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DeCoursey: Affidavit of Fees and Expenses

1 message

McBride, Ryan P. <McBrideR@lanepowell.com>

Wed, May 4, 2011 at 10:51 AM

To: Mark DeCoursey <mhdecoursey@gmail.com>

Mark and Carol:

Here is what I will file Thursday or Friday. Since we already won the motion for fees, the only thing the court wants or expects is an affidavit from me. Couple of things: (1) the court's order did not expressly limit us to CPA-related fees, so I have not made any effort to segregate my time as I had to do in the Court of Appeal; I fully expect Hickman to object on this basis and ask the court to award us fees only related to briefing the couple of pages on the CPA issue; he might be right about that, but let's let him make the argument anyway; (2) I have redacted some very minor time Andrew devoted to investigating a foreclosure issue for you that is unrelated to the Petition (6 minutes worth of time) and some time my paralegal spent helping on the brief; the Court of Appeal did not allow paralegal time so I didn't think it was worth asking for here, especially given the small amount (about \$130); (3) I redacted fairly significant time spent by Grant, and lesser time spent by me and Andrew incurred in the day or two leading up to the first extension and the day of filing (about \$5,000); as you know we spent a lot of time on the phone and email discussing your proposed addition to the opposition, but ultimately went with the original version we proposed; I do not feel comfortable asking the Court to award fees to us for this time, and suspect that Hickman would object to much of it anyway. Rather than debate whether this time can or should be included in my affidavit, we will instead credit your account by this amount. That time was as well spent as any of the legal services we've done for you over the years, but our hope is that this accommodation will help us get through this last step in the process.

Ryan P. McBrideShareholder, [Bio](#) | [VCard](#)

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