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11 *Attorneys for Plaintiff and the Settlement Class*

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN JOSE DIVISION**

15 ARTIE LASHBROOK,
16 Plaintiff,
17 vs.
18 CITY OF SAN JOSE,
19 Defendant.

CLASS ACTION

Case No.: 20-cv-01236-NC

**DECLARATION OF LINDA M.
DARDARIAN IN SUPPORT OF
PLAINTIFF'S MOTION FOR AN AWARD
OF REASONABLE ATTORNEYS' FEES,
COSTS, AND EXPENSES**

Date: September 2, 2020
Time: 1:00 p.m.
Dept: Courtroom 5
Before: Hon. Nathanael M. Cousins

1 I, Linda M. Dardarian, hereby declare as follows:

2 1. I am a member in good standing of the Bar of the State of California and a shareholder
3 at the law firm of Goldstein, Borgen, Dardarian & Ho (“GBDH”), in Oakland, California. I am co-
4 counsel representing Plaintiff and Class Representative Artie Lashbrook (“Plaintiff”), as well as the
5 certified class of persons with mobility disabilities (“Class Members” or “Settlement Class”), and I
6 have been appointed Class Counsel by the Court in this action. I submit this Declaration in support of
7 Plaintiff’s Motion for an Award of Reasonable Attorneys’ Fees, Costs, and Expenses. I have personal
8 knowledge of the facts set forth in this Declaration and could and would testify competently to them.

9 **BACKGROUND AND EXPERIENCE OF GOLDSTEIN, BORGEN, DARDARIAN & HO**

10 2. GBDH is one of the oldest and most successful plaintiffs’ public interest class action
11 law firms in the country. Founded in Oakland, California in 1972, GBDH represents individuals
12 against large companies and public entities in complex, class, and collective actions nationally in the
13 firm’s three primary practice areas: disability access, wage and hour violations, and employment
14 discrimination. GBDH also represents plaintiffs in voting rights, consumer rights, and environmental
15 justice cases. GBDH has long been recognized as one of the top plaintiffs’ firms in the United States.
16 In 1992, the *National Law Journal* (“A National Who’s Who of the Top Lawyers in Employment
17 Litigation”) called the firm “[i]n a league of their own on the plaintiffs’ side, handling the largest class
18 actions nationwide.” Every year since 2004, GBDH partners have been named “Northern California
19 Super Lawyers” by their peers, in recognition of their outstanding legal achievements and high ethical
20 standards. GBDH partners are rated “AV Preeminent” by Martindale Hubbell, indicating that our
21 peers rank us at the highest level of professional excellence.

22 3. GBDH has been at the forefront of ensuring compliance with the Americans with
23 Disabilities Act and obtaining access for persons with disabilities to the services, privileges, and
24 advantages provided by public and private entities nationwide. GBDH has also successfully litigated
25 and resolved a variety of cutting edge, complex and landmark employment discrimination and wage
26 and hour cases against employers in many different industries, including insurance companies, grocery
27 and retail stores, restaurant chains, and financial services companies. GBDH has won substantial back
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1 pay and other monetary relief for class members throughout the country and has obtained changes in
2 employment and other policies and practices that were creating discriminatory barriers to equal
3 employment opportunities and denying workers their lawful wages.

4 4. I am a 1987 graduate of Berkeley Law, at University of California, Berkeley. I have
5 been a member of the California State Bar since 1987, and I am admitted to practice before the United
6 States District Courts for the Northern, Central, and Eastern Districts of California, the United States
7 Courts of Appeal for the Fifth and Ninth Circuits, as well as the United States Supreme Court. From
8 September 1991 until December 1997, I was an associate at GBDH. I became a GBDH partner in
9 January 1998 and the managing partner in 2016. Prior to joining GBDH, I worked at the law firms of
10 Duane, Lyman & Seltzer and Carroll, Burdick & McDonough.

11 5. Since joining GBDH in September 1991, I have been responsible for all facets of class
12 action and other complex litigation, from pre-filing investigation through trial and appeal, and
13 settlement. Since 1994, I have spent a large part of my practice representing people with mobility,
14 hearing, and visual disabilities, both individually and in class or collective actions, in litigation and in
15 the alternative dispute resolution method referred to as “Structured Negotiation.”

16 6. I have been the lead or co-lead counsel in many significant class and complex actions
17 obtaining systemic relief for persons with disabilities. For the past several years, members of my firm,
18 particularly myself, partner Andrew P. Lee, and paralegals Scott G. Grimes and Stuart Kirkpatrick,
19 among others, have represented people with mobility disabilities in a number of class actions involving
20 access to large municipalities’ pedestrian rights of way, such that we have developed a significant
21 amount of experience in that area. In addition to the pedestrian right of way work we performed in the
22 present matter, I serve as class counsel in the matter of *Nevarez, et al. v. Forty Niners Football Co.*
23 *LLC, et al.*, No. 16-cv-07013-LHK (SVK), which recently settled on a class action basis and has
24 received preliminary approval. The *Nevarez* settlement requires the defendants to remediate over
25 2,600 disability access barriers within Levi’s Stadium and creates a \$24 million-dollar settlement
26 fund—which I believe to be the largest class damages fund ever achieved in a disability access case
27 against a private entity. On May 22, 2020, the parties filed a motion for final approval of class action
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1 settlement, which is currently pending before the Honorable Lucy H. Koh, United States District Judge
2 and set for hearing on July 16, 2020.

3 7. In addition, my firm and I, together with co-counsel Timothy P. Fox and CREEC, were
4 appointed class counsel in *Hines v. City of Portland*, No. 3:18-cv-00869-HZ. *Hines* involved a class
5 composed of the City of Portland's residents and visitors with mobility disabilities who had been
6 denied access to the City's pedestrian right of way due to the lack of a curb ramp or a curb ramp that
7 was damaged, in need of repair, or otherwise in a condition not suitable or sufficient for use. In
8 September 2018, the court approved a class action settlement that requires the City of Portland to
9 construct or remediate 1,500 curb ramps per year, guaranteeing the construction or remediation of
10 18,000 curb ramps over a twelve-year period. As a result of this settlement, for which I was the lead
11 negotiator for the class, the City of Portland will spend over \$100 million constructing and remediating
12 curb ramps. *Hines v. City of Portland*, No. 3:18-cv-00869-HZ, ECF No. 40 (D. Or. Sept. 27, 2018).

13 8. Similarly, my firm and I, together with co-counsel Timothy P. Fox and CREEC, were
14 appointed class counsel in *Reynoldson v. City of Seattle*, No. 2:15-cv-01608-BJR, securing a consent
15 decree on behalf of a class of the City of Seattle's residents and visitors with mobility disabilities who
16 had been denied access to the City's pedestrian right of way due to the lack of accessible curb ramps. I
17 had the lead role in negotiating that settlement as well, while co-lead Counsel Tim Fox directed the
18 litigation and factual development of the case. The team on that case also included Andrew Lee, Scott
19 Grimes and Stuart Kirkpatrick. In November 2017, the court approved this class action settlement that
20 requires City of Seattle to construct or remediate 1,250 curb ramps per year, guaranteeing the
21 construction or remediation of 22,500 curb ramps over the course of the settlement period. Under the
22 terms of this settlement, the City of Seattle will spend nearly \$300 million constructing and
23 remediating curb ramps. *Reynoldson v. City of Seattle*, No. 2:15-cv-01608-BJR, ECF No. 61 (W.D.
24 Wash. Nov. 01, 2017).

25 9. I, together with Andrew Lee, and my firm were appointed class co-counsel in *Ochoa v.*
26 *City of Long Beach*, a case on behalf of all persons with mobility disabilities who have been denied
27 access to the City of Long Beach's pedestrian right of way. Order Granting Plaintiffs' Motion for
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1 Class Certification and Plaintiffs' Amended Motion for Class Certification, *Ochoa v. City of Long*
2 *Beach*, No. 2:14-cv-04307-DSF-FFM, ECF No. 90 (C.D. Cal. Sept. 15, 2015). Plaintiffs in the *Ochoa*
3 matter alleged that the City unlawfully failed to make its pedestrian right of way, including curb ramps
4 and sidewalks, accessible to persons with mobility impairments, in violation of Title II of the
5 Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and California Law.
6 On October 17, 2017, the District Court for the Central District of California entered an order
7 approving the *Ochoa* class action settlement. *Ochoa v. City of Long Beach*, No. 2:14-cv-04307-DSF-
8 FFM, ECF No. 175 (Oct. 17, 2017). The settlement agreement requires the City of Long Beach to
9 construct 4,500 curb ramps within the first five years of the term of the agreement, and spend up to \$50
10 million remediating curb ramps and up to \$125 million remediating and maintaining sidewalks and
11 other pedestrian facilities over the course of the settlement agreement.

12 10. Additionally, my firm and I, along with other co-counsel, were certified class counsel in
13 *Willits v. City of Los Angeles*, No. CV 10-05782 CBM (MRW). *Willits* was brought on behalf of a
14 class of approximately 280,000 persons with mobility disabilities who have been denied access to the
15 City of Los Angeles's pedestrian right of way. Plaintiffs in the *Willits* matter sought injunctive relief,
16 alleging that the City unlawfully failed to make its pedestrian right of way, including curb ramps and
17 sidewalks, accessible to persons with mobility disabilities, in violation of Title II of the Americans
18 with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and California law. Litigated
19 heavily by co-counsel and members of my firm, including Andrew Lee, the paralegals assigned to the
20 *Lashbrook* action, and me, the *Willits* case settled in August 2016. *Willits v. City of Los Angeles*, No.
21 CV 10-05782 CBM (MRW), ECF No. 415 (C.D. Cal. August 26, 2016). The *Willits* class settlement
22 agreement requires the City of Los Angeles to fund significant access improvements to the City's
23 pedestrian right of way over a thirty-year period and guarantees spending of more than \$1.4 billion in
24 improvements to existing pedestrian facilities, as well as unlimited amounts on newly constructed and
25 altered facilities.

26 11. I am also lead class counsel in the most significant class action to increase access to
27 healthcare services for persons with mobility, visual, hearing and speech impairments, *Olson v. Sutter*
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1 *Health*, No. RG06-302354 (Alameda Superior Court), in which plaintiffs obtained a ten-year consent
2 decree, now extended to twelve years, requiring Sutter Health to remove architectural barriers in all of
3 its acute care and foundation facilities (clinics and doctor offices); install medical diagnostic and
4 treatment equipment that is accessible to patients with mobility disabilities (*i.e.*, accessible
5 examination chairs, tables, weight scales, mammography equipment, and lift equipment); revise its
6 policies and procedures to increase accessible patient care services; ensure that the websites and
7 mobile applications, including telehealth platforms and programs, for Sutter Health and all of its
8 affiliates are accessible to individuals who are blind, low vision, deaf, hard of hearing, or have other
9 disabilities; and train medical staff to ensure that all services and information are fully and equally
10 accessible to patients and visitors with disabilities.

11 12. I have served as Class Counsel in other landmark disability access actions on behalf of
12 people with mobility and other disabilities, including *Lane v. State of Tennessee*, No. 3:98-0731 (M.D.
13 Tenn.). The *Lane* case enforced the rights of persons with mobility disabilities under the Americans
14 with Disabilities Act and the United States Constitution to have access to the state courts in dozens of
15 Tennessee counties by requiring architectural barrier removal and transfer of programs to accessible
16 facilities. I also was co-class counsel in *Lieber, et al. v. Macy's West, Inc.*, No. C96-02955 MHP (N.D.
17 Cal.) and *Camalo, et al. v. Macy's West, Inc.*, No. C98-2350 MHP (N.D. Cal.), brought under the
18 Americans with Disabilities Act, California Unruh Civil Rights Act, and the California Disabled
19 Persons Act. Those consolidated cases resulted in a class settlement including systemic injunctive
20 relief that required Macy's to remove architectural barriers at all Macy's stores throughout California
21 and improve customer service for people with mobility disabilities. It also created what was at that
22 time the largest class damages fund in any disability rights public accommodation class action.

23 13. I have also focused much of my work over the past 26 years in Structured Negotiation
24 to resolve systemic access barriers for persons with disabilities—the same process used to settle this
25 matter. I represented the plaintiff in a settlement negotiation with UCSF Medical Center that required
26 the medical center to create accessible patient rooms and install accessible medical equipment on
27 behalf of patients with mobility disabilities. I have also negotiated landmark agreements for persons
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1 with visual impairments that have resulted in the provision of talking pill bottles for pharmacy patients,
2 alternative formats (including Braille, large print, electronic, and audio) for printed materials,
3 accessible commercial websites, accessible point of sale machines, audio description of movie content
4 at cinemas nationwide, and the installation of “talking ATMs” at all banking locations across the
5 country. The entities with which I have reached these settlements include American Cancer Society,
6 American Express, Bank of America, BankOne/Chase, Best Buy, Caremark pharmacy, Cinemark
7 Theaters, CVS/pharmacy, Equifax, Experian & TransUnion, E*Trade, Kaiser Permanente, Major
8 League Baseball Advanced Media, Radio Shack, Rite Aid, Safeway/Albertson’s, 7-Eleven, Staples,
9 Target, Trader Joe’s, Walgreens, Wal-Mart, Wells Fargo Bank, and Wellpoint (Blue Cross), among
10 others. I also negotiated for the installation of accessible (audible) pedestrian signals throughout San
11 Francisco in *CCB v. City and County of San Francisco*.

12 14. Over the course of my years at GBDH, I have also been the lead or co-lead counsel
13 litigating large non-disability class and complex actions. During the pendency of the *Lashbrook*
14 negotiation, I was lead counsel in *Bazerman v. American Airlines, Inc.*, No. 1:17-CV-11297-WGY (D.
15 Mass.), a nationwide consumer class action for breach of contract, which reached a final settlement on
16 April 8, 2019, and provided approximately \$11 million in monetary relief to a nationwide class of
17 American Airlines passengers who were systematically charged fees to check bags that under the terms
18 of the passengers’ contracts should have been checked for free. Under the settlement, the vast majority
19 of the 191,000 members of the settlement class received a full refund of their of incorrectly charged
20 checked bag fees, plus interest. The remaining settlement class members received a refund of 75% of
21 their bag check fees. At the final approval hearing, Judge William G. Young of the District of
22 Massachusetts praised the settlement and described the work of GBDH as “exemplary.”

23 15. Other significant class or complex actions in which I am or have been the lead or co-
24 lead counsel include:

25 a. *Munguia- Brown v. Equity Residential*, No. CV 16-01225-JSW-THx (N.D.
26 Cal.), a certified class action pending in the Northern District of California on behalf of 140,000
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1 California tenants of Equity Residential properties who have been charged fees for late payment of rent
2 in violation of California’s liquidated damages statute, Cal. Civil Code §1671(d).

3 b. *Center for Self-Improvement and Community Development v. Lennar*
4 *Corporation, et al.*, No. CGC07-465738 (San Francisco Superior Court), a toxic tort action against
5 Lennar for generating dust containing asbestos, hexavalent chromium, and other hazardous materials
6 during construction of housing in Bayview Hunters Point.

7 c. *Butler v. Countrywide Home Loans, Inc.*, No. BC 268250 (Los Angeles Superior
8 Court), a \$30 million California class action settlement on behalf of “account executives” recovering
9 overtime wages, meal period compensation, unlawfully deducted wages, and other monetary relief.

10 d. *Lin v. Siebel Software Systems, Inc.*, No. CIV 435601 (San Mateo Superior
11 Court), a California class action settlement on behalf of software engineers, recovering \$27.5 million
12 in unpaid overtime wages.

13 e. *San Francisco BayKeeper v. Dow Chemical Co.*, No. C97-01988 (Contra Costa
14 County Superior Court), a Safe Drinking Water and Toxic Enforcement Act of 1986 action to protect a
15 Contra Costa County water supply from discharges of carcinogens and reproductive toxins, resulting in
16 a consent decree that required Dow to implement a wastewater treatment program and pay more than
17 \$6 million in monetary relief.

18 f. *Citizens for a Better Environment v. Union Oil Co.*, No. C-94-0712 TEH (N.D.
19 Cal.), and *Citizens for a Better Environment v. Exxon Oil Co.*, No. CV-S-94-1151 GEB (E.D. Cal.),
20 Clean Water Act citizens suits that resulted in the adoption of wastewater treatment programs limiting
21 refinery discharges of selenium into San Francisco Bay and requiring payment of millions of dollars to
22 local foundations to fund projects dedicated to the health of San Francisco Bay and its ecosystem.

23 16. GBDH also maintains a varied employment, consumer, and civil rights plaintiffs’ class
24 action practice. A sampling of some representative complex cases, on which the GBDH attorneys and
25 legal staff for whom we are seeking compensation through Plaintiff’s Motion for Reasonable
26 Attorneys’ Fees, Costs, and Expenses herein, worked, is as follows:

1 a. *Kaku v. City of Santa Clara*, No. 17-CV-308056 (Santa Clara Cnty. Super. Ct.),
2 a voting rights case challenging the City of Santa Clara's at-large election system on behalf of Asian
3 American voters under the California Voting Rights Act. The City was ordered to implement district-
4 based elections starting with the November 2018 election.

5 b. *Flowers v. Twilio, Inc.*, No. RG16804363 (Alameda Cnty. Super. Ct.), a
6 certified class action challenging Twilio's practice of recording phone conversations without class
7 members' consent in violation of the California Invasion of Privacy Act. This action resulted in a \$10
8 million settlement that received final approval in June 2019.

9 c. *Siciliano v. Apple, Inc.*, 2013-I-CV-257675 (Santa Clara Cnty. Super. Ct.), a
10 certified class action challenging Apple's failure to ensure that products sold in its online store comply
11 with the disclosure and consent provisions of California's Automatic Renewal Law. Following class
12 certification, this case was resolved by a settlement providing \$16 million to class members.

13 d. *In Re Uber FCRA Litigation*, No. 3:14-cv-05200-EMC (N.D. Cal.), a nationwide
14 class action on behalf of Uber drivers and applicants for driver positions alleging that Uber violated the
15 Fair Credit Report Act and California law regarding the authorization and procurement of background
16 checks. This action resulted in a \$7.5 million class settlement that received final approval in February
17 2018.

18 e. *Willey v. Techtronic Industries North America, Inc.*, No. RG 16806307
19 (Alameda Cnty. Super. Ct.), a wage and hour class action on behalf of store representatives and field
20 representatives to recover unpaid overtime wages and payments for missed meal periods, inaccurate
21 wage statements, and out-of-pocket expenses. This action resulted in a \$3.5 million class settlement
22 that received final approval in August 2017.

23 f. *Willner v. Manpower Inc.*, 3:11-cv-02846-JST (N.D. Cal.), a wage and hour
24 class action on behalf of temporary employees who received wage statements that excluded
25 information required by the California Labor Code. The case resulted in a \$8.75 million class
26 settlement that was approved in June 2015.

1 g. *Garcia v. Oracle*, JCCP No. 004597 (Alameda County Cnty. Super. Ct.), a wage
2 and hour class action on behalf of quality assurance engineers, customer support engineers, and project
3 managers who have worked for Oracle (and PeopleSoft) in California who were denied required
4 overtime pay and proper off-duty meal periods. The case resulted in a \$35 million settlement that was
5 approved in 2012.

6 h. *McClain v. Lufkin Industries, Inc.*, No. 97-cv-0063 (E.D. Tex.), a race
7 discrimination class action on behalf of approximately 1,000 African American workers, alleging that
8 Lufkin's subjective employment practices had an unlawful disparate impact on African Americans in
9 initial job assignments and promotions. I was one of the GBDH lawyers representing the plaintiff
10 class in this action. Litigated over a 13-year period including trial and multiple appeals, final judgment
11 issued in 2010. It included a permanent injunction prohibiting Lufkin from continuing to discriminate
12 against African American workers and requiring Lufkin to implement objective and non-discretionary
13 promotion procedures, and provided more than \$10.5 million in monetary relief.

14 i. *Bullock v. Automobile Club of Southern California*, No. 01CC09035 (C.D. Cal.),
15 a federal opt-in collective action and California class action for Sales Agents seeking overtime
16 compensation, resulting in a \$19.5 million settlement that was approved in December 2004.

17 j. *Butler v. Home Depot*, No. C94-4335-SI (N.D. Cal.), a gender discrimination
18 class action, for which I was among class counsel, challenging defendant's job application,
19 assignment, promotion, training and compensation practices, and which resulted in a consent decree
20 covering employees in Home Depot's western division. The settlement, reached in 1997, provided
21 \$87.5 million in monetary relief and extensive injunctive relief expanding employment opportunities
22 for the class of female employees and applicants.

23 k. *Shores v. Publix, Inc.*, No. 95-1162-CIV-T-25E (M.D. Fla.), a gender
24 discrimination class action, in which I was among class counsel, obtaining a companywide consent
25 decree providing extensive injunctive relief to improve assignment, training, compensation and
26 promotion opportunities for female employees, and payment of \$92 million in monetary relief.

1 l. *Kraszewski v. State Farm General Ins. Co.*, No. C-79-1261-TEH (N.D. Cal.), a
2 gender discrimination class action brought on behalf of women who were denied positions as insurance
3 agents, which resulted in over \$200 million in monetary relief to the class and extensive injunctive
4 relief. I was among class counsel on this action as well.

5 m. *Stender v. Lucky Stores*, No. C-88-1467 MHP (N.D. Cal.), a gender
6 discrimination class action on behalf of female employees of Lucky Stores in Northern California, in
7 which I was among class counsel. The Consent Decree entered in this case provided for extensive
8 changes to Lucky's personnel and promotion practices and resulted in monetary relief of
9 approximately \$80 million.

10 17. In addition to my case work, I often write and lecture on disability rights, employment,
11 litigation and class action issues, including recovery of statutory attorneys' fees. I have made
12 presentations at the Impact Fund Class Action Conference (2020), Jacobus tenBroek Disability Rights
13 Symposium (2018), the Disability Rights Bar Association Annual Conference (2019, 2016-17, 2014,
14 and 2012), the International Conference on Technology and Persons with Disabilities (regularly from
15 2012 to 2017), Law Seminars International, the American Bar Association (ABA), and the National
16 Employment Lawyers Association (NELA) conventions. I have also taught at Stanford Law School's
17 Advocacy Skills Workshop. I have authored *amicus* briefs on attorney's fees issues, including briefing
18 to the California Supreme Court in *Ketchum v. Moses*, 24 Cal. 4th 1122 (2001). I have served as
19 Executive Co-Editor of the Fourth Edition of Lindemann & Grossman, *Employment Discrimination*
20 *Law* (2007), the leading treatise on employment discrimination law. I was also the Executive Co-
21 Editor for the 2002, 2007 and 2008 Supplements.

22 18. I have earned numerous awards for achievements in complex litigation and disability
23 rights actions, including receiving California Lawyer Magazine's California Lawyer of the Year
24 ("CLAY") Award in 2014 for outstanding achievement in Disability Rights and was noted in the 2000
25 CLAY Award issue for work in developing "Talking ATMs" for blind bank patrons. Every year since
26 2005, I have been named a northern California "Super Lawyer" practicing employment law, and I was
27 named one of the Top 50 Women Super Lawyers in 2009. I am rated as an "AV Preeminent" attorney
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1 by Martindale Hubble and have been recognized as one of “The Best Lawyers in America” every year
2 since 2010. In addition, I have received honors from the World Institute on Disability, the American
3 Council of the Blind, and the American Foundation for the Blind for my work on behalf of individuals
4 with disabilities. I am the current Vice Chair of the Board of Directors of the Disability Rights Bar
5 Association, and the immediate past Chair of the Board of Directors of Disability Rights Advocates.
6 In October 2019, I joined the Northern District of California’s ADR panel as a mediator focusing
7 primarily on ADA Title II and III cases.

8 **FACTUAL BACKGROUND & HISTORY OF SETTLEMENT NEGOTIATIONS**

9 19. On February 24, 2014, Class Counsel sent a letter to the City of San Jose asserting that
10 Plaintiff and other City residents and visitors with mobility disabilities have been denied access to the
11 City’s pedestrian right of way because of a lack of accessible curb ramps throughout the City.
12 Plaintiff’s letter highlighted the inaccessibility of the City’s pedestrian right of way and how that
13 violated the Americans with Disabilities Act (“ADA”), Section 504 of the Rehabilitation Act of 1973
14 (“Section 504”) and [insert provisions of state law that we cited]. Despite the strength of Plaintiff’s
15 factual and legal claims, Plaintiff proposed that the parties work cooperatively to resolve those claims
16 through structured negotiations rather than litigation. Prior to sending this letter, Class Counsel
17 investigated the City’s compliance with state and federal requirements for curb ramp construction,
18 remediation, and maintenance. In addition, Class Counsel conducted class outreach, giving a “know
19 your rights” presentation at the Silicon Valley Independent Living Center and interviewing persons
20 with mobility disabilities who lived or visited the City.

21 20. In August 2014, the City agreed to Plaintiff’s proposal and the parties entered into an
22 agreement that tolled the statute of limitations on Plaintiff’s claims and identified the issues that would
23 be addressed through Structured Negotiations. The parties’ Structured Negotiations Agreement also
24 made clear that the execution of such an agreement was in lieu of Plaintiff filing a complaint in federal
25 or state court, and that Plaintiff would not be precluded from recovering attorneys’ fees, costs, and
26 expenses because Plaintiff pursued alternative means of dispute resolution. *See Exhibit C* (Structured
27 Negotiations Agreement). Shortly thereafter, in September 2014, Plaintiff requested and received
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1 information from the City regarding its previous ADA transition plans, historic and current curb ramp
2 design standards, previous surveys of curb ramps within the City's pedestrian right of way, past and
3 current practices regarding curb ramp construction and remediation, and past and current funding for
4 curb ramp work. The City also produced its curb ramp database, which included information
5 regarding the location and condition of thousands of missing and non-compliant curb ramps within the
6 City.

7 21. In January 2015, Plaintiff sent the City a letter detailing Plaintiff's positions with
8 respect to various issues. The letter provided substantial additional authority for Plaintiff's claims as
9 well as an extensive analysis of the City's curb ramp construction policies and practices based upon
10 information that the City produced to Plaintiff. Relying on the City's curb ramp database, Plaintiff
11 also identified several routes connecting schools, libraries, and public transportation that were
12 inaccessible due to missing or non-compliant curb ramps.

13 22. The City responded to Plaintiff's statement of positions in early February 2015. The
14 City provided additional information and denied that it had failed to comply with the requirements of
15 the ADA, Section 504, and analogous California law. Moreover, the City claimed that the statute of
16 limitations barred Plaintiff's new construction and alterations claim.

17 23. The parties discussed their respective positions at an in-person meeting held on
18 February 4, 2015. Plaintiff Lashbrook attended the meeting and described the curb ramp barriers he
19 encountered and how they negatively impacted his ability to get around the City, including an incident
20 in which he fell out of his wheelchair while descending a non-compliant curb ramp and ended up
21 laying in the roadway with oncoming vehicular traffic, being rescued by passers-by. At the conclusion
22 of the meeting, the City agreed to provide authority for its statute of limitations defense. In an effort to
23 work toward resolution of the dispute, Plaintiff agreed to propose settlement terms as well as
24 references to settlements of similar curb ramp accessibility claims with other cities.

25 24. During March and April of 2015, the parties exchanged letter briefs regarding the City's
26 statute of limitations defense and the continuing violations doctrine. By early May 2015, the City
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1 agreed that it was in the best interests of both the City and Plaintiff to focus their efforts on resolving
2 Plaintiff's claims through structured negotiations.

3 25. In late June 2015, Plaintiff provided the City his initial settlement offer, including a
4 proposed deadline for completing the City's curb ramp work and method for prioritizing the curb ramp
5 locations that were most urgent for installing or remediating curb ramps. Due to scheduling issues, the
6 parties were unable to discuss Plaintiff's settlement offer until late July 2015. In the meantime, Class
7 Counsel inspected a number of curb ramp locations within the City. Those inspections confirmed that
8 the City's historic curb ramp design standards resulted in the construction of curb ramps that were not
9 compliant with ADA and California technical specifications.

10 26. In early September 2015, the City responded to Plaintiff's settlement offer. Among
11 other terms, the City agreed to conduct a comprehensive curb ramp survey throughout the City's
12 pedestrian right of way in order to determine the locations and number of missing and non-compliant
13 curb ramps. Although a comprehensive curb ramp survey would extend the parties' negotiations by
14 several years, Plaintiff agreed that a survey would provide the best possible information on which to
15 negotiate a final consent decree. From December 2015 through October 2016, the parties negotiated
16 an Interim Settlement Agreement, which, among other substantive provisions, required the City to
17 spend up to \$500,000 to hire a consultant to perform a complete survey of the City's curb ramps to
18 identify all locations that were missing curb ramps and assess existing curb ramps for compliance with
19 applicable federal and state accessibility standards. The Interim Settlement Agreement also required
20 the City to construct approximately 2,700 curb ramps over a two-year period and resolve curb ramp
21 requests made by or on behalf of individuals with mobility disabilities within one-hundred twenty
22 (120) days of the requests' submission.

23 27. Pursuant to the Interim Agreement, Plaintiff had input into the scope of services,
24 request for proposal, and survey tool used by the City to conduct the survey to ensure that the survey
25 encompassed the City's full pedestrian right of way and captured all measurements required for
26 compliance with federal and state disability access standards. The City issued the survey request for
27 proposal in December 2016, and the vendor was selected in February 2017. The curb ramp survey was
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1 divided into two phases: automated and manual. The automated portion of the survey was performed
2 using specialized optical equipment to determine the presence or absence of curb ramps at required
3 curb ramp locations. The manual portion of the survey involved on-site inspections of existing curb
4 ramps to determine compliance with slope, surface, and other dimensional requirements of both federal
5 and state disability access law.

6 28. The City completed its curb ramp survey in April 2018, which Class Counsel analyzed
7 and discussed with the City. The survey revealed that the City had 22,885 existing curb ramps, and
8 20,849 of those ramps, or 91% of all curb ramps within the City, were non-compliant with applicable
9 disability access standards set forth in the 2010 Americans with Disabilities Act Access Standards
10 (“2010 ADAS”) or Title 24 of the California Building Code (“Title 24” or “CBC”). The survey found
11 that 6,772 curb ramps were missing from locations where they are required, and 14,611 existing non-
12 compliant curb ramps contained “High Priority Curb Ramps Barriers.”¹ Another 6,238 curb ramps did
13 not comply with federal and state accessibility standards, but were not defined as “High Priority Curb
14 Ramps Barriers.”

15 29. With the survey completed, the parties proceeded to negotiate the preliminarily
16 approved Consent Decree. After several months of negotiations regarding critical terms, from February
17 2019 through May 2019, the parties exchanged drafts of the Consent Decree. During this period, the
18 parties also extended the Interim Agreement three times to allow for sufficient time to negotiate a
19 complete resolution of this matter, and the number of accessible ramps installed as a result of the
20 Interim Agreement increased. Once the parties reached agreement on all injunctive relief issues, the
21

22 _____
23 ¹ “High Priority Curb Ramps Barriers” include the following: 1) locations that are missing curb ramps
24 (missing curb ramps are in addition to the 14,611 existing non-compliant High Priority Curb Ramps
25 identified above); 2) curb ramps with less than 32 inches clear width; 3) curb ramps with running
26 slopes exceeding 10%; 4) curb ramps with cross slopes exceeding 4%; 5) curb ramps with non-flush
27 transitions; 6) curb ramps with counter slopes exceeding 10%; 7) curb ramps with side flare slopes
28 exceeding 12.5%; 8) curb ramps with side flare slopes exceeding 10% where top landings are not
provided; 9) curb ramps with gaps or vertical edges greater than 1 inch; 10) parallel curb ramps with
bottom landings that have slopes exceeding 4%; 11) parallel curb ramps with top landings that have
slopes exceeding 4%; 12) parallel curb ramps with top landings that have running slopes exceeding
10%; and, 13) curb ramps with a combination of non-compliant running slopes, counter slopes, and
non-flush transitions.

1 parties proceeded to negotiate monetary issues, including Plaintiff's proposed service award and
2 damages payment as well as Class Counsel's reasonable attorneys' fees, costs, and expenses.

3 **GBDH'S REPRESENTATION OF THE PLAINTIFF CLASSES**

4 30. GBDH's representation of the Plaintiff and the Settlement Class in this case was on a
5 wholly contingent basis. The firm devoted substantial resources to this matter, particularly in time
6 spent, since the beginning of 2014, for which we have received no payment. As shown in more detail
7 in the chronological listing of time, expenses and costs records attached hereto as **Exhibits A and B**,
8 GBDH has spent a total of **1,080.80** hours of services performed through July 7, 2020, representing a
9 lodestar of **\$737,309.00** through July 7, 2020. Class Counsel's total lodestar amounts to **\$852,985.50**
10 as of July 7, 2020 (GBDH incurred a total of \$737,309.00 and CREEC incurred a total of
11 \$115,675.50). As set forth in the Consent Decree, Plaintiff has agreed to request no more than
12 \$722,327.50 in attorneys' fees. This represents a reduction of approximately \$130,657.00, which
13 amounts to over fifteen percent (15.4%) of Class Counsel's total lodestar to date. In addition, the
14 amount of time and expenses that Class Counsel will continue to incur to see this case through the final
15 approval of the Consent Decree is already encompassed by the \$722,327.50 and will not be separately
16 compensated. GBDH has also incurred **\$2,122.12** in out-of-pocket and in-house costs and expenses in
17 this case to date. We took this case on a contingent risk basis, with no guarantee of repayment,
18 because of the importance of this case and the benefits it would bring to thousands of people with
19 mobility disabilities who live in or have visited the City of San Jose.

20 31. As is our practice in disability access and other civil rights class actions, in this case we
21 are seeking compensation for GBDH's time pursuant to the lodestar method under federal law.
22 Accordingly, below, I first describe GBDH's timekeeping practices, and the background of the
23 attorneys and legal staff who worked on this matter. I then discuss the reasonableness of the hours
24 spent, and the reasonableness of our firm's hourly rates. I next describe the reasonable costs and
25 expenses for which we seek reimbursement under the ADA. A table that shows the breakdown of
26 GBDH's lodestar by biller, time spent on the case through July 7, 2020, and hourly rate appears in
27
28

1 paragraph 44, below. A table that summarizes GBDH's costs and expenses incurred in this litigation
2 to date appears in paragraph 50, below.

3 GBDH'S BILLING PRACTICES

4 32. All attorneys and legal staff at GBDH are instructed to maintain contemporaneous time
5 records reflecting the time spent on this and other matters. GBDH utilizes an accounting software
6 suite called Prolaw, which includes a timekeeping program into which all attorneys and paralegals
7 enter their time. Prolaw records all billing entries and has the ability to generate reports and
8 statements. Each of the firm's cases has a unique billing code assigned to it in Prolaw to ensure that all
9 time on a case is properly allocated. In all instances, GBDH timekeepers record their time to a
10 particular case in Prolaw by the date and amount of time spent on each legal task to one-tenth of an
11 hour, and describe the work that was performed during the indicated time period. It is my practice to
12 review GBDH's billing records and lodestar information every month to ensure these billing practices
13 are followed. The time, expense and cost records attached hereto as **Exhibits A and B** are in the form
14 of a word-searchable PDF statement generated directly from Prolaw.

15 GBDH'S TIME SPENT ON THE CASE WAS REASONABLE AND NECESSARY

16 33. I was the lead counsel from GBDH on this negotiation and litigation. I supervised the
17 attorneys and paralegals from GBDH in doing the work necessary to negotiate the class settlement and
18 obtain court approval. I also coordinated litigation and settlement strategy with the other Class
19 Counsel from Civil Rights Education and Enforcement Center ("CREEC"). Class Counsel spent time:
20 (1) working closely with Named Plaintiff Lashbrook; (2) independently investigating the condition and
21 placement of curb ramps in the City's pedestrian right of way, and gathering and analyzing relevant
22 documents regarding the City's past and present work on curb ramps, technical standards therefor, and
23 financial information; (3) analyzing information provided by the City, including the City's curb ramp
24 design standards, policies and procedures, curb ramp database, request for proposal and scope of
25 services related to the curb ramp survey, and the comprehensive survey results; (4) researching and
26 drafting correspondence addressing the City's statute of limitations defense; (5) leading and
27 strategizing positions for the negotiations with the City; (6) negotiating the Interim Agreement and
28

1 Consent Decree; (6) drafting and revising correspondence, pleadings, and settlement documents; (7)
 2 communicating with representatives of the City of San Jose; and (8) effectuating the Consent Decree's
 3 preliminary approval and notice to the class. A summary of GBDH's duties on the case are as follows.

4 **THE BACKGROUND AND ROLES OF GBDH TIMEKEEPERS ON THIS CASE**

5 34. As the head of GBDH's disability rights practice, my work on this case focused on
 6 strategy, settlement negotiations, high-level supervision of the GBDH legal team, and review and
 7 revision of written work product, including Plaintiff's positions paper, settlement correspondence,
 8 Consent Decree, Settlement Notice, Complaint, Motion for Preliminary Approval of Class Action
 9 Settlement, Motion for Service Awards, and Motion for Reasonable Attorneys' Fees, Costs and
 10 Expenses. As described in Plaintiff's Memorandum of Points and Authorities in Support of Plaintiff's
 11 Motion for Reasonable Attorneys' Fees, Costs, and Expenses, we are calculating our lodestar using
 12 2020 rates for all work on this case, to account for delay in payment. As shown in the table in
 13 paragraph 44, I have spent 250.80 hours on this matter through July 7, 2020. My hourly rate for 2020
 14 is \$945 per hour, resulting in a lodestar of \$237,100.50.

15 35. Working with me on this matter were the following GBDH partner, associate and
 16 paralegals:

17 a. **Andrew P. Lee** is a 2006 graduate of the University of California Hastings
 18 College of the Law. Prior to joining GBDH, he worked as an attorney at Rudy, Exelrod, Zieff & Lowe
 19 and Schneider Wallace Cottrell Konecky. Mr. Lee joined GBDH in 2013 and became a partner in
 20 January 2015. During his time at GBDH, Mr. Lee has been responsible for all facets of employment,
 21 disability, and consumer class actions and other complex litigation, from pre-filing investigation,
 22 discovery, and motion practice through class certification, trial, appeal, and/or settlement approval.
 23 Mr. Lee has served as class counsel on several systemic disability discrimination cases, including
 24 *Nevarez, et al. v. Forty Niners Football Co. LLC, et al.*, No. 16-cv-07013-LHK (SVK) (N.D. Cal.),
 25 *Kirola v. City and Cnty. of San Francisco*, Case No. C 07-3685 SBA (N.D. Cal.), *Willits v. City of Los*
 26 *Angeles*, No. CV 10-05782 CBM (RZx) (C.D. Cal.), *Ochoa v. City of Long Beach*, No. 14-cv-04307-
 27 *DSF* (C.D. Cal.), and *Reynoldson v. City of Seattle*, No. 2:15-cv-01608-MJP (W.D. Wash.). Mr. Lee is
 28

1 also experienced in Structured Negotiations, having resolved claims against the Santa Cruz Warriors
2 and the City of Santa Cruz regarding physical access to Kaiser Permanente Arena in Santa Cruz,
3 California. Super Lawyers selected Mr. Lee as a Northern California “Rising Star” from 2015-17. He
4 has been included on Lawdragon’s Leading 500 Plaintiffs Employment Lawyers Guide for 2018 and
5 2019. Based on his particularly deep background in the legal and technical requirements for pedestrian
6 right of way accessibility for persons with mobility disabilities, Mr. Lee had extensive involvement in
7 assessing the City’s curb ramp conditions, requesting and analyzing the City’s responses to informal
8 discovery, crafting Plaintiff’s settlement demands, analyzing the City’s curb ramp database, and the
9 negotiation of Plaintiff’s claims. Mr. Lee had primary responsibility for the day-to-day
10 communications with the City. In addition, he drafted complicated written work production, including
11 the Consent Decree, portions of Plaintiff’s Motion for Preliminary Approval of Class Action
12 Settlement, and Plaintiff’s Motion for an Award of Reasonable Attorneys’ Fees, Costs, and Expenses.
13 Mr. Lee was also responsible for initial review of work product generated by lower rate billers,
14 including the Complaint and Declaration of Artie Lashbrook in Support of Joint Motion for
15 Preliminary Approval of Class Action Settlement and Motion for Service Award. As shown in the
16 table in paragraph 44, Mr. Lee spent 534.50 hours on this matter through July 7, 2020. Mr. Lee’s 2020
17 hourly rate is \$750, resulting in a lodestar of \$400,875.00.

18 b. **Beth Holtzman** is a 2017 graduate of Northwestern Pritzker School of Law.
19 Ms. Holtzman joined GBDH as an associate in 2019 and is admitted to practice in California. Ms.
20 Holtzman had primary responsibility for the initial drafting of Plaintiff’s Complaint, Plaintiff’s Motion
21 for Preliminary Approval of Class Action Settlement, the Declaration of Artie Lashbrook in Support of
22 Motion for Preliminary Approval of Class Action Settlement and Motion for Service Award, and
23 Plaintiff’s Motion for Service Award. As shown in the table in paragraph 44, Ms. Holtzman spent 106
24 hours on this matter through July 7, 2020. Her 2020 hourly rate is \$415, resulting in a lodestar of
25 \$43,990.00.

26 c. **Scott Grimes** is a senior paralegal and statistician. He has 31 years of case
27 management and complex litigation experience, in addition to a master’s degree in statistics. His work
28

1 in the matter involved measuring and photographing curb ramps within the City, analyzing the City's
2 curb ramp database, analyzing the results of the curb ramp survey, and supervising various filings,
3 including the Complaint, Plaintiff's Motion for Preliminary Approval of Class Action Settlement,
4 Plaintiff's Motion for Service Award, and Plaintiff's Motion for an Award of Reasonable Attorneys'
5 Fees, Costs, and Expenses. As shown in the table in paragraph 44, Mr. Grimes spent 33.40 hours on
6 this matter through July 7, 2020. His 2020 hourly rate is \$325, resulting in a lodestar of \$10,855.00.

7 d. **Stuart Kirkpatrick** is a paralegal with eight years of complex litigation
8 experience. His work in the matter involved measuring and photographing curb ramps within the City;
9 recording curb ramp violations; analyzing the City's curb ramp database; identifying areas of the City
10 with non-compliant and/or missing curb ramps; researching the City's transition plans, capital
11 improvement plans, and financial reports; researching the cost of curb ramp construction, creating
12 maps of inaccessible routes between public transportation and schools for Plaintiff's position paper;
13 communicating with Plaintiff Lashbrook and other Class Members; mapping the City's curb ramp
14 work pursuant to the Interim Settlement Agreement; and participating in brief production, including
15 cite checking. Mr. Kirkpatrick also provided notice of settlement to organizations serving people with
16 mobility disabilities. As shown in the table in paragraph 44, Mr. Kirkpatrick spent 156.10 hours on
17 this matter through July 7, 2020. His hourly rate for 2020 is \$275 per hour, resulting in a lodestar of
18 \$44,488.50.

19 **STAFFING DECISIONS AND EXERCISE OF BILLING JUDGEMENT**

20 36. I made every effort to staff this matter efficiently by coordinating the work of GBDH's
21 attorneys and paralegals, minimizing duplication, and assigning tasks in a time and cost-efficient
22 manner, based on the timekeepers' experience levels and talents. In particular, I regularly assigned
23 work to the team member with the lowest billing rate commensurate with the skill required for the task.
24 Certain tasks, however, could only be performed by attorneys with knowledge of the negotiations. For
25 example, Mr. Lee performed the initial drafting of portions of the preliminary approval motion and fee
26 motion given that he has worked on this matter since it began and knows the history of the
27 negotiations. Assigning such work to a lower rate biller would have been inefficient.

1 37. I have reviewed each entry of time that all GBDH timekeepers have recorded in this
2 matter. I exercised billing judgment by deleting time entries that were duplicative, inefficient, vague,
3 administrative, or otherwise non-compensable. In particular, I deleted time spent on administrative
4 tasks such as calendaring deadlines, reviewing time record to exercise billing judgment, filing of
5 internal documents, preparing and filing notices of appearance, and work on co-counsel and retainer
6 agreements. I also excised time that was duplicative, inefficient, or excessive, including entries for
7 excessive amounts of legal research on motions or on fact investigation, unnecessary review of internal
8 communications and documents, and excessive internal conferencing. In addition, I removed all time
9 entries billed by timekeepers who expended less than 10 hours on the case. This resulted in the
10 elimination of time for eight GBDH timekeepers who spent insignificant amounts of time on the case.

11 38. I reduced the total time spent by GBDH timekeepers by 65.80 hours resulting in a
12 lodestar reduction of **\$31,698.50**. As described in the following paragraphs, GBDH's remaining
13 lodestar for this matter through July 7, 2020, is **\$737,309.00**, calculated using 2020 hourly rates. As
14 such, my exercise of billing judgment amounts to an overall reduction of 4.1% of GBDH's total
15 lodestar in this matter through July 7, 2020. (I recognize that GBDH will not recover this remaining
16 lodestar figure because it exceeds the maximum amount that Plaintiff agreed to seek as set forth in the
17 Consent Decree. Nevertheless, I set forth below why that amount would otherwise be reasonable.)

18 **THE REMAINING HOURS WERE REASONABLY AND**
19 **NECESSARILY SPENT ON THE LITIGATION.**

20 39. The remaining hours GBDH billed were properly and necessarily spent to reasonably
21 negotiate and settle Plaintiff's claim. As mentioned in paragraphs 30 and 32, the detailed time records
22 for the remaining hours spent by my firm and billed to this case from the commencement of this matter
23 in 2014 through July 7, 2020 are attached hereto as **Exhibit A**. That time amounts to 1080.80 attorney
24 and staff hours, for a total lodestar of \$737,309.00, after the exercise of billing judgment. I certify to
25 the Court that GBDH's fee records accurately reflect work actually, reasonably, and necessarily
26 performed in connection with the litigation and settlement of this matter.

1 40. Although GBDH's lodestar is current through July 7, 2020, its work on this matter is
2 ongoing. GBDH may provide the Court with updated lodestar information just prior to or during the
3 hearing on Plaintiffs' Motion for Reasonable Attorneys' Fees, Costs, and Expenses.

4 **GBDH'S REASONABLE HOURLY RATES**

5 41. In addition to litigating my firm's entitlement to attorneys' fees and costs in our own
6 cases, my firm also litigates fee applications on behalf of other counsel. Because of the importance of
7 recovery of attorneys' fees awards in such cases to a plaintiffs' contingency practice firm such as mine,
8 my firm keeps current on federal and California state law developments on the subject of attorneys'
9 fees. Accordingly, GBDH is familiar with the prevailing market rates for leading attorneys in
10 California, both private and public interest, for trial court, complex and class action litigation of
11 important issues.

12 42. GBDH periodically (typically on an annual basis) establishes hourly rates for the firm's
13 billing personnel. GBDH establishes the rates based on prevailing market rates for attorneys and law
14 firms in the San Francisco Bay Area that have attorneys and staff of comparable skill, experience, and
15 qualifications. GBDH obtains information concerning market rates from other attorneys in the area
16 that have similar experience doing similar work, from information that occasionally appears in the
17 local press and national bar publications, and in court orders awarding attorneys' fees in similar cases.

18 43. The bulk of GBDH's practice is contingent, and many of my firm's cases have been
19 large and substantial in settlement or verdict, as set forth in paragraphs 6 through 16, above. In
20 contingent risk civil rights cases, my firm and other firms doing this type of work frequently pay tens
21 or hundreds of thousands of dollars in expenses and costs and defer all payment of our fees for several
22 years, with no guarantee that any of the fees we incurred or costs we paid would ever be recovered.

23 44. My firm's billing rates are charged to and paid by defendants with whom we have
24 settlement agreements that require monitoring, and are paid by the hour on a regular billing basis.
25 They are also the rates we claim in our fee applications in all of our contingent, fee shifting cases. I
26 have calculated our attorneys' fees in this matter using GBDH's 2020 rates. Although the parties
27 negotiated attorneys' fees in 2019 based on Class Counsel's 2019 rates, using 2020 rates accounts for
28

1 delay in payment, including for time Class Counsel spent on the case in earlier years. *In re Wash. Pub.*
 2 *Power Supply Sys. Sec. Litig.*, 19 F.3d 1291, 1305 (9th Cir. 1994). Class Counsel's 2020 rates
 3 represent a modest increase from 2019. For example, the rates for Andrew Lee and me, the
 4 timekeepers who billed the most hours on this case for GBDH, increased by 6% (\$710 to \$750) and
 5 2% (\$925 to \$945) respectively from 2019 to 2020. Using 2019 rates, GBDH's lodestar amounts to
 6 \$707,667.50. The following table shows the amount of time spent on this matter by GBDH
 7 timekeepers through July 7, 2020 (totaling **1080.80** hours), multiplied by their 2020 hourly rates, and
 8 the resulting total lodestar:

Name	Position	Years of Experience/Grad. Year	Hours	2020 Rates	Total
Linda M. Dardarian	Partner	33 years/1987	241.90	\$945	\$237,100.50
Andrew P. Lee	Partner	14 years/2006	511.10	\$750	\$400,875.00
Beth Holtzman	Associate	3 years/2017	90.70	\$415	\$43,990.00
Scott G. Grimes	Senior Paralegal	31 years	32.90	\$325	\$10,855.00
Stuart Kirkpatrick	Paralegal	8 years	156.70	\$285	\$44,488.50
GBDH's Total Lodestar					\$737,309.00

17 45. These rates are consistent with, if not lower than, the rates charged by comparable
 18 attorneys in the San Francisco Bay Area for similar class action work and complex litigation, including
 19 firms that regularly prosecute or defend complex disability rights class actions. We have determined
 20 that the rates we charge are reasonable for attorneys of our experience, reputation and expertise
 21 practicing complex and class action litigation in the San Francisco Bay Area.

22 46. For years, GBDH's hourly rates have consistently been approved by federal and state
 23 courts within the Bay Area. Recently, GBDH's 2019 rates were approved in the matter of *Foster v.*
 24 *Advantage Sales & Marketing LLC*, Case No. 18-cv-07205-LB (N.D. Cal., May 28, 2020). There,
 25 Magistrate Judge Laurel Beeler found that GBDH's "billing rates are normal and customary (and thus
 26 reasonable) for lawyers of comparable experience doing similar work." See **Exhibit D**. Similarly,
 27 GBDH's 2019 rates were approved in the matter of *Flowers v. Twilio, Inc.*, Case No. RG16804363

1 (Alameda Cnty. Super. Ct., June 13, 2019). In the court’s order granting final approval of settlement,
2 it found that “the Class Counsel’s 2019 hourly rates are reasonable and commensurate with the
3 prevailing rates for class actions.” See **Exhibit E**. GBDH’s 2018 rates were also approved by Judge
4 Thomas Kuhnle of Santa Clara Superior Court in the matter of *Kaku v. City of Santa Clara*, No. 17-
5 CV-319862 (Santa Clara Cnty. Super. Ct., Jan. 22, 2019). In that voting rights case against the City of
6 Santa Clara, Judge Kuhnle found GBDH’s hourly rates to be reasonable and “comparable to rates
7 charged by other local attorneys with specialized skills that are necessary for litigating complex cases
8 involving novel issues.” See **Exhibit F**. GBDH’s 2017 and 2018 rates were also approved by several
9 other courts. See *Siciliano v. Apple, Inc.*, No. 2013-I-CV-257675 (Santa Clara Cnty. Super. Ct. Nov. 2,
10 2018) (approving GBDH’s 2018 rates as reasonable in contested lodestar fee award) attached hereto as
11 **Exhibit G**; *Willey v. Techtronic Industries North America Inc.*, No RG 16806307 (Alameda Cnty.
12 Super. Ct. Aug. 4, 2017) (finding that GBDH’s “2017 hourly rates are reasonable and commensurate
13 with the prevailing rates for class actions”) attached hereto as **Exhibit H**; *Carillo-Hueso v. Ply Gem*
14 *Indus. Inc.*, No. 34-2016-00195734-CU-OE-GDS (Sacramento Cnty. Super. Ct. June 29, 2017) (in
15 final approval order, finding that GBDH’s “2017 hourly rates are reasonable and commensurate with
16 the prevailing rates for wage and hour class actions”) attached hereto as **Exhibit I**.

17 47. Moreover, GBDH has consistently been paid its hourly rates by defendants with whom
18 GBDH has settled disability rights cases involving systemic changes to facilities, policies, and
19 practices. GBDH’s 2017, 2018, and 2019 (and prior years’) rates have been paid by Albertson’s, Bank
20 of America, Kaiser Permanente, The Motley Fool, and E*Trade in settlement of systemic actions to
21 ensure that those entities’ information and services are accessible to individuals who are blind or
22 visually impaired. I have been paid my 2020 rate of \$945 per hour by one such entity. In addition,
23 GBDH’s 2018 and 2019 rates, including for work performed by Andrew Lee, Stuart Kirkpatrick and
24 me, were also paid by the City of Long Beach for monitoring the parties’ consent decree in *Ochoa v.*
25 *City of Long Beach*, No. 2:14-cv-04307-DSF-FFM, involving access to Long Beach’s pedestrian right
26 of way; and the 2018 and 2019 rates were paid by the City of Seattle for monitoring the parties’

1 settlement agreement in *Reynoldson v. City of Seattle*, involving access to Seattle’s pedestrian right of
2 way.

3 48. Attached hereto as **Exhibit J** is the Declaration of Richard Pearl, a Bay Area-based
4 expert on attorneys’ fees, which was recently submitted in support of plaintiffs’ fee request in the
5 matter of *Nevarez, et al. v. Forty Niner Football Co., et al.*, Case No. 16-cv-07013-LHK. In his
6 declaration, Mr. Pearl opined that the 2019 hourly rates charged by GBDH—including the hourly rates
7 for me, Andrew Lee, Scott Grimes, and Stuart Kirkpatrick—are reasonable for similar attorneys and
8 staff in the Northern District of California. Pearl Decl. ¶ 39. The survey portion of the Pearl
9 Declaration also confirms that the 2020 hourly rates sought by GBDH and CREEC are well within the
10 range of market rates for attorneys who handle similarly complex litigation in the Northern District of
11 California. Pearl Decl. ¶¶ 33-35.

GBDH’S REASONABLE COSTS AND EXPENSES

13 49. GBDH is seeking reimbursement of its reasonable out-of-pocket costs and expenses
14 incurred in this matter, as permitted under the Settlement Agreement. The items we have included in
15 our costs and expenses are billed separately and are not included in my firm’s lodestar. For accounting
16 purposes and to ensure that all costs and expenses are accurately assigned to the appropriate case in
17 Prolaw, it is my firm’s practice to assign all cost and expense invoices to the same unique case billing
18 code to which time is entered. This case had a unique billing code - “721.” All expense records,
19 receipts and billing statements reflecting costs associated with this case were assigned to that billing
20 code.

21 50. My firm’s total costs and expenses incurred in this matter to date for which we are
22 seeking reimbursement through this motion, come to **\$2,122.12**. A list of costs and expenses appears
23 in the Prolaw statement attached hereto as **Exhibit B**. Summarized by category, those costs and
24 expenses are as follows:

Description	Amount
In-House Copying	\$260.40
Travel	\$186.51
Meals	\$79.48

Description	Amount
Other Litigation Costs	\$10.00
In-House Postage	\$4.97
Legal Research - Online	\$879.02
Telephone	\$55.22
Messenger	\$8.52
In-House Printing	\$238.00
Court Filing Fees	\$400
Total	\$2,122.12

51. GBDH paid these costs and expenses on a regular and timely basis as they were incurred over the past six years. These costs and expenses have been necessarily and reasonably incurred in this case. GBDH can provide invoices supporting these costs and expenses upon the Court's request. Class Counsel may accrue additional costs through the Effective Date of the Consent Decree and may provide the Court with supplemental cost information prior to the hearing on Plaintiff's Motion for an Award of Reasonable Attorneys' Fees, Costs, and Expenses.

I declare under penalty of perjury under the laws of the State of California and of the United States that the foregoing is true and correct, and that this Declaration was executed this 10th day of July 2020, in Oakland, California.



Linda M. Dardarian

EXHIBIT A

GDBBD Rate & Hours Summary for a Matter

fees and matter id = '721' and not hidden and not on hold and date <=7/7/2020

Matter ID: 721
Client Sort: SJ-Curb
Description: San Jose

<u>Professional</u>	<u>Hours</u>	<u>Current Rate</u>	<u>Dollars</u>
Dardarian, Linda	250.80	945.00	237,100.50
Lee, Andrew	534.50	750.00	400,875.00
Holtzman, Beth	106.00	415.00	43,990.00
Grimes, Scott	34.60	325.00	11,245.00
Kirkpatrick, Stuart	156.10	285.00	44,488.50
Total for this Matter and Date Range in Query:		1,082.00	737,699.00

GBDH Billing Detail

San Jose

fees and matter id = '721' and not hidden and not on hold and date <=7/7/2020

Date	Professional	Narrative	Hours	Rate	Amount
12/05/2013	Dardarian, Linda	Conference w/ T. Fox re San Jose sidewalk case strategy	0.20	945.00	189.00
01/02/2014	Dardarian, Linda	Conference w/ T. Fox re San Jose sidewalk access case	0.10	945.00	94.50
01/02/2014	Dardarian, Linda	Conference w/ S. Grimes re investigation of San Jose sidewalk access	0.30	945.00	283.50
01/02/2014	Dardarian, Linda	Review screen shots re San Jose sidewalks and draft memo to S. Grimes and S. Kirkpatrick re same	0.20	945.00	189.00
01/03/2014	Dardarian, Linda	Conference w/ S. Grimes re San Jose curb ramp case investigation	0.20	945.00	189.00
01/03/2014	Dardarian, Linda	Memos to and from T. Fox re potential curb ramp claims against City of San Jose	0.20	945.00	189.00
01/08/2014	Kirkpatrick, Stuart	Research re evidence of curb ramp violations in City of San Jose	2.20	285.00	627.00
01/14/2014	Dardarian, Linda	Conference w/ S. Grimes re San Jose curb ramp investigation	0.20	945.00	189.00
01/14/2014	Dardarian, Linda	Correspondence to T. Fox re San Jose curb ramp investigation	0.20	945.00	189.00
01/14/2014	Dardarian, Linda	Research re survey elements for San Jose curb ramp evaluation	0.20	945.00	189.00
01/14/2014	Dardarian, Linda	Correspondence to S. Grimes re same	0.10	945.00	94.50
01/15/2014	Kirkpatrick, Stuart	Map research re curb ramps on corners in San Jose	0.30	285.00	85.50
01/15/2014	Dardarian, Linda	Conference w/ S. Grimes re site inspections	0.20	945.00	189.00
01/15/2014	Grimes, Scott	Site inspection of curb ramps in San Jose	5.00	325.00	1,625.00
01/15/2014	Grimes, Scott	Conference w/ L. Dardarian re same	0.20	325.00	65.00
01/15/2014	Grimes, Scott	Preparation of site visit list and measurements for same	2.10	325.00	682.50
01/16/2014	Kirkpatrick, Stuart	Travel to San Jose; measure and log curb ramp slopes and width to ensure compliance with ADA regulations; travel back from San Jose	4.50	285.00	1,282.50
01/16/2014	Kirkpatrick, Stuart	Map curb ramp data re non-compliant curb ramps	2.50	285.00	712.50

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01/16/2014	Dardarian, Linda	Conference w/ T. Fox, A. Milkman, S. Grimes re sidewalk/curb ramp investigation and identified problematic curb ramps	0.50	945.00	472.50
01/16/2014	Dardarian, Linda	Conference w/ S. Grimes re same	0.10	945.00	94.50
01/16/2014	Grimes, Scott	Review and analyze site inspection photos and notes	1.00	325.00	325.00
01/16/2014	Grimes, Scott	Phone call w/ T. Fox and L. Dardarian re curb ramp investigation	0.50	325.00	162.50
01/16/2014	Grimes, Scott	Conference w/ L. Dardarian re same	0.10	325.00	32.50
01/17/2014	Kirkpatrick, Stuart	Travel to San Jose; photograph and measure non-compliant curb ramp locations throughout city; travel back from San Jose	9.40	285.00	2,679.00
01/17/2014	Grimes, Scott	Phone call w/ S. Kirkpatrick re site inspection of missing curb ramps	0.20	325.00	65.00
01/21/2014	Kirkpatrick, Stuart	Conference call with Scott Grimes and Timothy Fox re: 1/17/14 inspection of curb ramps	0.40	285.00	114.00
01/21/2014	Kirkpatrick, Stuart	Draft summary of on-site inspection of curb ramp locations, comparing data showing non-compliant locations	1.20	285.00	342.00
01/21/2014	Grimes, Scott	Review and analyze S. Kirkpatrick notes and photos of missing curb ramps	0.70	325.00	227.50
01/21/2014	Grimes, Scott	Phone call w/ S. Kirkpatrick and T. Fox re same	0.40	325.00	130.00
01/22/2014	Kirkpatrick, Stuart	Analyze 1/17/14 site inspection images and curb ramp data based on site location for use in exhibits to demand letter	1.50	285.00	427.50
02/06/2014	Kirkpatrick, Stuart	Investigate San Jose curb ramp compliance and chart violations	2.00	285.00	570.00
02/06/2014	Dardarian, Linda	Memo to T. Fox re sidewalk access issues w/ San Jose	0.10	945.00	94.50
02/06/2014	Dardarian, Linda	Conferences w/ S. Kirkpatrick re same	0.20	945.00	189.00
02/06/2014	Kirkpatrick, Stuart	Conference with L. Dardarian re same	0.20	285.00	57.00
02/07/2014	Kirkpatrick, Stuart	Research non-compliant curb ramps in San Jose; map locations	2.90	285.00	826.50

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02/10/2014	Kirkpatrick, Stuart	Research and map San Jose non-compliant curb ramps	0.70	285.00	199.50
02/10/2014	Kirkpatrick, Stuart	Conference call with Tim, Linda and Scott re: curb ramp claims and case strategy	0.40	285.00	114.00
02/10/2014	Kirkpatrick, Stuart	Meeting with Linda and Scott re: further work and plans on case	0.10	285.00	28.50
02/10/2014	Kirkpatrick, Stuart	Locate and log intersections and images of San Jose curb ramp violations	2.80	285.00	798.00
02/10/2014	Dardarian, Linda	Review S. Kirkpatrick's investigation report re curb ramp access problems in San Jose	0.20	945.00	189.00
02/10/2014	Dardarian, Linda	Conference w/ T. Fox, S. Kirkpatrick and S. Grimes re same and strategy for demand letter	0.40	945.00	378.00
02/10/2014	Dardarian, Linda	Conference w/ S. Grimes and S. Kirkpatrick re further investigation of curb ramp problems	0.10	945.00	94.50
02/10/2014	Dardarian, Linda	Memo to A. Milkman re client interview re San Jose curb ramp access claims	0.10	945.00	94.50
02/10/2014	Dardarian, Linda	Prepare for client call re same	0.20	945.00	189.00
02/10/2014	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
02/10/2014	Dardarian, Linda	Correspondence to client re same	1.10	945.00	1,039.50
02/10/2014	Grimes, Scott	Conference w/ T. Fox, L. Dardarian, S. Kirkpatrick re San Jose curb ramp investigation (.4) Conference w/ L. Dardarian and S. Kirkpatrick re same (.1)	0.50	325.00	162.50
02/11/2014	Kirkpatrick, Stuart	Research curb ramp access barriers in San Jose; chart images and locations of non-complaint ramps	1.20	285.00	342.00
02/11/2014	Kirkpatrick, Stuart	Research articles re: disabled pedestrian injuries due to curb ramp violations in San Jose; research re curb ramp complaints	0.90	285.00	256.50
02/11/2014	Kirkpatrick, Stuart	Identify and chart locations with missing or unsuitable curb ramps	2.50	285.00	712.50
02/11/2014	Dardarian, Linda	Prepare for conference w/ A. Lashbrook re claims for curb ramp access	0.20	945.00	189.00

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02/11/2014	Dardarian, Linda	Conference w/ A. Lashbrook re same	0.70	945.00	661.50
02/11/2014	Dardarian, Linda	Conference w/ A. Lee re Lashbrook claims	0.10	945.00	94.50
02/11/2014	Dardarian, Linda	Conference w/ S. Kirkpatrick re additional locations to research for missing curb ramps	0.10	945.00	94.50
02/11/2014	Dardarian, Linda	Memo to S. Kirkpatrick re same	0.10	945.00	94.50
02/11/2014	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
02/11/2014	Dardarian, Linda	Review further research re A. Lashbrook's identified curb ramp problems	0.20	945.00	189.00
02/11/2014	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
02/11/2014	Kirkpatrick, Stuart	Conference w/ L. Dardarian re further investigation	0.10	285.00	28.50
02/15/2014	Dardarian, Linda	Review and comment on draft demand letter	0.30	945.00	283.50
02/18/2014	Dardarian, Linda	Review and edit demand letter	0.40	945.00	378.00
02/18/2014	Dardarian, Linda	Memo to A. Lashbrook re same	0.30	945.00	283.50
02/18/2014	Dardarian, Linda	Conference w/ S. Grimes re same	0.20	945.00	189.00
02/18/2014	Dardarian, Linda	Memos to and from T. Fox re same	0.30	945.00	283.50
02/18/2014	Dardarian, Linda	Research re curb ramp violations	0.50	945.00	472.50
02/18/2014	Grimes, Scott	Conference w/ L. Dardarian re curb ramp demand letter	0.20	325.00	65.00
02/19/2014	Dardarian, Linda	Research and strategy for demand letter	0.50	945.00	472.50
02/26/2014	Lee, Andrew	Teleconference w/ Artie Lashbrook re demand letter for San Jose access case	0.40	750.00	300.00
02/26/2014	Lee, Andrew	Draft correspondence to A. Lashbrook re same	0.30	750.00	225.00
02/26/2014	Dardarian, Linda	Conference w/ A. Lee re A. Lashbrook's claims	0.10	945.00	94.50
03/07/2014	Lee, Andrew	Teleconference w/ Artie Lashbrook re scope of case	0.30	750.00	225.00
03/10/2014	Dardarian, Linda	Review and respond to T. Fox re San Jose's deadline for answering demand letter	0.10	945.00	94.50
03/10/2014	Dardarian, Linda	Conference w/ A. Lee re plaintiff claims	0.10	945.00	94.50
03/10/2014	Lee, Andrew	Conference w/ L. Dardarian re claims for demand letter	0.10	750.00	75.00
03/11/2014	Kirkpatrick, Stuart	Identify curb ramp violations and chart findings	3.40	285.00	969.00

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03/11/2014	Dardarian, Linda	Memo to T. Fox re client claims	0.10	945.00	94.50
03/12/2014	Kirkpatrick, Stuart	Investigate and document intersections with missing curb ramps	1.90	285.00	541.50
03/14/2014	Dardarian, Linda	Review City's response to demand letter	0.10	945.00	94.50
03/27/2014	Dardarian, Linda	Review and edit tolling agreement and draft cover memo to San Jose re same	0.30	945.00	283.50
03/27/2014	Dardarian, Linda	Memo from S. Morris re same	0.10	945.00	94.50
03/28/2014	Dardarian, Linda	Phone call to J. Calegari re Tolling Agreement	0.10	945.00	94.50
03/28/2014	Dardarian, Linda	Correspondence to N. Frimann re same	0.10	945.00	94.50
03/28/2014	Dardarian, Linda	Revise Tolling Agreement	0.10	945.00	94.50
03/31/2014	Dardarian, Linda	Memo to T. Fox re next steps w/ negotiations	0.10	945.00	94.50
04/14/2014	Dardarian, Linda	Memo to T. Fox re status of negotiations	0.10	945.00	94.50
04/16/2014	Dardarian, Linda	Memo to T. Fox re structured negotiations	0.10	945.00	94.50
04/18/2014	Dardarian, Linda	Prepare for conference w/ San Jose	0.10	945.00	94.50
04/18/2014	Dardarian, Linda	Memo to S. Morris re same	0.10	945.00	94.50
04/21/2014	Lee, Andrew	Conference call w/ L. Dardarian, T. Fox and S. Morris re initial call w/ City Attorneys re structured negotiations	0.20	750.00	150.00
04/21/2014	Lee, Andrew	Initial call with City Attorney Jon Calegari, L. Dardarian, T. Fox and S. Morris re structured negotiations	0.40	750.00	300.00
04/21/2014	Kirkpatrick, Stuart	Research San Jose's various ADA Transition plans	0.80	285.00	228.00
04/21/2014	Dardarian, Linda	Prepare for conference w/ San Jose City Attorney - review demand letter and list of violations	0.20	945.00	189.00
04/21/2014	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
04/21/2014	Dardarian, Linda	Conference w/ T. Fox, S. Morris and A. Lee re same	0.40	945.00	378.00
04/21/2014	Dardarian, Linda	Conference w/ A. Lee, T. Fox, S. Morris and J. Calegari re structured negotiations process, information exchange and transition plan	0.30	945.00	283.50

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04/21/2014	Dardarian, Linda	Follow up call w/ T. Fox, S. Morris and A. Lee re information exchange and client meeting	0.10	945.00	94.50
04/21/2014	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
04/21/2014	Dardarian, Linda	Conference w/ S. Kirkpatrick re San Jose transition plans	0.10	945.00	94.50
04/21/2014	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
04/21/2014	Lee, Andrew	Follow-up w/ L. Dardarian, T. Fox and S. Morris re next steps in negotiations (.2). Discuss same w/ L. Dardarian (.1).	0.30	750.00	225.00
05/05/2014	Lee, Andrew	Review San Jose pedestrian right of way transition plans	3.50	750.00	2,625.00
05/05/2014	Lee, Andrew	Review and analyze City's 2008 and 2010 transition plan update	0.50	750.00	375.00
05/05/2014	Dardarian, Linda	Review and edit list of information requests	0.30	945.00	283.50
05/05/2014	Dardarian, Linda	Draft Structured Negotiations Agreement	0.40	945.00	378.00
05/06/2014	Lee, Andrew	Review City of San Jose Transition Plans; edit and revise information requests	3.60	750.00	2,700.00
05/06/2014	Lee, Andrew	Revise and edit information request to the City	1.50	750.00	1,125.00
05/06/2014	Dardarian, Linda	Conference w/ A. Lee re transition plan review	0.20	945.00	189.00
05/12/2014	Dardarian, Linda	Review and revise memo to City re structured negotiations and structured negotiations agreement	0.60	945.00	567.00
05/13/2014	Dardarian, Linda	Review A. Lee's feedback re transition plan and request for information, and analyze ADA sidewalk transition plan	0.80	945.00	756.00
05/15/2014	Dardarian, Linda	Review correspondence from J. Calegari re structured negotiations, and draft response to same	0.60	945.00	567.00
05/15/2014	Dardarian, Linda	Phone call to M. Bruno re same	0.10	945.00	94.50
05/15/2014	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
06/04/2014	Dardarian, Linda	Conference w/ T. Fox re negotiations strategy	0.10	945.00	94.50
06/09/2014	Dardarian, Linda	Correspondence to J. Calegari re structured negotiations	0.10	945.00	94.50

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06/11/2014	Kirkpatrick, Stuart	Research San Jose ADA Ramp Needs Study, Standard Construction Details manual and subsequent updates for curb ramp specifications and policies	2.10	285.00	598.50
06/11/2014	Dardarian, Linda	Phone call to J. Calegari re structured negotiations	0.10	945.00	94.50
06/11/2014	Dardarian, Linda	Review and analyze 2008 and 2010 Transition Plans	1.60	945.00	1,512.00
06/11/2014	Dardarian, Linda	Memo to T. Fox re same	0.20	945.00	189.00
06/11/2014	Dardarian, Linda	Memos to and from T. Fox re structured negotiations and transition plan analysis	0.70	945.00	661.50
06/11/2014	Dardarian, Linda	Review and respond to correspondence from J. Calegari re same	0.10	945.00	94.50
06/12/2014	Kirkpatrick, Stuart	Research curb ramp costs and maintenance plans; update spreadsheet comparison of estimates for curb ramp construction	3.40	285.00	969.00
06/12/2014	Dardarian, Linda	Review construction excise tax fund analyses, curb ramp costs and standards specifications	0.70	945.00	661.50
06/13/2014	Kirkpatrick, Stuart	Research and update curb ramp cost comparison spreadsheet	0.50	285.00	142.50
06/16/2014	Kirkpatrick, Stuart	Research and update curb ramp cost comparison spreadsheet	0.10	285.00	28.50
06/16/2014	Dardarian, Linda	Review status of negotiations	0.10	945.00	94.50
06/30/2014	Dardarian, Linda	Correspondence to San Jose re status of negotiations	0.10	945.00	94.50
07/02/2014	Lee, Andrew	Review and analyze San Jose edits to structured negotiations agreement; exchange memos w/ San Jose team re same	0.10	750.00	75.00
07/07/2014	Dardarian, Linda	Review City's changes to Structured Negotiations Agreement and draft memo to T. Fox re same	0.20	945.00	189.00
07/09/2014	Kirkpatrick, Stuart	Update San Jose curb ramp comparison spreadsheet to include additional research re curb ramp average costs and itemizations	0.50	285.00	142.50
07/09/2014	Kirkpatrick, Stuart	Email L. Dardarian re: updated San Jose curb ramp comparison spreadsheet	0.10	285.00	28.50

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07/09/2014	Dardarian, Linda	Correspondence to City re City's revisions to Structured Negotiations Agreement	0.30	945.00	283.50
07/09/2014	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
07/10/2014	Dardarian, Linda	Correspondence to City re Structured Negotiations Agreement	0.20	945.00	189.00
07/21/2014	Dardarian, Linda	Strategy re settlement negotiations	0.10	945.00	94.50
07/23/2014	Lee, Andrew	Program access analysis of curb ramps surrounding government buildings and transportation; plaintiff barriers	0.70	750.00	525.00
07/24/2014	Dardarian, Linda	Conference w/ T. Fox and S. Morris re case strategy	0.20	945.00	189.00
07/24/2014	Dardarian, Linda	Prepare for conference w/ N. Frimann and J. Calegari re same	0.20	945.00	189.00
07/24/2014	Dardarian, Linda	Conference w/ N. Frimann, J. Calegari, T. Fox and S. Morris re structured negotiations	0.20	945.00	189.00
07/24/2014	Dardarian, Linda	Follow-up call w/ T. Fox and S. Morris re same	0.20	945.00	189.00
07/25/2014	Dardarian, Linda	Revise draft Structured Negotiations Agreement and draft cover memo to N. Frimann and J. Calegari re same	0.10	945.00	94.50
07/25/2014	Dardarian, Linda	Draft memo to T. Fox re same	0.10	945.00	94.50
07/30/2014	Dardarian, Linda	Correspondence to J. Calegari re Structured Negotiations Agreement	0.10	945.00	94.50
08/11/2014	Dardarian, Linda	Finalize Structured Negotiations Agreement	0.10	945.00	94.50
08/14/2014	Dardarian, Linda	Review and respond to memo re program access requirements for curb ramps	0.30	945.00	283.50
08/25/2014	Dardarian, Linda	Review and respond to correspondence from J. Calegari re structured negotiations	0.10	945.00	94.50
09/03/2014	Dardarian, Linda	Conference w/ T. Fox and S. Morris re next steps w/ curb ramp information request	0.20	945.00	189.00
09/03/2014	Dardarian, Linda	Conference w/ K. O'Connor, J. Calegari, T. Fox and S. Morris re same (wait for other city representatives to join the call)	0.20	945.00	189.00
09/03/2014	Dardarian, Linda	Prepare for same	0.10	945.00	94.50

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09/03/2014	Dardarian, Linda	Review and revise information request	0.60	945.00	567.00
09/19/2014	Dardarian, Linda	Correspondence to J. Calegari re status of information request	0.10	945.00	94.50
10/13/2014	Kirkpatrick, Stuart	Research and map curb violations in ten San Jose districts	6.00	285.00	1,710.00
10/14/2014	Kirkpatrick, Stuart	Research and map curb ramp violations in ten San Jose districts	4.80	285.00	1,368.00
10/15/2014	Kirkpatrick, Stuart	Finish research and mapping curb ramp violations in ten San Jose districts	5.70	285.00	1,624.50
11/05/2014	Lee, Andrew	Review and analyze City response to information request regarding curb ramps and sidewalks	2.70	750.00	2,025.00
11/05/2014	Lee, Andrew	Strategy and analysis of City's response to information request and next steps w/ L. Dardarian	0.20	750.00	150.00
11/05/2014	Lee, Andrew	Draft memo to T. Fox and S. Morris re San Jose information requests	2.50	750.00	1,875.00
11/05/2014	Dardarian, Linda	Review and respond to memo re evaluation of information request and next steps in settlement negotiations	0.20	945.00	189.00
11/05/2014	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.20	945.00	189.00
11/07/2014	Dardarian, Linda	Negotiations strategy	0.10	945.00	94.50
11/07/2014	Dardarian, Linda	Review City's response to information request and strategize next steps toward proposal	0.60	945.00	567.00
11/10/2014	Lee, Andrew	Prepare for team meeting re response to information requests	0.60	750.00	450.00
11/10/2014	Lee, Andrew	Exchange memos w/ T. Fox re information request response	0.20	750.00	150.00
11/10/2014	Lee, Andrew	Teleconference w/ T. Fox, A. Robertson, S. Morris, and L. Dardarian re follow up w/ San Jose re information request	0.30	750.00	225.00
11/10/2014	Lee, Andrew	Strategy and analysis of scope of violations, proposal re settlement discussions and in person meeting	0.30	750.00	225.00

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11/10/2014	Dardarian, Linda	Conference w/ A. Lee, T. Fox, A. Robertson and S. Morris re next steps w/ San Jose's information response	0.30	945.00	283.50
11/10/2014	Dardarian, Linda	Conference w/ A. Lee re same	0.30	945.00	283.50
11/12/2014	Dardarian, Linda	Correspondence to J. Calegari re status of negotiations	0.10	945.00	94.50
11/12/2014	Dardarian, Linda	Review J. Calegari's response and send follow up re same	0.10	945.00	94.50
11/12/2014	Dardarian, Linda	Memo to team re same	0.10	945.00	94.50
11/13/2014	Dardarian, Linda	Correspondence to San Jose re settlement call	0.10	945.00	94.50
12/01/2014	Dardarian, Linda	Review opinion in Kirola for impact on pending case negotiations	0.80	945.00	756.00
12/01/2014	Dardarian, Linda	Memo to team re same	0.10	945.00	94.50
12/05/2014	Lee, Andrew	Review City's curb ramp program	0.50	750.00	375.00
12/05/2014	Lee, Andrew	Analyze Kirola order in preparation for Monday call with City, and draft memo re same	2.60	750.00	1,950.00
12/07/2014	Lee, Andrew	Review City's responses to our information request and transition plans; draft talking points for settlement negotiations	2.00	750.00	1,500.00
12/08/2014	Lee, Andrew	Prepare and follow-up conference re analysis of structured negotiations w/ A. Robertson, S. Morris, and L. Dardarian	0.60	750.00	450.00
12/08/2014	Lee, Andrew	Conference call w/ City attorney J. Calegari and co-counsel re curb ramp structure negotiations	0.30	750.00	225.00
12/08/2014	Lee, Andrew	Conference w/ S. Kirkpatrick re examples of inaccessible ramps and missing ramps in San Jose	0.20	750.00	150.00
12/08/2014	Lee, Andrew	Phone call to A. Lashbrook re update on status of case	0.10	750.00	75.00
12/08/2014	Lee, Andrew	Message to [witness] re San Jose curb ramps	0.10	750.00	75.00
12/08/2014	Dardarian, Linda	Prepare for call w/ J. Calegari re next steps for negotiations re pedestrian right of way access	0.30	945.00	283.50
12/08/2014	Dardarian, Linda	Conference w/ A. Robertson, S. Morris and A. Lee re same	0.30	945.00	283.50

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12/08/2014	Dardarian, Linda	Conference w/ J. Calegari, one other City representative, A. Robertson, S. Morris, and A. Lee re same	0.30	945.00	283.50
12/08/2014	Dardarian, Linda	Follow up call w/ A. Robertson, A. Lee and S. Morris re same	0.30	945.00	283.50
12/08/2014	Dardarian, Linda	Follow up w / A. Lee re settlement proposal	0.20	945.00	189.00
12/08/2014	Kirkpatrick, Stuart	Conference with A. Lee re: curb ramp violation research and data collection	0.20	285.00	57.00
12/08/2014	Lee, Andrew	Conference w/ L. Dardarian re settlement proposal	0.20	750.00	150.00
12/09/2014	Lee, Andrew	Teleconference w/ client re participation in meeting w/ City	0.20	750.00	150.00
12/09/2014	Kirkpatrick, Stuart	Review curb ramp maps (.6); research curb ramp violations around specific landmarks and City zones and chart locations (5.2)	5.80	285.00	1,653.00
12/09/2014	Dardarian, Linda	Memo to and from A. Lee re meeting w/ City and claimant involvement	0.20	945.00	189.00
12/10/2014	Kirkpatrick, Stuart	Continue research of curb ramp violations around specific landmarks and City zones and chart locations	4.10	285.00	1,168.50
12/11/2014	Dardarian, Linda	Review and respond to correspondence from J. Calegari re next steps in negotiations	0.10	945.00	94.50
12/11/2014	Dardarian, Linda	Memo to A. Lee re same	0.10	945.00	94.50
12/12/2014	Lee, Andrew	Teleconference message for [witness] re meeting with the City	0.10	750.00	75.00
12/12/2014	Lee, Andrew	Teleconference message for A. Lashbrook re meeting with the City	0.10	750.00	75.00
12/12/2014	Lee, Andrew	Teleconference w/ [witness] re meeting with city	0.10	750.00	75.00
12/15/2014	Dardarian, Linda	Memo to A. Lee re preparation for meeting w/ San Jose re negotiations	0.10	945.00	94.50
12/15/2014	Dardarian, Linda	Correspondence to J. Calegari re same	0.10	945.00	94.50
12/15/2014	Dardarian, Linda	Conference w/ A. Lee re demand /proposal and meeting w/ City re same	0.10	945.00	94.50
12/15/2014	Kirkpatrick, Stuart	Research and update curb ramp violation analysis and database re same	5.50	285.00	1,567.50

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12/15/2014	Lee, Andrew	Conference w/ L. Dardarian re settlement meeting w/ City	0.10	750.00	75.00
12/17/2014	Lee, Andrew	Research and draft settlement position statement	1.00	750.00	750.00
12/17/2014	Lee, Andrew	Analyze curb ramp violation database for position statement	1.20	750.00	900.00
12/17/2014	Lee, Andrew	Analyze curb ramp maps for position paper	3.50	750.00	2,625.00
12/17/2014	Kirkpatrick, Stuart	Memo to A. Lee re curb ramp violation locations database	0.10	285.00	28.50
12/17/2014	Kirkpatrick, Stuart	Map curb ramp violations near transportation hubs	0.40	285.00	114.00
12/17/2014	Kirkpatrick, Stuart	Map curb ramp violations on routes between schools and nearby bus stops	5.10	285.00	1,453.50
12/18/2014	Lee, Andrew	Research and draft settlement position	4.20	750.00	3,150.00
12/18/2014	Lee, Andrew	Research and draft settlement position statement	3.80	750.00	2,850.00
12/18/2014	Kirkpatrick, Stuart	Continue mapping problem routes between San Jose public schools and nearby bus stops	4.80	285.00	1,368.00
12/19/2014	Lee, Andrew	Research and draft settlement position statement	4.50	750.00	3,375.00
12/19/2014	Kirkpatrick, Stuart	Memo to M. McGarry re curb ramps that are program access violations	0.10	285.00	28.50
12/19/2014	Kirkpatrick, Stuart	Continued research, analysis and mapping of problem curb ramp routes in San Jose	5.20	285.00	1,482.00
12/22/2014	Lee, Andrew	Research and draft settlement position paper	8.60	750.00	6,450.00
12/22/2014	Kirkpatrick, Stuart	Meeting with A. Lee re: continued searches through neighborhood for curb ramp violations	0.10	285.00	28.50
12/22/2014	Dardarian, Linda	Conference w/ A. Lee re injunctive relief proposal	0.30	945.00	283.50
12/23/2014	Lee, Andrew	Draft and research settlement position statement	2.30	750.00	1,725.00
12/23/2014	Lee, Andrew	Draft and research settlement position paper	5.80	750.00	4,350.00
12/23/2014	Kirkpatrick, Stuart	Edit curb ramp map of intersections in Mt. Pleasant High School neighborhood with markers for each violation	1.30	285.00	370.50

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12/23/2014	Kirkpatrick, Stuart	Phone call and voicemail to Artie Lashbrook re: problem locations and routes in San Jose	0.10	285.00	28.50
12/24/2014	Lee, Andrew	Research and draft settlement position paper	3.10	750.00	2,325.00
12/24/2014	Kirkpatrick, Stuart	Analyze locations of San Jose with ubiquitous curb ramp violations and create maps of impassable routes to schools and libraries	4.00	285.00	1,140.00
12/28/2014	Dardarian, Linda	Review and edit settlement position statement	1.60	945.00	1,512.00
12/29/2014	Kirkpatrick, Stuart	Analyze, mark and map curb ramp violations and pre-2006 ramps around schools	4.10	285.00	1,168.50
12/30/2014	Lee, Andrew	Revise and edit position statement	4.30	750.00	3,225.00
12/30/2014	Lee, Andrew	Revise and edit position statement	2.30	750.00	1,725.00
12/30/2014	Kirkpatrick, Stuart	Map problem routes from bus stop to schools	0.70	285.00	199.50
12/30/2014	Kirkpatrick, Stuart	Memo to A. Lee re curb ramp violations in Mt. Pleasant and Joaquin Miller school neighborhoods	0.40	285.00	114.00
01/05/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re settlement position paper	0.10	750.00	75.00
01/05/2015	Kirkpatrick, Stuart	Exchange emails with M. McGarry re: creating problem route and missing curb ramp maps	0.20	285.00	57.00
01/05/2015	Kirkpatrick, Stuart	Phone calls with Artie Lashbrook re: problem routes in San Jose	0.10	285.00	28.50
01/05/2015	Kirkpatrick, Stuart	Analyze and map school neighborhoods with ubiquitous curb ramp violations	4.20	285.00	1,197.00
01/06/2015	Kirkpatrick, Stuart	Memo to and from M. McGarry re: curb ramp violation maps	0.40	285.00	114.00
01/06/2015	Kirkpatrick, Stuart	Phone call to Artie Lashbrook re: arranging time to speak about problem routes	0.10	285.00	28.50
01/07/2015	Lee, Andrew	Strategy and analysis w/ L. Dardarian re position paper and confirmation of barriers	0.30	750.00	225.00
01/07/2015	Dardarian, Linda	Conference w/ A. Lee re settlement position statement	0.30	945.00	283.50

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01/07/2015	Kirkpatrick, Stuart	Compile and prepare maps of problem routes and curb ramp violation locations in preparation for site visit	0.80	285.00	228.00
01/08/2015	Dardarian, Linda	Memo to A. Robertson and S. Morris re settlement position	0.10	945.00	94.50
01/08/2015	Dardarian, Linda	Revise correspondence to City re same	1.30	945.00	1,228.50
01/08/2015	Kirkpatrick, Stuart	Travel to San Jose; inspect multiple neighborhoods to confirm map of problem routes and curb ramp violations; travel from San Jose back to Oakland	8.00	285.00	2,280.00
01/09/2015	Lee, Andrew	Review and analyze new case decisions regarding pedestrian right of way access for impact on negotiations	0.70	750.00	525.00
01/09/2015	Lee, Andrew	Teleconference w/ L. Dardarian, A. Robertson, and S. Morris re position paper and structured negotiation	0.50	750.00	375.00
01/09/2015	Kirkpatrick, Stuart	Memo to A. Lee re curb ramp violation data for position paper	0.10	285.00	28.50
01/09/2015	Dardarian, Linda	Conference w/ A. Lee re position statement	0.30	945.00	283.50
01/09/2015	Dardarian, Linda	Conference w/ S. Morris, A. Robertson and A. Lee re same	0.50	945.00	472.50
01/09/2015	Dardarian, Linda	Edit and finalize same	1.70	945.00	1,606.50
01/09/2015	Lee, Andrew	Conference w/ L. Dardarian re same	0.30	750.00	225.00
01/12/2015	Kirkpatrick, Stuart	Email to M. McGarry re: San Jose maps site visit	0.20	285.00	57.00
01/12/2015	Kirkpatrick, Stuart	Review and fact check position paper and exhibits, assemble draft for attorney review	2.20	285.00	627.00
01/12/2015	Dardarian, Linda	Finalize draft proposal to San Jose re curb ramps	0.90	945.00	850.50
01/13/2015	Lee, Andrew	Review and finalize settlement	1.40	750.00	1,050.00
01/13/2015	Kirkpatrick, Stuart	Update and finalize position paper and exhibits in preparation for service	0.70	285.00	199.50
01/14/2015	Lee, Andrew	Analysis of negotiation strategy and efforts to find additional plaintiffs	0.20	750.00	150.00
01/14/2015	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.20	945.00	189.00
01/15/2015	Lee, Andrew	Memo to witness investigation of curb ramp claims	0.40	750.00	300.00
01/22/2015	Lee, Andrew	Phone call to Artie Lashbrook re meeting w/ San Jose	0.10	750.00	75.00

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01/22/2015	Dardarian, Linda	Conference w/ A. Lee re meeting w/ San Jose	0.20	945.00	189.00
01/22/2015	Dardarian, Linda	Strategy re client meeting and prepare for meeting w/ San Jose	0.30	945.00	283.50
01/22/2015	Kirkpatrick, Stuart	Phone conversation with Artie Lashbrook re: problem locations and curb ramp violations in several San Jose communities and locations (.2); email summary of conversation to A. Lee for review (.1)	0.30	285.00	85.50
01/23/2015	Lee, Andrew	Message for Artie Lashbrook re meeting on February 2	0.10	750.00	75.00
01/26/2015	Lee, Andrew	Review and analyze ADA ramps need database	0.80	750.00	600.00
01/26/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re meeting prior to meeting w/ City of San Jose	0.10	750.00	75.00
01/26/2015	Dardarian, Linda	Conference w/ A. Lee re preparation for meeting w/ City and review of City's sidewalk plan	0.20	945.00	189.00
01/26/2015	Lee, Andrew	Conference w/ L. Dardarian re preparation for meeting w/ San Jose re settlement	0.20	750.00	150.00
01/27/2015	Lee, Andrew	Draft correspondence to J. Calegari re structured negotiations meeting	0.10	750.00	75.00
01/27/2015	Dardarian, Linda	Prepare for meeting w/ San Jose re curb ramp access	0.10	945.00	94.50
01/28/2015	Dardarian, Linda	Conference w/ A. Lee re strategy re meeting	0.20	945.00	189.00
01/28/2015	Dardarian, Linda	Review documents to prepare for meeting	1.00	945.00	945.00
01/28/2015	Lee, Andrew	Conference w/ L. Dardarian re settlement meeting strategy	0.20	750.00	150.00
01/29/2015	Lee, Andrew	Phone call to A. Lashbrook re meeting prior to meeting with City of San Jose	0.10	750.00	75.00
01/29/2015	Lee, Andrew	Phone call to witness re meeting with City	0.10	750.00	75.00
01/29/2015	Dardarian, Linda	Review and analyze ADA Ramps Needed Survey and demand letter to prepare for client and settlement meeting	1.40	945.00	1,323.00
01/30/2015	Lee, Andrew	Analysis of curb ramp issues and strategy regarding meeting with plaintiffs and city attorneys w/ L. Dardarian	0.40	750.00	300.00

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01/30/2015	Lee, Andrew	Phone call to witness re curb ramp claims	0.10	750.00	75.00
01/30/2015	Kirkpatrick, Stuart	Meeting with A. Lee re: preparation for settlement conference	0.10	285.00	28.50
01/30/2015	Kirkpatrick, Stuart	Prepare documents for use in settlement meeting w/ the City and client meeting	0.90	285.00	256.50
01/30/2015	Dardarian, Linda	Prepare for meeting w/ clients re curb ramp negotiations	0.50	945.00	472.50
01/30/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.30	945.00	378.00
02/02/2015	Lee, Andrew	Preparation for client meeting re San Jose curb ramps	0.20	750.00	150.00
02/02/2015	Lee, Andrew	Teleconference message for witness re San Jose curb ramps	0.10	750.00	75.00
02/02/2015	Lee, Andrew	Research City's curb ramp information	0.30	750.00	225.00
02/02/2015	Lee, Andrew	Travel to Santa Clara for client meeting	0.90	750.00	675.00
02/02/2015	Lee, Andrew	Return from client meeting in Santa Clara	1.00	750.00	750.00
02/02/2015	Lee, Andrew	Client meeting, w/ L. Dardarian, in preparation for meeting with City	1.50	750.00	1,125.00
02/02/2015	Lee, Andrew	Draft email to A. Lashbrook meeting w/ City	0.60	750.00	450.00
02/02/2015	Dardarian, Linda	Review documents re City budget, curb ramp installations, and comparisons with other cities	2.60	945.00	2,457.00
02/02/2015	Dardarian, Linda	Prepare for client meeting	0.50	945.00	472.50
02/02/2015	Dardarian, Linda	Travel from office same	1.20	945.00	1,134.00
02/02/2015	Dardarian, Linda	Meet w/ A. Lee and client to prepare for meeting w/ San Jose re curb ramp claims	1.50	945.00	1,417.50
02/02/2015	Dardarian, Linda	Return travel from same	1.00	945.00	945.00
02/02/2015	Dardarian, Linda	Outline arguments for meeting w/ San Jose	1.10	945.00	1,039.50
02/02/2015	Dardarian, Linda	Review City's response letter	0.20	945.00	189.00
02/02/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.30	945.00	283.50
02/02/2015	Dardarian, Linda	Review and edit correspondence to A. Lashbrook re same	0.10	945.00	94.50
02/02/2015	Dardarian, Linda	Legal research and prepare response to City's issues w/ Plaintiffs' curb ramp position	1.00	945.00	945.00

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02/03/2015	Lee, Andrew	Analysis of City's response to claimant's position paper	0.60	750.00	450.00
02/03/2015	Lee, Andrew	Review and analyze Artie Lashbrook's information about accident caused by defective curb ramp	0.60	750.00	450.00
02/03/2015	Lee, Andrew	Review and analyze needs ramps study in preparation for structured negotiations	0.80	750.00	600.00
02/03/2015	Lee, Andrew	Conference w/ S. Morris, A. Robertson and L. Dardarian to prepare for meeting w/ City	0.40	750.00	300.00
02/03/2015	Kirkpatrick, Stuart	Comparative research on curb ramp compliance in San Jose and similar-size cities	0.50	285.00	142.50
02/03/2015	Dardarian, Linda	Correspondence to J. Calegari re statute of limitations and program access	0.80	945.00	756.00
02/03/2015	Dardarian, Linda	Review response re same	0.20	945.00	189.00
02/03/2015	Dardarian, Linda	Legal research re same	1.10	945.00	1,039.50
02/03/2015	Dardarian, Linda	Review and outline arguments for meeting w/ San Jose	4.70	945.00	4,441.50
02/03/2015	Dardarian, Linda	Conference w/ S. Morris, A. Lee and A. Robertson re same	0.40	945.00	378.00
02/04/2015	Lee, Andrew	Meeting w/ L. Dardarian, S. Morris, J. Calegari re structured negotiations re curb ramps (participate by phone)	1.20	750.00	900.00
02/04/2015	Dardarian, Linda	Preparation for meeting w/ San Jose re curb ramp negotiations (2.2). Travel from office to City Attorney's office for settlement meeting (1.5). Meet w/ A. Lashbrook to prepare for same (.5) Meet w/ S. Morris for preparation for same (.2) Meet w/ J. Calegari, K. O'Connor, N. Richardson, N. Veloso, S. Morris, A. Lashbrook and A. Lee re settlement (1.2). Follow-up w/ S. Morris re same (.3) Return travel to office (1.7). Memo to A. Lashbrook re next steps (.3)	7.90	945.00	7,465.50
02/05/2015	Lee, Andrew	Analysis of structured negotiations meeting with City w/ L. Dardarian	0.10	750.00	75.00
02/05/2015	Dardarian, Linda	Conference w/ A. Lee re next steps in meeting w/ City	0.20	945.00	189.00
02/06/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re curb ramp repair requests	0.10	750.00	75.00

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02/08/2015	Dardarian, Linda	Memo to A. Lashbrook re status of negotiations	0.10	945.00	94.50
02/09/2015	Kirkpatrick, Stuart	Review City Attorney's response to Plaintiffs position paper, and review L. Dardarian's reply email re same for additional research	0.40	285.00	114.00
02/09/2015	Dardarian, Linda	Correspondence to J. Calejari re follow up from structured negotiations meeting	0.20	945.00	189.00
02/10/2015	Lee, Andrew	Conference and analysis w/ L. Dardarian re curb ramp construction near A. Lashbrook's home	0.10	750.00	75.00
02/10/2015	Dardarian, Linda	Conference w/ A. Lee re new curb ramp installations	0.10	945.00	94.50
03/06/2015	Lee, Andrew	Teleconference message for Ramon Montenegro re Artie Lashbrook and curb ramps on Monterrey	0.10	750.00	75.00
03/10/2015	Lee, Andrew	Review record of communications and draft correspondence to opposing counsel re next steps in negotiation	0.30	750.00	225.00
03/11/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re contact with department of transportation re curb ramps	0.20	750.00	150.00
03/11/2015	Lee, Andrew	Research and respond to memo from opposing counsel re statute of limitations and continuing violations theory	2.90	750.00	2,175.00
03/12/2015	Dardarian, Linda	Review memo from J. Calejari re statute of limitations issues	0.10	945.00	94.50
03/12/2015	Dardarian, Linda	Draft memos to S. Morris and A. Lee re same	0.20	945.00	189.00
03/13/2015	Lee, Andrew	Teleconference w/ A. Lashbrook (.8) and Ramon Montenegro from City of San Jose (.3) regarding curb ramp requests	0.80	750.00	600.00
03/13/2015	Dardarian, Linda	Memo to and from A. Lee re status of negotiations	0.10	945.00	94.50
03/16/2015	Lee, Andrew	Memos to and from A. Lashbrook re curb ramp request status	0.10	750.00	75.00
03/17/2015	Dardarian, Linda	Memo to A. Robertson re status of negotiations	0.10	945.00	94.50
03/18/2015	Lee, Andrew	Exchange memos w/ S. Kirkpatrick re list of curb ramps identified by A. Lashbrook	0.20	750.00	150.00

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03/18/2015	Kirkpatrick, Stuart	Create chart of Artie Lashbrook problem intersections	1.80	285.00	513.00
03/24/2015	Lee, Andrew	Draft correspondence to client re curb ramp issues around Monterrey Road	0.70	750.00	525.00
03/31/2015	Lee, Andrew	Teleconference message to witness re status of case	0.10	750.00	75.00
03/31/2015	Lee, Andrew	Phone call to A. Lashbrook re curb ramp list and status of case	0.10	750.00	75.00
03/31/2015	Lee, Andrew	Review and analyze list of problematic curb ramps identified by A. Lashbrook; send same to City of San Jose	0.50	750.00	375.00
04/03/2015	Lee, Andrew	Review draft letter to J. Calegari re continuing violations doctrine	0.40	750.00	300.00
04/06/2015	Lee, Andrew	Research statute of limitations issues; revise and edit letter to city attorneys	2.40	750.00	1,800.00
04/06/2015	Lee, Andrew	Research statute of limitations issues; revise and edit letter to city attorneys	2.80	750.00	2,100.00
04/07/2015	Dardarian, Linda	Revise correspondence to San Jose re curb ramp statute of limitations	0.30	945.00	283.50
04/08/2015	Lee, Andrew	Revise and edit response letter regarding statute of limitations	1.30	750.00	975.00
04/08/2015	Dardarian, Linda	Strategy memo to A. Lee, A. Robertson and S. Morris re settlement negotiations	0.20	945.00	189.00
04/22/2015	Lee, Andrew	Conference w/ L. Dardarian re strategy regarding City's response to letter re statute of limitations and next steps	0.10	750.00	75.00
04/22/2015	Dardarian, Linda	Conference w/ A. Lee re negotiations strategy	0.10	945.00	94.50
05/04/2015	Lee, Andrew	Conference w/ L. Dardarian re analysis of next steps in negotiation, including response to J. Calegari email and example settlements	0.20	750.00	150.00
05/04/2015	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations strategy	0.20	945.00	189.00
05/04/2015	Dardarian, Linda	Strategy re same	0.10	945.00	94.50
05/04/2015	Kirkpatrick, Stuart	Research and chart pre-2006 and missing ramps on corresponding stretches of road set for repair this year	0.70	285.00	199.50

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05/05/2015	Lee, Andrew	Draft correspondence to J. Calegari re continuing curb ramp negotiations	0.20	750.00	150.00
05/05/2015	Kirkpatrick, Stuart	Complete chart of pre-2006 and missing ramps on corresponding stretches of road set for repair this year	1.00	285.00	285.00
05/06/2015	Lee, Andrew	Strategy and planning w/ S. Morris regarding next steps in negotiations and settlement bullet points	0.30	750.00	225.00
05/19/2015	Dardarian, Linda	Correspondence to and from A. Lashbrook re status of negotiations	0.20	945.00	189.00
05/28/2015	Lee, Andrew	Draft overview of settlement terms	2.60	750.00	1,950.00
06/08/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re communications with City regarding curb ramps	0.20	750.00	150.00
06/08/2015	Lee, Andrew	Teleconference w/ Ramon Montenegro re curb ramps on Monterrey near A. Lashbrook's home	0.20	750.00	150.00
06/08/2015	Dardarian, Linda	Conference w/ A. Lee re status of negotiations and A. Lashbrook's curb ramp requests	0.30	945.00	283.50
06/08/2015	Dardarian, Linda	Review and edit bullet point settlement proposal	0.40	945.00	378.00
06/08/2015	Lee, Andrew	Conference w/ L. Dardarian re settlement bullet points and curb ramp requests	0.30	750.00	225.00
06/09/2015	Lee, Andrew	Analysis of settlement bullet points w/ L. Dardarian	0.40	750.00	300.00
06/09/2015	Lee, Andrew	Edit and revise settlement bullet points	0.70	750.00	525.00
06/09/2015	Dardarian, Linda	Review and edit settlement bullet points memo	0.20	945.00	189.00
06/09/2015	Dardarian, Linda	Conference w/ A. Lee re same and settlement strategy	0.40	945.00	378.00
06/10/2015	Lee, Andrew	Revise and edit settlement bullet points; send same to A. Robertson and S. Morris	0.20	750.00	150.00
06/22/2015	Lee, Andrew	Teleconference message for witness re status o negotiations	0.30	750.00	225.00
06/22/2015	Lee, Andrew	Exchange memos w/ A. Robertson and S. Morris re settlement bullet points	0.10	750.00	75.00
06/22/2015	Lee, Andrew	Teleconference w/ J. Mastin re curb ramp design review	0.20	750.00	150.00

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06/22/2015	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.10	945.00	94.50
06/22/2015	Lee, Andrew	Strategy w/ L. Dardarian re settlement negotiations	0.10	750.00	75.00
06/25/2015	Lee, Andrew	Review settlement bullet points; draft correspondence to J. Calegari re structured negotiations	1.10	750.00	825.00
06/25/2015	Kirkpatrick, Stuart	Map problem areas around government buildings in San Jose for L. Dardarian and A. Lee onsite visit	0.50	285.00	142.50
06/25/2015	Dardarian, Linda	Memo to team re preparation for client meeting	0.10	945.00	94.50
06/25/2015	Dardarian, Linda	Review and edit bullet points for settlement	0.10	945.00	94.50
06/25/2015	Dardarian, Linda	Memo to A. Lee re same	0.10	945.00	94.50
06/25/2015	Dardarian, Linda	Memo to S. Kirkpatrick re same	0.10	945.00	94.50
06/25/2015	Dardarian, Linda	Strategy re settlement	0.20	945.00	189.00
06/26/2015	Lee, Andrew	Correspondence to J. Calegari re settlement outline and Barden and Caltrans settlements	0.20	750.00	150.00
06/30/2015	Lee, Andrew	Correspondence to witness re settlement and scope of claims	0.80	750.00	600.00
06/30/2015	Kirkpatrick, Stuart	Memo to L. Dardarian and A. Lee's re curb ramp problem locations in San Jose	0.40	285.00	114.00
07/01/2015	Lee, Andrew	Travel to Sunnyvale to meet w/ witness re curb ramp claims	0.80	750.00	600.00
07/01/2015	Lee, Andrew	Meet w/ witness along w/ L. Dardarian and A. Robertson	1.50	750.00	1,125.00
07/01/2015	Lee, Andrew	Inspect curb ramps surrounding Willow Glen Branch Library and West Valley Branch Library w/ L. Dardarian and A. Robertson	2.80	750.00	2,100.00
07/01/2015	Dardarian, Linda	Travel from office to client meeting	1.00	945.00	945.00
07/01/2015	Dardarian, Linda	Prepare for same	0.50	945.00	472.50
07/01/2015	Dardarian, Linda	Meet w/ witness, A. Lee, A. Robertson re curb ramp issues in San Jose	1.50	945.00	1,417.50
07/01/2015	Dardarian, Linda	Site inspections and measurements of San Jose pedestrian right of way	2.80	945.00	2,646.00
07/01/2015	Dardarian, Linda	Return travel from same	1.50	945.00	1,417.50

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07/01/2015	Kirkpatrick, Stuart	Further memo to L. Dardarian for San Jose onsite location visit	0.10	285.00	28.50
07/17/2015	Lee, Andrew	Negotiation and litigation strategy w/ L. Dardarian; discussion of response to J. Calegari re settlement scope	0.20	750.00	150.00
07/17/2015	Lee, Andrew	Draft correspondence to J. Calegari re negotiations and scheduling next call	0.10	750.00	75.00
07/17/2015	Dardarian, Linda	Strategy re negotiations versus litigation	0.30	945.00	283.50
07/22/2015	Lee, Andrew	Conference w/ A. Robertson re potential by adding claimants	0.20	750.00	150.00
07/27/2015	Kirkpatrick, Stuart	Phone call with former San Jose resident re: problem locations and missing curb ramps	0.10	285.00	28.50
07/28/2015	Kirkpatrick, Stuart	Email witness re: San Jose problem locations	0.50	285.00	142.50
07/29/2015	Lee, Andrew	Strategy w/ team and preparation for structured negotiations call w/ city attorneys	0.60	750.00	450.00
07/29/2015	Dardarian, Linda	Conference w/ A. Robertson, S. Morris and A. Lee re settlement strategy	0.50	945.00	472.50
07/29/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
07/29/2015	Dardarian, Linda	Conference w/ S. Kirkpatrick re potential new plaintiff interviews	0.10	945.00	94.50
07/29/2015	Lee, Andrew	Follow-up w/ L. Dardarian re same	0.10	750.00	75.00
07/30/2015	Lee, Andrew	Prepare for structured negotiations teleconference w/ city attorneys	2.90	750.00	2,175.00
07/30/2015	Kirkpatrick, Stuart	Memo to A. Lee re ADA ramps database chart of long./lat. coordinates	0.10	285.00	28.50
07/30/2015	Kirkpatrick, Stuart	Phone call with witness re: curb ramp experiences and problem locations in San Jose	0.70	285.00	199.50
07/30/2015	Kirkpatrick, Stuart	Call to witness re: curb ramp experiences and problem locations in San Jose	0.20	285.00	57.00
07/30/2015	Kirkpatrick, Stuart	Memo to A. Lee and L. Dardarian re witness interviews	0.20	285.00	57.00
07/30/2015	Lee, Andrew	Conference w/ L. Dardarian re negotiations meeting w/ City attorneys	0.20	750.00	150.00

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07/30/2015	Dardarian, Linda	Conference w/ A. Lee re preparation for settlement conference w/ City	0.20	945.00	189.00
07/30/2015	Dardarian, Linda	Review additional class member complaints	0.10	945.00	94.50
07/31/2015	Lee, Andrew	Prepare for structured negotiations meeting	0.90	750.00	675.00
07/31/2015	Lee, Andrew	Prepare for structured negotiations meeting w/ L. Dardarian	0.70	750.00	525.00
07/31/2015	Lee, Andrew	Teleconference w/ City of San Jose, J. Calegari, K. O'Connor, N. Veloso, D. Miller, L. Dardarian, and S. Morris	1.00	750.00	750.00
07/31/2015	Lee, Andrew	Analysis of call w/ S. Morris and L. Dardarian re structured negotiations call	0.20	750.00	150.00
07/31/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re update on structured negotiations	0.20	750.00	150.00
07/31/2015	Kirkpatrick, Stuart	Review and respond to witness email re San Jose curb ramps	0.20	285.00	57.00
07/31/2015	Dardarian, Linda	Prepare for settlement conference w/ San Jose - review correspondence, meeting notes and status of negotiations	1.00	945.00	945.00
07/31/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.70	945.00	661.50
07/31/2015	Dardarian, Linda	Conference w/ J. Calegari, A. Lee, S. Morris, K. O'Connor, N. Veloso and D. Miller re settlement negotiations	1.00	945.00	945.00
07/31/2015	Dardarian, Linda	Follow up w/ S. Morris and A. Lee re next steps	0.20	945.00	189.00
08/05/2015	Lee, Andrew	Research re UFAS and whether City's previous curb ramp plans were compliant w/ UFAS	0.80	750.00	600.00
08/07/2015	Lee, Andrew	Review status of negotiations and prepare follow up w/ City re response to proposal	0.20	750.00	150.00
08/14/2015	Dardarian, Linda	Review missing curb ramp locations	0.20	945.00	189.00
08/21/2015	Lee, Andrew	Draft correspondence to J. Calegari re written response to settlement outline	0.20	750.00	150.00
09/02/2015	Dardarian, Linda	Review language for potential draft agreement and City's settlement proposal	0.30	945.00	283.50

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09/08/2015	Dardarian, Linda	Memo to S. Morris re follow up w/ City re response to demand letter	0.10	945.00	94.50
09/08/2015	Dardarian, Linda	Review defendant's response to demand letter	0.20	945.00	189.00
09/08/2015	Dardarian, Linda	Memo to A. Robertson, S. Morris, A. Lee re strategy for settlement negotiations	0.70	945.00	661.50
09/08/2015	Dardarian, Linda	Review City's curb ramp design criteria	0.20	945.00	189.00
09/08/2015	Dardarian, Linda	Memo from S. Morris re same	0.10	945.00	94.50
09/17/2015	Dardarian, Linda	Review defendant's settlement proposal, and review and revise response letter to City re same	0.50	945.00	472.50
09/17/2015	Dardarian, Linda	Conference w/ S. Morris re settlement strategy	0.20	945.00	189.00
09/18/2015	Dardarian, Linda	Revise correspondence to City re settlement counter proposal	0.70	945.00	661.50
09/18/2015	Dardarian, Linda	Correspondence to A. Lashbrook re same	0.20	945.00	189.00
09/21/2015	Dardarian, Linda	Review and edit correspondence to J. Calegari re settlement terms	0.20	945.00	189.00
09/22/2015	Dardarian, Linda	Prepare for settlement meeting w/ City	0.20	945.00	189.00
09/25/2015	Lee, Andrew	Structured negotiations conference call w/ L. Dardarian, S. Morris, and City representatives	0.80	750.00	600.00
09/25/2015	Lee, Andrew	Analysis of structured negotiations call and plan for next steps w/ L. Dardarian and S. Morris	0.20	750.00	150.00
09/25/2015	Lee, Andrew	Analysis of potential settlement structure w/ L. Dardarian	0.50	750.00	375.00
09/25/2015	Lee, Andrew	Teleconference w/ A. Lashbrook re status of negotiations	0.20	750.00	150.00
09/25/2015	Dardarian, Linda	Analyze settlement proposals and strategize and outline points for call w/ San Jose re same	0.80	945.00	756.00
09/25/2015	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, N. Veloso, D. Millowicky, N. Richardson, S. Morris and A. Lee re settlement negotiations	0.80	945.00	756.00
09/25/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.50	945.00	472.50

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09/25/2015	Dardarian, Linda	Conference w/ S. Morris and A. Lee re same	0.20	945.00	189.00
09/25/2015	Dardarian, Linda	Follow up research and settlement strategy	1.40	945.00	1,323.00
09/28/2015	Lee, Andrew	Conference w/ D. Valdez and L. Dardarian re preliminary/final approval papers in comparable cases	0.30	750.00	225.00
09/28/2015	Lee, Andrew	Draft correspondence to City re judicially approved consent decree following structured negotiations and scope of work for request for proposal for curb ramp survey	0.80	750.00	600.00
09/28/2015	Dardarian, Linda	Conference w/ D. Valdez and A. Lee re sample settlement structures to recommend to San Jose	0.20	945.00	189.00
09/28/2015	Dardarian, Linda	Memo to A. Lee re same	0.10	945.00	94.50
09/28/2015	Dardarian, Linda	Conference w/ A. Lee re request for production of documents for pedestrian right of way survey	0.10	945.00	94.50
09/29/2015	Lee, Andrew	Conference w/ S. Morris and L. Dardarian re settlement proposal	0.30	750.00	225.00
09/29/2015	Dardarian, Linda	Conference w/ S. Morris and A. Lee re strategy re settlement structure	0.30	945.00	283.50
10/06/2015	Lee, Andrew	Analysis of information provided to City regarding request for proposal regarding survey w/ L. Dardarian	0.10	750.00	75.00
10/08/2015	Dardarian, Linda	Strategy re negotiations	0.20	945.00	189.00
10/08/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
10/14/2015	Lee, Andrew	Prepare for call w/ J. Calegari and other city representatives re settlement	0.80	750.00	600.00
10/14/2015	Lee, Andrew	Review Sutter Health settlement documents in preparation for call w/ City	0.80	750.00	600.00
10/14/2015	Lee, Andrew	Conference call w/ City representatives, L. Dardarian, and S. Morris re settlement	0.50	750.00	375.00
10/14/2015	Lee, Andrew	Teleconference w/ S. Morris and L. Dardarian re next steps	0.20	750.00	150.00
10/14/2015	Lee, Andrew	Strategy re correspondence summarizing negotiations and providing a road map for settlement w/ L. Dardarian	0.20	750.00	150.00

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10/14/2015	Dardarian, Linda	Review sample agreement to preparation for call w/ defendants re settlement structure and strategy	0.80	945.00	756.00
10/14/2015	Dardarian, Linda	Conference w/ J. Calegari, N. Veloso, N. Richardson, D. Millowicky, K. O'Connor, A. Lee, and S. Morris re same	0.50	945.00	472.50
10/14/2015	Dardarian, Linda	Conference w/ A. Lee and S. Morris re strategy for interim settlement agreement	0.20	945.00	189.00
10/14/2015	Kirkpatrick, Stuart	Conference with A. Lee and L. Dardarian re: budget research project	0.10	285.00	28.50
10/14/2015	Kirkpatrick, Stuart	Research San Jose budgets, capital improvement plans and funding reports for L. Dardarian/ A. Lee review	0.60	285.00	171.00
10/14/2015	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
10/15/2015	Kirkpatrick, Stuart	Complete research re: San Jose budgets, capital improvement plans and funding reports, and report findings to L. Dardarian and A. Lee for review and analysis	0.30	285.00	85.50
10/19/2015	Lee, Andrew	Draft correspondence to City re settlement status	1.10	750.00	825.00
10/19/2015	Lee, Andrew	Draft correspondence to City attorneys regarding status of negotiations, nature of the settlement agreement, and next steps	2.70	750.00	2,025.00
10/19/2015	Dardarian, Linda	Review and edit correspondence to J. Calegari re next steps in negotiations	0.30	945.00	283.50
10/20/2015	Lee, Andrew	Review and analyze capital improvement budget docs; revise and edit settlement correspondence to City attorneys	1.70	750.00	1,275.00
10/20/2015	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.20	945.00	189.00
10/20/2015	Kirkpatrick, Stuart	Research 2015-2016 Proposed Capital Improvement Budget for A. Lee/L. Dardarian review	0.10	285.00	28.50
10/21/2015	Lee, Andrew	Revise and finalize correspondence to J. Calegari re settlement	0.20	750.00	150.00
11/17/2015	Lee, Andrew	Analysis of City's settlement counter proposal w/ L. Dardarian	0.10	750.00	75.00

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11/17/2015	Dardarian, Linda	Conference w/ A. Lee re settlement and litigation strategy	0.10	945.00	94.50
11/20/2015	Lee, Andrew	Draft correspondence to client re settlement status	0.60	750.00	450.00
11/23/2015	Lee, Andrew	Draft correspondence to A. Lashbrook re status of negotiations	0.70	750.00	525.00
12/15/2015	Dardarian, Linda	Review updates from Department of Justice re curb ramp installation requirements	0.20	945.00	189.00
12/15/2015	Dardarian, Linda	Settlement strategy	0.20	945.00	189.00
12/18/2015	Dardarian, Linda	Settlement strategy	0.20	945.00	189.00
12/21/2015	Lee, Andrew	Analysis of settlement and response to recent settlement offer w/ S. Morris, and L. Dardarian	0.30	750.00	225.00
12/21/2015	Lee, Andrew	Strategy and analysis of settlement issues w/ L. Dardarian	0.40	750.00	300.00
12/21/2015	Dardarian, Linda	Strategy re settlement	0.20	945.00	189.00
12/21/2015	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.40	945.00	378.00
12/21/2015	Dardarian, Linda	Conference w/ A. Lee and S. Morris re same	0.30	945.00	283.50
12/22/2015	Lee, Andrew	Revise and edit settlement letter to J. Calegari	0.80	750.00	600.00
12/22/2015	Dardarian, Linda	Review and revise correspondence to San Jose re structured negotiations and interim agreement	1.00	945.00	945.00
12/22/2015	Dardarian, Linda	Correspondence to A. Lee and S. Morris re same	0.10	945.00	94.50
12/28/2015	Lee, Andrew	Revise and edit first set of interrogatories, requests for production, and requests for admission	1.70	750.00	1,275.00
01/12/2016	Lee, Andrew	Analysis of negotiation and client status issues w/ L. Dardarian, including following up regarding next meeting and contact w/ A. Lashbrook	0.10	750.00	75.00
01/13/2016	Dardarian, Linda	Memo to team re status of negotiations	0.10	945.00	94.50
01/14/2016	Lee, Andrew	Review correspondence; draft correspondence to City confirming January 25 meeting	1.70	750.00	1,275.00
01/25/2016	Lee, Andrew	Review and analysis of 2014 and 2015 City of San Jose CADRs	0.30	750.00	225.00

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01/25/2016	Dardarian, Linda	Review information request responses, CADR, and correspondence to prepare for conference w/ City re interim agreement	1.40	945.00	1,323.00
01/25/2016	Dardarian, Linda	Conference w/ T. Fox, S. Morris and A. Lee re same	0.30	945.00	283.50
01/25/2016	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, T. Fox, S. Morris and N. Richardson re same	1.00	945.00	945.00
01/25/2016	Dardarian, Linda	Follow up w/ T. Fox, S. Morris re same	0.10	945.00	94.50
01/25/2016	Dardarian, Linda	Memo to and from A. Lee re same	0.10	945.00	94.50
01/25/2016	Lee, Andrew	Analyze settlement and interim agreement potential w/ L. Dardarian, S. Morris and T. Fox	0.30	750.00	225.00
02/01/2016	Dardarian, Linda	Correspondence to A. Lashbrook re status of negotiations	0.40	945.00	378.00
02/05/2016	Dardarian, Linda	Correspondence to J. Calegari re curb ramps survey and budget for 2016-17	0.20	945.00	189.00
02/08/2016	Lee, Andrew	Analyze request for proposal regarding curb ramp survey; review Seattle survey for comparison	0.70	750.00	525.00
02/08/2016	Lee, Andrew	Strategy re curb ramp funding and interim settlement agreement w/ L. Dardarian	0.20	750.00	150.00
02/08/2016	Dardarian, Linda	Memos to and from A. Lee re survey of pedestrian right of way	0.10	945.00	94.50
02/08/2016	Dardarian, Linda	Correspondence to potential architectural standards expert re review of pedestrian right of way barriers	0.20	945.00	189.00
02/08/2016	Dardarian, Linda	Conference w/ A. Lee re survey and interim agreement	0.20	945.00	189.00
02/12/2016	Lee, Andrew	Analyze curb ramp survey criteria for San Jose RFP	1.80	750.00	1,350.00
02/12/2016	Lee, Andrew	Discuss curb ramp inspection form and use in survey w/ L. Dardarian	0.10	750.00	75.00
02/12/2016	Dardarian, Linda	Conference w/ A. Lee re feed back on survey	0.10	945.00	94.50
02/12/2016	Dardarian, Linda	Correspondence to J. Mastin re same	0.10	945.00	94.50

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02/16/2016	Lee, Andrew	Review and analyze curb ramp request for proposal and J. Mastin email re curb ramp inspection form	0.70	750.00	525.00
02/16/2016	Lee, Andrew	Draft correspondence to City regarding City's proposed curb ramp survey and scope of work	1.40	750.00	1,050.00
02/16/2016	Lee, Andrew	Revise, edit and finalize correspondence to City re curb ramp survey	0.20	750.00	150.00
02/16/2016	Dardarian, Linda	Correspondence to and from A. Lee re City's survey request for production of documents	0.20	945.00	189.00
02/16/2016	Dardarian, Linda	Review and edit correspondence to defendant re curb ramp survey	0.10	945.00	94.50
02/29/2016	Lee, Andrew	Analyze City's responses to claimant's information requests to determine the number of newly constructed curb ramps within the City for which the City proposes inspection a 5% sample	0.60	750.00	450.00
02/29/2016	Lee, Andrew	Phone call to J. Mastin re curb height measurement during survey work	0.10	750.00	75.00
02/29/2016	Lee, Andrew	Teleconference w/ J. Mastin re curb height measurement requirement	0.30	750.00	225.00
02/29/2016	Dardarian, Linda	Review City's feedback re survey	0.10	945.00	94.50
02/29/2016	Dardarian, Linda	Memo to A. Lee re evaluation of and response to same	0.10	945.00	94.50
03/01/2016	Dardarian, Linda	Correspondence to A. Lee re scope of survey document	0.10	945.00	94.50
03/02/2016	Lee, Andrew	Draft correspondence to T. Fox re City's survey proposal	0.20	750.00	150.00
03/02/2016	Lee, Andrew	Analysis of City's survey proposal and draft correspondence to J. Calegari re same	0.80	750.00	600.00
03/02/2016	Dardarian, Linda	Review and revise correspondence to City re survey and curb ramp funding	0.20	945.00	189.00
03/08/2016	Lee, Andrew	Phone call to A. Lashbrook re status of negotiations	0.10	750.00	75.00
03/08/2016	Dardarian, Linda	Review correspondence from J. Calegari re settlement negotiations and strategize response	0.20	945.00	189.00

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03/09/2016	Lee, Andrew	Analysis of negotiation position re to curb ramp funding in light of June 2016 ballot measure to increase the sales tax	0.20	750.00	150.00
03/09/2016	Lee, Andrew	Exchange memos w/ T. Fox re sales tax increase and negotiation position	0.30	750.00	225.00
03/09/2016	Lee, Andrew	Teleconference w/ A. Lashbrook re status of negotiations	0.30	750.00	225.00
03/09/2016	Lee, Andrew	Exchange memos w/ T. Fox and L. Dardarian re client questions re settlement	0.20	750.00	150.00
03/09/2016	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.20	945.00	189.00
03/10/2016	Lee, Andrew	Draft correspondence to opposing counsel re curb ramp funding for 2016-17 time frame	0.80	750.00	600.00
03/11/2016	Dardarian, Linda	Strategy re settlement	0.10	945.00	94.50
03/21/2016	Lee, Andrew	Analyze City's transition plan and September 4 letter regarding new construction funding versus program access funding; draft correspondence to J. Calegari re same	1.20	750.00	900.00
03/21/2016	Dardarian, Linda	Strategy re settlement	0.10	945.00	94.50
04/06/2016	Lee, Andrew	Finalize correspondence to J. Calegari following up on March 21 email	0.10	750.00	75.00
04/15/2016	Lee, Andrew	Draft interim settlement agreement	4.60	750.00	3,450.00
04/17/2016	Dardarian, Linda	Conference w/ A. Lee re negotiations strategy	0.10	945.00	94.50
04/17/2016	Dardarian, Linda	Review and revise correspondence to and from San Jose re curb ramp expenditures and installation plans	0.20	945.00	189.00
04/17/2016	Lee, Andrew	Conference w/ L. Dardarian re interim agreement	0.10	750.00	75.00
04/18/2016	Lee, Andrew	Confer w/ L. Dardarian re response to J. Calegari re allocation of \$2.5 million (program access v. new construction)	0.10	750.00	75.00
04/18/2016	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations	0.10	945.00	94.50

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04/19/2016	Lee, Andrew	Draft correspondence to J. Calegari re the City's offer to spend \$2.5 million on curb ramp work, and how this money is allocated between new construction and program access	0.70	750.00	525.00
05/18/2016	Lee, Andrew	Analysis of City's 5/6 correspondence re curb ramp construction and response w/ L. Dardarian	0.50	750.00	375.00
05/18/2016	Lee, Andrew	Teleconference w/ A. Lashbrook re status of negotiations and sales tax measure on June ballot	0.50	750.00	375.00
05/18/2016	Lee, Andrew	Review article re transportation sales tax for November ballot; exchange memos w/ L. Dardarian re same	0.40	750.00	300.00
05/18/2016	Lee, Andrew	Review negotiation correspondence; outline response to J. Calegari re curb ramp expenditures	1.20	750.00	900.00
05/18/2016	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations and response to defendant's last offer	0.50	945.00	472.50
05/19/2016	Lee, Andrew	Research ADA legislative history re new construction/alteration costs; review prior correspondence re City's curb ramp need; draft correspondence to J. Calegari re distinction between new construction and program access curb ramps and requesting conference call	5.10	750.00	3,825.00
05/19/2016	Lee, Andrew	Edit and revise correspondence to J. Calegari re settlement issues	0.30	750.00	225.00
05/19/2016	Dardarian, Linda	Review and edit response to City re substantive negotiations position	0.20	945.00	189.00
05/20/2016	Lee, Andrew	Revise correspondence to J. Calegari re clarification of City's settlement offer (new construction versus program access funding)	0.20	750.00	150.00
05/20/2016	Dardarian, Linda	Review and edit correspondence to City re settlement offer	0.10	945.00	94.50
05/20/2016	Dardarian, Linda	Memo to A. Lee re same	0.10	945.00	94.50

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05/23/2016	Lee, Andrew	Revise correspondence to J. Calegari re composition of City's curb ramp settlement offer (new construction/alterations versus program access.	0.20	750.00	150.00
05/31/2016	Lee, Andrew	Teleconference w/ T. Fox and L. Dardarian in preparation for call w/ City re interim agreement	0.60	750.00	450.00
05/31/2016	Lee, Andrew	Analysis of negotiation position re interim agreement w/ L. Dardarian	0.40	750.00	300.00
05/31/2016	Lee, Andrew	Research re City's budget for curb ramp work	1.10	750.00	825.00
05/31/2016	Lee, Andrew	Analysis of City's curb ramp funding w/ L. Dardarian	0.60	750.00	450.00
05/31/2016	Lee, Andrew	Analyze City's ADA ramps need study in preparation for call w/ City	0.60	750.00	450.00
05/31/2016	Dardarian, Linda	Conference w/ T. Fox and A. Lee re preparation for settlement meeting w/ City	0.60	945.00	567.00
05/31/2016	Dardarian, Linda	Conferences w/ A. Lee re same	0.40	945.00	378.00
05/31/2016	Dardarian, Linda	Review City budget, information exchange documents and negotiation history to prepare for same	1.20	945.00	1,134.00
05/31/2016	Dardarian, Linda	Outline arguments/positions for same	0.30	945.00	283.50
05/31/2016	Dardarian, Linda	Conference w/ A. Lee re same	0.70	945.00	661.50
06/01/2016	Lee, Andrew	Prepare for and participate in conference call w/ City (J. Calegari, K. O'Connor, and Diane M.) and T. Fox and L. Dardarian re interim agreement and curb ramp construction (prep .4, meeting .9)	1.30	750.00	975.00
06/01/2016	Dardarian, Linda	Prepare for conference w/ San Jose re curb ramp negotiations	0.30	945.00	283.50
06/01/2016	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, D. M. (LNU)8, A. Lee and T. Fox re same	0.90	945.00	850.50
06/01/2016	Dardarian, Linda	Follow up w/ A. Lee re interim agreement	1.00	945.00	945.00
06/17/2016	Lee, Andrew	Draft interim settlement agreement	5.50	750.00	4,125.00
06/22/2016	Kirkpatrick, Stuart	Review City evidentiary documents forwarded from L. Dardarian	0.50	285.00	142.50

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06/22/2016	Dardarian, Linda	Review City budget materials, pavement maintenance reports, and funding source projections	0.80	945.00	756.00
06/22/2016	Dardarian, Linda	Draft memos to A. Lee and S. Kirkpatrick re same	0.40	945.00	378.00
06/22/2016	Dardarian, Linda	Review and edit draft interim agreement	1.60	945.00	1,512.00
06/24/2016	Lee, Andrew	Revise draft interim agreement based on L. Dardarian edits and comments	1.10	750.00	825.00
06/24/2016	Lee, Andrew	Analysis of draft settlement agreement w/ L. Dardarian	0.30	750.00	225.00
06/24/2016	Dardarian, Linda	Review and edit interim agreement	0.60	945.00	567.00
06/24/2016	Dardarian, Linda	Conference w/ A. Lee re same	0.30	945.00	283.50
06/30/2016	Lee, Andrew	Revise draft interim settlement agreement	2.00	750.00	1,500.00
07/01/2016	Lee, Andrew	Revise proposed settlement agreement	3.00	750.00	2,250.00
07/01/2016	Lee, Andrew	Revise draft interim settlement agreement and draft email to T. Fox re same	0.30	750.00	225.00
07/01/2016	Dardarian, Linda	Review and edit interim agreement	0.20	945.00	189.00
07/05/2016	Lee, Andrew	Revise draft interim settlement agreement; draft correspondence to T. Fox re same	1.70	750.00	1,275.00
07/05/2016	Lee, Andrew	Draft cover email to J. Calegari re draft interim settlement agreement	0.70	750.00	525.00
07/05/2016	Dardarian, Linda	Review and edit draft interim agreement	0.40	945.00	378.00
07/06/2016	Lee, Andrew	Revise draft interim settlement agreement and finalize correspondence to J. Calegari re same	0.80	750.00	600.00
07/21/2016	Lee, Andrew	Draft follow up correspondence to J. Calegari regarding proposed settlement agreement	0.10	750.00	75.00
08/16/2016	Lee, Andrew	Draft correspondence to J. Calegari re interim settlement agreement	0.20	750.00	150.00
08/16/2016	Dardarian, Linda	Conference w/ A. Lee re City's settlement response	0.10	945.00	94.50
08/16/2016	Dardarian, Linda	Memo to A. Lee re same	0.10	945.00	94.50
08/23/2016	Lee, Andrew	Analyze draft settlement agreement w/ L. Dardarian	0.10	750.00	75.00

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08/23/2016	Lee, Andrew	Analyze City's edits to draft interim agreement	0.70	750.00	525.00
08/24/2016	Lee, Andrew	Teleconference w/ J. Calegari, K. O'Connor, N. Richardson, Rick Scott, and Diane M. regarding interim settlement agreement	1.10	750.00	825.00
08/24/2016	Lee, Andrew	Analysis of City's edits to interim agreement w/ T. Fox	0.90	750.00	675.00
08/24/2016	Lee, Andrew	Revise interim settlement agreement per changes agreed upon during conference call	2.00	750.00	1,500.00
08/24/2016	Dardarian, Linda	Prepare for settlement meeting w/ City	0.30	945.00	283.50
08/24/2016	Dardarian, Linda	Review draft agreement w/ A. Lee and T. Fox	0.90	945.00	850.50
08/24/2016	Dardarian, Linda	Conference w/ T. Fox, A. Lee, J. Calegari, K. O'Connor, N. Richardson, R. Scott and Diane Millar re settlement terms for Interim Agreement	1.20	945.00	1,134.00
08/24/2016	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
08/24/2016	Dardarian, Linda	Review and revise Interim Agreement	0.50	945.00	472.50
08/25/2016	Lee, Andrew	Revise and edit interim settlement agreement	0.60	750.00	450.00
08/25/2016	Lee, Andrew	Teleconference w/ A. Lashbrook updating him on the status of the negotiations	0.20	750.00	150.00
09/20/2016	Lee, Andrew	Draft correspondence to J. Calegari re settlement response	0.10	750.00	75.00
09/21/2016	Lee, Andrew	Teleconference message for J. Calegari re interim settlement agreement	0.10	750.00	75.00
09/28/2016	Lee, Andrew	Phone call to witness re status of settlement negotiations	0.10	750.00	75.00
10/03/2016	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations	0.20	945.00	189.00
10/03/2016	Lee, Andrew	Conference w/ L. Dardarian re settlement negotiations	0.20	750.00	150.00
10/10/2016	Dardarian, Linda	Review City's redrafted agreement and strategize response re same	0.80	945.00	756.00
10/11/2016	Dardarian, Linda	Conference w/ A. Lee re negotiations and City's revised agreement	0.20	945.00	189.00
10/11/2016	Dardarian, Linda	Memo to J. Calegari re same	0.10	945.00	94.50
10/11/2016	Dardarian, Linda	Correspondence to J. Calegari re ramp numbers	0.20	945.00	189.00

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10/11/2016	Dardarian, Linda	Conference w/ J. Calegari re same	0.10	945.00	94.50
10/11/2016	Dardarian, Linda	Memo to T. Fox and A. Lee re same	0.10	945.00	94.50
10/11/2016	Dardarian, Linda	Revise interim settlement agreement	0.10	945.00	94.50
10/11/2016	Lee, Andrew	Insert corresponding conference w/ L. Dardarian	0.20	750.00	150.00
10/12/2016	Dardarian, Linda	Revise Interim Agreement	0.20	945.00	189.00
10/12/2016	Dardarian, Linda	Memo to A. Lee and T. Fox re same	0.10	945.00	94.50
10/13/2016	Dardarian, Linda	Review final version of Interim Agreement and draft correspondence to City re same	0.20	945.00	189.00
10/19/2016	Dardarian, Linda	Correspondence to J. Calegari re finalizing interim settlement agreement	0.10	945.00	94.50
10/25/2016	Dardarian, Linda	Research re sources of curb ramp funding	0.30	945.00	283.50
10/25/2016	Dardarian, Linda	Conference w/ A. Lashbrook re Interim Agreement	0.30	945.00	283.50
10/25/2016	Dardarian, Linda	Correspondence to J. Calegari re same	0.10	945.00	94.50
10/25/2016	Dardarian, Linda	Memo to A. Lee re A. Lashbrook status	0.20	945.00	189.00
10/25/2016	Dardarian, Linda	Correspondence to and from J. Calegari re final terms of Interim Agreement	0.10	945.00	94.50
11/03/2016	Dardarian, Linda	Correspondence to J. Calegari re finalizing agreement	0.10	945.00	94.50
11/07/2016	Dardarian, Linda	Finalize Interim Agreement	0.20	945.00	189.00
11/11/2016	Dardarian, Linda	Research re sales tax measure	0.10	945.00	94.50
11/11/2016	Dardarian, Linda	Correspondence to J. Calegari re same	0.10	945.00	94.50
11/15/2016	Dardarian, Linda	Phone call to J. Calegari re survey request for production of documents and finalizing interim settlement agreement	0.10	945.00	94.50
11/16/2016	Dardarian, Linda	Review final Interim Agreement and draft correspondence to J. Calegari re same	0.10	945.00	94.50
11/16/2016	Dardarian, Linda	Correspondence to A. Lee re same	0.10	945.00	94.50
11/18/2016	Kirkpatrick, Stuart	Prepare copies of final interim agreement	0.10	285.00	28.50
11/22/2016	Dardarian, Linda	Conference w/ S. Kirkpatrick re Agreement implementation	0.10	945.00	94.50

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11/23/2016	Kirkpatrick, Stuart	Review Final Interim Agreement and email L. Dardarian and A. Lee relevant calendar dates	0.60	285.00	171.00
12/02/2016	Dardarian, Linda	Correspondence to J. Calegari re Agreement implementation issues	0.30	945.00	283.50
12/02/2016	Dardarian, Linda	Memos to S. Kirkpatrick and A. Lee re same	0.30	945.00	283.50
12/02/2016	Kirkpatrick, Stuart	Calendar all Interim Agreement dates	0.30	285.00	85.50
12/14/2016	Dardarian, Linda	Phone call to J. Calegari re status of survey and curb ramp repairs	0.10	945.00	94.50
12/14/2016	Dardarian, Linda	Correspondence to J. Calegari re same	0.10	945.00	94.50
12/15/2016	Dardarian, Linda	Correspondence to and from J. Calegari re Agreement implementation	0.10	945.00	94.50
12/15/2016	Dardarian, Linda	Conference w/ S. Kirkpatrick re same	0.10	945.00	94.50
12/19/2016	Dardarian, Linda	Memo to A. Lee re Agreement implementation	0.10	945.00	94.50
12/20/2016	Dardarian, Linda	Memos to and from A. Lee re curb ramp list verification	0.20	945.00	189.00
12/20/2016	Dardarian, Linda	Review and edit request for production of documents	1.90	945.00	1,795.50
12/21/2016	Kirkpatrick, Stuart	Mark ADA Curb Ramp locations in GoogleEarth for L. Dardarian and A. Lee review	1.70	285.00	484.50
12/21/2016	Kirkpatrick, Stuart	Memo re repeat intersection locations in ADA Curb Ramp list for L. Dardarian review	0.10	285.00	28.50
12/21/2016	Dardarian, Linda	Review map of planned installations	0.10	945.00	94.50
12/21/2016	Dardarian, Linda	Correspondence to San Jose re request for production questions and issues	0.70	945.00	661.50
12/21/2016	Dardarian, Linda	Correspondence to J. Calegari re planned ramp installations	0.30	945.00	283.50
12/22/2016	Kirkpatrick, Stuart	Draft and prepare correspondence to J. Calegari re final interim agreement	0.20	285.00	57.00
12/22/2016	Dardarian, Linda	Correspondence to J. Calegari re curb ramp installations and request for production	0.20	945.00	189.00
01/03/2017	Dardarian, Linda	Review status of settlement	0.10	945.00	94.50
01/05/2017	Dardarian, Linda	Correspondence to and from J. Calegari re status of Agreement implementation	0.10	945.00	94.50

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01/06/2017	Dardarian, Linda	Correspondence to and from J. Calegari re settlement status	0.10	945.00	94.50
01/06/2017	Dardarian, Linda	Conference w/ A. Lee re status of settlement	0.10	945.00	94.50
01/13/2017	Dardarian, Linda	Prepare for conference w/ San Jose re status of agreement, request for production and curb ramp installations	0.40	945.00	378.00
01/13/2017	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
01/13/2017	Dardarian, Linda	Conference w/ J. Calegari, D. M. (LNU), N. Richardson, R. Scott, A. Lee and T. Fox re request for production of documents, survey and curb ramp installations	0.30	945.00	283.50
01/13/2017	Dardarian, Linda	Conference w/ T. Fox and A. Lee re same	0.20	945.00	189.00
01/13/2017	Dardarian, Linda	Memos to and from A. Lee re status of settlement	0.10	945.00	94.50
01/13/2017	Dardarian, Linda	Correspondence to J. Carlegari re survey timing and negotiations	0.40	945.00	378.00
01/13/2017	Lee, Andrew	Conference w/ J. Calegari, R. Scott, N. Richardson, T. Fox and L. Dardarian re City's curb ramp survey and installations (.3). Follow-up conference w/ T. Fox and L. Dardarian re same (.2).	0.50	750.00	375.00
01/17/2017	Dardarian, Linda	Correspondence to J. Calegari re negotiations and survey contract	0.80	945.00	756.00
01/18/2017	Dardarian, Linda	Finalize correspondence to San Jose re survey consultant contract and future negotiations	0.20	945.00	189.00
01/23/2017	Dardarian, Linda	Memo to R. Wendell re Title 24 and 2010 ADAAG issues	0.10	945.00	94.50
01/24/2017	Dardarian, Linda	Memo to R. Wendell and A. Lee re curb ramp standards under California Building Code	0.20	945.00	189.00
01/24/2017	Dardarian, Linda	Correspondence to J. Calegari re curb ramp standards	0.30	945.00	283.50
02/01/2017	Dardarian, Linda	Correspondence to J. Mastin re curb ramp prioritization	0.10	945.00	94.50
02/01/2017	Dardarian, Linda	Review response to same	0.10	945.00	94.50
02/07/2017	Dardarian, Linda	Review contract for surveyor	0.10	945.00	94.50
02/08/2017	Lee, Andrew	Analyze draft City contract for curb ramp survey and public memo to confirm incorporation of claimant's edits	0.90	750.00	675.00

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03/15/2017	Lee, Andrew	Teleconference w/ A. Lashbrook re status of settlement	0.10	750.00	75.00
03/15/2017	Lee, Andrew	Analyze settlement agreement re deadline for survey completion and 2017 proposed program access work.	0.20	750.00	150.00
03/15/2017	Dardarian, Linda	Conference w/ A. Lee and S. Kirkpatrick re interim settlement implementation	0.20	945.00	189.00
03/15/2017	Kirkpatrick, Stuart	Conference with legal team re: settlement implementation	0.20	285.00	57.00
04/27/2017	Lee, Andrew	Analyze reporting requirement under the interim settlement agreement	0.20	750.00	150.00
04/27/2017	Lee, Andrew	Exchange memos w/ L. Dardarian re reporting requirements under the interim settlement agreement	0.10	750.00	75.00
04/27/2017	Lee, Andrew	Draft correspondence to J. Calegari re reporting of curb ramp work; review Interim Settlement Agreement re same	0.40	750.00	300.00
05/17/2017	Lee, Andrew	Teleconference w/ A. Lashbrook re status of settlement; discussion re status report due at the end of May 2017	0.10	750.00	75.00
06/02/2017	Lee, Andrew	Analyze the City's curb ramp report regarding the interim agreement	0.90	750.00	675.00
06/07/2017	Dardarian, Linda	Review City's first semi-annual reporting re curb ramp installations and costs	0.20	945.00	189.00
06/08/2017	Kirkpatrick, Stuart	Review and archive curb ramp location documents and spreadsheets	0.10	285.00	28.50
06/08/2017	Lee, Andrew	Draft correspondence to J. Calegari re reporting under interim agreement	0.10	750.00	75.00
07/06/2017	Lee, Andrew	Analyze CDBG grant curb ramp funding and compliance w/ interim agreement	0.40	750.00	300.00
07/12/2017	Lee, Andrew	Draft correspondence to J. Calegari re status of curb ramp survey	0.10	750.00	75.00
08/29/2017	Lee, Andrew	Review correspondence re status of survey	0.10	750.00	75.00
08/30/2017	Lee, Andrew	Analyze status of curb ramp survey and schedule for resuming negotiations	0.20	750.00	150.00

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08/30/2017	Lee, Andrew	Review prior correspondence and draft correspondence to City re resuming negotiations after completion of automated portion of curb ramp survey	0.40	750.00	300.00
08/30/2017	Dardarian, Linda	Memos to and from A. Lee re future negotiations	0.10	945.00	94.50
09/08/2017	Lee, Andrew	Draft correspondence to J. Calegari re future negotiations	0.10	750.00	75.00
09/25/2017	Lee, Andrew	Draft correspondence to J. Calegari re scheduling the parties' Future Negotiations	0.20	750.00	150.00
10/05/2017	Lee, Andrew	Draft correspondence to J. Calegari re restarting structured negotiations	0.10	750.00	75.00
10/16/2017	Lee, Andrew	Draft correspondence to J. Calegari re scheduling next call re structured negotiations	0.10	750.00	75.00
10/30/2017	Dardarian, Linda	Conference w/ A. Lee re status of negotiations and interim agreement implementation	0.10	945.00	94.50
10/31/2017	Lee, Andrew	Analyze interim settlement agreement	0.60	750.00	450.00
10/31/2017	Lee, Andrew	Draft memo to L. Dardarian re City's reporting requirements	0.20	750.00	150.00
11/01/2017	Lee, Andrew	Draft correspondence to J. Calegari re information request	0.40	750.00	300.00
11/07/2017	Lee, Andrew	Draft correspondence to J. Calegari re request for information and structured negotiations call	0.40	750.00	300.00
11/07/2017	Dardarian, Linda	Conference w/ A. Lee re preparation for "future negotiations"	0.10	945.00	94.50
11/08/2017	Lee, Andrew	Prepare for structured negotiations call w/ City of San Jose	1.10	750.00	825.00
11/08/2017	Lee, Andrew	Teleconference w/ J. Calegari, K. O'Connor and Rick Scott re negotiations and settlement terms	0.50	750.00	375.00
11/08/2017	Lee, Andrew	Conference w/ L. Dardarian re status of compliance w/ interim agreement	0.40	750.00	300.00
11/08/2017	Lee, Andrew	Teleconference w/ A. Lashbrook re status of negotiations	0.10	750.00	75.00
11/08/2017	Kirkpatrick, Stuart	Memo re ramp progress for L. Dardarian	0.10	285.00	28.50

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11/08/2017	Dardarian, Linda	Conference w/ A. Lee re San Jose's implementation of interim agreement and plan for future negotiations	0.30	945.00	283.50
12/04/2017	Kirkpatrick, Stuart	Map 2018 ADA Locations for A. Lee review	1.00	285.00	285.00
12/04/2017	Dardarian, Linda	Conference w/ A. Lee re follow up on curb ramp list for 2018 and City's curb ramp report	0.10	945.00	94.50
12/04/2017	Dardarian, Linda	Review same	0.10	945.00	94.50
12/06/2017	Lee, Andrew	Review and analyze curb ramp construction report re interim agreement (1.0). Conference w/ L. Dardarian re same (.1).	1.10	750.00	825.00
12/06/2017	Dardarian, Linda	Conference w/ A. Lee re curb ramp installations list	0.10	945.00	94.50
12/07/2017	Lee, Andrew	Teleconference w/ A. Lashbrook re missing curb ramps for 2018 Ramps Project	0.20	750.00	150.00
12/07/2017	Lee, Andrew	Analyze missing curb ramp locations for 2018 ADA Ramps Project	1.70	750.00	1,275.00
01/02/2018	Lee, Andrew	Analysis of status of survey w/ L. Dardarian	0.20	750.00	150.00
01/02/2018	Dardarian, Linda	Conference w/ A. Lee re status of curb ramp survey	0.20	945.00	189.00
01/04/2018	Lee, Andrew	Review meeting notes re completion date for manual portion of curb ramp survey	0.30	750.00	225.00
02/20/2018	Lee, Andrew	Analysis of next steps in negotiation; confer w/ City re completion of survey	0.20	750.00	150.00
02/20/2018	Lee, Andrew	Draft correspondence to J. Calegari re manual portion of curb ramp survey and scheduling call to resume negotiations	0.20	750.00	150.00
04/09/2018	Dardarian, Linda	Review status of Agreement implementation and draft correspondence to J. Calegari re same	0.10	945.00	94.50
04/18/2018	Dardarian, Linda	Review and analyze data provided by City's surveyor of San Jose PROW and compare w/ agreement and on site photos	3.10	945.00	2,929.50
04/18/2018	Dardarian, Linda	Memo to J. Calegari re same	0.10	945.00	94.50
04/18/2018	Grimes, Scott	Analyze curb ramp survey data	1.20	325.00	390.00

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04/18/2018	Grimes, Scott	Conference w/ L. Dardarian re same	0.80	325.00	260.00
04/20/2018	Dardarian, Linda	Prepare for negotiations w/ City, analyze survey data, prior semi-annual reports, and interim agreement	1.20	945.00	1,134.00
04/20/2018	Dardarian, Linda	Memo to J. Calegari re same	0.10	945.00	94.50
04/20/2018	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, Rick Scott, Diane, Peter Park, and Frank Farshidi re survey data, prioritization, and future negotiations	0.50	945.00	472.50
04/20/2018	Dardarian, Linda	Memo to T. Fox and A. Lee re next steps in negotiations and settlement strategy	0.50	945.00	472.50
04/24/2018	Lee, Andrew	Discussion of structured negotiations call w/ L. Dardarian and providing City with list of severe barriers for curb ramp work priorities	0.10	750.00	75.00
04/24/2018	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.10	945.00	94.50
04/25/2018	Lee, Andrew	Analyze curb ramp survey data	2.10	750.00	1,575.00
04/26/2018	Lee, Andrew	Draft list of high priority curb ramp barriers for the City	2.20	750.00	1,650.00
04/26/2018	Dardarian, Linda	Revise memo to San Jose re high priority ramp barriers	0.90	945.00	850.50
04/27/2018	Dardarian, Linda	Correspondence to J. Calegari re same	0.40	945.00	378.00
04/28/2018	Dardarian, Linda	Conference w/ A. Lee re high priority curb ramp barriers and survey data	0.40	945.00	378.00
04/30/2018	Lee, Andrew	Analysis of curb ramp survey data with L. Dardarian	0.40	750.00	300.00
05/01/2018	Lee, Andrew	Analysis of curb ramp survey data w/ S. Grimes	0.30	750.00	225.00
05/01/2018	Grimes, Scott	Analyze of curb ramp survey	0.30	325.00	97.50
05/01/2018	Lee, Andrew	Analyze curb ramp survey data and applicable standards for survey analysis	1.60	750.00	1,200.00
05/01/2018	Grimes, Scott	Analyze curb ramp survey data	1.10	325.00	357.50
05/11/2018	Grimes, Scott	Analyze survey of curb ramps	2.10	325.00	682.50
05/22/2018	Dardarian, Linda	Conference w/ A. Lee re negotiations	0.10	945.00	94.50
05/22/2018	Dardarian, Linda	Conference w/ S. Grimes re survey data analysis	0.10	945.00	94.50
05/22/2018	Grimes, Scott	Conference w/ L. Dardarian re curb ramp survey data	0.10	325.00	32.50

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05/22/2018	Grimes, Scott	Analyze curb ramp survey data	2.90	325.00	942.50
05/22/2018	Lee, Andrew	Conference w/ L. Dardarian re negotiations planning	0.10	750.00	75.00
05/23/2018	Lee, Andrew	Prepare for structured negotiations call re curb ramps	1.00	750.00	750.00
05/23/2018	Lee, Andrew	Prepare for structured negotiations call w/ L. Dardarian and T. Fox	0.50	750.00	375.00
05/23/2018	Lee, Andrew	Call w/ City (J. Calegari, R. Scott, K. O'Connor, P. Park, and F. Farshidi) re settlement	0.90	750.00	675.00
05/23/2018	Lee, Andrew	Analysis of extending interim agreement w/ T. Fox and L. Dardarian	0.20	750.00	150.00
05/23/2018	Dardarian, Linda	Prepare for negotiations - review interim agreement, semi-annual report and survey data	0.60	945.00	567.00
05/23/2018	Dardarian, Linda	Conference w/ A. Lee and T. Fox re same	0.50	945.00	472.50
05/23/2018	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, F. Farshidi, Peter Park, R. Scott, T. Fox and A. Lee re survey data analysis, semi-annual report re installations and funding sources, prioritization and extending interim agreement	0.90	945.00	850.50
05/23/2018	Dardarian, Linda	Conference w/ T. Fox and A. Lee re next step in negotiations	0.20	945.00	189.00
05/23/2018	Dardarian, Linda	Conference w/ A. Lee re same and terms of extension	0.20	945.00	189.00
05/23/2018	Grimes, Scott	Analyze curb ramp survey data	4.30	325.00	1,397.50
05/23/2018	Lee, Andrew	Conference w/ L. Dardarian re same	0.20	750.00	150.00
05/25/2018	Lee, Andrew	Review settlement agreement and draft addendum	0.50	750.00	375.00
05/31/2018	Lee, Andrew	Draft first amendment and extension of interim agreement	1.30	750.00	975.00
05/31/2018	Lee, Andrew	Teleconference w/ A. Lashbrook re status of negotiations and curb ramp work	0.10	750.00	75.00
05/31/2018	Dardarian, Linda	Conference w/ A. Lee re extending agreement	0.10	945.00	94.50
05/31/2018	Lee, Andrew	Conference w/ L. Dardarian re settlement implementation	0.10	750.00	75.00
06/01/2018	Dardarian, Linda	Draft memo re negotiations strategy	0.10	945.00	94.50

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06/03/2018	Dardarian, Linda	Review and edit Interim Agreement extension	0.20	945.00	189.00
06/03/2018	Dardarian, Linda	Memo to A. Lee re same	0.10	945.00	94.50
06/04/2018	Lee, Andrew	Revise and edit amendment to interim agreement and draft memo to T. Fox re same	0.50	750.00	375.00
06/05/2018	Lee, Andrew	Finalize amendment to Interim Agreement	0.30	750.00	225.00
06/14/2018	Lee, Andrew	Draft correspondence to J. Calegari re amendment to interim agreement and agenda for next meeting	0.20	750.00	150.00
06/14/2018	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations and agreement addendum	0.10	945.00	94.50
06/14/2018	Lee, Andrew	Conference w/ L. Dardarian re same	0.10	750.00	75.00
06/18/2018	Lee, Andrew	Call w/ J. Calegari, Diane (LNU), Rick Scott, P. Park, and T. Fox re amendment to Interim Agreement, data analysis, and next steps	0.60	750.00	450.00
06/18/2018	Lee, Andrew	Analysis of call w/ City and structured negotiations w/ L. Dardarian	0.30	750.00	225.00
06/18/2018	Dardarian, Linda	Conference w/ A. Lee re future negotiations agreement extension and today's call w/ the City	0.30	945.00	283.50
06/21/2018	Lee, Andrew	Finalize Settlement Agreement amendment; circulate memo re same to City and co-counsel	0.50	750.00	375.00
06/21/2018	Kirkpatrick, Stuart	Correspondence to A. Lashbrook re Amendment to Settlement Agreement	0.10	285.00	28.50
06/26/2018	Dardarian, Linda	Phone call w/ J. Calegari re interim agreement extension	0.10	945.00	94.50
06/26/2018	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
06/26/2018	Dardarian, Linda	Conference w/ A. Lee re negotiations status	0.10	945.00	94.50
06/26/2018	Lee, Andrew	Conference w/ L. Dardarian re negotiations status	0.10	750.00	75.00
08/01/2018	Lee, Andrew	Analysis of curb ramp spreadsheet produced by the City of San Jose	0.70	750.00	525.00
08/03/2018	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.20	945.00	189.00
08/03/2018	Lee, Andrew	Conference w/ L. Dardarian re settlement negotiations	0.20	750.00	150.00

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08/09/2018	Lee, Andrew	Prepare for structured negotiations call w/ City	0.70	750.00	525.00
08/09/2018	Lee, Andrew	Analysis of structured negotiations call and issues for discussion w/ L. Dardarian	0.20	750.00	150.00
08/09/2018	Lee, Andrew	Draft correspondence to J. Calegari re settlement documents in other cases	0.30	750.00	225.00
08/09/2018	Lee, Andrew	Prepare for structured negotiations call w/ T. Fox and L. Dardarian	0.30	750.00	225.00
08/09/2018	Lee, Andrew	Analyze curb ramp spreadsheet	0.40	750.00	300.00
08/09/2018	Lee, Andrew	Structured negotiations call w/ L. Dardarian, T. Fox, J. Calegari, and City representatives (R. Scott, P. Park, etc.)	0.90	750.00	675.00
08/09/2018	Lee, Andrew	Analysis of structured negotiation, settlement process, prioritization, and next steps w/ L. Dardarian	0.30	750.00	225.00
08/09/2018	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations	0.20	945.00	189.00
08/09/2018	Dardarian, Linda	Conference w/ A. Lee and T. Fox re preparation for conference w/ City re survey data and settlement negotiations	0.30	945.00	283.50
08/09/2018	Dardarian, Linda	Conference w/ J. Calegari, T. Fox, A. Lee, K. O'Connor, R. Scott, P. Park and F. Farshidi re curb ramp survey data, prioritize, funding and negotiating full agreement	0.90	945.00	850.50
08/09/2018	Dardarian, Linda	Conference w/ A. Lee re next steps re same	0.30	945.00	283.50
08/09/2018	Dardarian, Linda	Research re CBC curb ramp standards	0.80	945.00	756.00
08/09/2018	Dardarian, Linda	Strategy re settlement	0.30	945.00	283.50
08/13/2018	Lee, Andrew	Research differences between CA and federal curb ramp standards; draft correspondence to J. Calegari re same	1.40	750.00	1,050.00
08/14/2018	Lee, Andrew	Teleconference message for J. Mastin re differences between CBC and ADAAG for curb ramps	0.10	750.00	75.00
08/14/2018	Lee, Andrew	Teleconference w/ J. Mastin re differences between CA and federal curb ramp standards	0.40	750.00	300.00

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08/14/2018	Lee, Andrew	Analysis of differences between CA and federal curb ramp standards w/ L. Dardarian	0.20	750.00	150.00
08/14/2018	Lee, Andrew	Draft correspondence to J. Calegari re differences between Title 24 and ADAAG	1.10	750.00	825.00
08/14/2018	Dardarian, Linda	Conference w/ A. Lee re curb ramps remediation and Title 24 requirements	0.20	945.00	189.00
08/14/2018	Dardarian, Linda	Review and edit correspondence to City re same	0.10	945.00	94.50
08/17/2018	Dardarian, Linda	Conference w/ A. Lee re negotiations status	0.10	945.00	94.50
09/05/2018	Dardarian, Linda	Memo to A. Lee and T. Fox re settlement strategy	0.10	945.00	94.50
09/26/2018	Dardarian, Linda	Review data re non-compliant curb ramps and prepare for negotiation session	0.90	945.00	850.50
09/26/2018	Dardarian, Linda	Review status of Gas Tax repeal movement	0.20	945.00	189.00
09/26/2018	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, R. Scott, F. Farshidi and A. Gutiere re curb ramp data and drafting agreement	0.50	945.00	472.50
09/26/2018	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
09/26/2018	Dardarian, Linda	Conference w/ T. Fox and A. Lee re same	0.20	945.00	189.00
09/26/2018	Dardarian, Linda	Conference w/ S. Grimes re curb ramp data	0.10	945.00	94.50
09/26/2018	Grimes, Scott	Analyze curb ramp data produced by City	1.10	325.00	357.50
09/26/2018	Grimes, Scott	Conference w/ L. Dardarian re same	0.70	325.00	227.50
10/23/2018	Dardarian, Linda	Memo to G. Grimes re drafting complaint for initiating approval process	0.40	945.00	378.00
10/26/2018	Dardarian, Linda	Conference w/ G. Grimes re draft complaint	0.10	945.00	94.50
11/12/2018	Lee, Andrew	Analysis and preparation for structured negotiations call w/ L. Dardarian	0.30	750.00	225.00
11/12/2018	Dardarian, Linda	Conference w/ A. Lee re settlement strategy	0.30	945.00	283.50
11/12/2018	Dardarian, Linda	Review status of negotiations	0.10	945.00	94.50
11/12/2018	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50

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11/13/2018	Lee, Andrew	Analysis of curb ramp survey, interim agreement, and initial demand letter re proposal for remediation	1.00	750.00	750.00
11/13/2018	Lee, Andrew	Structured negotiations call w/ L. Dardarian, T. Fox, J. Calegari, and City representatives (K. O'Connor, R. Scott, P. Park, F. Farshidi, and others)	0.30	750.00	225.00
11/13/2018	Lee, Andrew	Analysis and debrief w/ T. Fox, L. Dardarian re structured negotiations call w/ City and proposal for resolution	0.10	750.00	75.00
11/13/2018	Lee, Andrew	Prepare for structured negotiations call w/ L. Dardarian	0.30	750.00	225.00
11/13/2018	Lee, Andrew	Prepare for structured negotiations call w/ L. Dardarian and T. Fox	0.40	750.00	300.00
11/13/2018	Dardarian, Linda	Prepare for settlement meeting	0.40	945.00	378.00
11/13/2018	Dardarian, Linda	Conference w/ A. Lee re settlement position	0.30	945.00	283.50
11/13/2018	Dardarian, Linda	Conference w/ A. Lee and T. Fox re same	0.40	945.00	378.00
11/13/2018	Dardarian, Linda	Conference w/ A. Lee, T. Fox, J. Calegari, K. O'Connor, F. Farshidi, R. Scott, P. Park, and A. Gutiere re same	0.30	945.00	283.50
11/13/2018	Dardarian, Linda	Follow up strategy w/ A. Lee and T. Fox re same	0.10	945.00	94.50
11/16/2018	Dardarian, Linda	Prepare for call w/ San Jose re curb ramp negotiations	0.10	945.00	94.50
11/16/2018	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, R. Scott, F. Farshidi, T. Fox and A. Lee re same	0.50	945.00	472.50
11/16/2018	Dardarian, Linda	Conference w/ T. Fox and A. Lee re negotiation position	0.40	945.00	378.00
11/16/2018	Dardarian, Linda	Follow up w/ T. Fox and A. Lee re counter proposal	0.20	945.00	189.00
11/16/2018	Dardarian, Linda	Draft correspondence to J. Calegari re counter-proposal on ramps	0.60	945.00	567.00

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11/16/2018	Lee, Andrew	Conference w/ L. Dardarian and T. Fox re preparation for settlement call w/ the City (.4). Conference w/ J. Calegari, three other City representatives, T. Fox and L. Dardarian re settlement negotiation (.5). Follow-up w/ T. Fox and L. Dardarian re counter proposal (.2).	1.10	750.00	825.00
11/27/2018	Dardarian, Linda	Correspondence to J. Calegari re settlement negotiations	0.10	945.00	94.50
11/28/2018	Lee, Andrew	Prepare for structured negotiations call w/ L. Dardarian	0.20	750.00	150.00
11/28/2018	Lee, Andrew	Structured negotiations call w/ J. Calegari, 4 other City representatives, T. Fox, and L. Dardarian	0.60	750.00	450.00
11/28/2018	Dardarian, Linda	Conference w/ A. Lee re counter proposal	0.20	945.00	189.00
11/28/2018	Dardarian, Linda	Conference w/ J. Calegari, K. O'Connor, R. Scott, P. Park, Oksan (LNU), T. Fox and A. Lee re negotiations re curb ramp program	0.60	945.00	567.00
11/28/2018	Dardarian, Linda	Conference w/ A. Lee re next steps	0.20	945.00	189.00
11/28/2018	Dardarian, Linda	Draft correspondence to the City re same	0.60	945.00	567.00
11/28/2018	Lee, Andrew	Follow-up strategy w/ L. Dardarian	0.20	750.00	150.00
11/29/2018	Lee, Andrew	Analysis of missing curb ramps to determine whether the City's missing curb ramp number includes missing directional ramps	1.20	750.00	900.00
11/29/2018	Dardarian, Linda	Revise correspondence to City re negotiation positions	0.20	945.00	189.00
12/10/2018	Dardarian, Linda	Prepare for negotiations w/ City re curb ramp program	0.20	945.00	189.00
12/10/2018	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
12/13/2018	Dardarian, Linda	Draft Second Amendment to Interim Agreement and correspondence to J. Calegari re same	0.30	945.00	283.50
12/18/2018	Dardarian, Linda	Correspondence to J. Calegari re agreement extension	0.10	945.00	94.50
12/20/2018	Kirkpatrick, Stuart	Correspondence to Artie Lashbrook re agreement extension	0.10	285.00	28.50

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01/08/2019	Lee, Andrew	Research and draft settlement agreement	1.10	750.00	825.00
01/09/2019	Dardarian, Linda	Correspondence to J. Calegari re settlement terms	0.10	945.00	94.50
01/09/2019	Dardarian, Linda	Research re same	0.20	945.00	189.00
01/11/2019	Lee, Andrew	Draft Consent Decree	1.80	750.00	1,350.00
01/14/2019	Lee, Andrew	Draft consent decree	5.80	750.00	4,350.00
01/15/2019	Lee, Andrew	Draft and revise consent decree	0.90	750.00	675.00
01/16/2019	Lee, Andrew	Draft consent decree	4.00	750.00	3,000.00
01/16/2019	Dardarian, Linda	Conference w/ A. Lee re additional terms for negotiations	0.20	945.00	189.00
01/16/2019	Lee, Andrew	Conference w/ L. Dardarian re settlement agreement terms	0.20	750.00	150.00
01/17/2019	Lee, Andrew	Draft and revise consent decree	5.10	750.00	3,825.00
01/17/2019	Dardarian, Linda	Conference w/ A. Lee re settlement strategy and meeting w/ City re same	0.20	945.00	189.00
01/17/2019	Lee, Andrew	Conference w/ L. Dardarian re next negotiation session w/ City	0.20	750.00	150.00
01/18/2019	Dardarian, Linda	Review draft settlement agreement	0.20	945.00	189.00
01/28/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding next call	0.20	750.00	150.00
01/30/2019	Dardarian, Linda	Revise draft settlement agreement	0.90	945.00	850.50
02/01/2019	Lee, Andrew	Analysis of draft settlement agreement w/ L. Dardarian	0.90	750.00	675.00
02/01/2019	Lee, Andrew	Revise and edit settlement agreement	1.90	750.00	1,425.00
02/01/2019	Dardarian, Linda	Revise draft agreement	0.50	945.00	472.50
02/01/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.90	945.00	850.50
02/04/2019	Lee, Andrew	Revise and edit Consent Decree	0.80	750.00	600.00
02/05/2019	Lee, Andrew	Revise and edit Consent Decree	1.50	750.00	1,125.00
02/06/2019	Lee, Andrew	Revise and edit Consent Decree per L. Dardarian's comments	2.00	750.00	1,500.00
02/06/2019	Dardarian, Linda	Conference w/ A. Lee re settlement agreement	0.20	945.00	189.00
02/07/2019	Lee, Andrew	Analysis of draft settlement agreement w/ L. Dardarian	0.10	750.00	75.00
02/07/2019	Lee, Andrew	Revise consent decree	0.30	750.00	225.00

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02/07/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding draft settlement agreement	0.20	750.00	150.00
02/07/2019	Dardarian, Linda	Conference w/ A. Lee re settlement agreement	0.10	945.00	94.50
02/19/2019	Lee, Andrew	Prepare for structured negotiations call regarding proposed Consent Decree w/ L. Dardarian	0.60	750.00	450.00
02/19/2019	Lee, Andrew	Call w/ L. Dardarian, J. Calegari and 4 other City representatives regarding proposed Consent Decree	0.30	750.00	225.00
02/19/2019	Lee, Andrew	Analysis of call regarding proposed Consent Decree w/ L. Dardarian	0.20	750.00	150.00
02/19/2019	Lee, Andrew	Draft correspondence to T. Fox regarding summary of structured negotiations call regarding proposed consent decree	0.20	750.00	150.00
02/19/2019	Dardarian, Linda	Review draft decree w/ A. Lee to and prepare for call w/ City re same	0.60	945.00	567.00
02/19/2019	Dardarian, Linda	Conference w/ A. Lee, J. Calegari, K. O'Connor, R. Scott, P. Park and Karen (LNU) re same	0.30	945.00	283.50
02/19/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
02/19/2019	Lee, Andrew	Conference w/ L. Dardarian re Consent Decree	0.20	750.00	150.00
03/01/2019	Dardarian, Linda	Conference w/ G. Grimes re settlement approval documents	0.10	945.00	94.50
03/01/2019	Dardarian, Linda	Correspondence to and from J. Calegari re settlement negotiations	0.10	945.00	94.50
03/13/2019	Lee, Andrew	Analyze City's edits to draft Consent Decree; prepare for upcoming call w/ City	1.00	750.00	750.00
03/13/2019	Dardarian, Linda	Review City's edits to Consent Decree	0.40	945.00	378.00
03/13/2019	Dardarian, Linda	Memo to T. Fox re same	0.10	945.00	94.50
03/14/2019	Lee, Andrew	Analysis of City's edits to Consent Decree w/ T. Fox and L. Dardarian	0.70	750.00	525.00
03/14/2019	Lee, Andrew	Analyze A. Lashbrook's damages claim	2.20	750.00	1,650.00
03/14/2019	Lee, Andrew	Phone call to A. Lashbrook re same	0.10	750.00	75.00

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03/14/2019	Lee, Andrew	Teleconference w/ City team (J. Calegari, R. Scott, P. Park, +2 other City representatives), T. Fox, and L. Dardarian regarding draft Consent Decree	1.20	750.00	900.00
03/14/2019	Lee, Andrew	Analysis and debrief of call w/ City regarding consent decree w/ L. Dardarian	0.20	750.00	150.00
03/14/2019	Lee, Andrew	Analysis of force majeure and contingency plan if funding for curb ramps dries up	0.20	750.00	150.00
03/14/2019	Dardarian, Linda	Review City's revised Consent Decree	0.30	945.00	283.50
03/14/2019	Dardarian, Linda	Conference w/ A. Lee and T. Fox re same	0.70	945.00	661.50
03/14/2019	Dardarian, Linda	Outline argument for meet & confer w/ City re Consent Decree and research damages claims	0.30	945.00	283.50
03/14/2019	Dardarian, Linda	Memo to T. Fox and A. Lee re same	0.10	945.00	94.50
03/14/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
03/14/2019	Dardarian, Linda	Conference w/ J. Calegari, R. Scott, P. Park and 2 other City representatives, T. Fox and A. Lee re curb ramp Consent Decree terms	1.20	945.00	1,134.00
03/14/2019	Dardarian, Linda	Conference w/ A. Lee and T. Fox re same	0.20	945.00	189.00
03/14/2019	Dardarian, Linda	Conference w/ A. Lee re edits to Consent Decree and damages demand	0.20	945.00	189.00
03/14/2019	Lee, Andrew	Prepare w/ L. Dardarian for negotiation session	0.20	750.00	150.00
03/15/2019	Lee, Andrew	Revise Consent Decree per issues and positions in call with City	0.30	750.00	225.00
03/15/2019	Dardarian, Linda	Conference w/ A. Lee re settlement negotiations and draft agreement	0.20	945.00	189.00
03/15/2019	Lee, Andrew	Conference w/ L. Dardarian re same	0.20	750.00	150.00
03/18/2019	Lee, Andrew	Edit Consent Decree to reflect current compromises from parties call on 3/14	2.20	750.00	1,650.00
03/18/2019	Dardarian, Linda	Prepare for damages negotiations	0.50	945.00	472.50

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03/19/2019	Lee, Andrew	Revise Consent Decree to address parties' positions from 3/14 call; draft section to address elimination of funding sources	3.60	750.00	2,700.00
03/20/2019	Dardarian, Linda	Review and edit revised draft Consent Decree	0.10	945.00	94.50
03/20/2019	Dardarian, Linda	Draft third amendment to interim agreement	0.30	945.00	283.50
03/20/2019	Dardarian, Linda	Correspondence to T. Fox re same	0.10	945.00	94.50
03/21/2019	Lee, Andrew	Memo to L. Dardarian re Consent Decree revisions	0.70	750.00	525.00
03/21/2019	Lee, Andrew	Revise and edit Consent Decree; research provision regarding lack of funding and enforcement of Consent Decree	1.20	750.00	900.00
03/21/2019	Dardarian, Linda	Finalize Third Amendment of Interim Agreement	0.20	945.00	189.00
03/21/2019	Dardarian, Linda	Revise draft Consent Decree	1.80	945.00	1,701.00
03/21/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.40	945.00	378.00
03/21/2019	Lee, Andrew	Conference w/ L. Dardarian re same	0.40	750.00	300.00
03/22/2019	Lee, Andrew	Revise Consent Decree	1.20	750.00	900.00
03/22/2019	Dardarian, Linda	Correspondence to T. Fox re interim agreement	0.10	945.00	94.50
03/22/2019	Dardarian, Linda	Correspondence to J. Calegari re same	0.10	945.00	94.50
03/22/2019	Dardarian, Linda	Conference w/ A. Lee re Consent Decree terms	0.30	945.00	283.50
03/22/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
03/22/2019	Lee, Andrew	Conference w/ L. Dardarian re Consent Decree terms	0.30	750.00	225.00
03/25/2019	Lee, Andrew	Revise Consent Decree	1.80	750.00	1,350.00
03/25/2019	Lee, Andrew	Revise and edit Consent Decree draft and correspondence to T. Fox re same.	0.50	750.00	375.00
03/25/2019	Lee, Andrew	Revise Consent Decree and draft correspondence to J. Calegari regarding same	0.40	750.00	300.00
03/25/2019	Dardarian, Linda	Memos to and from T. Fox re Consent Decree terms	0.30	945.00	283.50
03/25/2019	Dardarian, Linda	Review and edit Consent Decree	0.50	945.00	472.50

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04/02/2019	Lee, Andrew	Review Third Amendment and Extension of Interim Agreement; draft follow up correspondence regarding same	0.20	750.00	150.00
04/02/2019	Lee, Andrew	Correspondence to witnesses re San Jose curb ramp program.	0.70	750.00	525.00
04/02/2019	Lee, Andrew	Review materials for drafting complaint and preliminary approval papers in preparation for meeting w/ B. Holtzman re same	0.50	750.00	375.00
04/02/2019	Holtzman, Beth	Confer with A. Lee re: status of San Jose Curb settlement agreement and drafting complaint	0.70	415.00	290.50
04/02/2019	Lee, Andrew	Analysis of draft complaint and preliminary approval papers w/ B. Holtzman	0.70	750.00	525.00
04/02/2019	Holtzman, Beth	Review background materials to prepare to draft complaint	0.60	415.00	249.00
04/03/2019	Holtzman, Beth	Review materials re status of San Jose Curb ramp case to prepare to draft complaint	0.40	415.00	166.00
04/03/2019	Lee, Andrew	Draft correspondence to T. Fox regarding witness communications re curb ramp complaints	0.20	750.00	150.00
04/03/2019	Holtzman, Beth	Draft complaint	3.40	415.00	1,411.00
04/03/2019	Holtzman, Beth	Review ADA Best Practices Toolkit for state and local governments; ADA technical assistance on Title II curb ramps requirements	0.40	415.00	166.00
04/03/2019	Holtzman, Beth	Review demand letter	1.00	415.00	415.00
04/04/2019	Lee, Andrew	Revise correspondence to witnesses re City's curb ramp program	0.20	750.00	150.00
04/04/2019	Holtzman, Beth	Continue to prepare to draft complaint	0.80	415.00	332.00
04/05/2019	Lee, Andrew	Review and revise draft complaint	1.10	750.00	825.00
04/05/2019	Lee, Andrew	Review and edit correspondence to witnesses re curb ramp complaints	0.20	750.00	150.00
04/08/2019	Lee, Andrew	Review and revise draft complaint	2.00	750.00	1,500.00
04/10/2019	Lee, Andrew	Analysis of issues to be addressed in structured negotiations call on 4/11	0.20	750.00	150.00

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04/10/2019	Dardarian, Linda	Conference w/ A. Lee to prepare for settlement negotiations	0.20	945.00	189.00
04/10/2019	Dardarian, Linda	Memo to T. Fox re same	0.20	945.00	189.00
04/11/2019	Lee, Andrew	Phone call to A. Lashbrook re damages claim	0.10	750.00	75.00
04/11/2019	Lee, Andrew	Teleconferences w/ A. Lashbrook regarding damages claims	0.50	750.00	375.00
04/11/2019	Lee, Andrew	Research regarding A. Lashbrook damages claim and draft memo to L. Dardarian re same	0.80	750.00	600.00
04/11/2019	Lee, Andrew	Prepare for call w/ J. Calegari; analyze City's response to draft consent decree	1.20	750.00	900.00
04/11/2019	Lee, Andrew	Analysis of City's comments to consent decree with T. Fox and L. Dardarian	0.40	750.00	300.00
04/11/2019	Lee, Andrew	Conference w/ L. Dardarian, T. Fox, J. Calegari, Laura Wells, Rick Scott, Frank Farshidi, and Oxan (LNU) regarding consent decree	0.90	750.00	675.00
04/11/2019	Lee, Andrew	Analysis and strategy regarding consent decree and negotiation w/ L. Dardarian and T. Fox	0.10	750.00	75.00
04/11/2019	Lee, Andrew	Analysis and strategy regarding consent decree, negotiation, and settlement approval papers w/ L. Dardarian	0.30	750.00	225.00
04/11/2019	Lee, Andrew	Research fee demand issues	0.70	750.00	525.00
04/11/2019	Dardarian, Linda	Prepare for conference w/ City re settlement negotiations	1.00	945.00	945.00
04/11/2019	Dardarian, Linda	Conference w/ A. Lee and T. Fox re same	0.40	945.00	378.00
04/11/2019	Dardarian, Linda	Conference w/ J. Calegari, T. Fox, A. Lee, R. Scott, L. Wells, F. Farshidi re consent Decree terms	0.90	945.00	850.50
04/11/2019	Dardarian, Linda	Conference w/ T. Fox and A. Lee re negotiation strategy	0.10	945.00	94.50
04/11/2019	Dardarian, Linda	Conference w/ A. Lee re same and approval papers	0.30	945.00	283.50
04/15/2019	Lee, Andrew	Draft Correspondence to witnesses re curb ramp compliance in San Jose	0.40	750.00	300.00
04/18/2019	Lee, Andrew	Prepare fee demand correspondence	0.30	750.00	225.00

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04/19/2019	Lee, Andrew	Research and draft correspondence detailing fee demand	3.00	750.00	2,250.00
04/21/2019	Lee, Andrew	Follow-up w/ L. Dardarian, and T. Fox re next steps in negotiations (.2). Discuss same w/ L. Dardarian (.1).	0.30	750.00	225.00
04/22/2019	Holtzman, Beth	Draft complaint for San Jose Curb ramp case	2.00	415.00	830.00
04/22/2019	Lee, Andrew	Research regarding support for damages claim	1.50	750.00	1,125.00
04/23/2019	Lee, Andrew	Research damages claims for A. Lashbrook	6.10	750.00	4,575.00
04/23/2019	Lee, Andrew	Phone call to A. Lashbrook regarding damages demand	0.10	750.00	75.00
04/24/2019	Lee, Andrew	Draft correspondence to City regarding damages and attorneys' fees	2.80	750.00	2,100.00
04/25/2019	Lee, Andrew	Research and draft damages, service award, attorneys' fee and cost demand letter	6.80	750.00	5,100.00
04/29/2019	Lee, Andrew	Analyze City's edits to Consent Decree	0.30	750.00	225.00
04/30/2019	Lee, Andrew	Research and draft attorneys' fees demand correspondence	2.10	750.00	1,575.00
04/30/2019	Lee, Andrew	Revise and edit correspondence to City regarding damages and attorneys' fees demand	0.30	750.00	225.00
05/01/2019	Lee, Andrew	Analysis of City's edits to consent decree regarding elimination of funding sources w/ L. Dardarian	0.10	750.00	75.00
05/01/2019	Lee, Andrew	Revise correspondence to City regarding attorneys' fees and costs	1.70	750.00	1,275.00
05/01/2019	Holtzman, Beth	Draft complaint	0.40	415.00	166.00
05/01/2019	Holtzman, Beth	Review most recent draft of consent decree with City's edits to start drafting preliminary approval papers.	0.50	415.00	207.50
05/01/2019	Dardarian, Linda	Conference w/ B. Holtzman re complaint and preliminary approval papers	0.10	945.00	94.50
05/01/2019	Dardarian, Linda	Conference w/ A. Lee re same and settlement agreement	0.10	945.00	94.50
05/01/2019	Dardarian, Linda	Review City's edits to settlement agreement	0.10	945.00	94.50
05/01/2019	Lee, Andrew	Conference w/ L. Dardarian re same	0.10	750.00	75.00

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05/02/2019	Holtzman, Beth	Review City's edits to Consent Decree draft	0.40	415.00	166.00
05/02/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement and negotiations	0.30	750.00	225.00
05/02/2019	Lee, Andrew	Revise and edit correspondence to City regarding damages, service award, and attorneys' fees/costs	0.20	750.00	150.00
05/02/2019	Holtzman, Beth	Review City's edits to Consent Decree draft	0.50	415.00	207.50
05/02/2019	Holtzman, Beth	Draft complaint	1.10	415.00	456.50
05/02/2019	Dardarian, Linda	Prepare for settlement conference w/ San Jose	0.10	945.00	94.50
05/03/2019	Holtzman, Beth	Draft complaint	2.40	415.00	996.00
05/03/2019	Lee, Andrew	Prepare for structured negotiations call regarding Consent Decree	0.50	750.00	375.00
05/03/2019	Lee, Andrew	Structured negotiations call w/ L. Dardarian, T. Fox, J. Calegari and City staff	0.60	750.00	450.00
05/03/2019	Lee, Andrew	Analysis of consent decree revisions w/ L. Dardarian and T. Fox	0.10	750.00	75.00
05/03/2019	Lee, Andrew	Analysis of damages award to A. Lashbrook	0.10	750.00	75.00
05/03/2019	Lee, Andrew	Conference w/ A. Lashbrook regarding potential settlement	0.20	750.00	150.00
05/03/2019	Lee, Andrew	Research re A. Lashbrook damages claim	0.10	750.00	75.00
05/03/2019	Lee, Andrew	Revise and edit Consent Decree and complaint	1.40	750.00	1,050.00
05/03/2019	Holtzman, Beth	Draft complaint	1.80	415.00	747.00
05/03/2019	Dardarian, Linda	Prepare for conference w/ City re settlement negotiations	0.40	945.00	378.00
05/03/2019	Dardarian, Linda	Conference w/ J. Calegari, P. Park, R. Scott and F. Farshidi re terms of Settlement Agreement	0.60	945.00	567.00
05/03/2019	Dardarian, Linda	Conference w/ A. Lee and T. Fox re next steps	0.10	945.00	94.50
05/06/2019	Lee, Andrew	Revise and edit correspondence to San Jose regarding monetary relief	1.80	750.00	1,350.00
05/06/2019	Holtzman, Beth	Draft complaint	2.90	415.00	1,203.50

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05/06/2019	Dardarian, Linda	Review and edit correspondence to City re plaintiffs' attorneys' fees, costs, damages and service award	1.10	945.00	1,039.50
05/06/2019	Lee, Andrew	Research re A. Lashbrook damages claims	0.40	750.00	300.00
05/07/2019	Lee, Andrew	Teleconference w/ A. Lashbrook re damages claim	0.20	750.00	150.00
05/07/2019	Holtzman, Beth	Draft complaint, review San Jose's semi-annual curb ramp reports from May 2017, November 2017, and April 2018.	1.80	415.00	747.00
05/07/2019	Holtzman, Beth	Edit draft complaint	2.90	415.00	1,203.50
05/08/2019	Lee, Andrew	Revise and edit monetary demand letter.	2.50	750.00	1,875.00
05/08/2019	Dardarian, Linda	Conference w/ A. Lee re damages and draft complaint	0.10	945.00	94.50
05/08/2019	Lee, Andrew	Conference w/ L. Dardarian re same	0.10	750.00	75.00
05/13/2019	Dardarian, Linda	Review and respond to correspondence from J. Calegari re Decree Section 27 (a)	0.10	945.00	94.50
05/13/2019	Dardarian, Linda	Memos to and from T. Fox re same	0.10	945.00	94.50
05/14/2019	Lee, Andrew	Revise and edit Consent Decree to reflect changes agreed to on last call w/City	1.40	750.00	1,050.00
05/14/2019	Dardarian, Linda	Conference w/ A. Lee re fees and damages negotiations and revisions to Consent Decree	0.30	945.00	283.50
05/14/2019	Dardarian, Linda	Review and edit Consent Decree	0.40	945.00	378.00
05/14/2019	Lee, Andrew	Strategy w/ L. Dardarian re monetary relief negotiations and revisions to consent decree	0.30	750.00	225.00
05/15/2019	Lee, Andrew	Revise and edit correspondence to City regarding damages and attorneys' fees	1.60	750.00	1,200.00
05/15/2019	Lee, Andrew	Revise and edit Consent Decree	0.50	750.00	375.00
05/15/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding updated version of Consent Decree	0.20	750.00	150.00
05/15/2019	Dardarian, Linda	Review and edit Consent Decree	0.50	945.00	472.50

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05/15/2019	Dardarian, Linda	Review and edit correspondence to City re plaintiffs' damages and fees demands	1.20	945.00	1,134.00
05/16/2019	Lee, Andrew	Teleconference w/ L. Dardarian, T. Fox, J. Calegari, and R. Scott regarding Consent Decree	0.50	750.00	375.00
05/16/2019	Lee, Andrew	Analysis of section 27 of Consent Decree w/ L. Dardarian and T. Fox	0.30	750.00	225.00
05/16/2019	Lee, Andrew	Analysis of section 27 of Consent Decree w/ L. Dardarian and B. Holtzman	0.20	750.00	150.00
05/16/2019	Holtzman, Beth	Confer with L. Dardarian and A. Lee re finalizing language in Consent Decree	0.20	415.00	83.00
05/16/2019	Dardarian, Linda	Prepare for settlement call w/ the city	0.20	945.00	189.00
05/16/2019	Dardarian, Linda	Conference w/ J. Calegari, R. Scott, T. Fox and A. Lee re Consent Decree terms	0.50	945.00	472.50
05/16/2019	Dardarian, Linda	Conference w/ T. Fox and A. Lee re same	0.30	945.00	283.50
05/16/2019	Dardarian, Linda	Conference w/ A. Lee and B. Holtzman re final edits to Consent Decree and approval papers	0.20	945.00	189.00
05/17/2019	Lee, Andrew	Revise and edit Consent Decree	0.80	750.00	600.00
05/17/2019	Lee, Andrew	Analysis of same w/ L. Dardarian	0.20	750.00	150.00
05/17/2019	Lee, Andrew	Revise and edit complaint	2.60	750.00	1,950.00
05/17/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding damages negotiations	0.20	750.00	150.00
05/17/2019	Lee, Andrew	Draft correspondence to T. Fox regarding Consent Decree terms	0.20	750.00	150.00
05/17/2019	Holtzman, Beth	Confer with A. Lee re draft complaint	0.20	415.00	83.00
05/17/2019	Dardarian, Linda	Settlement strategy	0.10	945.00	94.50
05/17/2019	Dardarian, Linda	Conference w/ A. Lee re same and final edits to consent decree	0.20	945.00	189.00
05/17/2019	Dardarian, Linda	Review and edit same	0.10	945.00	94.50
05/22/2019	Lee, Andrew	Revise and edit correspondence to City regarding damages and attorneys' fees	3.90	750.00	2,925.00

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05/22/2019	Lee, Andrew	Phone call to J. Mastin regarding settlement negotiations	0.10	750.00	75.00
05/22/2019	Lee, Andrew	Analysis of attorneys' fees demand w/ L. Dardarian	0.70	750.00	525.00
05/22/2019	Dardarian, Linda	Strategy w/ A. Lee re monetary relief demand letter	0.70	945.00	661.50
05/22/2019	Dardarian, Linda	Review and edit same	0.50	945.00	472.50
05/23/2019	Holtzman, Beth	Draft complaint	2.80	415.00	1,162.00
05/28/2019	Lee, Andrew	Revise and edit fee demand letter and Consent Decree	1.20	750.00	900.00
05/28/2019	Lee, Andrew	Analysis of Consent Decree and fee demand letter w/ L. Dardarian	0.20	750.00	150.00
05/28/2019	Lee, Andrew	Revise and edit correspondence to City regarding monetary relief and Consent Decree	0.70	750.00	525.00
05/28/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding fee demand and updated version of Consent Decree	0.30	750.00	225.00
05/28/2019	Dardarian, Linda	Conference w/ A. Lee re monetary relief demand, final changes to Consent Decree and draft complaint	0.20	945.00	189.00
05/28/2019	Dardarian, Linda	Review and edit consent decree and fee letter	0.40	945.00	378.00
05/29/2019	Holtzman, Beth	Draft complaint	1.80	415.00	747.00
05/31/2019	Holtzman, Beth	Draft complaint	1.00	415.00	415.00
06/11/2019	Lee, Andrew	Revise and edit complaint	1.30	750.00	975.00
06/12/2019	Lee, Andrew	Revise and edit complaint	1.20	750.00	900.00
06/13/2019	Lee, Andrew	Draft, research and edit complaint	5.90	750.00	4,425.00
06/14/2019	Lee, Andrew	Edit and draft complaint	1.70	750.00	1,275.00
06/21/2019	Dardarian, Linda	Review first half of 2019 semi-annual report	0.10	945.00	94.50
06/26/2019	Lee, Andrew	Conference w/ L. Dardarian re negotiations status	0.10	750.00	75.00
06/28/2019	Dardarian, Linda	Memo to A. Lee re negotiations strategy	0.20	945.00	189.00
07/01/2019	Lee, Andrew	Strategy and analysis regarding motion for preliminary approval	0.40	750.00	300.00
07/01/2019	Holtzman, Beth	Confer with A. Lee re drafting preliminary approval papers	0.20	415.00	83.00

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07/01/2019	Lee, Andrew	Analysis of preliminary approval motion w/ B. Holtzman	0.20	750.00	150.00
07/01/2019	Holtzman, Beth	Research re preliminary approval papers	0.70	415.00	290.50
07/03/2019	Holtzman, Beth	Prepare outline of preliminary approval motion	1.10	415.00	456.50
07/08/2019	Holtzman, Beth	Prepare outline of motion for preliminary approval	0.90	415.00	373.50
07/09/2019	Lee, Andrew	Analyze outline for motion for preliminary approval of settlement	0.50	750.00	375.00
07/11/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding update on settlement and status of case	0.10	750.00	75.00
07/11/2019	Lee, Andrew	Review and edit outline for preliminary approval motion	0.80	750.00	600.00
07/11/2019	Lee, Andrew	Revise draft complaint	0.20	750.00	150.00
07/12/2019	Lee, Andrew	Revise and edit San Jose complaint	2.60	750.00	1,950.00
07/12/2019	Holtzman, Beth	Begin drafting motion for preliminary approval	0.30	415.00	124.50
07/12/2019	Lee, Andrew	Prepare for call w/ City of San Jose; develop list of issues for discussion	1.00	750.00	750.00
07/12/2019	Lee, Andrew	Teleconference w/ T. Fox and L. Dardarian in preparation for call w/ City; identify issues for discussion	0.20	750.00	150.00
07/12/2019	Lee, Andrew	Analysis of fee issues w/ L. Dardarian	0.10	750.00	75.00
07/12/2019	Lee, Andrew	Structured negotiations call w/ L. Dardarian, T. Fox, J. Calegari, and City folks	0.80	750.00	600.00
07/12/2019	Lee, Andrew	Analysis of information to provide to City and next steps in negotiations w/ L. Dardarian and B. Holtzman	0.30	750.00	225.00
07/12/2019	Holtzman, Beth	Confer with L. Dardarian and A. Lee re plaintiff's damages and attorneys' fee	0.30	415.00	124.50

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07/12/2019	Dardarian, Linda	Preparation for negotiations-- review fee and damages demand and current draft of Consent Decree (0.7). Conference with A. Lee and T. Fox re same (0.2). Negotiation session with A. Lee, T. Fox, J. Calegari, L. Wells, F. Faschidi, Octavia Duran and R. Scott (0.8). Follow up with T. Fox and A. Lee regarding same (0.1). Strategy regarding damages analysis with A. Lee and B. Holtzman (0.3).	2.20	945.00	2,079.00
07/16/2019	Holtzman, Beth	Phone call to A. Lashbrook re damages claim	0.30	415.00	124.50
07/16/2019	Holtzman, Beth	Memo to A. Lee re same	0.30	415.00	124.50
07/16/2019	Holtzman, Beth	Follow up email with A. Lashbrook re same	0.20	415.00	83.00
07/17/2019	Lee, Andrew	Phone call to A. Lashbrook regarding curb ramp encounters	0.10	750.00	75.00
07/17/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding damages demand	0.30	750.00	225.00
07/18/2019	Lee, Andrew	Teleconference w/ B. Holtzman and A. Lashbrook regarding damages demand	0.70	750.00	525.00
07/18/2019	Holtzman, Beth	Call with A. Lee and A. Lashbrook re damages calculations	0.70	415.00	290.50
07/18/2019	Holtzman, Beth	Confer with A. Lee re damages calculations for A. Lashbrook	0.20	415.00	83.00
07/18/2019	Lee, Andrew	Analysis of A. Lashbrook curb ramp experiences w/ B. Holtzman	0.30	750.00	225.00
07/18/2019	Holtzman, Beth	Memo to A. Lee and L. Dardarian re A. Lashbrook damages claim	0.50	415.00	207.50
07/18/2019	Dardarian, Linda	Prepare materials regarding attorneys' fees fee demand (1.6); Conference with A. Lee regarding damages support (0.2)	1.80	945.00	1,701.00
07/18/2019	Lee, Andrew	Conference w/ L. Dardarian re same	0.20	750.00	150.00
07/19/2019	Lee, Andrew	Draft correspondence to City regarding Lashbrook damages	5.50	750.00	4,125.00
07/19/2019	Kirkpatrick, Stuart	Memo to L. Dardarian re damages claims	0.20	285.00	57.00

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07/19/2019	Dardarian, Linda	Prepare revised demand for fees and damages, review materials and research re same	4.50	945.00	4,252.50
07/22/2019	Lee, Andrew	Draft correspondence regarding A. Lashbrook damages calculations	3.10	750.00	2,325.00
07/22/2019	Lee, Andrew	Finalize correspondence regarding Plaintiff's damages demand	0.70	750.00	525.00
07/22/2019	Lee, Andrew	Research for preliminary approval briefing	0.20	750.00	150.00
07/22/2019	Dardarian, Linda	Strategy and research re materials for fee demand	0.50	945.00	472.50
07/22/2019	Dardarian, Linda	Review and edit correspondence to San Jose re Plaintiff's damages claim	0.70	945.00	661.50
07/24/2019	Lee, Andrew	Research regarding attorneys' fees claim	1.30	750.00	975.00
07/24/2019	Lee, Andrew	Draft correspondence regarding costs and monitoring fees	1.70	750.00	1,275.00
07/24/2019	Lee, Andrew	Analysis of monitoring fees cap w/ L. Dardarian	0.20	750.00	150.00
07/24/2019	Dardarian, Linda	Prepare further information re fee demand and draft correspondence to J. Calegari re same	3.30	945.00	3,118.50
07/24/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
07/25/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of negotiations	0.20	750.00	150.00
07/25/2019	Dardarian, Linda	Finalize correspondence to San Jose re fee demand	0.10	945.00	94.50
07/26/2019	Lee, Andrew	Prepare for call w/ J. Calegari regarding attorneys' fees and damages	0.20	750.00	150.00
07/26/2019	Lee, Andrew	Call w/ J. Calegari, L. Dardarian, and T. Fox regarding attorneys' fees, damages, and monitoring fees	0.20	750.00	150.00
07/26/2019	Lee, Andrew	Analysis of monitoring cap w/ L. Dardarian and T. Fox	0.10	750.00	75.00
07/26/2019	Lee, Andrew	Analysis of monitoring cap w/ L. Dardarian	0.10	750.00	75.00
07/26/2019	Lee, Andrew	Review and analyze materials and strategize re attorneys' fees claims for case in chief and implementation of settlement	2.70	750.00	2,025.00

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07/26/2019	Dardarian, Linda	Conference w/ J. Calegari, T. Fox and A. Lee re fee and damages demands	0.20	945.00	189.00
07/26/2019	Dardarian, Linda	Follow up w/ A. Lee and T. Fox re same	0.10	945.00	94.50
07/26/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
07/29/2019	Holtzman, Beth	Draft motion for preliminary approval	1.40	415.00	581.00
07/29/2019	Lee, Andrew	Revise and analyze correspondence to J. Calegari regarding monitoring tasks	0.30	750.00	225.00
07/29/2019	Dardarian, Linda	Edit memo to J. Calegari re monitoring fees	0.50	945.00	472.50
07/30/2019	Holtzman, Beth	Draft motion for preliminary approval of consent decree	2.00	415.00	830.00
08/02/2019	Dardarian, Linda	Review and edit draft complaint	1.60	945.00	1,512.00
08/05/2019	Holtzman, Beth	Confer with A. Lee re final edits to complaint	0.10	415.00	41.50
08/05/2019	Holtzman, Beth	Edit complaint (add additional facts, injunctive relief claim)	1.20	415.00	498.00
08/05/2019	Holtzman, Beth	Draft motion for preliminary approval	1.50	415.00	622.50
08/06/2019	Lee, Andrew	Revise and edit complaint	1.30	750.00	975.00
08/06/2019	Lee, Andrew	Revise complaint and draft correspondence to T. Fox re same	0.40	750.00	300.00
08/06/2019	Dardarian, Linda	Review further revised draft complaint	0.10	945.00	94.50
08/07/2019	Holtzman, Beth	Draft motion for preliminary approval	0.70	415.00	290.50
08/07/2019	Holtzman, Beth	Final edits to complaint and send to co-counsel (Tim Fox) and San Jose	0.30	415.00	124.50
08/07/2019	Dardarian, Linda	Memo to B. Holtzman re finalizing complaint and memo to J. Calegari re same	0.20	945.00	189.00
08/08/2019	Holtzman, Beth	Draft motion for preliminary approval of consent decree	0.70	415.00	290.50
08/08/2019	Dardarian, Linda	Correspondence to and from J. Calegari re monetary relief negotiations	0.10	945.00	94.50
08/09/2019	Holtzman, Beth	Draft motion for preliminary approval	0.90	415.00	373.50
08/12/2019	Dardarian, Linda	Memo to A. Lee re curb ramp slope measurement techniques	0.10	945.00	94.50
08/13/2019	Lee, Andrew	Analyze transition plan and survey documents regarding City's measurements techniques	0.60	750.00	450.00

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08/13/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding use assessing curb ramp slopes	0.50	750.00	375.00
08/14/2019	Lee, Andrew	Analysis of attorneys' fee negotiations and survey methodology w/ L. Dardarian	0.40	750.00	300.00
08/14/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding attorneys' fees and approved rates	0.30	750.00	225.00
08/14/2019	Dardarian, Linda	Conference w/ A. Lee re response to J. Calegari request for additional fee information	0.20	945.00	189.00
08/14/2019	Dardarian, Linda	Further negotiations issues for injunctive relief negotiations and strategy re same	0.20	945.00	189.00
08/14/2019	Dardarian, Linda	Prepare for settlement meeting w/ the City	0.70	945.00	661.50
08/14/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.40	945.00	378.00
08/21/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding case status and settlement negotiations	0.10	750.00	75.00
08/28/2019	Lee, Andrew	Prepare for structured negotiations call regarding monetary issues	0.40	750.00	300.00
08/28/2019	Lee, Andrew	Teleconference w/ J. Calegari, R. Scott, and Laura (City folks) and L. Dardarian regarding monetary issues	0.50	750.00	375.00
08/28/2019	Holtzman, Beth	Confer with L. Dardarian and A. Lee re addressing City's position on attorneys fees and counter-offer for plaintiff damages	0.30	415.00	124.50
08/28/2019	Lee, Andrew	Strategy and analysis regarding follow up to structured negotiations call	0.30	750.00	225.00
08/28/2019	Dardarian, Linda	Prepare for monetary relief negotiations	0.50	945.00	472.50
08/28/2019	Dardarian, Linda	Conference w/ J. Calegari, R. Scott, Laura (LNU) and A. Lee re monetary relief negotiations	0.50	945.00	472.50
08/28/2019	Dardarian, Linda	Conference w/ B. Holtzman and A. Lee re strategy re counter proposals to City's offer	0.30	945.00	283.50
08/28/2019	Dardarian, Linda	Memo to T. Fox re same	0.50	945.00	472.50
08/29/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding update	0.30	750.00	225.00
08/29/2019	Holtzman, Beth	Draft preliminary approval brief	0.20	415.00	83.00

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08/30/2019	Lee, Andrew	Research evidence to support plaintiff's attorneys' fees demand and counter City's position re same	4.10	750.00	3,075.00
08/30/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding settlement, plaintiff damages, and attorneys' fees	0.80	750.00	600.00
08/30/2019	Holtzman, Beth	Review draft email re follow up from call and additional information re attorneys fees negotiations	0.20	415.00	83.00
08/30/2019	Dardarian, Linda	Strategy w/ A. Lee re fee negotiations and support thereof	0.30	945.00	283.50
08/30/2019	Dardarian, Linda	Research re same	0.10	945.00	94.50
08/30/2019	Dardarian, Linda	Review and edit correspondence to J. Calegari re same	0.10	945.00	94.50
08/30/2019	Lee, Andrew	Strategy w/ L. Dardarian re attorneys' fees negotiations	0.30	750.00	225.00
09/03/2019	Lee, Andrew	Revise and finalize correspondence to City memorializing 8/28 call regarding monetary relief issues	0.20	750.00	150.00
09/05/2019	Holtzman, Beth	Draft motion for preliminary approval	1.10	415.00	456.50
09/10/2019	Holtzman, Beth	Draft motion for preliminary approval	2.90	415.00	1,203.50
09/10/2019	Holtzman, Beth	Draft motion for preliminary approval	0.90	415.00	373.50
09/11/2019	Lee, Andrew	Prepare for call w/ City of San Jose regarding attorneys' fees	0.80	750.00	600.00
09/11/2019	Lee, Andrew	Teleconference w/ J. Calegari and T. Fox regarding attorneys' fees and plaintiff damages	0.40	750.00	300.00
09/11/2019	Lee, Andrew	Analysis of settlement call w/ T. Fox	0.10	750.00	75.00
09/11/2019	Lee, Andrew	Draft memo to L. Dardarian regarding call w/ J. Calegari and T. Fox regarding damages and attorneys' fees	0.60	750.00	450.00
09/11/2019	Lee, Andrew	Analysis of settlement and fee negotiation w/ L. Dardarian	0.10	750.00	75.00
09/12/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement	0.10	750.00	75.00
09/16/2019	Holtzman, Beth	Review materials to prepare draft declarations in support of motion for preliminary approval	0.20	415.00	83.00

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09/17/2019	Holtzman, Beth	Draft proposed order granting motion for preliminary approval of settlement	0.30	415.00	124.50
09/17/2019	Holtzman, Beth	Draft attorney declaration in support of motion for preliminary approval	0.70	415.00	290.50
09/17/2019	Holtzman, Beth	Review draft notice	0.20	415.00	83.00
09/18/2019	Holtzman, Beth	Draft attorney declaration in support of motion for preliminary approval of settlement	0.50	415.00	207.50
09/20/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement	0.20	750.00	150.00
09/24/2019	Lee, Andrew	Exchange memos w/ L. Dardarian and T. Fox re fee negotiations w/ the City	0.20	750.00	150.00
09/24/2019	Lee, Andrew	Analysis of response to City's request for additional information for fee negotiations	0.20	750.00	150.00
09/24/2019	Lee, Andrew	Research and draft correspondence to J. Calegari regarding hourly rates information	0.50	750.00	375.00
09/24/2019	Dardarian, Linda	Conference w/ A. Lee re fee negotiation strategy	0.20	945.00	189.00
10/09/2019	Dardarian, Linda	Review materials for fee negotiations	0.90	945.00	850.50
10/09/2019	Dardarian, Linda	Phone call to J. Calegari re same	0.10	945.00	94.50
10/09/2019	Dardarian, Linda	Memo to J. Calegari re same	0.10	945.00	94.50
10/10/2019	Lee, Andrew	Analysis of response to J. Calegari regarding call and request for information regarding attorneys' fees	0.20	750.00	150.00
10/10/2019	Dardarian, Linda	Draft correspondence to J. Calegari re fee and damages negotiations	0.30	945.00	283.50
10/10/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
10/11/2019	Lee, Andrew	Analyze and revise preliminary approval motion.	3.80	750.00	2,850.00
10/11/2019	Dardarian, Linda	Memos to and from J. Calegari re fee and damages negotiations	0.10	945.00	94.50
10/11/2019	Dardarian, Linda	Conference w/ J. Calegari re fee and damages negotiations	0.10	945.00	94.50
10/11/2019	Dardarian, Linda	Memo to T. Fox and A. Lee re same and strategy for further negotiations	0.30	945.00	283.50

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10/15/2019	Holtzman, Beth	Draft and revise motion for preliminary approval of consent decree	1.40	415.00	581.00
10/17/2019	Holtzman, Beth	Draft motion for preliminary approval	2.30	415.00	954.50
10/17/2019	Holtzman, Beth	Research and draft motion for preliminary approval	2.90	415.00	1,203.50
10/17/2019	Dardarian, Linda	Strategy re negotiations re and fees	0.20	945.00	189.00
10/18/2019	Lee, Andrew	Teleconference w/ J. Calegari regarding plaintiff damages and attorneys' fees	0.40	750.00	300.00
10/18/2019	Lee, Andrew	Strategy and analysis of settlement positions regarding damages and attorneys' fees w/ L. Dardarian and T. Fox	0.40	750.00	300.00
10/18/2019	Holtzman, Beth	Draft motion for preliminary approval	2.60	415.00	1,079.00
10/18/2019	Holtzman, Beth	Confer with A. Lee re drafting motion for preliminary approval of consent decree	0.20	415.00	83.00
10/18/2019	Lee, Andrew	Analysis of preliminary approval motion w/ B. Holtzman	0.20	750.00	150.00
10/18/2019	Holtzman, Beth	Review city's responses to requests for information regarding the City's installation and maintenance of curb ramps	0.20	415.00	83.00
10/18/2019	Lee, Andrew	Teleconference w/ L. Dardarian and J. Calegari regarding plaintiff damages negotiation	0.20	750.00	150.00
10/18/2019	Lee, Andrew	Strategy and analysis regarding attorneys' fee negotiations w/ L. Dardarian	0.40	750.00	300.00
10/18/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding monitoring fees	0.60	750.00	450.00
10/18/2019	Dardarian, Linda	Prepare for conference w/ J. Calegari re fees and damages	0.30	945.00	283.50
10/18/2019	Dardarian, Linda	Conference w/ J. Calegari, A. Lee and T. Fox re same	0.40	945.00	378.00
10/18/2019	Dardarian, Linda	Follow up strategy re T. Fox and A. Lee re same	0.40	945.00	378.00
10/18/2019	Dardarian, Linda	Further research and strategy for counter proposals re same	1.10	945.00	1,039.50
10/18/2019	Dardarian, Linda	Research, strategy and memos to T. Fox and A. Lee re fee negotiations	0.60	945.00	567.00

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10/18/2019	Dardarian, Linda	Second conference w/ J. Calegari and A. Lee re damages and fees	0.20	945.00	189.00
10/18/2019	Dardarian, Linda	Strategy w/ A. Lee re same	0.40	945.00	378.00
10/21/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement and disclosure of damages settlement	0.30	750.00	225.00
10/21/2019	Holtzman, Beth	Draft motion for preliminary approval	0.80	415.00	332.00
10/22/2019	Holtzman, Beth	Draft motion for preliminary approval	3.30	415.00	1,369.50
10/22/2019	Dardarian, Linda	Correspondence to J. Calegari re plaintiff damages	0.10	945.00	94.50
10/29/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding fees	0.20	750.00	150.00
10/29/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding settlement of damages claims	0.20	750.00	150.00
11/06/2019	Dardarian, Linda	Correspondence to J. Calegari re finalizing settlement negotiations and consent decree	0.10	945.00	94.50
11/07/2019	Lee, Andrew	Revise and edit consent decree	0.50	750.00	375.00
11/08/2019	Lee, Andrew	Revise and edit consent decree to reflect recent negotiations	1.40	750.00	1,050.00
11/08/2019	Lee, Andrew	Analyze and edit motion for preliminary approval	2.10	750.00	1,575.00
11/11/2019	Dardarian, Linda	Memo to T. Fox re consent decree and fee negotiations	0.10	945.00	94.50
11/12/2019	Lee, Andrew	Analyze consent decree and correspondence regarding monitoring fee cap	0.40	750.00	300.00
11/12/2019	Lee, Andrew	Exchange memos w/ L. Dardarian and T. Fox regarding monitoring fees cap	0.30	750.00	225.00
11/12/2019	Lee, Andrew	Revise and edit consent decree	1.70	750.00	1,275.00
11/14/2019	Dardarian, Linda	Phone call to J. Calegari re finalizing consent decree	0.10	945.00	94.50
11/18/2019	Dardarian, Linda	Conference w/ J. Calegari re status of negotiations and finalizing decree	0.10	945.00	94.50
11/18/2019	Dardarian, Linda	Memo to T. Fox and A. Lee re same	0.10	945.00	94.50
11/18/2019	Dardarian, Linda	Conference w/ A. Lee re preliminary approval motion	0.10	945.00	94.50
11/19/2019	Lee, Andrew	Analyze case history and revise motion for preliminary approval of settlement	3.90	750.00	2,925.00

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11/22/2019	Lee, Andrew	Teleconference w/ J. Calegari, L. Dardarian and T. Fox regarding consent decree and monitoring fees	0.50	750.00	375.00
11/22/2019	Lee, Andrew	Analysis of monitoring fees provision in consent decree w/ T. Fox and L. Dardarian	0.40	750.00	300.00
11/22/2019	Lee, Andrew	Analysis of monitoring fees provision in consent decree w/ L. Dardarian	0.20	750.00	150.00
11/22/2019	Dardarian, Linda	Conference w/ J. Calegari, A. Lee and T. Fox re consent decree finalization and fee negotiations	0.50	945.00	472.50
11/22/2019	Dardarian, Linda	Follow up strategy re fee negotiations w/ T. Fox and A. Lee	0.40	945.00	378.00
11/22/2019	Dardarian, Linda	Conference w/ A. Lee re same	0.20	945.00	189.00
11/26/2019	Lee, Andrew	Revise consent decree per recent negotiations w/ the City	0.90	750.00	675.00
11/26/2019	Dardarian, Linda	Conference w/ A. Lee re fee motion strategy and research	0.10	945.00	94.50
11/27/2019	Lee, Andrew	Edit consent decree per recent negotiations	0.90	750.00	675.00
12/03/2019	Lee, Andrew	Draft correspondence to J. Calegari regarding monitoring fees	0.80	750.00	600.00
12/03/2019	Dardarian, Linda	Memo to and from T. Fox re monitoring fee proposal	0.10	945.00	94.50
12/05/2019	Dardarian, Linda	Conference w/ J. Calegari re fee negotiations and finalizing decree	0.20	945.00	189.00
12/05/2019	Dardarian, Linda	Memo to T. Fox and A. Lee re same	0.10	945.00	94.50
12/09/2019	Lee, Andrew	Analysis of settlement discussions w/ L. Dardarian regarding monitoring fees	0.10	750.00	75.00
12/09/2019	Lee, Andrew	Analyze correspondence from L. Dardarian regarding call w/ J. Calegari regarding monitoring fees and scheduling of next call	0.20	750.00	150.00
12/09/2019	Lee, Andrew	Teleconference w/ A. Lashbrook regarding update on status of settlement	0.10	750.00	75.00
12/09/2019	Lee, Andrew	Analyze history of negotiations; draft background section of motion for preliminary approval of settlement	2.30	750.00	1,725.00

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12/09/2019	Dardarian, Linda	Conference w/ A. Lee re settlement status and open issues	0.10	945.00	94.50
12/10/2019	Lee, Andrew	Revise and draft motion for preliminary approval, declarations and orders in support	5.90	750.00	4,425.00
12/12/2019	Lee, Andrew	Draft and revise motion for preliminary approval of settlement	4.20	750.00	3,150.00
12/16/2019	Lee, Andrew	Draft and revise motion for preliminary approval of settlement	0.60	750.00	450.00
12/17/2019	Lee, Andrew	Revise and draft motion for preliminary approval of settlement and related pleadings	1.50	750.00	1,125.00
12/17/2019	Dardarian, Linda	Conference w/ A. Lee re fee motion	0.10	945.00	94.50
12/18/2019	Dardarian, Linda	Correspondence to and from J. Calegari re final terms of agreement	0.10	945.00	94.50
12/20/2019	Lee, Andrew	Draft and revise motion for preliminary approval	1.50	750.00	1,125.00
12/23/2019	Lee, Andrew	Draft motion for preliminary approval of settlement and supporting declarations and orders	6.10	750.00	4,575.00
12/23/2019	Dardarian, Linda	Legal research re local fee rates and compensable time for fee petition	0.20	945.00	189.00
12/23/2019	Dardarian, Linda	Conference w/ A. Lee re preliminary approval motion	0.20	945.00	189.00
01/02/2020	Holtzman, Beth	Draft class notice	0.50	415.00	207.50
01/02/2020	Lee, Andrew	Research for revisions to motion for preliminary approval	1.30	750.00	975.00
01/03/2020	Lee, Andrew	Review and edit draft motion for preliminary approval	4.90	750.00	3,675.00
01/03/2020	Lee, Andrew	Analysis of preliminary approval standard w/ L. Dardarian	0.20	750.00	150.00
01/06/2020	Lee, Andrew	Draft motion for preliminary approval	3.80	750.00	2,850.00
01/07/2020	Lee, Andrew	Revise and edit motion for preliminary approval	3.90	750.00	2,925.00
01/07/2020	Dardarian, Linda	Conference w/ A. Lee re preliminary approval briefing	0.10	945.00	94.50
01/07/2020	Dardarian, Linda	Memo to co-counsel re same	0.20	945.00	189.00
01/08/2020	Lee, Andrew	Draft and revise preliminary approval motion	0.50	750.00	375.00

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01/09/2020	Lee, Andrew	Revise and edit motion for preliminary approval and supporting documents	5.20	750.00	3,900.00
01/09/2020	Lee, Andrew	Teleconference w/ J. Calegari, L. Dardarian, and T. Fox re finalizing settlement	0.30	750.00	225.00
01/09/2020	Lee, Andrew	Analysis of next steps for preliminary approval of settlement w/ L. Dardarian	0.10	750.00	75.00
01/09/2020	Holtzman, Beth	Confer with A. Lee re drafting named plaintiff's declaration in support of motion for preliminary approval	0.20	415.00	83.00
01/09/2020	Lee, Andrew	Analysis of Lashbrook declaration in support of preliminary approval motion and service award motion w/ B. Holtzman	0.20	750.00	150.00
01/09/2020	Dardarian, Linda	Conference w/ A. Lee, J. Calegari, T. Fox re finalizing consent decree and submitting it for approval	0.30	945.00	283.50
01/09/2020	Dardarian, Linda	Conference w/ A. Lee re same	0.10	945.00	94.50
01/10/2020	Lee, Andrew	Research and draft motion for preliminary approval of settlement and fee petition	2.00	750.00	1,500.00
01/10/2020	Dardarian, Linda	Legal research for fee petition	0.50	945.00	472.50
01/16/2020	Lee, Andrew	Revise and edit consent decree; draft declaration in support of preliminary approval	2.50	750.00	1,875.00
01/16/2020	Lee, Andrew	Revise motion for preliminary approval of settlement and declarations	1.20	750.00	900.00
01/16/2020	Dardarian, Linda	Conference w/ A. Lee re final revisions to consent decree	0.10	945.00	94.50
01/17/2020	Dardarian, Linda	Memo to A. Lee re final edits to consent decree	0.20	945.00	189.00
01/21/2020	Lee, Andrew	Revise consent decree regarding attorneys' fees and monitoring provisions and draft correspondence to J. Calegari re same	0.50	750.00	375.00
01/21/2020	Holtzman, Beth	Draft declaration of named plaintiff (Artie Lashbrook) in support of preliminary approval	1.40	415.00	581.00
01/22/2020	Lee, Andrew	Revise motion for preliminary approval and supporting documents	1.70	750.00	1,275.00
01/22/2020	Lee, Andrew	Teleconference w/ J. Calegari regarding final results of survey and exhibits to consent decree	0.30	750.00	225.00

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01/22/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook) in support of preliminary approval motion	0.20	415.00	83.00
01/23/2020	Lee, Andrew	Revise and edit notice of motion for preliminary approval of consent decree	0.60	750.00	450.00
01/23/2020	Holtzman, Beth	Draft named plaintiff (Artie Lashbrook) declaration in support of preliminary approval	1.60	415.00	664.00
01/23/2020	Dardarian, Linda	Review and edit motion for preliminary approval	1.50	945.00	1,417.50
01/28/2020	Holtzman, Beth	Call with named plaintiff (Artie Lashbrook) re declaration	0.10	415.00	41.50
01/28/2020	Holtzman, Beth	Correspondence with A. Lee re following up with named plaintiff (Artie Lashbrook) re declaration in support of preliminary approval	0.20	415.00	83.00
01/28/2020	Lee, Andrew	Analyze and edit declaration of A. Lashbrook in support of preliminary approval	0.30	750.00	225.00
02/04/2020	Lee, Andrew	Draft correspondence to J. Calegari regarding council approval of settlement agreement and final survey results	0.10	750.00	75.00
02/11/2020	Holtzman, Beth	Confer with A. Lee and L. Dardarian re preparing class notice and preliminary approval order for San Jose City Council review	0.20	415.00	83.00
02/11/2020	Lee, Andrew	Analysis of next steps in preliminary approval process w/ L. Dardarian	0.10	750.00	75.00
02/11/2020	Lee, Andrew	Analysis of consent decree and exhibits w/ L. Dardarian and B. Holtzman	0.20	750.00	150.00
02/11/2020	Holtzman, Beth	Review consent decree re preparing attachments	0.30	415.00	124.50
02/11/2020	Holtzman, Beth	Draft named plaintiff (Artie Lashbrook) declaration	0.40	415.00	166.00
02/11/2020	Lee, Andrew	Draft correspondence to J. Calegari regarding finalizing the consent decree and filing of case	0.30	750.00	225.00
02/11/2020	Holtzman, Beth	Draft class notice	1.50	415.00	622.50
02/11/2020	Holtzman, Beth	Draft proposed order granting motion for preliminary approval of settlement	0.20	415.00	83.00

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02/11/2020	Dardarian, Linda	Conference w/ A. Lee re class notice and approval papers	0.10	945.00	94.50
02/11/2020	Dardarian, Linda	Conference w/ A. Lee and B. Holtzman re same	0.20	945.00	189.00
02/12/2020	Holtzman, Beth	Draft declaration for Artie Lashbrook (review time records re number of calls and meetings with plaintiff)	0.50	415.00	207.50
02/12/2020	Holtzman, Beth	Draft proposed order for preliminary approval motion	0.60	415.00	249.00
02/12/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook)	0.50	415.00	207.50
02/12/2020	Holtzman, Beth	Phone call to named plaintiff (Artie Lashbrook) re declaration draft	0.10	415.00	41.50
02/12/2020	Holtzman, Beth	Telephonic conference with named plaintiff (Artie Lashbrook) re involvement in the case for declaration	0.10	415.00	41.50
02/12/2020	Lee, Andrew	Revise and edit settlement notice	2.00	750.00	1,500.00
02/12/2020	Holtzman, Beth	Revise class notice	0.20	415.00	83.00
02/13/2020	Holtzman, Beth	Revise class notice draft	0.40	415.00	166.00
02/13/2020	Holtzman, Beth	Draft exhibit E (list of organizations for sending the notice) of proposed consent decree	1.20	415.00	498.00
02/13/2020	Holtzman, Beth	Draft proposed final judgment (consent decree exhibit F)	0.40	415.00	166.00
02/13/2020	Holtzman, Beth	Draft proposed order granting preliminary approval of class action settlement (consent decree exhibit)	0.30	415.00	124.50
02/13/2020	Dardarian, Linda	Review and edit class notice	0.90	945.00	850.50
02/14/2020	Holtzman, Beth	Research and draft exhibit E (list of organizations for sending the notice) of proposed consent decree	0.30	415.00	124.50
02/14/2020	Holtzman, Beth	Revise class notice	0.30	415.00	124.50
02/14/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook) in support of motion for preliminary approval	0.30	415.00	124.50
02/18/2020	Holtzman, Beth	Draft declaration of named plaintiff (Artie Lashbrook) in support of preliminary approval motion	0.70	415.00	290.50
02/18/2020	Holtzman, Beth	Revise proposed order granting preliminary and final approval	1.60	415.00	664.00

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02/18/2020	Dardarian, Linda	Conference w/ A. Lee re complaint and preliminary approval	0.10	945.00	94.50
02/18/2020	Dardarian, Linda	Memos to and from B. Holtzman re same	0.50	945.00	472.50
02/18/2020	Dardarian, Linda	Review and edit preliminary and final approval orders and class notice	1.80	945.00	1,701.00
02/19/2020	Holtzman, Beth	Draft proposed order granting motion for preliminary approval	0.20	415.00	83.00
02/19/2020	Holtzman, Beth	Correspondence with co-counsel (Tim Fox) re finalizing class notice, proposed order, and final judgment	0.20	415.00	83.00
02/19/2020	Grimes, Scott	Prepare complaint and supporting documents for filing with the court	0.50	325.00	162.50
02/19/2020	Grimes, Scott	Efile same	0.60	325.00	195.00
02/19/2020	Dardarian, Linda	Conference w/ A. Lee re complaint and summons	0.10	945.00	94.50
02/20/2020	Holtzman, Beth	Revise proposed order and class notice	0.20	415.00	83.00
02/20/2020	Kirkpatrick, Stuart	Draft Notice of Appearance for B. Holtzman	0.20	285.00	57.00
02/20/2020	Holtzman, Beth	Revise consent decree and class notice	0.60	415.00	249.00
02/20/2020	Lee, Andrew	Analyze and revise consent decree and all exhibits	2.30	750.00	1,725.00
02/20/2020	Kirkpatrick, Stuart	Edit Consent Decree and exhibits	0.20	285.00	57.00
02/20/2020	Dardarian, Linda	Conference w/ A. Lee re finalizing consent decree and exhibits	0.10	945.00	94.50
02/20/2020	Dardarian, Linda	Conference w/ B. Holtzman re same	0.20	945.00	189.00
02/20/2020	Dardarian, Linda	Review and edit final documents	0.10	945.00	94.50
02/20/2020	Grimes, Scott	Draft notice of appearance for Beth Holtzman	0.30	325.00	97.50
02/20/2020	Grimes, Scott	Revise summons and file with court	0.50	325.00	162.50
02/21/2020	Grimes, Scott	Review local and federal rules re service of summons, waiver of service, and related deadlines	0.80	325.00	260.00
02/24/2020	Grimes, Scott	Draft memo to attorneys re court deadlines	0.30	325.00	97.50
02/24/2020	Grimes, Scott	Review local rules and orders re service of complaint	0.40	325.00	130.00

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02/24/2020	Grimes, Scott	Conference w/ A. Lee re same	0.20	325.00	65.00
02/25/2020	Dardarian, Linda	Conference w/ A. Lee re approval process	0.10	945.00	94.50
02/26/2020	Lee, Andrew	Teleconference message for J. Calegari re finalizing settlement	0.10	750.00	75.00
02/26/2020	Lee, Andrew	Teleconference w/ J. Calegari regarding timing of service regarding complaint, waiver of service regarding complaint, consent to magistrate judge, and City edits to preliminary approval papers	0.20	750.00	150.00
02/26/2020	Lee, Andrew	Analysis of service of complaint, City Council approval, and preliminary approval filing w/ L. Dardarian	0.10	750.00	75.00
02/26/2020	Dardarian, Linda	Conference w/ A. Lee re status of settlement	0.10	945.00	94.50
02/28/2020	Lee, Andrew	Draft correspondence to J. Calegari regarding follow up on outstanding issues regarding consent decree and service of complaint	0.10	750.00	75.00
03/02/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook) in support of motion for preliminary approval	0.30	415.00	124.50
03/03/2020	Dardarian, Linda	Phone call and email to J. Calegari re status of Decree approval	0.10	945.00	94.50
03/03/2020	Dardarian, Linda	Conference w/ J. Calegari re same and City Council approval	0.20	945.00	189.00
03/03/2020	Dardarian, Linda	Memo to T. Fox and A. Lee re City Council approval of Decree	0.10	945.00	94.50
03/04/2020	Holtzman, Beth	Telephonic conference with named plaintiff (Artie Lashbrook) re status of the case	0.10	415.00	41.50
03/05/2020	Kirkpatrick, Stuart	Confer with L. Dardarian to plan Complaint process service on 3/6/20	0.30	285.00	85.50

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03/05/2020	Dardarian, Linda	Review & respond to emails to and from E. Tolentino re settlement approval process (0.1). Conference with S. Kirkpatrick re service of complaint (0.2). Conference with J. Calegari & E. Tolentino re approval process (0.1). Draft motion for preliminary approval (1.9). Legal research re same (0.3). Memo to A. Lee re same (0.1). Correspondence to J. Calegari & E. Tolentino re same (0.1).	2.90	945.00	2,740.50
03/06/2020	Holtzman, Beth	Draft declaration of named plaintiff (Artie Lashbrook) in support of motion for preliminary approval	0.50	415.00	207.50
03/06/2020	Grimes, Scott	Prepare complaint, request for waiver of service summons and supporting documents for service	1.70	325.00	552.50
03/06/2020	Grimes, Scott	Serve same	0.30	325.00	97.50
03/09/2020	Lee, Andrew	Analyze and revise Lashbrook declaration in support of preliminary approval	1.00	750.00	750.00
03/09/2020	Grimes, Scott	Strategy w/ L. Dardarian re service of complaint	0.10	325.00	32.50
03/09/2020	Dardarian, Linda	Strategy w/ S. Grimes re service of complaint	0.10	945.00	94.50
03/10/2020	Lee, Andrew	Analysis of preliminary approval filing and timing w/ L. Dardarian	0.20	750.00	150.00
03/10/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook)	0.40	415.00	166.00
03/10/2020	Lee, Andrew	Draft declaration of L. Dardarian in support of preliminary approval motion	3.50	750.00	2,625.00
03/10/2020	Dardarian, Linda	Conference with A. Lee re finalizing settlement for preliminary approval (0.2).	0.20	945.00	189.00
03/11/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook) in support of motion for preliminary approval	0.10	415.00	41.50
03/11/2020	Grimes, Scott	Exchange memos w/ Beth Holtzman re settlement agreement finalization	0.20	325.00	65.00
03/12/2020	Lee, Andrew	Draft L. Dardarian declaration in support of preliminary approval	0.70	750.00	525.00

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03/12/2020	Dardarian, Linda	Phone calls and email to J. Calegari & E. Tolentino re status of settlement documents	0.20	945.00	189.00
03/13/2020	Holtzman, Beth	Draft declaration for named plaintiff (Artie Lashbrook)	1.10	415.00	456.50
03/13/2020	Holtzman, Beth	Telephonic conference with named plaintiff (A. Lashbrook) re declaration draft	0.20	415.00	83.00
03/13/2020	Lee, Andrew	Analyze City edits to preliminary approval motion	0.40	750.00	300.00
03/13/2020	Lee, Andrew	Analysis of City's edits to preliminary approval motion w/ L. Dardarian	0.30	750.00	225.00
03/13/2020	Dardarian, Linda	Conference with E. Tolentino re joint motion for preliminary approval (0.1). Review City's edits to same (0.2). Phone call w/ A. Lee re same (0.3). Memo to E. Tolentino, J. Calegari & N. Frimann re same (0.1).	0.70	945.00	661.50
03/17/2020	Lee, Andrew	Analysis of settlement tasks	0.20	750.00	150.00
03/17/2020	Lee, Andrew	Research regarding City's presentation of settlement to City Council	0.30	750.00	225.00
03/17/2020	Lee, Andrew	Analyze next steps regarding preliminary approval papers and finalizing Consent Decree w/ L. Dardarian	0.30	750.00	225.00
03/17/2020	Dardarian, Linda	Conference with A. Lee re approval papers and settlement status	0.30	945.00	283.50
03/18/2020	Lee, Andrew	Draft correspondence to J. Calegari and N. Frimann regarding status of Consent Decree and City Council review	0.10	750.00	75.00
03/18/2020	Lee, Andrew	Revise and edit motion for preliminary approval	0.70	750.00	525.00
03/18/2020	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement	0.20	750.00	150.00
03/18/2020	Lee, Andrew	Draft correspondence to A. Lashbrook regarding review of Consent Decree	0.30	750.00	225.00
03/18/2020	Holtzman, Beth	Revise named plaintiff (Artie Lashbrook) declaration in support of motion for preliminary approval	0.20	415.00	83.00
03/18/2020	Lee, Andrew	Draft declaration of L. Dardarian in support of motion for preliminary approval	2.00	750.00	1,500.00

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03/18/2020	Lee, Andrew	Analyze and revise A. Lashbrook declaration in support of preliminary approval and service award motions	0.70	750.00	525.00
03/19/2020	Lee, Andrew	Teleconference w/ A. Lashbrook regarding Consent Decree	0.20	750.00	150.00
03/19/2020	Lee, Andrew	Draft correspondence to N. Frimann regarding status of Consent Decree exhibits and City Council approval	0.20	750.00	150.00
03/19/2020	Holtzman, Beth	Draft declaration of named plaintiff (Artie Lashbrook)	0.10	415.00	41.50
03/19/2020	Dardarian, Linda	Review and edit preliminary approval brief & declarations in support thereof (1.7).	1.70	945.00	1,606.50
03/20/2020	Lee, Andrew	Edit Dardarian declaration in support of motion for preliminary approval	0.50	750.00	375.00
03/20/2020	Lee, Andrew	Analyze and revise Dardarian declaration in support of preliminary approval	2.30	750.00	1,725.00
03/20/2020	Dardarian, Linda	Review and edit Preliminary Approval briefing and declarations in support.	3.10	945.00	2,929.50
03/21/2020	Lee, Andrew	Analysis of Dardarian Declaration in support of Motion for Preliminary Approval	0.20	750.00	150.00
03/21/2020	Lee, Andrew	Revise and edit motion for preliminary approval of class action settlement	1.30	750.00	975.00
03/22/2020	Dardarian, Linda	Revise motion for Preliminary Approval (0.5).	0.50	945.00	472.50
03/23/2020	Lee, Andrew	Analysis of City Council approval of Consent Decree and timing of preliminary approval w/ L. Dardarian	0.10	750.00	75.00
03/23/2020	Lee, Andrew	Draft correspondence to N. Frimann regarding timing of City Council review of Consent Decree	0.10	750.00	75.00
03/23/2020	Dardarian, Linda	Conference with A. Lee re status of settlement and approval process (0.1).	0.10	945.00	94.50
03/24/2020	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement	0.10	750.00	75.00
03/25/2020	Lee, Andrew	Analyze City's proposed edits to Consent Decree, settlement notice, preliminary approval order, and final judgment	0.40	750.00	300.00

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03/25/2020	Dardarian, Linda	Draft evidence for fee petition (0.3). Correspondence to and from N. Frimann re final versions of Consent Decree and exhibits thereto (0.1). Review City's edits to same and finalize preliminary approval briefing and declarations in support , and proposed order re same (1.9).	2.30	945.00	2,173.50
03/26/2020	Lee, Andrew	Analyze updated versions of Consent Decree and all exhibits; send same to N. Frimann and J. Calegari	0.30	750.00	225.00
03/26/2020	Dardarian, Linda	Memo to T. Fox re settlement status (0.1)	0.10	945.00	94.50
03/27/2020	Lee, Andrew	Analysis of damages release issue w/ L. Dardarian	0.10	750.00	75.00
03/27/2020	Dardarian, Linda	Correspondence to and from N. Frimann re class releases of claims (0.2). Preparation of exhibits for fee petition (2.5)	2.70	945.00	2,551.50
03/30/2020	Dardarian, Linda	Correspondence to and from N. Frimann re City Council approval of settlement (0.2)	0.20	945.00	189.00
04/01/2020	Dardarian, Linda	Memo to A. Lee re consent to jurisdiction of Magistrate (0.1). Conference with S. Grimes re same (0.1).	0.20	945.00	189.00
04/01/2020	Grimes, Scott	Strategy w/ L. Dardarian re consent to magistrate judge	0.10	325.00	32.50
04/01/2020	Grimes, Scott	Finalize consent to magistrate judge and e-file same	0.20	325.00	65.00
04/01/2020	Grimes, Scott	Prepare waiver of service of summons for e-filing; efile same	0.20	325.00	65.00
04/03/2020	Lee, Andrew	Teleconferences w/ A. Lashbrook regarding review and execution of Consent Decree	0.50	750.00	375.00
04/13/2020	Lee, Andrew	Revise and edit A. Lashbrook declaration in support of motion for preliminary approval and service award	0.80	750.00	600.00
04/13/2020	Holtzman, Beth	Analyze and revise plaintiff's (Artie Lashbrook) declaration in support of motion for preliminary approval	0.70	415.00	290.50
04/13/2020	Dardarian, Linda	Memos to and from J. Calegari & N. Frimann re City Council approval of Consent Decree (0.1). Memo to A. Lee re service award motion (0.1)	0.20	945.00	189.00

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04/14/2020	Lee, Andrew	Analysis of City Council review of Consent Decree and completion of A. Lashbrook declaration w/ L. Dardarian	0.10	750.00	75.00
04/14/2020	Lee, Andrew	Revise and edit Lashbrook declaration in support of preliminary approval and service award motions	0.30	750.00	225.00
04/14/2020	Holtzman, Beth	Correspondence with A. Lee re finalizing Artie Lashbrook's declaration.	0.20	415.00	83.00
04/14/2020	Holtzman, Beth	Revise named plaintiff declaration in support of preliminary approval and service award	0.40	415.00	166.00
04/14/2020	Lee, Andrew	Analyze edits to A. Lashbrook declaration in support of preliminary approval and fee motion	0.20	750.00	150.00
04/14/2020	Dardarian, Linda	Conference with A. Lee re Lashbrook declaration in support of service award and preliminary approval	0.10	945.00	94.50
04/15/2020	Kirkpatrick, Stuart	Correspondence to A. Lashbrook re finalizing declaration	0.10	285.00	28.50
04/15/2020	Lee, Andrew	Teleconference w/ A. Lashbrook regarding declaration in support of preliminary approval and service awards.	0.30	750.00	225.00
04/15/2020	Lee, Andrew	Analysis of next steps regarding preliminary approval filing w/ L. Dardarian	0.20	750.00	150.00
04/15/2020	Dardarian, Linda	Follow up with N. Frimann re finalizing Consent Decree and approval papers (0.2). Memo to S. Kirkpatrick & S. Grimes re finalizing preliminary approval briefing (0.5). Conference with A. Lee re same (0.2). Review and edit L. Dardarian declaration in support of preliminary approval (0.5).	1.50	945.00	1,417.50
04/16/2020	Lee, Andrew	Analyze preliminary approval motion and supporting papers; prepare for meeting regarding finalizing motion and timeline for filing	0.30	750.00	225.00
04/16/2020	Kirkpatrick, Stuart	Review emails from L. Dardarian and A. Lee re preliminary approval filing	0.20	285.00	57.00

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04/16/2020	Kirkpatrick, Stuart	Conference with L. Dardarian, A. Lee, and S. Grimes re: finalizing preliminary approval motion for filing	0.80	285.00	228.00
04/16/2020	Kirkpatrick, Stuart	Further conference with S. Grimes re: preliminary approval filing	0.20	285.00	57.00
04/16/2020	Lee, Andrew	Plan and analyze preliminary approval filing w/ L. Dardarian, S. Grimes, and S. Kirkpatrick	0.80	750.00	600.00
04/16/2020	Kirkpatrick, Stuart	Legal cite-check and edit Motion for Preliminary Approval	2.80	285.00	798.00
04/16/2020	Dardarian, Linda	Conference with S. Grimes, S. Kirkpatrick, & A. Lee re finalizing motion for preliminary approval for court's filing (0.8). Memo to N. Frimann & J. Calegari re same (0.1).	0.90	945.00	850.50
04/16/2020	Grimes, Scott	Strategy w/ L. Dardarian, A. Lee and S. Kirkpatrick re finalizing motion for settlement approval	0.80	325.00	260.00
04/16/2020	Grimes, Scott	Follow up conference w/ S. Kirkpatrick re settlement approval filing	0.20	325.00	65.00
04/17/2020	Kirkpatrick, Stuart	Complete legal cite-check of Motion for Preliminary Approval	0.80	285.00	228.00
04/17/2020	Lee, Andrew	Research for preliminary approval motion; exchange memos w/ S. Kirkpatrick regarding same	0.20	750.00	150.00
04/17/2020	Lee, Andrew	Revise and edit proposed order granting preliminary approval	0.70	750.00	525.00
04/17/2020	Lee, Andrew	Revise preliminary approval motion; correspondence to N. Frimann re same	0.70	750.00	525.00
04/17/2020	Dardarian, Linda	Revise preliminary approval papers for submission City for approval	0.50	945.00	472.50
04/20/2020	Kirkpatrick, Stuart	Legal fact-check and edit motion for preliminary approval	1.00	285.00	285.00
04/20/2020	Lee, Andrew	Analyze and revise Dardarian declaration, Fox declaration, and proposed order in support of motion for preliminary approval	0.30	750.00	225.00
04/20/2020	Lee, Andrew	Analysis of preliminary approval motion and filing tasks w/ L. Dardarian	0.20	750.00	150.00
04/20/2020	Lee, Andrew	Revise preliminary approval motion and finalize same for filing	1.70	750.00	1,275.00

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04/20/2020	Dardarian, Linda	Review and edit preliminary approval brief (1.1); conference w/ A. Lee re finalizing preliminary approval filing (0.2)	1.30	945.00	1,228.50
04/21/2020	Kirkpatrick, Stuart	Finalize L. Dardarian preliminary approval declaration in preparation for filing	0.30	285.00	85.50
04/21/2020	Lee, Andrew	Revise, edit, and finalize motion for preliminary approval of settlement, L. Dardarian declaration, and T. Fox declarations in support of same	4.20	750.00	3,150.00
04/21/2020	Lee, Andrew	Teleconference w/ S. Kirkpatrick regarding edits to motion and table of authorities	0.10	750.00	75.00
04/21/2020	Kirkpatrick, Stuart	Edit and finalize L. Dardarian declaration and exhibits in support of preliminary approval motion	0.40	285.00	114.00
04/21/2020	Kirkpatrick, Stuart	Finalize and prepare T. Fox declaration in support of preliminary approval	0.20	285.00	57.00
04/21/2020	Kirkpatrick, Stuart	Finalize and prepare Proposed Order Granting Preliminary Approval	0.20	285.00	57.00
04/21/2020	Kirkpatrick, Stuart	Revise and finalize Motion for Preliminary Approval and supporting documents for filing with USDC Northern District	2.80	285.00	798.00
04/21/2020	Kirkpatrick, Stuart	Review Magistrate Judge Cousin's standing order re: chambers copies and proposed orders, and transmit same to Court	0.20	285.00	57.00
04/21/2020	Dardarian, Linda	Correspondence to N. Frimann, J. Calegari and E. Tolentino re joint motion for preliminary approval (0.1). Conference with A. Lee re same (0.1)	0.20	945.00	189.00
04/22/2020	Holtzman, Beth	Review joint motion in support of preliminary approval of class action settlement	0.60	415.00	249.00
04/24/2020	Lee, Andrew	Analysis and planning regarding translation of settlement notice w/ L. Dardarian	0.10	750.00	75.00
05/20/2020	Lee, Andrew	Teleconference w/ A. Lashbrook regarding status of settlement and approval process	0.10	750.00	75.00

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05/26/2020	Lee, Andrew	Prepare for preliminary approval hearing w/ L. Dardarian	0.40	750.00	300.00
05/26/2020	Dardarian, Linda	Conference with A. Lee re preparation for preliminary approval hearing (0.4). Preparation for preliminary approval hearing (1.00)	1.40	945.00	1,323.00
05/27/2020	Lee, Andrew	Appear at preliminary approval hearing on Zoom (0.7); debrief w/ L. Dardarian re same (0.3)	1.00	750.00	750.00
05/27/2020	Holtzman, Beth	Review court order granting preliminary approval of class action settlement	0.20	415.00	83.00
05/27/2020	Dardarian, Linda	Prepare for preliminary approval hearing (2.9). Attend preliminary approval hearing (0.7). Conference with A. Lee re same (0.3). Memos to S. Grimes & S. Kirkpatrick re issuing class notice (0.3). Correspondence to N. Frimann re class notice (0.2). Conference with S. Grimes re settlement implementation (0.2).	4.60	945.00	4,347.00
05/28/2020	Kirkpatrick, Stuart	Conference with L. Dardarian, Beth Holtzman and S. Grimes re: preliminary approval order and service of notice to disability rights organizations	0.40	285.00	114.00
05/28/2020	Holtzman, Beth	Working meeting with L. Dardarian, S. Kirkpatrick, S. Grimes re class notice issuance and drafting attorneys' fees and service award motions	0.40	415.00	166.00
05/28/2020	Holtzman, Beth	Left voicemail for named plaintiff (Artie Lashbrook) re status of settlement agreement	0.10	415.00	41.50
05/28/2020	Dardarian, Linda	Conference with S. Grimes, S. Kirkpatrick, B. Holtzman re preliminary approval, implementing notice obligations, and drafting service award and fee motions (0.4). Memo to N Frimann re class notice (0.1). Memo to K. Pugh and C. Ruebke re class notice (0.1). Review preliminary approval order (0.1).	0.70	945.00	661.50
05/28/2020	Kirkpatrick, Stuart	Draft and file Transcript Order for 5/27 preliminary approval hearing	0.40	285.00	114.00

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05/28/2020	Kirkpatrick, Stuart	Begin contacting disability rights organizations listed in settlement agreement to arrange service of settlement notice	0.60	285.00	171.00
05/29/2020	Holtzman, Beth	Telephone conference with named plaintiff (Artie Lashbrook) re update on preliminary approval hearing	0.10	415.00	41.50
05/29/2020	Kirkpatrick, Stuart	Call disability rights organizations listed in preliminary approval order to confirm recipient for the 6/8 service of settlement notice	1.10	285.00	313.50
06/02/2020	Kirkpatrick, Stuart	Leave voicemail and emails with six organizations who have not responded to requests for email address to send notice of settlement	0.40	285.00	114.00
06/02/2020	Dardarian, Linda	Memos to and from S. Kirkpatrick re notice issuance.	0.10	945.00	94.50
06/03/2020	Holtzman, Beth	Draft summary of case for website posting of class notice	0.70	415.00	290.50
06/03/2020	Lee, Andrew	Conference w/ L. Dardarian regarding notice to organizations, fee motion, and service award motion	0.20	750.00	150.00
06/03/2020	Kirkpatrick, Stuart	Lexis research re: active disability access cases against City of San Jose, to comply with service requirements of settlement notice	0.80	285.00	228.00
06/03/2020	Kirkpatrick, Stuart	Memos to L. Dardarian and A. Lee re settlement notice obligations	0.20	285.00	57.00
06/03/2020	Kirkpatrick, Stuart	Exchange phone calls and emails with two disability rights organizations to confirm proper recipient for settlement notice	0.30	285.00	85.50
06/03/2020	Dardarian, Linda	Memo to S. Kirkpatrick re class notices issuance (0.2). Conference with A. Lee re same (0.1).	0.30	945.00	283.50
06/03/2020	Dardarian, Linda	Review related case docket & settlement and draft memo to S. Kirkpatrick re same (0.2)	0.20	945.00	189.00
06/03/2020	Dardarian, Linda	Conference w/ A. Lee re class notice issuance, and service award and fee motions	0.20	945.00	189.00
06/04/2020	Lee, Andrew	Edit outreach memo regarding settlement	0.50	750.00	375.00
06/04/2020	Lee, Andrew	Begin drafting fee motion	0.70	750.00	525.00

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06/04/2020	Holtzman, Beth	Revise statement for website re court granting preliminary approval of settlement	0.10	415.00	41.50
06/04/2020	Kirkpatrick, Stuart	Exchange calls with Lynette from United Cerebral Palsy of Golden Gate, to confirm preferred recipient of settlement notice	0.20	285.00	57.00
06/05/2020	Lee, Andrew	Draft fee motion	5.80	750.00	4,350.00
06/05/2020	Lee, Andrew	Review deadlines for posting and publication of settlement notices; draft correspondence to J. Calegari and N. Frimann regarding same	0.30	750.00	225.00
06/05/2020	Holtzman, Beth	Review case summary for GBDH website	0.10	415.00	41.50
06/05/2020	Kirkpatrick, Stuart	Correspondence to Easter Seals re notice of Settlement	0.10	285.00	28.50
06/05/2020	Kirkpatrick, Stuart	Draft email for service of notice of settlement to disability rights organizations, and email A. Lee and L. Dardarian re same	0.30	285.00	85.50
06/05/2020	Dardarian, Linda	Memo to A. Lee re notice deadlines and confirming same with the City.	0.10	945.00	94.50
06/08/2020	Lee, Andrew	Exchange memo w/ S. Kirkpatrick regarding notice to disability organizations	0.10	750.00	75.00
06/08/2020	Lee, Andrew	Draft summary regarding settlement for case news page on firm website	0.30	750.00	225.00
06/08/2020	Lee, Andrew	Revise settlement notice to include information regarding fairness hearing and objection deadline; send same to S. Kirkpatrick for distribution to disability organizations	0.30	750.00	225.00
06/08/2020	Lee, Andrew	Review settlement agreement for requirements regarding documents for posting on class counsel webpage.	0.10	750.00	75.00
06/08/2020	Lee, Andrew	Draft short summary of settlement for DRC website	0.30	750.00	225.00
06/08/2020	Lee, Andrew	Draft fee motion	2.20	750.00	1,650.00
06/08/2020	Lee, Andrew	Analysis of fee motion w/ L. Dardarian	0.20	750.00	150.00
06/08/2020	Kirkpatrick, Stuart	Finalize email and formatted settlement notice in preparation for service to disability rights organizations	0.20	285.00	57.00

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06/08/2020	Kirkpatrick, Stuart	Transmit notice of settlement to 33 disability rights organizations per preliminary approval order	0.60	285.00	171.00
06/08/2020	Kirkpatrick, Stuart	Chart responses to notice of settlement, and exchange emails with Easter Seals re: delivering notice to a Bay Area branch of the organization	0.30	285.00	85.50
06/08/2020	Dardarian, Linda	Revise web summary of settlement (0.1); correspondence to Disability Rights California re settlement	0.30	945.00	283.50
06/08/2020	Dardarian, Linda	Conference with A. Lee re fee motion & class notice issuance	0.30	945.00	283.50
06/09/2020	Lee, Andrew	Draft correspondence to J. Calegari and N. Frimann regarding settlement notice	0.10	750.00	75.00
06/09/2020	Holtzman, Beth	Draft motion for service award for named plaintiff (Artie Lashbrook) (review service award in Levis case)	1.50	415.00	622.50
06/09/2020	Lee, Andrew	Draft fee motion	3.30	750.00	2,475.00
06/10/2020	Holtzman, Beth	Draft motion for service award for Named Plaintiff (Artie Lashbrook)	1.40	415.00	581.00
06/11/2020	Dardarian, Linda	Draft L. Dardarian declaration in support of fee motion	0.50	945.00	472.50
06/12/2020	Lee, Andrew	Revise and edit Spanish and Vietnamese settlement notices	0.80	750.00	600.00
06/12/2020	Lee, Andrew	Analysis of Vietnamese and Spanish settlement notices w/ L. Dardarian	0.10	750.00	75.00
06/12/2020	Lee, Andrew	Analysis of translated notices and exchange memos w/ S. Kirkpatrick	0.20	750.00	150.00
06/12/2020	Kirkpatrick, Stuart	Review Spanish and Vietnamese notice translations and insert missing URL and objection deadlines	0.30	285.00	85.50
06/12/2020	Dardarian, Linda	Conference with A. Lee re notice translations (0.1); review and respond to memo from N. Frimann re same (0.1).	0.20	945.00	189.00
06/12/2020	Grimes, Scott	Edit class notice for accessibility	1.20	325.00	390.00
06/18/2020	Holtzman, Beth	Draft motion for service award for named plaintiff (Artie Lashbrook)	0.40	415.00	166.00

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06/19/2020	Holtzman, Beth	Draft service award motion for named plaintiff (Artie Lashbrook)	4.80	415.00	1,992.00
06/22/2020	Holtzman, Beth	Revise service award motion (incorporate L. Dardarian's edits)	0.30	415.00	124.50
06/22/2020	Dardarian, Linda	Review and edit service award motion.	1.70	945.00	1,606.50
06/23/2020	Lee, Andrew	Revise and edit motion for service award	0.60	750.00	450.00
06/24/2020	Lee, Andrew	Draft fee motion	3.20	750.00	2,400.00
06/24/2020	Dardarian, Linda	Memo to B. Holtzman re service award motion (0.2). Review and respond to memo re class notice (0.1).	0.30	945.00	283.50
06/25/2020	Lee, Andrew	Draft fee motion	3.70	750.00	2,775.00
06/25/2020	Dardarian, Linda	Correspondence to and from City re published notice.	0.30	945.00	283.50
06/26/2020	Lee, Andrew	Draft fee motion	4.20	750.00	3,150.00
06/26/2020	Holtzman, Beth	Review stipulation and proposed order re notice	0.10	415.00	41.50
06/26/2020	Dardarian, Linda	Multiple correspondences to and from E. Tolentino re notice by publication (0.3). Research re same (0.3). Review & edit stipulation re same (0.4). Review and edit fee motion (1.6). Review and edit service award motion (0.3).	2.90	945.00	2,740.50
06/27/2020	Holtzman, Beth	Review correspondence with L. Dardarian re potential citations for service award motion	0.10	415.00	41.50
06/29/2020	Lee, Andrew	Draft and edit fee motion	1.30	750.00	975.00
06/30/2020	Dardarian, Linda	Correspondence to and from B. Holtzman re service award motion.	0.10	945.00	94.50
07/03/2020	Holtzman, Beth	Draft service award snf research case law in support of same	5.50	415.00	2,282.50
07/03/2020	Holtzman, Beth	Draft proposed order granting service award motion	0.40	415.00	166.00
07/05/2020	Holtzman, Beth	Draft service award motion	2.00	415.00	830.00
07/06/2020	Holtzman, Beth	Draft service award motion and proposed order	0.50	415.00	207.50
07/06/2020	Lee, Andrew	Revise and edit fee motion	3.70	750.00	2,775.00
07/06/2020	Lee, Andrew	Analysis of fee motion w/ L. Dardarian	0.20	750.00	150.00

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07/06/2020	Lee, Andrew	Teleconference w/ A. Lashbrook regarding updated contact information and status of case	0.20	750.00	150.00
07/06/2020	Lee, Andrew	Analysis of service award motion	0.30	750.00	225.00
07/06/2020	Dardarian, Linda	Conference with A. Lee re fee motion (0.2). Review and edit service award motion (1.2). Prepare exhibits to fee motion (0.3).	1.70	945.00	1,606.50
07/07/2020	Lee, Andrew	Revise and edit motion for service awards	1.40	750.00	1,050.00
07/07/2020	Holtzman, Beth	Draft service award motion	0.70	415.00	290.50
07/07/2020	Lee, Andrew	Teleconference w/ L. Dardarian, B. Holtzman, S. Grimes regarding finalizing service award and fee motions	0.50	750.00	375.00
07/07/2020	Holtzman, Beth	Working meeting with L. Dardarian, A. Lee, and S. Grimes re finalizing service award and attorneys fees award	0.50	415.00	207.50
07/07/2020	Lee, Andrew	Draft Dardarian declaration in support of fee motion	4.60	750.00	3,450.00
07/07/2020	Dardarian, Linda	Memo to A. Lee re evidence to support fee brief (0.4). Memo to M. Miller re same (0.1). Conference w/ S. Grimes, A. Lee and B. Holtzman re finalizing fee and service award motions (.5). Review and revise service award motion (.7)	1.70	945.00	1,606.50
07/07/2020	Grimes, Scott	Conference w/ A. Lee, L. Dardarian, and B. Holtzman re finalizing service award and attorneys' fee motion	0.50	325.00	162.50
Grand Total:				<u>1082.0000</u>	<u>737699.00</u>

EXHIBIT B

costs and matter id = '721' and not hidden and not on hold

<u>Description</u>	<u>Cost</u>
Matter ID: 721	
Description: San Jose	
In-House Copying @ \$.10/page	260.40
Travel - airline/car/mileage/taxi/gas	186.51
Meals	79.48
Other Litigation Costs	10.00
In-House Postage	4.97
Research - Online	879.02
Telephone	55.22
Messenger	8.52
In-house printing	238.00
Court Fees/Filing Fees/Service Fees	400.00
Total For this Matter and Date Range in Query:	2,122.12

GBDH Costs Detail

costs and matter id = '721' and not hidden and not on hold

Date	Narrative	Value
01/31/2014	In-House Copying @ \$.10/page	13.00
01/17/2014	Stuart Kirkpatrick travel to/from SJ (116.4 mi) - curb ramp measurements in San Jose	65.18
11/30/2014	In-House Copying @ \$.10/page	0.20
01/08/2015	Stuart Kirkpatrick mileage (131 mi) to/from SJ - curb ramps	75.33
01/08/2015	Stuart Kirkpatrick lunch - SJ curb ramps investigation	6.43
12/15/2014	Google Earth/Earth point fees - map intersections	10.00
01/31/2015	In-House Postage	2.87
01/31/2015	In-House Copying @ \$.10/page	1.20
04/30/2014	Westlaw, 4/2014	11.51
06/30/2014	Westlaw, 6/2014	11.84
12/08/2014	Global Crossing Conferencing - conference call	0.49
12/08/2014	Global Crossing Conferencing - conference call	1.75
12/31/2014	Westlaw, 12/2014	81.30
02/02/2015	Linda Dardarian mileage (80 mi) to/from Santa Clara - client meeting	46.00
02/02/2015	Linda Dardarian lunch - client meeting	7.95
02/04/2015	L. Dardarian working lunch - meeting with San Jose	10.40
02/28/2015	Westlaw 2/2015	276.73
03/31/2015	Westlaw 3/2015	3.13
04/30/2015	Westlaw, 4/2015	10.27
07/01/2015	L. Dardarian, A. Lee, and A. Robertson lunch - client meeting	36.92
06/30/2015	Westlaw 6/2015	0.85
07/31/2015	Global Crossing Conferencing conference call	5.94
08/24/2016	L. Dardarian working lunch - preparation for settlement meeting w/ city	11.77
01/31/2016	In-House Copying @ \$.10/page	1.70
04/30/2016	In-House Copying @ \$.10/page	5.60
05/31/2016	In-House Copying @ \$.10/page	7.50
06/30/2016	In-House Copying @ \$.10/page	6.50
07/31/2016	In-House Copying @ \$.10/page	1.60
08/31/2016	In-House Copying @ \$.10/page	4.70
11/30/2016	In-House Copying @ \$.10/page	6.60
12/31/2016	In-House Copying @ \$.10/page	2.00
01/31/2015	In-House Copying @ \$.10/page	104.70
02/28/2015	In-House Copying @ \$.10/page	21.40

GBDH Costs Detail

costs and matter id = '721' and not hidden and not on hold

Date	Narrative	Value
03/31/2015	In-House Copying @ \$.10/page	0.30
04/30/2015	In-House Copying @ \$.10/page	0.40
07/31/2015	In-House Copying @ \$.10/page	13.30
09/30/2015	In-House Copying @ \$.10/page	7.00
10/31/2015	In-House Copying @ \$.10/page	3.50
12/31/2015	In-House Copying @ \$.10/page	3.00
01/31/2014	In-House Copying @ \$.10/page	2.10
02/28/2014	In-House Copying @ \$.10/page	2.60
03/31/2014	In-House Copying @ \$.10/page	0.50
05/31/2014	In-House Copying @ \$.10/page	24.60
06/30/2014	In-House Copying @ \$.10/page	2.30
07/31/2014	In-House Copying @ \$.10/page	3.40
08/31/2014	In-House Copying @ \$.10/page	0.60
11/30/2014	In-House Copying @ \$.10/page	6.30
12/31/2014	In-House Copying @ \$.10/page	12.30
12/22/2016	FedEx - delivery to J. Calegari	8.52
05/31/2016	Westlaw 5/2016	68.86
04/30/2016	Westlaw 4/2016	2.19
01/31/2017	Westlaw 01/2017	14.03
11/30/2017	In-house printing	1.70
11/08/2017	Conference call	2.37
04/30/2018	In-house printing	1.40
04/20/2018	A. Lee - conference call	1.70
05/31/2018	In-house printing	3.00
06/30/2018	In-house printing	0.90
05/23/2018	A. Lee - conference call	4.02
06/18/2018	A. Lee - conference call	2.98
08/31/2018	In-house printing	7.80
08/09/2018	A. Lee - conference call	5.89
01/31/2015	Westlaw 1/2015	11.68
09/26/2018	A. Lee - conference call	4.54
11/30/2018	In-house printing	0.60
10/31/2018	In-house printing	2.40
09/30/2018	In-house printing	19.00

GBDH Costs Detail

costs and matter id = '721' and not hidden and not on hold

Date	Narrative	Value
01/04/2019	Century Link - Invoice # 75527285- A. Lee conference call.	2.61
01/04/2019	Century Link - Invoice # 75527285- A. Lee conference call.	6.32
03/01/2019	Westlaw - Invoice # 839704370 - January 2019.	22.82
01/31/2019	In-House Copying @ \$.10/page	0.50
01/31/2019	In-house printing	2.10
02/28/2019	In-house printing	7.70
03/31/2019	In-house printing	5.60
04/01/2019	Westlaw - March 2019	28.73
04/30/2019	In-house printing	33.50
02/04/2019	Century Link - Invoice # 76431666 - A. Lee conference call	3.86
02/24/2019	Level 3 Communications, LLC - Invoice # 78301897 - A. Lee conference call	1.11
03/24/2019	Level 3 Communications, LLC - Invoice # 79096524 - A. Lee conference call	8.63
05/31/2019	In-house printing	33.30
06/30/2019	In-house printing	3.00
07/31/2019	In-house printing	35.60
08/31/2019	In-house printing	4.30
08/05/2019	City National Bank - Burma Bear - L. Dardarian working lunch	6.01
09/30/2019	In-house printing	4.30
08/24/2019	Level 3 Communications, LLC - Invoice # 84754656 - A. Lee conference call	3.01
10/12/2019	PACER - Q3 2019 - Invoice # 2633640-Q32019	4.60
10/31/2019	In-house printing	28.00
11/30/2019	In-house printing	4.30
01/07/2020	American Express - PACER - Q4 2019 - Invoice # 2633640-Q42019	6.00
01/31/2020	In-house printing	5.10
08/31/2019	RELX Inc. DBA LexisNexis	94.29
08/31/2019	RELX Inc. DBA LexisNexis	4.58
10/31/2019	RELX Inc. DBA LexisNexis	6.46
12/31/2019	RELX Inc. DBA LexisNexis	20.32
01/31/2020	RELX Inc. DBA LexisNexis	46.60
02/28/2020	In-House Copying @ \$.10/page	1.00
02/28/2020	In-house printing	20.30
03/31/2020	In-House Postage	2.10
03/31/2020	In-house printing	12.20

GBDH Costs Detail

costs and matter id = '721' and not hidden and not on hold

Date	Narrative	Value
03/31/2020	RELX Inc. DBA LexisNexis - Invoice # 3092567417 - March 2020	1.92
03/04/2020	US District Court - Filing fee	400.00
04/06/2020	American Express - PACER - Q1 2020 - Invoice # 2633640-Q12020	3.00
04/06/2020	American Express - PACER - Q1 2020 - Invoice # 2633640-Q12020	3.00
04/30/2020	In-house printing	1.90
04/30/2020	American Express - Lexis Nexis - Invoice # 3092614716 - April 2020	112.14
06/30/2020	American Express - RELX Lexis Nexis - June 2020 - Invoice # 3092737211	23.03
06/30/2020	American Express - RELX Lexis Nexis - June 2020 - Invoice # 3092737211	9.14
Grand Total:		<u>\$2,122.12</u>

EXHIBIT C

STRUCTURED NEGOTIATIONS AGREEMENT

1. Parties

The Parties to this Agreement are (1) the City of San Jose ("San Jose") and (2) the Civil Rights Education and Enforcement Center "CREEC") and Goldstein, Borgen, Dardarian & Ho ("GBDH"), on behalf of CREEC, its members, members of an alleged class of persons with disabilities whose use of San Jose curb ramps and sidewalks has allegedly been, or allegedly will be, impacted by alleged violations of access regulations relating to those curb ramps ("the Class"), and individually named class representative Artie Lashbrook (collectively "Claimants").

2. Purposes

The purposes of this agreement are:

- a. To protect the interest of all Parties during the pendency of negotiations concerning disputed claims about the alleged lack of curb ramps in San Jose's pedestrian right of way that comply with the access requirements of federal and state disability rights laws;
- b. To provide an alternative to litigation in the form of good faith negotiations concerning disputed claims over the alleged lack of curb ramps in San Jose's pedestrian right of way that comply with the access requirements of federal and state disability rights laws; and
- c. To explore whether the Parties' disputes concerning the alleged lack of curb ramps in San Jose's pedestrian right of way that comply with the access requirements of federal and state disability rights laws can be resolved without the need for litigation.

3. Tolling of Alleged ADA and State Law Claims

- a. The Parties recognize and agree that, as used in this Agreement, the term "Claim(s)" includes any and all claims that could be brought either before an administrative agency or in a civil lawsuit in either state or federal court alleging that Claimants have been, and continue to be discriminated against due to the alleged lack of curb ramps in San Jose's pedestrian right of way that comply with the access requirements of federal and state disability rights laws.
- b. The Parties incorporate herein by reference the Tolling Agreement they executed on March 28, 2014, which is attached hereto as

Exhibit A, and which tolled the Claims as of February 24, 2014. The Claims will remain tolled during negotiations and throughout the duration of the tolling agreement as described in paragraph 6 below.

4. Topics to Be Addressed through Negotiations:

The Parties agree that the subject of negotiations undertaken pursuant to this Agreement will include, but are not limited to:

- a. Increasing the accessibility of San Jose's pedestrian right of way to people with mobility disabilities through the installation and maintenance of curb ramps that comply with the ADA, the Rehabilitation Act, and relevant state law;
- b. Modification of policies and training of appropriate personnel to ensure that curb ramps are installed and maintained in compliance with the ADA, the Rehabilitation Act, and relevant state law;
- c. Reasonable damages and reasonable attorney's fees, costs and litigation expenses, pursuant to the Americans with Disabilities Act, 42 U.S.C. § 12205 (the "ADA"), the Rehabilitation Act, 29 U.S.C. § 794a(a)(2), California's Disabled Persons Act, Cal. Civil Code § 54-54.3, Unruh Civil Rights Act, Cal. Civil Code § 52, and Cal. Code of Civil Procedure § 1021.5; and
- d. Scope and format of written agreement(s) addressing (a)-(c), monitoring, and other relevant issues.

5. Attorney's Fees

The Parties recognize that execution of this Agreement is in lieu of Claimants filing a complaint in federal or state court. San Jose agrees that neither Claimants nor Counsel for Claimants shall be precluded from recovering attorney's fees, expenses and costs, as defined under applicable federal and/or state law because Claimants and Counsel for Claimants pursued alternative means of dispute resolution relating to any and all Claims, as defined above, including but not limited to conciliation, settlement negotiations, mediation and/or arbitration, rather than instituting a civil action in this matter. In this regard, San Jose will not assert that Claimants or Counsel for Claimants are not entitled to recover attorneys' fees, expenses or costs solely because Claimants did not obtain relief in the form of an enforceable judgment, consent decree or court order. Additionally, San Jose will not argue that Claimants are not entitled to recover attorneys' fees, expenses or costs because Claimants obtain relief through a settlement agreement. Except for the arguments identified in the

preceding sentences, San Jose reserves all arguments with respect to the amount of fees and any other defense with respect to fees.

6. Duration of Tolling Agreement

The tolling effectuated in this Agreement will remain in effect until thirty (30) days after any party gives written notice by certified mail to all other parties that the tolling agreement is no longer effective. Upon such notice, San Jose's obligation to negotiate with Claimants regarding the topics listed in paragraph 4 will expire.

7. No Admission of Liability

The Parties expressly recognize and agree that entering into this Agreement does not in any way constitute an admission of liability or any wrongdoing by any Party, and that all discussions and negotiations pursuant to this Agreement will constitute conduct made in an effort to compromise claims within the meaning of Federal Rules of Evidence, Rule 408 or any similar state rule of evidence.

8. Rules of Construction

Each Party, through its legal counsel, has reviewed and participated in the drafting of this Agreement; and any rule of construction to the effect that ambiguities are construed against the drafting Party shall not apply in the interpretation or construction of this Agreement. Section titles used herein are intended for reference purposes only and are not to be construed as part of the Agreement.

9. Effective Date

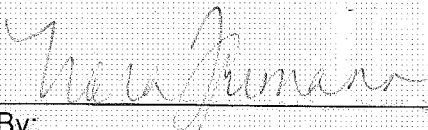
The effective date of this Agreement is the date of the last signature below.

CITY OF SAN JOSE

Dated:

5/21/14

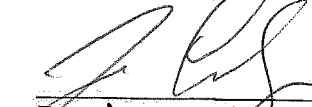
By:



APPROVED AS TO FORM FOR
CITY OF SAN JOSE

Dated:

8/19/14


By: Jon Calgari

COUNSEL FOR CLAIMANTS

Dated:

8/11/14



By: Timothy P. Fox

EXHIBIT D

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

WILMA FOSTER, et al.
Plaintiff,
v.
ADVANTAGE SALES & MARKETING,
LLC.,
Defendant.

Case No. 18-cv-07205-LB

FINAL APPROVAL ORDER

Re: ECF No. 51, 58

INTRODUCTION

This is an overtime-pay case under federal and California law: a nationwide collective action under the Federal Labor Standards Act (“FLSA”) and a California class action under Federal Rule of Civil Procedure 23.¹ The plaintiffs claim that their employer, defendant Advantage Sales and Marketing, LLC, d/b/a Advantage Solutions, misclassified them as exempt under the FLSA and California law and so failed to pay requisite compensation. The parties entered into a settlement agreement, and the court previously granted the plaintiffs’ unopposed motion for preliminary approval of the proposed settlement.² The plaintiffs moved for final approval of the settlement.³

¹ SAC – ECF No. 49 at 6–7. Citations refer to material in the Electronic Case File (“ECF”); pinpoint citations are to the ECF-generated page numbers at the top of documents.

² Order – ECF No. 48.

³ Mot. – ECF No. 58.

1 The court held a fairness hearing on May 28, 2020, finds the settlement fair, adequate, and
 2 reasonable, and approves the final settlement, including fees, costs, and service awards.

3 4 STATEMENT

5 1. The Lawsuit

6 On November 28, 2018, named plaintiff Wilma Foster filed this wage-and-hours lawsuit on
 7 behalf of employees who worked for Advantage as Customer Development Managers-Retail
 8 (“CDMRs”) as (1) a FLSA collective action on behalf of a nationwide collective and (2) a class
 9 action on behalf of a California class alleging violations of California law.⁴ (Shortly after the
 10 plaintiff filed the complaint, Advantage reclassified CDMRs from exempt to non-exempt.⁵) The
 11 First Amended Complaint (filed on February 4, 2019) added a Private Attorney General Act
 12 (“PAGA”) claim.⁶ The Second Amended Complaint (“SAC”) added Adam Thimons and
 13 Kimberly Schmidt as named plaintiffs.⁷

14 Advantage produced documents and data enabling the plaintiffs to make informed damage
 15 assessments, and on March 11, 2019, the parties met in person for a day-long settlement
 16 discussion, made progress, and ultimately were unable to settle that day.⁸ On March 28, 2019,
 17 Advantage filed a motion to compel the opt-in plaintiffs to arbitration and to stay the PAGA
 18 claim.⁹ The plaintiffs served requests for production relating to the motion to compel.¹⁰ The
 19 parties ultimately agreed to a settlement conference and to postpone the plaintiffs’ filing their
 20 opposition to the motion to compel, and the case was referred to Magistrate Judge Kandis

21
22
23 ⁴ Compl. – ECF No. 1.

24 ⁵ Ho Decl. – ECF No. 58-1 at 2 (¶ 3).

25 ⁶ FAC – ECF No. 15 at 14–17 (¶¶ 87–93).

26 ⁷ SAC – ECF No. 49 at 2.; Consent Forms – ECF No. 14.

27 ⁸ Ho Decl. – ECF No. 42-1 at 3 (¶¶ 8–9).

28 ⁹ *Id.* (¶ 10); Mot. – ECF No. 25.

¹⁰ Ho Decl. – ECF No. 42-1 at 3–4 (¶¶ 11–13).

1 Westmore for a settlement conference.¹¹ At the settlement conference on September 6, 2019, the
 2 parties reached a tentative agreement and memorialized the material terms on the record.¹² They
 3 finalized their long-form settlement agreement on November 7, 2019, and agreed to the filing of
 4 the SAC, and the plaintiffs thereafter filed the motion for preliminary approval of the settlement
 5 and leave to file the SAC.¹³ The court granted the unopposed motion for preliminary approval and
 6 leave for plaintiffs to file the SAC.¹⁴

7 The plaintiffs moved for final approval of the settlement and for their attorney’s fees and
 8 costs.¹⁵ The court held a fairness hearing on May 28, 2020.

9

10 **2. Settlement**

11 **2.1 Settlement Class**

12 There are 59 California class members and 303 Non-California opt-in eligible plaintiffs.¹⁶

13 The California Rule 23 class is as follows:

14 Individuals employed by Advantage Sales & Marketing LLC d/b/a Advantage
 15 Solutions as Customer Development Managers-Retail (“CDMR”) in California
 16 during any workweek between January 1, 2017 and December 31, 2018 and who
 were classified as exempt.¹⁷

17 The nationwide FLSA collective is as follows:

18 Individuals employed by Advantage Sales & Marketing LLC d/b/a Advantage
 19 Solutions as Customer Development Managers-Retail (“CDMR”) outside of
 20 California during any workweek between January 1, 2017 and December 31, 2018
 and who were classified as exempt, excluding, however, all California Class
 21 Members.¹⁸

22 ¹¹ Stipulation and Order – ECF No. 29.

23 ¹² Minute Entry – ECF No. 37.

24 ¹³ Ho Decl. – ECF No. 42-1 at 4 (¶¶ 17–18); Settlement Agreement, Ex. A to *id.* at 19–45.

25 ¹⁴ Order – ECF No. 48.

26 ¹⁵ Mots. – ECF Nos. 51, 58.

27 ¹⁶ Longley Decl. – ECF No. 58-2 at 6 (¶ 16).

28 ¹⁷ Proposed Order – ECF No. 58-3 at 2; Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 21 (§ 1.3).

¹⁸ Proposed Order – ECF No. 58-3 at 2; Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 23 (§§ 1.13–1.14).

1 The settlement agreement specifies the following definitions for the class:

2 The “California Class” and “California Class Members” means all individuals who
3 are identified by Defendant as having worked as exempt Customer Development
4 Managers-Retail (“CDMR”) for Defendant in California during any workweek
5 between January 1, 2017 and December 31, 2018.

6 . . .

7 “Non-California Opt-in Eligible Plaintiffs” are the individuals identified by
8 Defendant as having worked as CDMRs in any state other than California during
9 any workweek between January 1, 2017 and December 31, 2018. Non-California
10 Opt-in Eligible Plaintiffs will receive a Notice of Collective Action Settlement and,
11 after, final approval of the settlement is granted, a check in the amount of their
12 Individual Payment Amount minus any payroll taxes withheld.

13 “Non-California Opt-in Plaintiffs” are all Non-California Opt-in Eligible Plaintiffs
14 who elect to opt in to this action pursuant to 29 U.S.C. § 216(b) by cashing their
15 settlement check, as set forth below.

16 “Participating Claimants” means all California Class Members who do not timely
17 request exclusion from California Class, and all Non-California Opt-in Plaintiffs.¹⁹

18 **2.2 Settlement Amount and Allocation**

19 The settlement fund is \$1,209,652.²⁰ In the settlement agreement, it was \$1,200,000, but 42
20 non-California CDMRs were inadvertently left off the mailing list, and Advantage funded an extra
21 \$9,652 that (with the reserve fund of \$20,000) covered payments to them.²¹ The \$1,209,652 is
22 allocated as follow: (1) \$749,950 (\$355,149 to the California class members and \$394,801 to the
23 Non-California opt-in eligible plaintiffs), with payments to individuals allocated pro rata based on
24 work weeks; (2) \$17,702 for administration costs; (3) \$10,000 for the PAGA claim (deducted
25 from the allocation to the California class members); (4) service awards to plaintiffs (\$10,000 to
26 Ms. Foster and \$3,000 each to Mr. Thimons and Ms. Schmidt); (5) \$400,000 for attorney’s fees;
27 and (6) \$16,000 in costs.²²

28 ¹⁹ Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 21–23 (§§ 1.3, 1.13–1.15).

²⁰ Ho Decl. – ECF No. 58-1 at 3 (¶ 10).

²¹ *Id.* (¶¶ 5–10); Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 30 (§ 2.7).

²² Ho Decl. – ECF No. 58-1 at 3–4 (¶ 11); Longley Decl. – ECF No. 58-2 at 7 (¶ 22).

1 For the “Individual Payment Amounts” allocated based on workweeks, the payments will be
2 allocated evenly (one-third each) to (1) wages (and Advantage will pay any employer payroll-tax
3 obligations separately, in addition to the settlement fund), (2) interest, and (3) non-wage income
4 (penalties, liquidated damages, and other non-wage recovery reported on an IRS Form 1099).²³

5 For the 59 California Class members, the highest estimated individual award is \$8,264.03, the
6 lowest award is \$612.99, and the median payment is \$7,696.44.²⁴ For the 303 Non-California opt-
7 in plaintiffs, the highest estimated individual award is \$2,253.70, the lowest award is \$3.10, and
8 the median payment is \$1,284.73.²⁵

9 Funds from opt-out class members or their uncashed checks will be given to *cy pres*
10 beneficiary Employee Rights Advocacy Institute for Law & Policy, a non-profit advocacy group
11 for employee rights.²⁶ If the non-California CMDRs do not cash their checks, they will not be
12 opting into the settlement, their claims will not be released, and Advantage will retain the funds.²⁷

13 **2.3 Release Provisions**

14 The release is limited to the claims that were brought or could have been brought based on the
15 facts alleged in the SAC.²⁸ The three named plaintiffs have a general release.²⁹

16 **2.4 Administration**

17 The court appointed Atticus Administration to send the class notice, update addresses
18 (including through skip traces on returned mail), and administer the settlement under the
19 procedures in the settlement agreement.³⁰ Atticus complied with these procedures. On December
20 23, 2019, it sent the class notice and statements of workweeks by first-class mail to the 320
21

22 ²³ Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 33 (§ 2.7(e)).

23 ²⁴ Longley Decl. – ECF No. 58-2 at 8 (¶ 25).

24 ²⁵ *Id.*

25 ²⁶ Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 34 (§ 2.7(g)).

26 ²⁷ Ho Decl. – ECF No. 42-1 at 4–5 (¶ 20).

27 ²⁸ Settlement Agreement, Ex. A to Ho Decl. – ECF No. 42-1 at 23–24 (§ 1.19), 39–40 (§ 4).

28 ²⁹ *Id.* at 32 (§ 2.7(d)).

³⁰ Order – ECF No. 48.

1 settlement class members that Advantage identified.³¹ The customized statements of workweeks
 2 had dates of employment and the estimated Individual Payment Amount.³² If notices were
 3 returned as undeliverable, Atticus updated the addresses (through skip-tracing if necessary) and
 4 resent the notices.³³ In the end, Atticus mailed the notices to 318 California Class Members and
 5 non-California opt-in eligible plaintiffs (99.38% of the settlement class).³⁴

6 In January 2020, four CDMRs contacted either plaintiff's counsel or Atticus and identified
 7 themselves as non-California opt-in eligible plaintiffs, and Atticus sent the notice packages to
 8 them in January 2020.³⁵ In February 2020, Advantage sent Atticus the data files for the 38
 9 additional non-California opt-in eligible plaintiffs, and Atticus sent notice packages to them on
 10 February 5, 2020.³⁶ Of the 42 additional notices, three were undeliverable, and no address updates
 11 were identified.³⁷

12 In sum, Atticus sent notices to 362 CDMRs: 59 California class members and 303 non-
 13 California opt-in eligible plaintiffs.³⁸ Of the 362 CDMRs, 357 (98.62%) received the notice
 14 packages.³⁹ No California class member objected or requested exclusion.⁴⁰

16 ANALYSIS

17 1. Jurisdiction

18 The court has federal-question jurisdiction under 28 U.S.C. § 1331 for the FLSA claim and
 19 supplemental jurisdiction under 28 U.S.C. § 1367 for the state-law claims.

21 ³¹ Longley Decl. – ECF No. 58-2 at 4 (¶¶ 7–8).

22 ³² *Id.* (¶ 9).

23 ³³ *Id.* at 5 (¶ 10).

24 ³⁴ *Id.*

25 ³⁵ *Id.* (¶ 11).

26 ³⁶ *Id.* (¶ 12).

27 ³⁷ *Id.* at 6 (¶ 15).

28 ³⁸ *Id.* (¶ 16).

³⁹ *Id.*

⁴⁰ *Id.* at 6 (¶ 18).

1 **2. Certification of Settlement Class**

2 The court determines whether the settlement classes meet the requirements for class
3 certification first under Rule 23 and then under the FLSA.

4 **2.1 Rule 23 Requirements**

5 The court reviews the propriety of class certification under Federal Rule of Civil Procedure
6 23(a) and (b). When parties enter into a settlement before the court certifies a class, the court
7 “must pay ‘undiluted, even heightened, attention’ to class certification requirements” because the
8 court will not have the opportunity to adjust the class based on information revealed at trial. *Staton*
9 *v. Boeing Co.*, 327 F.3d 938, 952–53 (9th Cir. 2003) (quoting *Amchem Prods., Inc. v. Windsor*,
10 521 U.S. 591, 620 (1997)); *In re Hyundai & Kia Fuel Econ. Litig.*, 926 F.3d 539, 557 (9th Cir.
11 2019).

12 Class certification requires the following: (1) the class is so numerous that joinder of all
13 members individually is “impracticable;” (2) there are questions of law or fact common to the
14 class; (3) the claims or defenses of the class representatives are typical of the claims or defenses of
15 the class; and (4) the person representing the class will fairly and adequately protect the interests
16 of all class members. Fed. R. Civ. P. 23(a); *Staton*, 327 F.3d at 953. Also, the common questions
17 of law or fact must predominate over any questions affecting only individual class members, and
18 the class action must be superior to other available methods for fairly and efficiently adjudicating
19 the controversy. Fed. R. Civ. P. 23(b)(3). All claims arise from the defendant’s uniform practices,
20 and thus liability can be determined on a class-wide basis. *Betorina v. Ranstad US, L.P.*, No. 15-
21 cv-03646-EMC, 2017 WL 1278758, at *5 (N.D. Cal. Apr. 6, 2017).

22 The court finds (for settlement purposes only) that the proposed settlement classes meet the
23 Rule 23(a) prerequisites of numerosity, commonality, typicality, and adequacy. Also, under Rule
24 23(b)(3) (and for settlement purposes only), common questions predominate over any questions
25 affecting only individual members, and a class action is superior to other available methods.

1 First, there are 59 California Class Members.⁴¹ The class is numerous. *Nelson v. Avon Prods.,*
2 *Inc.*, No. 13-cv-02276-BLF, 2015 WL 1778326, at *5 (N.D. Cal. April 17, 2015) (“Courts have
3 repeatedly held that classes comprised of ‘more than forty’ members presumptively satisfy the
4 numerosity requirement”) (internal citations omitted).

5 Second, there are questions of law and fact common to the class that predominate over any
6 individual issues. Common fact questions are that Advantage classified all CDMRs as exempt
7 during the class period, the CDMRs had the same job duties, Advantage sent them schedules with
8 no-meal-and-rest periods on the schedules, and they all had arbitration agreements. Common law
9 questions include whether the arbitration agreements are valid and whether the CDMRs qualify for
10 any of the exemptions under California law or the FLSA. The claims depend on common
11 contentions that — true or false — will resolve issues central to the validity of the claims. *Cf. Wal-*
12 *Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 350 (2011); *Betorina*, 2017 WL 1278758 at *4.

13 Third, the claims of the representative parties are typical of the claims of the class. The
14 representative parties and all class members allege wage-and-hours violations based on similar
15 facts. All representatives possess the same interest and suffer from the same injury. *Cf. Betorina*,
16 2017 WL 1278758 at *4.

17 Fourth, the representative parties fairly and adequately protect the interests of the class. The
18 factors relevant to a determination of adequacy are (1) the absence of potential conflict between
19 the named plaintiff and the class members, and (2) counsel chosen by the representative party who
20 is qualified, experienced, and able to vigorously conduct the litigation. *In re Hyundai & Kia*, 926
21 F.3d at 566 (citing *Hanlon v. Chrysler Crop.*, 150 F.3d 1011, 1020 (9th Cir. 1998)). The factors
22 exist here: the named plaintiffs have shared claims and interests with the class (and no conflicts of
23 interest), and they retained qualified and competent counsel who have prosecuted the case
24 vigorously. *Cf. id.*; *Local Joint Exec. Bd. of Culinary/Bartender Tr. Fund v. Las Vegas Sands, Inc.*,
25 244 F.3d 1152, 1162 (9th Cir. 2001); *Hanlon*, 150 F.3d at 1021–22.

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⁴¹ *Id.* at 6 (¶ 16).

1 Finally, a class action is superior to other available methods for fairly and efficiently
2 adjudicating the controversy.

3 In sum, the prerequisites of Fed. R. Civ. P. 23(a) and (b)(3) are met. The court conditionally
4 certifies the class under Federal Rule of Civil Procedure 23(b)(3) for settlement purposes only.

5 **2.2 FLSA Class**

6 The FLSA authorizes “opt-in” representative actions where the complaining parties are
7 “similarly situated” to other employees. 29 U.S.C. § 216(b); *see generally Tyson Foods, Inc. v.*
8 *Bouaphakeo*, 136 S. Ct. 1036, 1042 (2016). Here, all class representatives worked as CDMRs
9 during the class period, and their wage-and-hour claims — and related issues such as the validity
10 of the arbitration agreements — present common fact and law questions. The court certifies the
11 FLSA class for settlement purposes only.

13 **3. Approval of Settlement**

14 Settlement is a strongly favored method for resolving disputes, particularly “where complex
15 class action litigation is concerned.” *Class Plaintiffs v. City of Seattle*, 955 F.2d 1268, 1276 (9th
16 Cir. 1992); *see, e.g., In re Pac. Enters. Sec. Litig.*, 47 F.3d 373, 378 (9th Cir. 1995). A court may
17 approve a proposed class-action settlement only “after a hearing and on finding that it is fair,
18 reasonable, and adequate.” Fed. R. Civ. P. 23(e)(2). The court need not ask whether the proposed
19 settlement is ideal or the best possible; it determines only whether the settlement is fair, free of
20 collusion, and consistent with the named plaintiffs’ fiduciary obligations to the class. *See Hanlon*,
21 150 F.3d at 1027 (9th Cir. 1998). In *Hanlon*, the Ninth Circuit identified factors relevant to
22 assessing a settlement proposal: (1) the strength of the plaintiff’s case; (2) the risk, expense,
23 complexity, and likely duration of further litigation; (3) the risk of maintaining class-action status
24 throughout trial; (4) the amount offered in settlement; (5) the extent of discovery completed and
25 the stage of the proceeding; (6) the experience and views of counsel; (7) the presence of a
26 government participant; and (8) the reaction of class members to the proposed settlement. *Id.* at
27 1026 (citation omitted).

1 When parties “negotiate a settlement agreement before the class has been certified, “settlement
 2 approval ‘requires a higher standard of fairness’ and ‘a more probing inquiry than may normally
 3 be required under Rule 23(e).” *Roes, 1–2 v. SFBSC Mgmt., LLC*, 944 F.3d 1035, 1048 (9th Cir.
 4 2019) (quoting *Dennis v. Kellogg Co.*, 697 F.3d 858, 864 (9th Cir. 2012)). “Specifically, ‘such
 5 settlement agreements must withstand an even higher level of scrutiny for evidence of collusion or
 6 other conflicts of interest than is ordinarily required under Rule 23(e) before securing the court’s
 7 approval as fair.’” *Id.* at 1049 (quoting *In re Bluetooth Headset Prods. Liab. Litig.*, 654 F.3d 935,
 8 946 (9th Cir. 2011)).

9 The court has evaluated the proposed settlement agreement for overall fairness under the
 10 *Hanlon* factors and concludes that it is free of collusion and approval is appropriate.

11 First, as the plaintiffs point out, the settlement provides good value and is fair, and they collect
 12 cases in this district where courts have approved settlements at comparable or lower rates
 13 compared to the maximum recoverable at trial.⁴² *See, e.g., Stovall-Gusman v. W.W. Granger, Inc.*,
 14 No. 13-cv-02540-HSG, 2015 WL 3776765, at *4–5 (N.D. Cal. June 17, 2015) (approving a final
 15 settlement representing 7.3% of the plaintiffs’ estimated trial award in wage-and-hour class
 16 action); *Balderas v. Massage Envy Franchising, LLC*, No. 12-cv-06327-NC, 2014 WL 3610945,
 17 at *5 (N.D. Cal. July 21, 2014) (granting preliminary approval of gross settlement representing 8%
 18 of the maximum recovery and net settlement representing 5% of the maximum recovery), *final*
 19 *approval*, 12-cv-06327-NC – ECF No. 78 (N.D. Cal. Mar. 15, 2015); *Nelson v. Avon Prods., Inc.*,
 20 No. 13-cv-02276-BLF, 2017 WL 733145, at *2–4 (N.D. Cal. Feb. 24, 2017) (approving settlement
 21 amount of \$1,800,000, representing 12 to 24% of recovery rate, for 289 class members alleging
 22 claims for misclassification as exempt from overtime wages).

23 Second, a related point is that the value is significant compared to litigation risks and
 24 certainties. The plaintiffs identify the risks: (1) class certification could require individual

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 26 ⁴² Mot. – ECF No. 58 at 18–19; Ho Decl. – ECF No. 42-1 at 10–11 (¶¶ 47–50) (estimating a maximum
 27 exposure of \$4,112,633 for the California Class with PAGA damages and a maximum exposure of
 28 \$8,472,812 for the FLSA Collective (but discounting it to \$4,236,406 given the potential fluctuating-
 workweek application for the FLSA overtime claim).

1 assessment of the CDMRs’ duties and whether they were exempt from federal and state overtime
 2 laws; (2) the merits of Advantage’s motion to compel individual arbitration; (3) uncertainties
 3 about the amounts of overtime; and (4) the relative short liability period.⁴³ In particular, if
 4 Advantage prevailed on a motion to compel arbitration, a “large portion of the class would be
 5 excluded from a class or collective action.”⁴⁴ *Cf. In re Uber FCRA Litig.*, No. 14-cv-05200-EMC,
 6 2017 WL 2806698, at *6 (N.D. Cal. June 29, 2017) (“[S]ome 40% of the class members are
 7 subject to arbitration . . . [thus] a large portion of the class would be excluded from this litigation,
 8 and would be forced to arbitrate their claims individually. Given the small amount of potential
 9 recovery per individual, there is strong likelihood that few would pursue individual arbitration.
 10 This fact alone accounts for a significant discount on the potential recovery”). Moreover,
 11 settlement allows payment to the CDMRs now, while litigation would be costly and protracted,
 12 possibly through an appeal.⁴⁵

13 Third, a class action allows class members — who otherwise would not pursue their claims
 14 individually because costs would exceed recoveries — to obtain relief.

15 Finally, the settlement is the product of serious, non-collusive, arm’s-length negotiations,
 16 reached the agreement after a settlement conference with Judge Westmore.⁴⁶

17 In sum, the court finds that viewed as a whole, the proposed settlement is sufficiently fair,
 18 adequate, and reasonable. Fed. R. Civ. P. 23(e)(2). The court approves the settlement.

19 For the same reasons, the court approves the settlement of the FLSA collective action.
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24 ⁴³ *Id.* at 16–18; Ho Decl. – ECF No. 42-1 at 7 (¶ 29) (“Advantage claims the arbitration agreements are
 25 enforceable . . . and that 57 of the 59 California Class Members and 253 of the 261 Non-California
 Opt-in Eligible Plaintiffs are covered by the agreements”).

26 ⁴⁴ Mot. – ECF No. 58 at 18.

27 ⁴⁵ *Id.* at 17.

28 ⁴⁶ Minute Entry – ECF No. 37.

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4. Class Representative, Class Counsel, and Claims Administrator

The court confirms its appointment of Ms. Foster as the class representative.⁴⁷ She has claims that are typical of members of the class generally, and she is an adequate representative of the other members of the proposed classes.

The court confirms its appointment of Laura Ho and Byron Goldstein of Goldstein, Borgen, Dardarian & Ho LLP and Andrew Horowitz of Obermayer Rebmann Maxwell & Hoppel, LLP as class counsel for settlement purposes only. *See* Fed. R. Civ. P. 23(a) & (g)(1). They have the requisite qualifications, experience, and expertise in prosecuting class actions.

The court approves Atticus’s expenses of \$17,702.

5. Class Notice

The class administrator provided notice to the members of the class in the form that the court approved previously. The notice met all legal prerequisites: it was the best notice practicable, satisfied the notice requirements of Rule 23, adequately advised class members of their rights under the settlement agreement, met the requirements of due process, and complied with the court’s order regarding court notice.⁴⁸ The form of notice fairly, plainly, accurately, and reasonably provided class members with all required information, including (among other things): (1) a summary of the lawsuit and claims asserted; (2) a clear definition of the class; (3) a description of the material terms of the settlement, including the estimated payment; (4) a disclosure of the release of the claims; (5) an explanation of class members’ opt-out rights, a date by which they must opt out, and information about how to do so; (6) the date and location of the final fairness hearing (including how to check if the date of the hearing changes); and (7) the

⁴⁷ Order – ECF No. 48 at 11.

⁴⁸ *Id.* at 11–12.

1 identity of class counsel and the provisions for attorney’s fees, costs, and class-representative
2 service awards.⁴⁹

3 4 **6. CAFA and PAGA Notices**

5 On February 27, 2020, the plaintiffs provided notice of the settlement and other information
6 showing compliance with the Class Action Fairness Act of 2005, 28 U.S.C. § 1715, to the
7 appropriate federal and state officials.⁵⁰ The court’s final approval hearing is more than 90 days
8 after service as required by 28 U.S.C. § 1715. The plaintiff also provided notice of the settlement
9 of PAGA penalties to the California Labor and Workforce Development Agency.⁵¹

10 11 **7. Attorney’s Fees and Costs**

12 “In a certified class action, the court may award reasonable attorney’s fees and nontaxable
13 costs that are authorized by law or by the parties’ agreement.” Fed. R. Civ. P. 23(h). The court
14 approves \$400,000 in attorney’s fees and \$16,000 in costs.⁵²

15 Fee provisions in class-action settlements must be reasonable. *In re Bluetooth.*, 654 F.3d at
16 941. The court is not bound by the parties’ settlement agreement as to the amount of fees. *Id.* at
17 942–43. The court must review fee awards with special rigor:

18 Because in common fund cases the relationship between plaintiffs and their attorneys turns
19 adversarial at the fee-setting stage, courts have stressed that when awarding attorneys’ fees
20 from a common fund, the district court must assume the role of fiduciary for the class
21 plaintiffs. Accordingly, fee applications must be closely scrutinized. Rubber-stamp
22 approval, even in the absence of objections, is improper.

23 *Vizcaino v. Microsoft Corp.*, 290 F.3d 1043, 1052 (9th Cir. 2002) (quotation omitted).

24 When counsel recovers a common fund that confers a “substantial benefit” on a class of

25 ⁴⁹As part of the notice, class members and eligible plaintiffs received their estimated settlement
26 amounts based on customized statements of weeks worked. Longley Decl. – ECF No. 58-2 at 4 (¶¶ 8–
27 9); Notice Packets, Ex. B to *id.* at 13–31; Additional Notice, Ex. C to *id.* at 33–40.

28 ⁵⁰ Ho Decl. – ECF No. 58-1 at 4 (¶ 13); Longley Decl. – ECF No. 58-2 at 3 (¶ 5); CAFA Notice, Ex. A
to *id.* at 11–12.

⁵¹ Ho Decl. – ECF No. 58-1 at 4 (¶ 12).

⁵² Mot. – ECF No. 58 at 25; Fees Mot. – ECF No. 51 at 7.

1 beneficiaries, counsel is “entitled to recover their attorney’s fees from the fund.” *Fischel v.*
 2 *Equitable Life Assurance Soc’y*, 307 F.3d 997, 1006 (9th Cir. 2002). In common-fund cases, courts
 3 may calculate a fee award under either the “lodestar” or “percentage of the fund” method. *Id.*;
 4 *Hanlon*, 150 F.3d at 1029.

5 Where the settlement involves a common fund, courts typically award attorney’s fees based on
 6 a percentage of the settlement fund. The Ninth Circuit has established a “benchmark” that fees
 7 should equal 25% of the settlement, although courts diverge from the benchmark based on factors
 8 that include “the results obtained, risk undertaken by counsel, complexity of the issues, length of
 9 the professional relationship, the market rate, and awards in similar cases.” *Morales v. Stevco, Inc.*,
 10 No. CIV-F-09-0704-AWI-JLT, 2013 WL 1222058, *2 (E.D. Cal. Mar. 25, 2013); *see also Morris v.*
 11 *Lifescan, Inc.*, 54 F. App’x 663, 664 (9th Cir. 2003) (affirming 33% fee award); *In re Pac. Enter.*
 12 *Secs. Litig.*, 47 F.3d at 379; *Six Mexican Workers v. Arizona Citrus Growers*, 904 F.2d 1301, 1311
 13 (9th Cir. 1990).

14 When determining the value of a settlement, courts consider the monetary and non-monetary
 15 benefits that the settlement confers. *See, e.g., Staton*, 327 F.3d at 972–74; *Pokorny v. Quixtar, Inc.*,
 16 No. C-07-0201-SC, 2013 WL 3790896, *1 (N.D. Cal. July 18, 2013) (“The court may properly
 17 consider the value of injunctive relief obtained as a result of settlement in determining the
 18 appropriate fee.”); *In re Netflix Privacy Litig.*, No. 5:11-CV-0379-EJD, 2013 WL 1120801, *7
 19 (N.D. Cal. Mar. 18, 2013) (settlement value “includes the size of the cash distribution, the *cy pres*
 20 method of distribution, and the injunctive relief”).

21 Finally, Ninth Circuit precedent requires courts to award class counsel fees based on the total
 22 benefits being made available to class members rather than the actual amount that is ultimately
 23 claimed. *Young v. Polo Retail, LLC*, No. C-02-4547-VRW, 2007 WL 951821, *8 (N.D. Cal. Mar.
 24 28, 2007) (citing *Williams v. MGM-Pathe Commc’ns Co.*, 129 F.3d 1026 (9th Cir. 1997) (“district
 25 court abused its discretion in basing attorney fee award on actual distribution to class” instead of
 26 amount being made available)).

27 If the court applies the percentage method, it then typically calculates the lodestar as a “cross-
 28 check to assess the reasonableness of the percentage award.” *See, e.g., Weeks v. Kellogg Co.*, No.

1 CV-09-8102-MMM-RZx, 2013 WL 6531177, *25 (C.D. Cal. Nov. 23, 2013); *see also Serrano v.*
 2 *Priest*, 20 Cal. 3d 25, 48–49 (1977); *Fed-Mart Corp. v. Pell Enters., Inc.*, 111 Cal. App. 3d 215,
 3 226–27 (1980).⁵³ “The lodestar . . . is produced by multiplying the number of hours reasonably
 4 expended by counsel by a reasonable hourly rate.” *Lealao v. Beneficial Cal., Inc.*, 82 Cal. App. 4th
 5 19, 26 (2000). Once the court has fixed the lodestar, it may increase or decrease that amount by
 6 applying a positive or negative “multiplier to take into account a variety of other factors, including
 7 the quality of the representation, the novelty and complexity of the issues, the results obtained, and
 8 the contingent risk presented.” *Id.*

9 Based on counsel’s submissions, the court finds that the requested fees are appropriate as a
 10 percentage of the common fund, supported by a lodestar cross-check (with counsel’s suggested
 11 multiplier). First, the settlement achieved significant relief, including a non-reversionary payment
 12 to the class members, Advantage’s separate payment of payroll taxes, and (shortly after the lawsuit
 13 was filed), Advantage’s reclassification of CDMRs from exempt to non-exempt.⁵⁴ No class
 14 member objected to the settlement or opted out, which supports the conclusion of reasonableness.
 15 Second, class counsel assumed significant litigation risk and litigated the case efficiently on a
 16 contingency basis, achieving a settlement in a year.⁵⁵ *Cf. Burden v. SelectQuote Ins. Servs.*, No.
 17 10-cv-05966-LB, 2013 WL 3988771, at *5 (N.D. Cal. Aug. 2, 2013) (adjusting the benchmark
 18 25% to 33% for these reasons); *see also In re Volkswagen ‘Clean Diesel’ Mktg., Sales Practices,*
 19 *& Prod. Liab. Litig.*, MDL No. 2672 CRB (JSC), 2017 WL 1352859, at *6 (N.D. Cal. April 12,
 20 2017) (“Class counsel, however, ‘should not be ‘punished’ for efficiently litigating [the] action . . .
 21 [a] positive multiplier rewards [] Class Counsel for its efforts in achieving swift settlement”).

22 Also, this is a smaller case, and courts award fees above the 25% benchmark, particularly when
 23 the benchmark would undercompensate counsel. *See, e.g., Cicero v. DirecTV, Inc.*, No. EDCV 07-

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 26 ⁵³ Longley Decl. – ECF No. 58-2 at 6 (¶ 18).

27 ⁵⁴ *Id.* at 8 (¶ 25); Ho Decl. – ECF No. 51-1 at 3 (¶ 7).

28 ⁵⁵ Ho Decl. – ECF No. 51-1 at 3–4 (¶¶ 8–9).

1 1182, 2010 WL 2991486, at *6 (C.D. Cal. July 27, 2010) (collecting cases); *Burden*, 2013 WL
2 3988771 at *5.⁵⁶

3 The lodestar cross-check supports this conclusion. The billing rates are normal and customary
4 (and thus reasonable) for lawyers of comparable experience doing similar work.⁵⁷ *See CuvIELLO v.*
5 *Feld Entm't, Inc.*, No. 13-cv-04951-BLF, 2015 WL 154197, at *2–3 (N.D. Cal. Jan. 12, 2015)
6 (“court has broad discretion in setting the reasonable hourly rates used in the lodestar calculation”)
7 (citation omitted); *Ketchum v. Moses*, 24 Cal. 4th 1122, 1132 (2001) (court can rely on its own
8 experience); *accord Open Source Sec. v. Perens*, 803 F. App’x 73, 77 (9th Cir. 2020). Counsel
9 provided billing records justifying the hours worked in the case and allowing a conclusion about
10 the multiplier.⁵⁸ The lodestar is more than the 25-percent benchmark.⁵⁹ The court applies the
11 multiplier (based on the quality of the representation, the complexity and risk, the amounts at stake
12 in the litigation, the efficiency of the litigation, and the result obtained) and awards 400,000 (33%
13 of the common fund).⁶⁰

14 The court also awards the reasonable out-of-pocket costs of up to \$16,000. Fed. R. Civ. P.
15 23(h); *see Harris v. Marhoefer*, 24 F.3d 16, 19 (9th Cir. 1994) (attorneys may recover reasonable
16 expenses that would typically be billed to paying clients in non-contingency matters); *Van*
17 *Vranken v. Atl. Richfield Co.*, 901 F. Supp. 294, 299 (N.D. Cal. 1995) (approving reasonable costs
18 in class action settlement). Costs compensable under Rule 23(h) include “nontaxable costs that are
19 authorized by law or by the parties’ agreement.” Fed. R. Civ. P. 23(h). Costs were \$15,106.38 on
20 May 7, 2020.⁶¹ Counsel estimates that total costs will be \$16,000 (less than the maximum \$20,000
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24 ⁵⁶ *See* Mot. – ECF No. 51 at 9 (collecting cases).

25 ⁵⁷ Ho Decl. – ECF No. 51-1 at 5–7 (¶ 15); Fox Decl. – ECF No. 51-2 at 2–3 (¶¶ 6–8).

26 ⁵⁸ Ho Decl. – ECF No. 51-1 at 8–12 (¶¶ 18–31); Fox Decl. – ECF No. 51-2 at 3–4 (¶¶ 9–15).

27 ⁵⁹ Ho Decl. – ECF No. 58-1 at 5 (¶ 18).

28 ⁶⁰ *See also* Proposed Order – ECF No. 58-3 at 6 (collecting cases).

⁶¹ Ho Decl. – ECF No. 58-1 at 6 (¶ 20).

1 in the settlement agreement), and any excess costs will be redistributed to class and collective-
 2 action members.⁶² The court approves costs of up to \$16,000.

3 4 **8. Service Awards**

5 The settlement proposes service awards of \$10,000 to Ms. Foster and \$3,000 each to Mr.
 6 Thimons and Ms. Schmidt. The court reduces Ms. Foster’s award to \$6,000 and awards \$2,000
 7 each to Mr. Thimons and Ms. Schmidt.

8 District courts must evaluate proposed awards individually, using relevant factors that include
 9 “the actions the plaintiff has taken to protect the interests of the class, the degree to which the class
 10 has benefitted from those actions, ... [and] the amount of time and effort the plaintiff expended in
 11 pursuing the litigation.” *Staton*, 327 F.3d at 977. “Such awards are discretionary . . . and are
 12 intended to compensate class representatives for work done on behalf of the class, to make up for
 13 financial or reputational risk undertaken in bringing the action, and, sometimes, to recognize their
 14 willingness to act as a private attorney general.” *Rodriguez v. West Publishing Corp.*, 563 F.3d
 15 948, 958–59 (9th Cir. 2009) (citation omitted). The Ninth Circuit has “noted that in some cases
 16 incentive awards may be proper but [has] cautioned that awarding them should not become routine
 17 practice.” *Radcliffe v. Experian Info. Sols.*, 715 F.3d 1157, 1163 (9th Cir. 2013) (discussing
 18 *Staton*, 327 F.3d at 975–78). Also, district courts “must be vigilant in scrutinizing all incentive
 19 awards to determine whether they destroy the adequacy of the class representatives.” *Id.* at 1164.
 20 In this district, a \$5,000 incentive award is “presumptively reasonable.” *Bellinghausen v. Tractor*
 21 *Supply Co.*, 306 F.R.D. 245, 266 (N.D. Cal. 2015) (collecting cases).

22 Ms. Foster’s request of \$10,000 is double the presumptively reasonable award of \$5,000. Her
 23 efforts in this case include gathering documents, explaining her work to her attorneys, reviewing
 24 Advantage’s motion to compel arbitration, helping draft her declaration to oppose the motion, and
 25 participating in the settlement conference.⁶³ She played a “critical role” in developing the facts and

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 27 ⁶² *Id.*

28 ⁶³ Foster Decl. – ECF No. 42-3 at 2–3 (¶¶ 4–8).

1 representing the class in settlement discussions, and she assumed the risk of being perceived as a
2 “trouble-maker,” possibly affecting her future employment in her industry.⁶⁴ In total, she spent
3 28.5 hours prosecuting the case.⁶⁵

4 The plaintiffs’ cases show that the proposed award is high, considering the hours Ms. Foster
5 spent (in the context of the discovery landscape). *Cf. Harris v. Vector Mktg. Corp.*, No. 08-cv-
6 5198-EMC, 2012 WL 381202, at *7–8 (N.D. Cal. Feb. 6, 2012) (awarding \$12,500 where the
7 plaintiff spent “more than 100 hours on this case (which included being deposed twice)” and the
8 defendant “pursued disclosure of her private information”); *Dyer v. Wells Fargo Bank, N.A.*, 303
9 F.R.D. 326, 335–36 (awarding \$10,000 where the plaintiff was deposed, attended a four-day
10 mediation (which required her to travel and miss work), and spent “more than 200 hours assisting
11 in the case”); *Bellinghausen.*, 306 F.R.D. at 267–68 (awarding \$15,000 where the plaintiff spent
12 73 hours on the case, attended mediation, and was rejected by potential employers because of his
13 status as class representative); *Browner v. Bank of Am. Nat’l Ass’n*, No. 14-cv-02702-LB, 2016
14 WL 161295, at *6 (N.D. Cal. Jan. 14, 2016) (approving \$15,000 where the plaintiff spent between
15 80 to 100 hours in the case). Still, the plaintiffs observe, the proposed award is not
16 disproportionate compared to the net recoveries (a median recovery for the California Class and
17 the non-California opt-in eligible plaintiffs of \$7,696.44 and \$1,284, respectively).⁶⁶ *Cf. Bolton v.*
18 *U.S. Nursing Corp.*, No. 12-cv-4466-LB, 2013 WL 5700403, at *6 (N.D. Cal. Oct. 18, 2013).

19 Given the hours spent, the recoveries here, and the points of reference from other cases, the
20 court allows \$6,000 for Ms. Foster and \$2,000 each for Mr. Thimons and Ms. Schmidt. Mr.
21 Thimons spent a total of ten hours in this case, including discussing his work as a CDMR with
22 plaintiff’s counsel, gathering relevant documents, and making himself available for the settlement
23 conference.⁶⁷ Ms. Schmidt spent about nine hours total in similar fact-gathering and settlement
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25 ⁶⁴ Ho Decl. – ECF No. 58-1 at 4 (¶ 14); Foster Decl. – ECF No. 42-3 at 4 (¶ 12).

26 ⁶⁵ Foster Decl. – ECF No. 42-3 at 3 (¶ 9)

27 ⁶⁶ Longley Decl. – ECF No. 58-2 at 8 (¶ 25).

28 ⁶⁷ Thimons Decl. – ECF No. 42-4 at 2 (¶¶ 2, 4), at 3 (¶ 7).

1 efforts.⁶⁸ Their awards are below the presumptively reasonable amount in this district. *Cf.*
 2 *Bellinghausen*, 306 F.R.D. at 266. Ms. Foster’s \$6,000 is about three times their awards, and the
 3 court finds this the reasonable service award for her based on the relative hours and the case.

4 5 **9. Cy Pres Award**

6 If there is a *cy pres* distribution to the beneficiary Employee Rights Advocacy Institute for
 7 Law & Policy, it accounts for and has a substantial nexus to the nature of the lawsuit, the
 8 objectives of the statutes, and the interest of the silent class members. *See Lane v. Facebook, Inc.*,
 9 696 F.3d 811, 818–22 (9th Cir. 2012); *Nachshin v. AOL, LLC*, 663 F.3d 1034, 1038–41 (9th Cir.
 10 2011).

11 12 **10. Release of Claims⁶⁹**

13 As of the date the judgment becomes final (meaning that the time for appeal has expired with
 14 no appeal taken, all appeals are resolved, and none are left pending, or this judgment is affirmed in
 15 all material respects after completion of the appellate process), the named plaintiffs, California
 16 class members, and non-California plaintiffs who opt in by cashing their checks are barred from
 17 bringing or presenting any action or proceeding against any Released Parties that involves or
 18 asserts any of the Released Claims (as those terms are defined in the Settlement Agreement).

19 20 **11. Post-Distribution Accounting**

21 Within 21 days after the distribution of the settlement funds and payment of attorney’s fees,
 22 the parties must file a post-distribution accounting, which provides the following information:

23 The total settlement fund, the total number of class members, the total number of class
 24 members to whom notice was sent and not returned as undeliverable, the number and
 25 percentage of claim forms submitted, the number and percentage of opt-outs, the number
 26 and percentage of objections, the average and median recovery per claimant, the largest
 and smallest amounts paid to class members, the methods of notice and the methods of

27 ⁶⁸ Schmidt Decl. – ECF No. 42-5 at 2–3 (¶¶ 2, 4–8).

28 ⁶⁹ The remaining provisions in this order are taken from the proposed order’s identification of relevant provisions from the settlement agreement. Proposed Order – ECF No. 58-3 at 8–9.

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payment to class members, the number and value of checks not cashed, the amounts distributed to each *cy pres* recipient, the administrative costs, the attorney’s fees and costs, the attorneys’ fees in terms of percentage of the settlement fund, and the multiplier, if any.

Within 21 days after the distribution of the settlement funds and award of attorney’s fees, the parties must post the post-distribution accounting, including the easy-to-read chart, on the settlement website. The court may hold a hearing following submission of the parties’ post-distribution accounting.

12. Non-Admission

This order and the Settlement Agreement are not evidence of, or an admission or concession on the part of, the Released Parties with respect to any claim of any fault, liability, wrongdoing, or damages.

13. Order for Settlement Purposes

The findings and rulings in this order are made for the purposes of settlement only and may not be cited or otherwise used to support the certification of any contested class or subclass in any other action.

14. Use of Agreement and Ancillary Terms

The Settlement Agreement and any documents, actions, statements, or filings in furtherance of settlement (including matters associated with the mediation) are not admissible and cannot be offered into evidence in any action related or similar to this one for the purposes of establishing, supporting, or defending against any claims that were raised or could have been raised in this action or are similar to such claims.

CONCLUSION

The court (1) certifies the class and the FLSA collective for settlement purposes only, (2) approves the settlement and authorizes the distribution of funds (as set forth in this order), (3) appoints the class representative and class counsel, (4) approves \$400,000 in attorney’s fees, up to

1 \$16,000 in costs, \$17,702 for Atticus’s administration costs, and service awards of \$6,000 to Ms.
2 Foster and \$2,000 each to Mr. Thimons and Ms. Schmidt, (5) orders the post-distribution
3 accounting, and (6) orders the parties and Atticus to carry out their obligations in the settlement
4 agreement.

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6 **IT IS SO ORDERED.**

7 Dated: May 28, 2020



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9 LAUREL BEELER
United States Magistrate Judge

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United States District Court
Northern District of California

EXHIBIT E



14106503

FILED
ALAMEDA COUNTY

JUN 13 2019

CLERK OF THE SUPERIOR COURT

By *[Signature]* Deputy

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18 SUPERIOR COURT OF THE STATE OF CALIFORNIA
19 COUNTY OF ALAMEDA

20 ANGELA FLOWERS, individually and on behalf
21 of others similarly situated,

22 Plaintiff,

23 vs.

24 TWILIO, INC., and DOES 1-20, inclusive,

25 Defendants.

Case No.: RG16804363

CLASS ACTION

~~[REVISED PROPOSED]~~ ORDER OF FINAL
APPROVAL AND JUDGMENT

Date: June 11, 2019

Time: 3:00 p.m.

Dept: 23

Before: Hon. Brad Seligman

Reservation No. R-2078197

1 WHEREAS, Plaintiff filed this action on February 18, 2016.

2 WHEREAS, on January 2, 2018, the Court certified two classes, the 631 Class and the 632.7
3 Class. The Settlement Class includes these two already-certified Classes (with an update to reflect
4 Trulia's changes to its Privacy Policy since that order), which are defined as:

5 The 631 Class: All persons who, while in California either a) made or
6 received a phone call that Twilio recorded for an account linked to
7 Homejoy or Handy between April 21, 2010 and March 31, 2016
8 (Homejoy) or June 29, 2017 (Handy); or b) sent or received a text message
9 that Twilio recorded for an account linked to Homejoy between April 21,
10 2010 and March 31, 2016, Trulia between April 21, 2010 and April 26,
11 2018, or Handy between April 21, 2010 and April 25, 2016.

12 The 632.7 Class: All persons who, while in California and using a cell
13 phone either a) made or received a phone call that Twilio recorded for an
14 account linked to Homejoy or Handy between April 21, 2010 and March
15 31, 2016 (Homejoy) or June 29, 2017 (Handy); or b) sent or received a
16 text message that Twilio recorded for an account linked to Homejoy
17 between April 21, 2010 and March 31, 2016, Trulia between April 21,
18 2010 and April 26, 2018, or Handy between April 21, 2010 and April 25,
19 2016.

20 Excluded from the classes are: (1) individuals classified as employees of Twilio, Handy, Homejoy or
21 Trulia; (2) real estate agents of Trulia (i.e., real estate agents advertising listings and services on
22 Trulia's website); (3) Plaintiff's and Defendant's counsel and their respective employees; and (4) court
23 personnel.

24 WHEREAS, the Parties to this litigation reached a proposed class action settlement, as set forth
25 in the Amended Stipulation of Class Action Settlement Agreement ("Amended Settlement
26 Agreement").

27 WHEREAS, Plaintiff filed a motion for Preliminary Approval of Class Settlement, and the
28 Court granted preliminary approval of the class action settlement on January 15, 2019.

WHEREAS, after the order preliminarily approving the class settlement, a Notice of Class
Action Settlement was sent to Settlement Class Members. Settlement Class Members were provided
the opportunity to exclude themselves or object. A final fairness hearing was held on June 11, 2019.

NOW, THEREFORE, IT IS HEREBY FINALLY ADJUDGED AND ORDERED THAT:

1. The Amended Settlement Agreement is fair, reasonable, and adequate, and it is hereby
approved and incorporated herein.

1 2. The Parties to the Amended Settlement Agreement shall implement Agreement
2 according to its terms and provisions. All defined terms contained herein shall have the same
3 meanings as set forth in the Amended Settlement Agreement.

4 3. Notice of the Amended Settlement Agreement was provided to Class Members via
5 direct mailing, direct e-mailing, a settlement website, and a toll-free phone number in accordance with
6 the terms of the Amended Settlement Agreement. The Class Notice implemented adequately informed
7 Class Members of the pendency of the Action, their right to object to or exclude themselves from the
8 proposed Agreement, and to appear at the Final Approval Hearing.

9 4. Settlement Class Members were afforded the opportunity to exclude themselves or
10 object, and a hearing was held on June 11, 2019, to entertain any such objections. No Class Member
11 objected to this settlement.

12 5. The scope of the release, which is hereby incorporated from the Amended Settlement
13 Agreement, is appropriate to the claims asserted in the case.

14 6. The Amended Settlement Agreement (including the release provisions thereof) is
15 binding on, and has res judicata and preclusive effect in all pending and future lawsuits or other
16 proceedings maintained by or on behalf of Plaintiff and Settlement Class Members who have not opted
17 out. Settlement Class Members who have not been properly excluded from the Settlement Class are
18 permanently enjoined from filing, commencing, prosecuting, intervening in, or participating (as class
19 members or otherwise) in, any lawsuit or other action in any jurisdiction based on the Released Claims.
20 The following individuals have excluded themselves from this Amended Settlement: Suvas Khadgi
21 and Jennifer and Brennan Gaunce.

22 7. Plaintiff Flowers and Class Counsel have adequately represented the Settlement Class
23 for purposes of entering into and implementing the Amended Settlement Agreement.

24 8. Plaintiff's motion makes an adequate analysis required by *Kullar v. Foot Locker Retail*,
25 168 Cal. App. 4th 116 (2008), and compares the best-case scenario with the result of the Amended
26 Settlement Agreement. The Amended Settlement Agreement takes into account the risks of continued
27 litigation, including on the merits at trial and any potential appeals.
28

1 9. The Court gives “considerable weight to the competency and integrity of counsel and
2 the involvement of a neutral mediator in [concluding] that [the] settlement agreement represents an
3 arm’s length transaction entered without self-dealing or other potential misconduct.” *Kullar*, 168 Cal.
4 App. 4th at 129; *see also In re Sutter Health Uninsured Pricing Cases*, 171 Cal. App. 4th 495, 504
5 (2008). The Court finds that attorneys for the Class are experienced class action litigators and have
6 expressed the view that the Amended Settlement Agreement is fair, reasonable, and adequate, which
7 further supports the Amended Settlement Agreement.

8 10. The Court notes and approves of the plan to distribute the settlement funds with no
9 claims process.

10 11. Plaintiff requests one-third of the Settlement Fund for attorneys’ fees, which equals
11 \$3,333,333.33. The requested attorneys’ fees represent approximately a 1.45 multiplier of Class
12 Counsel’s current and expected lodestar. The Court approves attorneys’ fees in the amount of
13 \$3,333,333.33. Class Counsel’s request falls within the range of reasonableness and the result
14 achieved justifies the requested attorneys’ fees. *See Chavez v. Netflix, Inc.*, 162 Cal. App. 4th 43, 66
15 n.11 (2008) (noting that fee awards of one-third are average). The Court further finds that Class
16 Counsel’s 2019 hourly rates are reasonable and commensurate with the prevailing rates for class
17 actions.

18 12. The Court ORDERS that 10% of the fee award to be kept in the administrator’s trust
19 fund until the completion of the Class award distribution process and Court approval of an Amended
20 Judgment regarding final accounting. The Court will set a compliance hearing after the completion of
21 the distribution process regarding Settlement Class Member awards before which Class Counsel and
22 the Administrator shall submit a summary accounting of how the funds have been distributed to the
23 Class and the status of any unresolved issues. If the distribution is completed to the satisfaction of the
24 Court, the Court will enter an Amended Judgment at that time and release any hold-back of attorneys’
25 fees.

26 13. The Court approves Class Counsel’s request for reimbursement of litigation costs in the
27 amount of \$302,000.00. Class Counsel’s request for reimbursement of litigation costs is reasonable.
28

1 14. The Court approves payment of a Service Award in the amount of \$10,000.00 to
2 Plaintiff Angela Flowers. Plaintiff Flowers has provided evidence regarding the nature of her
3 participation in the action, including a description of their specific actions and the amount of time she
4 committed to the prosecution of the case. *Clark v. American Residential Services LLC*, 175 Cal. App.
5 4th 785, 804-07 (2009).

6 15. The Court approves payment of up to \$544,907.53 to the Settlement Administrator.

7 16. The Court approves of the proposed *cy pres* recipient, Youth Law Center, as consistent
8 with the requirements of California Code of Civil Procedure § 384(b). In the event the Court enters an
9 Amended Judgment directing the payment of any unpaid residue of Settlement Class Member funds to
10 Youth Law Center, funds associated with checks mailed to Class Members that were not cashed within
11 90 calendar days after the issuance shall be paid to the *cy pres* recipient no later than fourteen (14)
12 days of the entry of the Amended Judgment.

13 17. Without affecting the finality of this Order, the Court shall retain continuing jurisdiction
14 over this action and the parties under California Rule of Court 3.769(h), including all Class Members
15 and over all matters pertaining to the implementation and enforcement of the terms of the Amended
16 Settlement Agreement. Except as provided to the contrary herein, any disputes or controversies arising
17 with respect to interpretation, enforcement or implementation of the Amended Settlement Agreement
18 shall be presented by motion to the Court for resolution.

19 18. The Court sets a compliance hearing for February 25, 2019 at 3:00 p.m. in Department
20 23 to determine whether the Amended Settlement Agreement payments have been distributed to the
21 Settlement Class, to confirm whether the uncashed check funds should be distributed to the *cy pres*
22 recipient, and to determine whether the 10% hold-back of attorneys fees should be released. Plaintiff
23 must reserve a hearing for that date and submit a compliance report with a proposed Amended
24 Judgment (compliant with California Code of Civil Procedure § 384.5 and Government Code § 65820)
25 to the Court at least five (5) court days prior to the compliance hearing date.


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1 This Judgment and Final Order Approving Settlement of Class Action is hereby granted and the
2 Court directs that this judgment is hereby entered.

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4 Dated: 6/13, 2019



Hon. Brad Seligman
Judge of the Superior Court

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

Case Number: RG16804363
Case Name: Flowers v. Twilio, Inc.

CLERK'S CERTIFICATE OF SERVICE

I certify that I am not a party to this cause and that a true and correct copy of the **Stipulation and Order Authorizing Electronic Service** was emailed to the individuals shown on at the bottom of this document.

Dated: June 17, 2019

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Courtroom Clerk, Dept. 23

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EXHIBIT F

Electronically Filed
by Superior Court of CA,
County of Santa Clara,
on 1/22/2019 3:45 PM
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Case #17CV319862
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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**

LADONNA YUMORI KAKU, et al.,

Plaintiffs,

vs.

CITY OF SANTA CLARA; and DOES 1 to 50,
inclusive,

Defendants.

Case No. 17CV319862
**ORDER RE: MOTION FOR
ATTORNEYS' FEES**

The above-entitled matter came on regularly for hearing on Friday, January 4, 2019, at 9:00 a.m. in Department 5 (Complex Civil Litigation), the Honorable Thomas E. Kuhnle presiding. After listening to arguments made by counsel, the Court continued the hearing to January 22, 2019 at 9:00 a.m. and requested supplemental briefing. Having reviewed and considered the written submissions of the parties, and having listened carefully to arguments of counsel, the Court rules as follows:

I. INTRODUCTION

Plaintiffs alleged that defendant City of Santa Clara's (the "City") at-large method of election violated the California Voting Rights Act ("CVRA"). This action was tried in two phases – liability and remedies. In the liability phase of trial, the Court found Plaintiffs proved

1 by a preponderance of the evidence that the at-large method of election used by the City
2 impaired the ability of Asians to elect candidates as a result of the dilution and abridgment of
3 their voting rights. In the remedies phase, the Court ordered that six city council members be
4 elected in district-based elections, and the mayor be elected in an at-large election.

5 Before the Court is Plaintiffs' motion for attorneys' fees. Plaintiffs are prevailing parties
6 and are entitled to recover attorneys' fees and costs under applicable law. Plaintiffs assert their
7 attorneys and paralegals have spent 4,672.35 hours working on the case. (Corrected Declaration
8 of Anne Bellows in Support of Plaintiffs' Supplemental Brief ("Bellows Decl."), Ex. B.)
9 Plaintiffs then delete certain time entries and apply an across-the-board reduction of five percent
10 of the time billed. Plaintiffs then multiply the remaining 4,189.55 hours by the hourly rates of
11 attorneys and paralegals. This results in an attorneys' fees "lodestar" of \$2,524,201.06.
12 Plaintiffs then argue the skill of counsel, the significant contingency risk, the preclusion of other
13 employment, and the success in vindicating the voting rights of Asian voters compels an
14 enhanced recovery – what California law calls a "multiplier" – of 1.8 times the lodestar amount
15 for pre-judgment work. Based on these calculations, Plaintiffs seek an attorneys' fee award of
16 \$4,239,055.75.

17 The City objects to the attorneys' fees requested by Plaintiffs. The City argues that
18 Plaintiffs are seeking recovery of fees for "blatant overstaffing at all levels, as well as inefficient
19 and duplicative staff utilization" including the "overuse of partner time in this case."
20 (Defendant's Opposition to Plaintiffs' Motion for Attorney's Fees and Costs ("Opp."), at 7.) The
21 City also contends that the "unjustifiable multiplier, inefficient overstaffing and excessive hourly
22 rates, taken together, would result in an improper windfall for Plaintiffs." (*Ibid.*) The reasonable
23 fee for the work of Plaintiffs' counsel, the City argues, should be no more than \$1,031,007.00.
24 (*Ibid.*)

25 II. BACKGROUND

26 To provide context, below the Court briefly discusses three issues: the earlier CVRA
27 action filed against the City by Wesley Kazuo Mukoyama and other plaintiffs; Measure A, which
28 was proposed by the City to change its election system; and the pace of this litigation.

1 **A. The *Mukoyama* Action**

2 On August 10, 2017, Wesley Kazuo Mukoyama, Umar Kamal, Michael Kaku, and
3 Herminio Hernando brought an action under the CVRA challenging the City’s at-large election
4 system for council members and the mayor. The case was captioned *Mukoyama v. City of Santa*
5 *Clara*, Case No. 2017-1-CV-308056 (the “*Mukoyama* action”). The attorneys who filed the
6 *Mukoyama* action are the same attorneys who filed this action, and the claims in both actions are
7 nearly identical. The City demurred to the complaint based on the failure of the plaintiffs to
8 comply with the notice requirements set forth in Elections Code section 10010. On December 1,
9 2017, the Court sustained the demurrer without leave to amend.

10 **B. The “Santa Clara District Election and Voting Method Measure”**

11 On March 6, 2018, the City’s council members and mayor voted unanimously to place
12 the “Santa Clara District Election and Voting Method Measure,” known as Measure A, on the
13 June 5, 2018 ballot. Measure A proposed changing the way the City’s voters elect council
14 members and the mayor. In particular, council members would be elected through two voting
15 districts, with voters electing three council members per district. The mayor would be elected by
16 voters throughout the City. In addition, Measure A prescribed a voting process known as
17 “ranked choice voting” for council members and the mayor.

18 Measure A did not pass. Approximately 52 percent of the votes cast were “no” and
19 approximately 48 percent were “yes.”

20 **C. The Pace of this Litigation**

21 This action was filed on November 30, 2017. Judgment was entered on July 24, 2018.
22 The parties, and the Court, were mindful of the election on November 6, 2018 in which voters
23 would elect council members. As noted in the Court’s June 26, 2018 Order:

24 The parties have discussed the concern that if an appropriate remedy is not
25 selected for the November 2018 elections, those elections may be jeopardized.
26 Just a few years ago this happened in Palmdale, California, when CVRA
27 violations were not corrected before its 2013 elections. (*Jauregui v. City of*
28 *Palmdale* (2014) 226 Cal.App.4th 781, 791.) There, the court enjoined Palmdale
from certifying the results of its City Council elections. The Court and the parties
are committed to avoiding that result here.

1 In other words, it was in the best interest of both sides to resolve the case quickly so that if
2 CVRA violations were found, the voting system for the November 2018 election could be
3 corrected. Without changes, the City risked having to hold costly new elections.

4 **III. APPLICABLE LAW**

5 The CVRA provides that prevailing plaintiffs are entitled to receive “a reasonable
6 attorney’s fee.” In particular, it states:

7 In any action to enforce Section 14027 and Section 14028, the court shall allow
8 the prevailing plaintiff party, other than the state or political subdivision thereof, a
9 reasonable attorney’s fee consistent with the standards established in *Serrano v.*
10 *Priest* (1977) 20 Cal.3d 25, 48-49, and litigation expenses including, but not
11 limited to, expert witness fees and expenses as part of the costs. Prevailing
12 defendant parties shall not recover any costs, unless the court finds the action to
13 be frivolous, unreasonable, or without foundation.

14 (Elec. Code § 14030.)

15 The *Serrano* case cited in Elections Code section 14030 concerned entitlement to, and
16 calculation of, fees that could be recovered by plaintiffs who prevailed in a case involving the
17 constitutional requirements for funding public schools. The California Supreme Court concluded
18 that attorneys’ fees could be recovered under the “private attorney general” doctrine if:

19 the litigation has resulted in the vindication of a strong or societally important
20 public policy, that the necessary costs of securing this result transcend the
21 individual plaintiff’s pecuniary interest to an extent requiring subsidization, and
22 that a substantial number of persons stand to benefit from the decision. . . .

23 (*Serrano v. Priest*, (1977) 20 Cal.3d 25, 45.)

24 To calculate recoverable attorneys’ fees, *Serrano* first requires “a careful compilation of
25 the time spent and reasonable hourly compensation of each attorney. . . .” (*Serrano v. Priest*,
26 *supra*, 20 Cal.3d at p. 48.) This calculation is known as the “lodestar.” The lodestar is then
27 subject to augmentation or diminution based on a number of factors:

28 (1) the novelty and difficulty of the questions involved, and the skill displayed in
presenting them; (2) the extent to which the nature of the litigation precluded
other employment by the attorneys; (3) the contingent nature of the fee award,
both from the point of view of eventual victory on the merits and the point of
view of establishing eligibility for an award; (4) the fact that an award against the
state would ultimately fall upon the taxpayers; (5) the fact that the attorneys in
question received public and charitable funding for the purpose of bringing law