

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MICHAEL MUEHE, ELAINE HAMILTON,
CRYSTAL EVANS, and COLLEEN
FLANAGAN, on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

CITY OF BOSTON, a public entity,

Defendant.

Case No.: 1:21-cv-11080-RGS

**DECLARATION OF TIMOTHY P. FOX IN SUPPORT OF PLAINTIFFS' MOTION
FOR AN AWARD OF REASONABLE FEES AND COSTS**

I, Timothy P. Fox, declare as follows:

1. I am a member in good standing of the State Bars of California and Colorado, and Co-Executive Director of the Civil Rights Education and Enforcement Center ("CREEC") in Denver, Colorado. I am an attorney of record for the Plaintiffs in this action. I am familiar with the facts stated below based on my own personal knowledge, and if called upon could and would testify competently about them.

2. I received my J.D. from Stanford Law School in 1991, where I was a member of the Stanford Law Review and president of my graduating class. From 1991 to 1995, I was an associate at Wilmer, Cutler and Pickering in Washington, DC, and from 1995 to 1996, I was an associate at Davis, Graham & Stubbs in Denver, Colorado. In 1996, I co-founded the law firm of Fox & Robertson with my law partner, Amy Robertson. In 2013, we co-founded CREEC, a non-profit civil rights organization based in Denver, Colorado with offices in Berkeley and Los Angeles, California and Nashville, Tennessee.

3. I have been appointed as class counsel in numerous disability discrimination

cases, including the following: *Vallabhapurapu et al., v. Burger King Corp.*, No. 11-cv-00667-WHA, 2012 WL 5349389 (N.D. Cal. Oct. 29, 2012); *Castaneda, et al., v. Burger King Corp.*, No. 8-cv-04262-WHA, 2010 WL 2735091 (N.D. Cal. July 12, 2010); *Lucas v. Kmart*, No. 99-cv-01923 JLK (D. Colo.); *Moeller v. Taco Bell*, 220 F.R.D. 604 (N.D. Cal. 2004) *as amended* at 2012 WL 3070863 (July 26, 2012); *Rossart v. Developmental Pathways, Inc.*, No. 06CV44709 (Denver Dist. Ct. September 29, 2008); *Colorado Cross Disability Coalition v. City and County of Denver*, Civ. Action No. 06-cv-00865-LTB-BNB (D. Colo.); *Commonwealth of Mass. v. E*TRADE Access, Inc.*, Civil Action No. 03-11206-MEL (D. Mass. Dec. 7, 2007); *Colorado Cross-Disability Coalition v. Taco Bell Corp.*, 184 F.R.D. 354, 363 (D. Colo. 1999); *Farrar- Kuhn v. Conoco, Inc.*, Civil Action No. 99-MK-2086 (D. Colo.); *Colorado Cross-Disability Coalition v. Fey Concert Company*, Civil Action No. 97-Z-1586 (D. Colo.); *Civil Rights Education and Enforcement Center v. Ashford Hospitality Trust, Inc.*, No. 15-cv-00216 (N.D. Cal.); *Civil Rights Education and Enforcement Center v. RLJ Lodging Trust*, 15-CV-0224-YGR (N.D. Cal. 2015); *Fraihat v. U.S. Immigr. & Customs Enf't*, 2020 WL 1932393 (C.D. Cal. Apr. 20, 2020); *Reynoldson v. City of Seattle*, No. 2:15-cv-01608 (W.D. Wash. 2015); *Denny v. City and County of Denver*, 2016CV030247 (Denver Dist. Ct. 2016); *Hines v. City of Portland*, No. 3:18-cv-00869-HZ (D. Or. Sept. 27, 2018); *King v. City of Colorado Springs*, No. 1:19-cv-00829-JLK (D. Colo. Oct. 1, 2019); and *Lashbrook v. City of San Jose*, 20-CV-01236-NC (N.D. Cal.).

4. In addition to the class action cases described above, I have litigated numerous disability rights cases on behalf of individuals and organizations. These include a number of cases involving civic access such as: *Taylor v. Regional Transportation District*, Civil Action No. 00-Z-981 (D. Colo.) (addressing barriers in Denver's fixed route bus system to individuals who use wheelchairs or scooters); *Lane v. Santa Cruz Metropolitan Transit District*, Case No. 02-1808-RMW (N.D. Cal.) (addressing barriers in Santa Cruz's fixed route bus system to blind people); and *Richardson v. City of Steamboat Springs*, Civil Action No. 99-Z-1247 (D. Colo.) (addressing barriers to individuals who use wheelchairs or scooters in Steamboat Springs's

fixed route bus system).

5. I have received a number of awards and recognition for my work. For example, I and my law partner Amy Robertson received the 2018 ACLU of Colorado's Carle Whitehead Memorial award, the 2012 Award of Excellence from the Colorado Chapter of the American College of Trial Lawyers, the 2007 Impact Fund Award, the 2006 Case of the Year award from the Colorado Trial Lawyers Association, and both Ms. Robertson and I have been honored as Fellows of the Colorado Bar Foundation, as well as Fellows of the American Bar Foundation, a designation bestowed upon no more than one percent of the lawyers licensed to practice in each jurisdiction.

6. In 2008, I received The Colorado Bar Association Award of Merit, the association's highest honor, which is given annually to a member for outstanding service to the association, the legal profession, the administration of justice, and the community.

7. The firms representing the Plaintiffs and class made every effort not to duplicate billing, and to proceed in an efficient manner, assigning the appropriate attorney or staff member to distinct and necessary tasks based on their particular skills and experience.

8. CREEC's role focused primarily on the investigation of the claims prior to the submission of the demand letter on May 17, 2018. Almost 73% of CREEC's hours on this case were worked during the period between the beginning of our investigation in early 2017, and the submission of the demand letter in May 2018.

9. This investigation included: (1) a careful review of documents available on the City's website, such as its ADA transition plan; (2) documents obtained through the Massachusetts Public Records Law, Mass. Gen. Laws ch. 66, § 10, such as spreadsheets showing dates and types of alterations to the City's streets since 1992, curb ramps constructed or repaired from 2011 to 2016, and the results of noncomprehensive surveys of the City's curb ramps that it conducted in 2009 and 2014; and (3) images of the City's pedestrian right of way available on Google Street View.

10. The ADA and Section 504 require cities to install and remediate curb ramps

on corners adjacent to streets that undergo resurfacing and other alterations. To determine whether Boston has complied with this requirement, I (with the assistance of a database expert) created a Microsoft Access database. We used this database to track resurfacing projects, and then compare those projects with photos of adjacent corners to determine whether the corners had been brought into compliance with design requirements in connection with the resurfacing projects.

11. This was an extensive database. For example, the table with resurfacing information contains more than 144,000 entries, and the tables with the results of two surveys of curb ramps conducted by the City totaled approximately 47,000 entries.

12. Paralegals were responsible for entering data into the database, and performing other related tasks. I was responsible for analyzing the data using database search and reporting tools.

13. This investigation established that large numbers of curb ramps in Boston were in violation of requirements under the ADA and Section 504, and we provided numerous examples in the demand letter we sent to the City on May 7, 2018.

14. For example, in exhibits to that letter, we provided examples of noncompliance that included: 180 corners adjacent to re-surfaced streets that were entirely missing curb ramps; and more than 1300 newly constructed or altered ramps that were out of compliance with accessibility design requirements.

15. Based on a spreadsheet provided by Boston in response to our open records request, Boston installed a total of 628 ramps in 2015, and 970 ramps in 2016, the most recent years covered by Boston's response. Thus over those two years, Boston installed an average of less than 800 ramps per year.

16. CREEC's work on this case after the May 7, 2018 demand letter consisted of reviewing documents provided by the City, reviewing and editing drafts of the Consent Decree, and participating in settlement calls with the City.

17. All attorneys and legal staff at CREEC are instructed to maintain

contemporaneous time records reflecting the time spent on this and other matters. This includes contemporaneous recording of the date and amount of time spent on a task to one-tenth of an hour; a description of the work that was performed during the indicated time period; and identification of the case to which the time should be charged. All attorneys and legal staff at CREEC have kept contemporaneous records documenting in detail all time spent on this matter, including recording of the date and amount of time spent on a task to one-tenth of an hour, and a description of the work that was performed during the indicated time period. Attached hereto as Exhibit A are true and correct records reflecting CREEC's time spent on this case.

18. I have reviewed CREEC's billing records on an entry-by-entry basis to exercise billing judgment and excise inefficient or duplicative work, clerical entries, and other billing entries that are otherwise inadequate or non-compensable. This reduced the overall lodestar by approximately 5%.

19. The following table accurately sets forth the timekeepers at CREEC who worked on this matter; their graduation dates; their hourly rates that we are seeking; and the number of hours that they worked, after the exercise of billing judgment:

Name	Position	Years of experience/graduation year	Hours	Rate	Total
Tim Fox	Co-Executive Director	30 years/1991	174.4	\$725	\$126,440
Caiti Hall	Paralegal	5 years	41.3	\$221	\$9127.30
CREEC Lodestar					\$135,567.30

20. The rates set forth above are significantly less than rates that have been approved by Courts in cases we have brought addressing curb ramps. *See, e.g., Artie Lashbrook v. City of San Jose*, No. 5:20-cv-01236-NC (Sept. 2, 2020) (ECF No. 25) (finding that rates of \$895 per hour for my work, and \$265 for work by paralegals, was reasonable). In setting these rates, CREEC also referenced the *2020 Real Rate Report Snapshot* published by Wolters Kluwer.

21. CREEC's current out-of-pocket expenses total \$2226.94 for payments to a database expert, FedEx costs, and the charges associated with our public records act requests. Attached hereto as Exhibit B are true and correct records reflecting the expenses we have incurred in this litigation, as well as an itemized summary of these expenses.

22. CREEC's costs and out-of-pocket expenses are minimal given that the parties engaged in structured negotiations.

23. All expenses and costs incurred were necessary for the negotiation and litigation of Plaintiff's claims, and are appropriate given the scope and complexity of this matter

I declare under penalty of perjury under the laws of the State of Colorado and of the United States that the foregoing is true and correct, and that this Declaration was executed on the 25th day of August, 2021 in Denver, Colorado.



Timothy P. Fox

Attorney for Plaintiffs and the Settlement Class

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (“NEF”) and paper copies will be sent to those indicated on the NEF as non-registered participants on August 30, 2021.

/s/ Raymond Wendell

Raymond Wendell

EXHIBIT A

Date worked	Timekeeper	Description	Time	2020 rate	Total
2/14/2017	T. Fox	Telephone call with Chris Griffin about potential curb ramp case	0.5	\$725.00	\$362.50
2/27/2017	T. Fox	Prepare for team conference call to discuss investigation and possible litigation, including drafting agenda (.3); participate in that call (.8); Prepare memo to team summarizing team tasks (.2)	1.3	\$725.00	\$942.50
3/6/2017	C. Hall	Draft ORA to City of Boston Public Works Department	0.5	\$221.00	\$110.50
3/7/2017	T. Fox	Review and revise draft open records act request	0.7	\$725.00	\$507.50
3/9/2017	T. Fox	Review 2008 analysis of Boston curb ramps	0.6	\$725.00	\$435.00
3/9/2017	C. Hall	Send/email ORA to public works dept of Boston	0.4	\$221.00	\$88.40
3/23/2017	C. Hall	Print, sign, send Co-counseling agreement	0.1	\$221.00	\$22.10
3/24/2017	C. Hall	Print, sign, scan, send, and save updated Co-counsel agreement	0.2	\$221.00	\$44.20
4/4/2017	C. Hall	Respond to email from City re Public Records request, draft cover letter and send check to the City, emails with Tim and the team	0.8	\$221.00	\$176.80
6/16/2017	C. Hall	Scan and save letter from Public Works Department re ORA; download files from disk, review files and description included on disk, research methods of converting XML files to excel	1	\$221.00	\$221.00
6/19/2017	C. Hall	Research ways to convert XML files to excel spread sheet	1.1	\$221.00	\$243.10
6/21/2017	C. Hall	Research shapefiles, create nonprofit google account, import shapefile to Google Earth and color code curbs based off of compliance; email Tom re XML files	3.2	\$221.00	\$707.20
7/10/2017	C. Hall	Call with Tim and Tom and Andy from Denverdata re XML files	0.7	\$221.00	\$154.70
7/10/2017	T. Fox	Telephone call with C. Hall and database experts to address analysis of XML files	0.7	\$725.00	\$507.50
7/17/2017	T. Fox	Begin reviewing spreadsheets and other data provided by Boston	2.8	\$725.00	\$2,030.00
7/18/2017	T. Fox	Review spreadsheets and other data provided by Boston	4	\$725.00	\$2,900.00

Date worked	Timekeeper	Description	Time	2020 rate	Total
7/21/2017	T. Fox	Review spreadsheets and other data provided by Boston	2.3	\$725.00	\$1,667.50
7/25/2017	T. Fox	Continue to review data from Boston, and prepare outline for team call	2.1	\$725.00	\$1,522.50
7/26/2017	T. Fox	Review documents, and prepare agenda for team conference call (1.1); set up screen sharing for meeting (.5)	1.6	\$725.00	\$1,160.00
7/27/2017	C. Hall	Type up notes from call with team	0.3	\$221.00	\$66.30
7/27/2017	T. Fox	Prepare for call with team to go over data we received from Boston, and assign tasks (.4); participate in the call (.9); work on database (1.9)	3.2	\$725.00	\$2,320.00
7/27/2017	C. Hall	Review data for call with team	1	\$221.00	\$221.00
7/27/2017	C. Hall	Phone call with team re data from the city and next steps	0.9	\$221.00	\$198.90
7/28/2017	T. Fox	Work on database	2.6	\$725.00	\$1,885.00
7/29/2017	T. Fox	Review data provided by Boston	1.9	\$725.00	\$1,377.50
7/30/2017	T. Fox	Review data provided by Boston	2.5	\$725.00	\$1,812.50
7/31/2017	T. Fox	Review data provided by Boston (4.8); Conference call to discuss using database to identify potential violations of the ADA (.6)	5.4	\$725.00	\$3,915.00
7/31/2017	C. Hall	Draft memo on how to review corners and code for violations	1.5	\$221.00	\$331.50
7/31/2017	C. Hall	Call with Scott and Tom re Boston database, segment review and coding instructions	0.7	\$221.00	\$154.70
8/2/2017	T. Fox	Review and revise memo to team discussing coding of alterations data provided by Boston	0.8	\$725.00	\$580.00
9/20/2017	T. Fox	Work on reviewing information provided by Boston	0.6	\$725.00	\$435.00
1/29/2018	T. Fox	Telephone call with Linda Dardarian and paralegals at her firm to discuss status of investigation and next steps (.4); work on database to identify violations of the ADA (2.5)	2.9	\$725.00	\$2,102.50
1/30/2018	T. Fox	Use database to identify violations of the ADA and the Rehab Act	1.9	\$725.00	\$1,377.50
1/31/2018	T. Fox	Use database to identify violations of the ADA and the Rehab Act	1	\$725.00	\$725.00

Date worked	Timekeeper	Description	Time	2020 rate	Total
2/1/2018	T. Fox	Review and analyze data in database to identify categories of violations (5.1); participate in conference call with team to discuss results of data analysis, and next steps (.6)	5.7	\$725.00	\$4,132.50
2/2/2018	T. Fox	Work on database	1.6	\$725.00	\$1,160.00
2/13/2018	C. Hall	Create a document with a list of ramps marked "Poor" in Boston's ArcGis map with Googlemaps screenshots; email document to Tim	2.5	\$221.00	\$552.50
2/13/2018	T. Fox	Work on database to identify violations for structured negotiations letter (1.5); conduct Internet research to try to find Boston policies on road resurfacing and installing curb ramps (2); draft email to team with results of database analysis (.4)	3.9	\$725.00	\$2,827.50
2/14/2018	T. Fox	Work on demand letter (.7)	0.7	\$725.00	\$507.50
2/15/2018	T. Fox	Work on demand letter (3.6)	3.6	\$725.00	\$2,610.00
2/19/2018	T. Fox	Work on demand letter (4.7)	4.7	\$725.00	\$3,407.50
2/20/2018	T. Fox	Work on demand letter	1.4	\$725.00	\$1,015.00
2/21/2018	T. Fox	Work on demand letter	3	\$725.00	\$2,175.00
2/22/2018	T. Fox	Work on demand letter	4.1	\$725.00	\$2,972.50
2/22/2018	C. Hall	Use ArcGIS data to map out missing curb ramps around polling locations, create list of locations and screenshot problematic ramps	2.3	\$221.00	\$508.30
2/23/2018	T. Fox	Work on demand letter	4.7	\$725.00	\$3,407.50
2/23/2018	C. Hall	Use ArcGIS data and Google maps to create a list of missing/problematic ramps near government buildings	2.5	\$221.00	\$552.50
2/25/2018	T. Fox	Work on demand letter	1.4	\$725.00	\$1,015.00
3/4/2018	T. Fox	Review Go Boston 2030 plan, and figure out response to the claim in that plan that Boston is making significant process on bringing its pedestrian walkways into compliance with ADA (.7)	0.7	\$725.00	\$507.50
3/6/2018	T. Fox	Work on demand letter	0.7	\$725.00	\$507.50
3/6/2018	C. Hall	Using the ArcGis map and Google streetview, determine programatic access problems for Boston government buildings, draft narrative of these problems	2.4	\$221.00	\$530.40

Date worked	Timekeeper	Description	Time	2020 rate	Total
3/7/2018	T. Fox	Work on demand letter	3.2	\$725.00	\$2,320.00
3/7/2018	C. Hall	Using the ArcGis map and Google streetview, determine programmatic access problems for Boston government buildings, draft narrative of these problems, send narrative to Tim	2.5	\$221.00	\$552.50
3/8/2018	T. Fox	Work on demand letter, including working with paralegal to identify programmatic access violations, as well as database analysis (6.2)	6.2	\$725.00	\$4,495.00
3/8/2018	C. Hall	Using the ArcGis map, create a map with historic landmarks near areas without curb ramps or with noncompliant curb ramps	1.2	\$221.00	\$265.20
3/9/2018	C. Hall	Review Boston Curb Ramp classification done by GBDH	1	\$221.00	\$221.00
3/9/2018	T. Fox	Work on demand letter	3	\$725.00	\$2,175.00
3/11/2018	T. Fox	Work on demand letter	2.7	\$725.00	\$1,957.50
3/15/2018	T. Fox	Prepare for call with cocounsel by determining which types of violations we would like photographs to support (.5); participate in call with cocounsel to discuss photographing curb ramps, adding additional plaintiffs, and providing descriptions of plaintiffs' experiences (.3); work on database to identify corners for photographs (.7); revise demand letter (.3); review and edit retainer agreement (.4)	2.2	\$725.00	\$1,595.00
3/15/2018	C. Hall	Call with Tim re checking on newly constructed ramps categorized as poor and priority ramps in poor condition	0.2	\$221.00	\$44.20
3/16/2018	C. Hall	Using Google maps and ArcGis, find examples of priority corners with ramps in poor condition	1.5	\$221.00	\$331.50
3/16/2018	C. Hall	Using Google maps and ArcGis, find examples of newly constructed ramps in poor condition	1.4	\$221.00	\$309.40

Date worked	Timekeeper	Description	Time	2020 rate	Total
3/19/2018	T. Fox	Draft engagement agreement (.6); work on project to identify intersections to photograph for inclusion with the demand letter (.2)	0.8	\$725.00	\$580.00
3/20/2018	T. Fox	Review photos of ramps purportedly recently installed and in poor condition	0.5	\$725.00	\$362.50
3/21/2018	T. Fox	Review database, and draft email to team discussing unreliability of some data provided by Boston, and suggesting methods to deal with that (2); review Google Street maps to identify problematic corners with ramps only on one side (1)	3	\$725.00	\$2,175.00
3/23/2018	T. Fox	Work on identifying examples of curbs to include in demand letter (2.5)	2.5	\$725.00	\$1,812.50
4/11/2018	T. Fox	Review photos taken by stan eichner of corners with the ramps only on one side, and send email to stan concerning taking photographs of other types of ramps in poor condition (.5)	0.5	\$725.00	\$362.50
4/24/2018	C. Hall	Edit demand letter	0.2	\$221.00	\$44.20
4/24/2018	T. Fox	Work on database to identify altered corners without curb ramps (.4)	0.4	\$725.00	\$290.00
4/24/2018	C. Hall	Review Curbs identified as no ramps for demand letter	2.5	\$221.00	\$552.50
4/29/2018	T. Fox	Finalize draft demand letter and retainer agreement	1.1	\$725.00	\$797.50
4/30/2018	C. Hall	Review corners marked as having "no ramp" for Boston Demand Letter	3.8	\$221.00	\$839.80
5/1/2018	C. Hall	Review corners marked as having "no ramp" for Boston Demand Letter	4.1	\$221.00	\$906.10
5/3/2018	T. Fox	Finalize demand letter (3.5)	3.5	\$725.00	\$2,537.50
5/7/2018	C. Hall	Finalize Boston Demand Letter, attach exhibits, email and FedEx to Boston	0.8	\$221.00	\$176.80

Date worked	Timekeeper	Description	Time	2020 rate	Total
5/7/2018	T. Fox	Make last-minute changes to demand letter, and review exhibits to that letter (.8); telephone call with Stan Eichner concerning cocounsel and retainer agreements (.3);	1.1	\$725.00	\$797.50
7/9/2018	T. Fox	Review demand letter (.2); participate in call with team to prepare for call with city (.4);	0.6	\$725.00	\$435.00
7/17/2018	T. Fox	Review of newly produced documents from city, and send email describing same to team	0.5	\$725.00	\$362.50
10/1/2018	T. Fox	Prepare draft agenda	0.3	\$725.00	\$217.50
10/18/2018	T. Fox	Prepare for call with city (.4); participate in that call (.5)	0.9	\$725.00	\$652.50
10/29/2018	T. Fox	Participate in conference call with clients to prepare for settlement meeting with cit	1	\$725.00	\$725.00
11/8/2018	T. Fox	Review documents provided by city, and prepare questions concerning those documents(1.7); participate in call with city in preparation for meeting (1.2)	1.9	\$725.00	\$1,377.50
12/4/2018	T. Fox	Participate in telephone call with Tom Murphy and Linda Dardarian to discuss upcoming meeting with city	0.2	\$725.00	\$145.00
12/6/2018	T. Fox	Participate in call with City to discuss settlement	3.4	\$725.00	\$2,465.00
1/10/2019	T. Fox	Send multiple emails to cocounsel and to opposing counsel in other curb ramp cases we have negotiated letting them know that Boston may be contacting them	0.5	\$725.00	\$362.50
3/3/2019	T. Fox	Review documents and responses from Boston	0.7	\$725.00	\$507.50
3/4/2019	T. Fox	Participate in team conference call to discuss information provided by Boston, and prepare for settlement conference with city (1); draft email to Boston providing information they requested (.1)	1.1	\$725.00	\$797.50
3/5/2019	T. Fox	Prepare for settlement call with city (.2); participate in that call (2.2)	2.4	\$725.00	\$1,740.00

Date worked	Timekeeper	Description	Time	2020 rate	Total
3/6/2019	T. Fox	Telephone call with cocounsel to prepare for settlement call with city (.3); participate in settlement call with city (.7)	1	\$725.00	\$725.00
4/2/2019	T. Fox	Review spreadsheet provided by city showing plan to curb ramps and surfacing (.2); participate in conference call with team to prepare for settlement meeting with city (.7); participate in settlement call with city (1.6)	2.5	\$725.00	\$1,812.50
4/24/2019	T. Fox	Review and edit draftTerm list	0.3	\$725.00	\$217.50
5/13/2019	T. Fox	Prepare for call with city (.1); participate in call with city about settlement (.9)	1	\$725.00	\$725.00
6/5/2019	T. Fox	Review city' edits to term sheet	0.1	\$725.00	\$72.50
6/6/2019	T. Fox	Participate in call with cocounsel to prepare for settlement call with city (.3); participate in settlement call with city (1)	1	\$725.00	\$725.00
6/27/2019	T. Fox	Participate in call with city to discuss curb ramp survey	0.5	\$725.00	\$362.50
7/10/2019	T. Fox	Participate in settlement call with city	0.5	\$725.00	\$362.50
7/29/2019	T. Fox	Participate in call with city to discuss settlement	0.2	\$725.00	\$145.00
8/6/2019	T. Fox	Review draft email from Linda Dardarian concerning RFP for surveys	0.2	\$725.00	\$145.00
8/9/2019	T. Fox	Review and edit draft consent decree	1.1	\$725.00	\$797.50
8/22/2019	T. Fox	Review draft consent decree in preparation for call with city (.3); participate in that call (.7)	1	\$725.00	\$725.00
10/1/2019	T. Fox	participate in call with the city about draft settlement agreement (.9)	0.9	\$725.00	\$652.50
10/8/2019	T. Fox	Telephone call with team to discuss next steps in settlement negotiation	0.5	\$725.00	\$362.50

Date worked	Timekeeper	Description	Time	2020 rate	Total
10/17/2019	T. Fox	Prepare for call with team to discuss Boston's proposed number of ramps to be remediated per year (.1); participate in that call (.2); Telephone call with city to discuss number of Ramps to be remediated for year (.7)	1	\$725.00	\$725.00
11/13/2019	T. Fox	Participate in call with city concerning settlement	0.5	\$725.00	\$362.50
11/19/2019	T. Fox	Review RFP for survey (.3); participate in call with team to discuss same (.4)	0.7	\$725.00	\$507.50
11/20/2019	T. Fox	Telephone call with Martie Lafferty to talk about drafting settlement documents (.1); participate in call with Boston to discuss survey (.7)	0.8	\$725.00	\$580.00
12/3/2019	T. Fox	Participate in telephone call with city to discuss settlement	0.4	\$725.00	\$290.00
12/10/2019	T. Fox	Participate in settlement call with city	0.5	\$725.00	\$362.50
12/18/2019	T. Fox	Review response from city to our questions concerning the task order (.2); participate in status call with city (.3)	0.5	\$725.00	\$362.50
1/2/2020	T. Fox	Telephone call with Ray Wendell and Linda Dardarian concerning consent decree edits	0.8	\$725.00	\$580.00
1/3/2020	T. Fox	Participate in telephone call with city to discuss its edits to draft settlement agreement	2.1	\$725.00	\$1,522.50
1/10/2020	T. Fox	Prepare for call with city (.1); telephone call with team to prepare for call with city (.7); Participate in that call (1)	1.8	\$725.00	\$1,305.00
1/21/2020	T. Fox	Review and edit draft consent decree	0.3	\$725.00	\$217.50
1/23/2020	T. Fox	Prepare for call with city to discuss draft consent decree (.1); participate in that call (.9)	1	\$725.00	\$725.00
3/16/2020	T. Fox	Participate in conference call with team to discuss city's edits to settlement agreement	0.9	\$725.00	\$652.50
3/16/2020	T. Fox	Review draft settlement agreement with city's edits	0.3	\$725.00	\$217.50
4/27/2020	T. Fox	Review edits to draft consent decree	0.3	\$725.00	\$217.50

Date worked	Timekeeper	Description	Time	2020 rate	Total
6/19/2020	T. Fox	Participate in status call with city	0.8	\$725.00	\$580.00
6/25/2020	T. Fox	Participate in call with city about consent decree	1.5	\$725.00	\$1,087.50
7/6/2020	T. Fox	Review edits to draft consent decree	0.2	\$725.00	\$145.00
7/23/2020	T. Fox	Review revised settlement agreement from city (.4); participate in conference call with city concerning settlement agreement (1.4)	1.8	\$725.00	\$1,305.00
8/4/2020	T. Fox	Review edits to draft consent decree	0.2	\$725.00	\$145.00
9/18/2020	T. Fox	Participate in call with city concerning number of ramps to be installed/remediated	1.1	\$725.00	\$797.50
9/28/2020	T. Fox	Participate in settlement call with city	0.4	\$725.00	\$290.00
9/29/2020	T. Fox	Review and edit revised consent decree	0.7	\$725.00	\$507.50
10/26/2020	T. Fox	Participate in settlement call with city	0.5	\$725.00	\$362.50
11/5/2020	T. Fox	Participate in settlement call with city	0.4	\$725.00	\$290.00
11/11/2020	T. Fox	Review and respond to draft email concerning payments to named plaintiffs	0.1	\$725.00	\$72.50
11/17/2020	T. Fox	Telephone call with cocounsel to discuss attorneys' fees	0.3	\$725.00	\$217.50
11/17/2020	T. Fox	Telephone call with city to discuss settlement	0.5	\$725.00	\$362.50
12/1/2020	T. Fox	Participate in settlement call with city	0.5	\$725.00	\$362.50
1/8/2021	T. Fox	Participate in portion of settlement call with city	0.6	\$725.00	\$435.00
1/19/2021	T. Fox	Review letter concerning fees	0.2	\$725.00	\$145.00
1/19/2021	T. Fox	Find and review invoices for monitoring work in other curb ramp cases at the request of Boston	0.3	\$725.00	\$217.50
2/2/2021	T. Fox	Review and respond to email with proposed changes to settlement agreement to address attorneys' fees	0.1	\$725.00	\$72.50
3/3/2021	T. Fox	Participate in settlement call with city	0.7	\$725.00	\$507.50
3/17/2021	T. Fox	Participate in settlement call with city	0.5	\$725.00	\$362.50

Date worked	Timekeeper	Description	Time	2020 rate	Total
3/19/2021	T. Fox	Participate in team call to discuss counteroffer concerning attorneys' fees	0.5	\$725.00	\$362.50
3/24/2021	T. Fox	Review and edit draft consent decree	0.3	\$725.00	\$217.50
3/29/2021	T. Fox	Participate in settlement call with city	0.8	\$725.00	\$580.00
3/31/2021	T. Fox	Review revised settlement and send email concerning same	0.5	\$725.00	\$362.50
3/31/2021	T. Fox	Participate in call with cocounsel to discuss position on monitoring fees during dispute resolution	0.4	\$725.00	\$290.00
4/1/2021	T. Fox	Review and respond to revised consent decree	0.2	\$725.00	\$145.00
4/8/2021	T. Fox	Telephone call with city concerning settlement (.6); follow-up call with cocounsel (.3)	0.9	\$725.00	\$652.50
4/9/2021	T. Fox	Review draft response to city concerning fees	0.1	\$725.00	\$72.50
4/13/2021	T. Fox	Review revisions to settlement agreement (.3); telephone call with cocounsel to discuss same (.2); telephone call with defense counsel to discuss same (.8)	1.3	\$725.00	\$942.50
4/14/2021	T. Fox	Review edits to settlement agreement	0.1	\$725.00	\$72.50
4/19/2021	T. Fox	Review and edit draft motion for preliminary approval	0.8	\$725.00	\$580.00
4/30/2021	T. Fox	Respond to email from cocounsel requesting list of corners with accessibility problems that we identified in our demand letter	0.3	\$725.00	\$217.50
5/3/2021	T. Fox	Participate in settlement call with City	0.6	\$725.00	\$435.00
5/4/2021	T. Fox	Review edits to consent decree, and comment on same	0.3	\$725.00	\$217.50
5/4/2021	T. Fox	Participate in call with cocounsel to discuss next steps	0.5	\$725.00	\$362.50
5/4/2021	T. Fox	Review and edit class notice, including getting URL on our website for settlement materials	0.6	\$725.00	\$435.00
5/11/2021	T. Fox	Review and edit complaint	0.8	\$725.00	\$580.00
5/12/2021	T. Fox	Review draft motions for preliminary and final approval and proposed schedule (.4)	0.4	\$725.00	\$290.00

Date worked	Timekeeper	Description	Time	2020 rate	Total
5/18/2021	T. Fox	Participate in telephone call with city to discuss final steps in submitting settlement agreement	0.4	\$725.00	\$290.00
5/25/2021	T. Fox	Participate in telephone call with city to discuss settlement	0.2	\$725.00	\$145.00
5/27/2021	T. Fox	Review City's edits to settlement documents	0.1	\$725.00	\$72.50
6/1/2021	T. Fox	Participate in call with city to discuss settlement	0.4	\$725.00	\$290.00
6/11/2021	T. Fox	Review city's edits to motion for preliminary approval (.2); participate in call with City concerning settlement (.5)	0.7	\$725.00	\$507.50
6/11/2021	T. Fox	Review motion for preliminary approval for citations to my declaration	0.2	\$725.00	\$145.00
6/14/2021	T. Fox	Telephone call with paralegal to describe project to draft my declaration in support of motion for preliminary approval	0.3	\$725.00	\$217.50
6/14/2021	T. Fox	Review and edit declaration in support of motion for preliminary approval	0.8	\$725.00	\$580.00
6/17/2021	T. Fox	Participate in call with city to discuss settlement (.5); participate in follow-up call with cocounsel (.2)	0.7	\$725.00	\$507.50
6/21/2021	T. Fox	Review and edit draft press release	0.2	\$725.00	\$145.00
6/24/2021	T. Fox	Participate in settlement call with the City	0.4	\$725.00	\$290.00
6/28/2021	T. Fox	Participate in settlement call with city	0.2	\$725.00	\$145.00
6/30/2021	T. Fox	Review and edit motion for admission	0.2	\$725.00	\$145.00
7/13/2021	T. Fox	Review press release from City, and draft email to cocounsel concerning same	0.2	\$725.00	\$145.00
8/4/2021	T. Fox	Work on timesheets print out and, relatedly, begin drafting declaration in support of motion for fees	2.1	\$725.00	\$1,522.50
8/6/2021	T. Fox	draft declaration in support of motion for an award of fees/costs	1.6	\$725.00	\$1,160.00
8/23/2021	T. Fox	Review and edit draft motion for an award of fees and costs	1.1	\$725.00	\$797.50
8/25/2021	T. Fox	Finalize my declaration in support of motion for an award of fees and costs	1.3	\$725.00	\$942.50

Date worked	Timekeeper	Description	Time	2020 rate	Total
		Total:	215.7		135567.3

EXHIBIT B

Exhibit B

CREEC EXPENSES

Payments to database expert	\$2192.50
FedEx payments	\$70.44
Public Records Act charges	\$475
Total	\$2266.94