility Allowances	0.3
8/20/2008	DURHAM	TCT: Gavin re: Planning in Utility Allowance case	0.4
8/25/2008	GEMINIANI	Review Will's spreadsheet on utility rates	0.4
8/25/2008	THORNTON	Review spreadsheets on damages calculations and email team	0.3
8/27/2008	DURHAM	Call with Victor re: responses from HECO on Camilleri	0.1
8/29/2008	L'HEUREUX	Receive HECO docs for Camilleri; scan and email documents to W. Durham	0.2
8/29/2008	DURHAM	Call from Stephanie Camilleri- re additional collection attempts; Call to Richard Yanagi	0.2
8/30/2008	DURHAM	Review Letter from Yanagi, send to Camilleri	0.2
9/3/2008	L'HEUREUX	Call with Camilleri	0.2
9/3/2008	DURHAM	Review Message from Stephanie Camilleri	0.1
9/3/2008	DURHAM	Letters to Client re: declarations	0.2
9/3/2008	DURHAM	Call Supapo	0.1
9/3/2008	DURHAM	Time	0.1
9/5/2008	L'HEUREUX	Call with Supapo (client)	0.3
9/5/2008	L'HEUREUX	Meet with Camilleri (client)	0.2
9/20/2008	DURHAM	Email to J. Kim and Victor Geminiani re: Timing on Westlake Response	0.1
9/30/2008	DURHAM	Email to J. Kim and Victor Geminiani re: my availability	0.1
10/1/2008	DURHAM	Email Victor re: Time and Fees in the Case	0.2
10/1/2008	DURHAM	Call with S. Camilleri	0.3
10/8/2008	L'HEUREUX	Receive letter regarding increase in utility allowance, scan and email documents to W. Durham	0.2
10/9/2008	DURHAM	Review Letter re Raising Utility Allowance	0.1
10/13/2008	THORNTON	Review emails from team and respond	0.1
10/26/2008	DURHAM	Call Stephanie Camilleri	0.2
10/30/2008	DURHAM	Email re: Certificate of Service to J. Kim	0.1
10/30/2008	THORNTON	Review and respond to emails from team regarding settlement	0.2
11/10/2008	GEMINIANI	Review Will's email on rates and attachments	0.5
11/11/2008	THORNTON	Review and respond to emails from team regarding settlement and damages calculations	0.8
12/3/2008	GEMINIANI	Review Stipulated order regarding class notice	0.4
12/5/2008	DURHAM	Calls with Camilleri	0.2

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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12/10/2008	GEMINIANI	Meet with Plaintiff Arlene Supapo	1.7
1/5/2009	DURHAM	Stipulation Emails	0.3
1/6/2009	DURHAM	Stipulation Emails	0.2
1/21/2009	DURHAM	Proposal for Damages	0.1
1/22/2009	GEMINIANI	Review Will Durham's charts on utility rate calculations	0.5
1/22/2009	GEMINIANI	Review Gavin Thornton's email regarding utility rate calculations	0.2
1/22/2009	DURHAM	Proposal for Damages	0.6
1/23/2009	THORNTON	Review and respond to team emails regarding damage calculations	0.7
1/26/2009	DURHAM	Email about Settlement	0.1
2/6/2009	L'HEUREUX	Call with Supapo (client)	0.2
2/6/2009	L'HEUREUX	Draft letter to Supapo and copy documents	0.2
2/10/2009	DURHAM	Call with Camilleri	0.1
2/10/2009	DURHAM	Call with Camilleri	0.2
2/11/2009	DURHAM	Email to J. Kim re: Settlement status	0.1
4/7/2009	DURHAM	Prepping Attorney Fee Est.	0.6
4/16/2009	L'HEUREUX	Review proposed settlement	0.3
4/16/2009	GEMINIANI	Review HUD form 92458	0.3
4/16/2009	GEMINIANI	review settlement communication	0.3
4/16/2009	DURHAM	Review Settlement Proposal	0.1
4/16/2009	DURHAM	Calling all Clients	0.6
5/15/2009	DURHAM	Call with Camilleri	0.1
6/1/2009	GEMINIANI	Review HECO bills, HUD forms, Facility Management Report	0.7
6/2/2009	DURHAM	Email to J. Kim and V. Geminiani and E. Dunne re: Settlement Conference	0.2
6/2/2009	DURHAM	Call Arlene Supapo	0.2
7/27/2009	GEMINIANI	Review correspondence from Matt T. on behalf of Hawaiian Properties re his analysis of damages and market renters exclusion	0.5
8/1/2009	DURHAM	Calculating Damages Issue: persons paying contract rent	0.2
8/26/2009	DURHAM	Review Settlement Proposal	0.2
9/21/2009	DURHAM	Reviewing their damages proposal	0.3
9/22/2009	GEMINIANI	Review Will Durham's charts on HECO rates and possible damages	1.4

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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9/22/2009	GEMINIANI	Review Defendant's analysis of HECO rates	0.6
9/22/2009	GEMINIANI	Read letter and charts from Matt Tsukazaki	1.1
9/27/2009	GEMINIANI	Review and comment on emails re Defendant's intent to raise rent	0.2
9/27/2009	DURHAM	Emails with Team on Rent Increase	0.1
10/5/2009	GEMINIANI	Review and comment on draft letter re settlement	0.4
10/16/2009	GEMINIANI	Read and analyze Defendants letter and charts on usage and rate overcharges	1.2
10/18/2009	GEMINIANI	Read Will Durham's email and analyze charts on HECO rates	0.4
10/21/2009	DURHAM	Setting up phone meeting with Matt A. Tsukazaki, Esq.	0.2
10/22/2009	GEMINIANI	Emails with Will and Jason re settlement offer	0.3
10/23/2009	DURHAM	Call with Matt Tsukazaki	0.9
10/23/2009	DURHAM	Email to V. Geminiani, J. Kim, and E. Dunne on Settlement planning	0.1
10/24/2009	GEMINIANI	Emails to Jason Kim and Will Durham re settlement offer figures	0.3
10/27/2009	GEMINIANI	Talked to three plaintiffs re settlement offer for approval	0.8
11/2/2009	GEMINIANI	Review and respond to Plaintiffs' counteroffer	0.3
11/3/2009	GEMINIANI	Review settlement offer	0.3
11/17/2009	GEMINIANI	Settlement conference	1.5
11/17/2009	GEMINIANI	Call clients for approval of settlement	0.4
11/17/2009	GEMINIANI	Settlement Conference	2.0
11/17/2009	GEMINIANI	Email Will Durham settlement and terms	0.3
12/14/2009	GEMINIANI	Talked to the three named plaintiffs re class notice	0.5
		TOTAL	57.4

II. Depositions

DATE	ATTORNEY	DESCRIPTION	HOURS
8/7/2008	DURHAM	Review 30(b)(6) Notice	0.1
8/19/2008	DURHAM	Email re: Deposition	0.1
8/19/2008	DURHAM	Email re: Deposition (J. Kim)	0.1
8/20/2008	L'HEUREUX	Review outline for and prepare for 30(b)(6) deposition	0.3

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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8/20/2008	THORNTON	Review documents, research and send email for 30(b)(6) deposition preparation	0.8
8/21/2008	DURHAM	Review Docs for DEPO	0.4
8/21/2008	L'HEUREUX	Wait for deponent	0.3
		TOTAL	2.1

III. Interrogatories, document production, and further written discovery

DATE	ATTORNEY	DESCRIPTION	HOURS
6/15/2008	DURHAM	Backward Mapping for Rule 16	0.4
7/3/2008	DURHAM	Discovery Planning; document review planning: Conference call- Jason, Gavin, Victor	0.4
7/3/2008	DURHAM	Letters to HECO; to Clients re: HECO authorization; calls to all 3 clients to confirm	0.7
7/3/2008	GEMINIANI	Conf. Call with Jason Kim, Will Durham and Gavin Thornton regarding discovery	0.4
7/24/2008	DURHAM	Review Electric Bills; 5 Day notice for Camilleri; Put into spreadsheet	0.9
7/24/2008	DURHAM	Email Gavin re: Spreadsheet of raises	0.1
7/27/2008	DURHAM	Letter to HECO re: Rates for Camilleri	0.2
7/31/2008	DURHAM	Co-counsel meeting re: Discovery (J. Kim, Victor, Will)	0.5
7/31/2008	DURHAM	Rule 26(f) Conference	0.7
7/31/2008	GEMINIANI	Rule 26 conference	0.7
8/12/2008	DURHAM	Review Discovery Documents	0.2
8/14/2008	DURHAM	Review Initial Discovery	0.1
8/18/2008	DURHAM	Making List of Utility Rates in Excel	1.4
8/25/2008	DURHAM	Review Paul Alston's email on chart	0.1
8/25/2008	DURHAM	Draft HECO Rate Chart, Excel File	1.2
8/30/2008	DURHAM	Add Camilleri info to chart on utility usage	0.2
10/1/2008	DURHAM	Email J. Kim and Victor Geminiani re: raise and additional discovery	0.1
10/30/2008	DURHAM	Review Initial Disclosures and Order for Class Cert	0.4
10/30/2008	GEMINIANI	Review Defendant's initial disclosures	0.7
11/1/2008	DURHAM	Review Discovery	1.1
11/1/2008	GEMINIANI	Review Will's summary of Discovery	0.4
11/2/2008	DURHAM	Prepare discovery Timeline	0.5

Exhibit "1"


LAWYERS FOR EQUAL JUSTICE

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11/7/2008	DURHAM	Review Additional Discovery (105a)	0.1
11/10/2008	DURHAM	Review Cert on Discovery	0.1
11/10/2008	DURHAM	Discovery Planning	0.2
11/11/2008	DURHAM	Discovery Planning	0.2
11/12/2008	L'HEUREUX	Review Response to 1st Request for Documents	0.2
11/13/2008	GEMINIANI	Stipulated Protective order	0.4
12/5/2008	GEMINIANI	Review Defendant's response to admissions	0.4
12/5/2008	L'HEUREUX	Review Response to 1st Request for Admissions	0.2
12/6/2008	DURHAM	Review RFA Response	0.1
12/22/2008	DURHAM	Analyzing Rates	0.2
4/16/2009	DURHAM	Reviewing # of Units	0.1
10/20/2009	DURHAM	Working on U.A. Sheets	0.4
		TOTAL	14.2

IV. Pleadings

DATE	ATTORNEY	DESCRIPTION	HOURS
5/6/2008	DURHAM	Draft Complaint	0.9
5/8/2008	DURHAM	Edit Complaint in Westlake	0.6
5/10/2008	DURHAM	Draft Complaint	0.4
5/12/2008	DURHAM	Edit Complaint	0.1
5/15/2008	DURHAM	Ilima Complaint	0.2
5/15/2008	DURHAM	Drafting Complaint and Summons	0.9
5/15/2008	THORNTON	Edit complaint	3.2
5/15/2008	THORNTON	Draft email to P. Alston regarding Westlake complaint	0.5
5/16/2008	THORNTON	Draft emails to P. Alston regarding complaint	0.2
5/16/2008	THORNTON	edit complaint	0.6
5/23/2008	DURHAM	Email Paul re: Complaint	0.1
5/23/2008	DURHAM	Ala Ilima Planning: Filing Dates, etc	0.1
5/24/2008	DURHAM	Call with Gavin Thornton re: Paul Alston's comments on Complaint	0.1
5/24/2008	DURHAM	Edit Complaint: Change defendants and make a federal complaint	0.8
6/1/2008	DURHAM	Email to Jason Kim, Paul Alston, Gavin Thornton, and Victor Geminiani- setting up planning and	0.7

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		circulating all drafts/documents	
6/1/2008	THORNTON	Review complaint	0.4
6/2/2008	DURHAM	Edit Complaint	0.3
6/5/2008	DURHAM	Edit Complaint	0.4
6/5/2008	DURHAM	Edit Complaint	1.0
6/6/2008	DURHAM	Edit Complaint	0.7
6/7/2008	DURHAM	Finalizing New Draft of Complaint; Circulate to the Team	0.3
6/9/2008	DURHAM	Call with Gavin Thornton re: co-counsel agreement and complaint	0.2
6/10/2008	DURHAM	Call Jason Kim re: complaint	0.1
6/10/2008	DURHAM	Call J. Kim, Victor, re: filing date	0.2
6/10/2008	DURHAM	Edit Complaint	0.2
6/10/2008	DURHAM	Edit Complaint	0.5
6/11/2008	DURHAM	Edit Complaint	0.3
6/11/2008	L'HEUREUX	Review complaint	0.3
6/12/2008	DURHAM	Call with Victor Geminiani re: complaint	0.2
6/12/2008	GEMINIANI	Call with Will Durham regarding complaint	0.2
6/14/2008	DURHAM	Download/Review Docs from E-Filing	0.4
6/15/2008	DURHAM	Updating Task Lists for Class Cert.	0.1
6/16/2008	DURHAM	Draft Class Cert.	1.0
6/19/2008	DURHAM	Draft Motion for Class Certification	2.0
6/22/2008	DURHAM	Email to Jason Kim, Victor Geminiani and Gavin Thornton re: meeting on class cert,	0.1
6/23/2008	DURHAM	Draft Motion for Class Cert.	2.7
6/25/2008	DURHAM	Call Victor re: Conference Call Later	0.1
6/25/2008	DURHAM	Conference Call with J. Kim, G. Thornton re: class cert and case planning	0.7
6/25/2008	DURHAM	Edit notes from call; email Victor	0.1
7/2/2008	DURHAM	Review Paul's Edits to motion for class certification	0.1
7/3/2008	THORNTON	Research class certification pleadings	0.6
7/8/2008	DURHAM	Review Stuff on Default	0.1
7/8/2008	DURHAM	Email from Gavin re; Default	0.1
7/10/2008	DURHAM	Review Entry; Stipulation re: Default	0.3
7/25/2008	DURHAM	Review Defendant's Answer	0.1
7/25/2008	GEMINIANI	Review Answer	0.2
8/4/2008	DURHAM	Draft Motion for Class Cert.	1.4
8/4/2008	DURHAM	Draft Class Cert. Notice	0.5

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8/5/2008	DURHAM	Finish Motion for Class Cert.	0.7
8/5/2008	DURHAM	Edit Motion for Class Cert	0.6
8/5/2008	DURHAM	Edit Motion for Class Cert	1.0
8/5/2008	DURHAM	Review Report of the Parties	0.2
8/6/2008	DURHAM	Draft Motion for Preliminary Injunction on Evictions	0.4
8/6/2008	DURHAM	Draft Motion for Preliminary Injunction on Evictions	1.9
8/6/2008	DURHAM	Research Motion for Preliminary Injunction	0.6
8/6/2008	DURHAM	Edit Class Cert Motion	0.2
8/7/2008	DURHAM	Draft Motion for Preliminary Injunction	1.4
8/7/2008	DURHAM	Edit Motion for Preliminary Injunction	0.2
8/7/2008	DURHAM	Draft Table of Authorities (Class Cert.)	0.4
8/7/2008	DURHAM	Edit Motion for Preliminary Injunction	1.2
8/8/2008	DURHAM	Edit Motion for Class Cert.	0.8
8/8/2008	DURHAM	Edit Motion for Preliminary Injunction	0.8
8/8/2008	DURHAM	Draft Table of Authorities on Motion for Preliminary Injunction	0.6
8/13/2008	GEMINIANI	Review Plaintiff's initial disclosures	0.5
8/28/2008	DURHAM	Review Scheduling Conference Statement	0.2
9/2/2008	DURHAM	Review Declarations; Call Camilleri and Supapo	0.7
9/2/2008	DURHAM	Edit Motion for Class Cert.	0.7
9/3/2008	DURHAM	Edit Motion for Class Cert.	0.5
9/3/2008	DURHAM	Preparing Declaration of Stephanie Camilleri and Arlene Supapo; Mailing; Calls	0.4
9/3/2008	DURHAM	Email to J. Kim and Victor Geminiani re: declarations	0.2
9/3/2008	DURHAM	Edit Motion for Class cert.	0.1
9/3/2008	DURHAM	Edit Motion for class cert.	1.1
9/7/2008	DURHAM	Review/Compile filed class cert	0.1
9/8/2008	DURHAM	Review filed Decl. of S. Camilleri	0.1
10/1/2008	DURHAM	Review Motion to Compel Discovery	0.2
10/5/2008	DURHAM	Outline MSJ	0.2
10/5/2008	DURHAM	Outline Reply to MCC	0.2
10/14/2008	DURHAM	Review Stuff for Motion to Strike (if opp. filed soon)	0.3
10/20/2008	DURHAM	Minute order review; team email	0.2
10/21/2008	DURHAM	Draft Cert Order	0.2
10/24/2008	DURHAM	Draft Cert Order	2.0
10/24/2008	DURHAM	Review Discovery Order	0.1
10/30/2008	L'HEUREUX	Review Initial Disclosures	0.5

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12/16/2008	DURHAM	Review Class Notice	0.3
1/22/2009	DURHAM	Calculate Lawyers Fees	0.2
4/19/2009	DURHAM	Review Settlement Statement and Defendant Motion to Continue	0.1
4/22/2009	DURHAM	Fees Estimates	0.2
5/8/2009	GEMINIANI	Review draft complaint	0.8
5/18/2009	DURHAM	Review Motion for 3rd Party Complaint/ Complaint	0.2
6/4/2009	DURHAM	Review Response to Motion 3PC	0.1
6/7/2009	GEMINIANI	Review draft complaint	0.8
6/29/2009	DURHAM	Review amended 3rd party complaint	0.1
6/29/2009	GEMINIANI	Read 3rd party amended complaint	0.9
12/21/2009	DURHAM	Calculating Attorneys Fees	0.6
		TOTAL	49.1

III. Motions Practice

DATE	ATTORNEY	DESCRIPTION	HOURS
6/25/2008	GEMINIANI	Call with Will Durham regarding class certification motion	0.1
8/5/2008	GEMINIANI	Review Class cert motion	0.5
8/6/2008	L'HEUREUX	Review and edit class certification motion	0.5
8/6/2008	GEMINIANI	suggest changes to class cert motion	0.2
8/7/2008	THORNTON	Review, cite check, and edit motion for class certification	1.6
9/1/2008	L'HEUREUX	Review draft of class certification motion	0.3
9/5/2008	DURHAM	Telephone conference with D. L'Heureux regarding motion	0.2
9/28/2008	GEMINIANI	Review motion to compel	0.3
5/18/2009	GEMINIANI	City's motion to join 3rd party	0.5
6/10/2009	GEMINIANI	Read city's response to opposition to join 3rd party	0.5
		TOTAL	4.7

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IV. Trial Preparation

DATE	ATTORNEY	DESCRIPTION	HOURS
9/8/2008	DURHAM	Make list of Due dates for Trial, Motion for Class Cert., and Discovery	0.2
10/6/2008	DURHAM	Recalculating Due Dates due to continued hearing	0.1
12/22/2008	DURHAM	Utility Allowance Call w/ Elizabeth Dunne on trial planning	0.5
		TOTAL	0.8

BY	RATE	HOURS	TOTAL
Geminiani	\$350.00	28.5	\$9,975.00
Durham	\$225.00	77.6	\$17,460.00
Thornton	\$250	16.5	\$4,125.00
L'Heureux	\$100.00	5.7	\$570.00
		SUB-TOTAL:	\$32,130.00
		EXCISE TAX:	\$1,285.20
		TOTAL:	\$33,415.20

Exhibit "1"