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Counsel for the Official Committee of Unsecured Creditors

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re:

THE ROMAN CATHOLIC BISHOP OF
OAKLAND, a California corporation sole,

Debtor.

Case No. 23-40523 WJL

Chapter 11

**MONTHLY PROFESSIONAL FEE
STATEMENT FOR BURNS BAIR LLP
[FEBRUARY 2024]**

TO ALL INTERESTED PARTIES AND TO THEIR COUNSEL OF RECORD:

1 **NOTICE IS HEREBY GIVEN** that Burns Bair LLP (“**Burns Bair**”), special insurance
2 counsel to The Official Committee of Unsecured Creditors (the “**Committee**”) of The Roman
3 Catholic Bishop of Oakland (the “**Debtor**”), hereby files its Monthly Professional Fee Statement
4 for the Period of February 1, 2024 through February 29, 2024 (the “**Monthly Fee Statement**”).
5 Pursuant to the Order Authorizing Procedures for Interim Compensation and Reimbursement of
6 Expenses of Professionals [Dkt. 170] (the “**Interim Fee Order**”)¹ entered by the Court on June
7 23, 2023, the total legal fees and costs expended by Burns Bair on account of the Committee for
8 the period of February 1, 2024 through February 29, 2024, is as follows:

Period	Fees	Expenses	Total
February 1, 2024 – February 29, 2024	\$49,516.00	\$0	\$49,516.00
Net Total Allowed Payments this Statement Period: (80% of Fees and 100% of Costs)	\$39,612.80	\$0	\$39,612.80

14 The itemized billing statement for the fees and costs billed is attached hereto as **Exhibit**
15 **A**. Notice Parties have ten (10) days from the date of service of this Monthly Fee Statement to
16 file an objection thereto. If no objection is filed, Burns Bair may file a certificate of no objection
17 (or if an Objection was timely served, a certificate of partial objection) with the Court after which
18 the Debtor, without further order of the Court, shall pay Burns Bair an amount equal to the lesser
19 of: (1) 80% of the fees and 100% of the expenses requested in the Monthly Fee Statement, and
20 (2) if an Objection was served, 80% of the fees and 100% of the expenses to which there was no
21 Objection no later than five (5) business days after the filing of the relevant certificate.

22 Dated: March 29, 2024

BURNS BAIR LLP

23 By: Jesse J. Bair
24 Jesse J. Bair
25 Special Insurance Counsel for the Official
26 Committee of Unsecured Creditors
27

28 ¹ Capitalized terms not otherwise defined shall have the meaning ascribed to them in the Interim Fee Order.

EXHIBIT A

Burns | Bair

10 E. Doty St., Suite 600
Madison, Wisconsin 53703-3392
608-286-2302
www.BurnsBair.com

The Roman Catholic Bishop of Oakland UCC

Issue Date : 3/28/2024

Bill # : 01377

Matter: Insurance

PROFESSIONAL SERVICES RENDERED

Committee Meetings

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
2/15/2024	Jesse Bair	Review agenda for state court counsel meeting (.1);	0.10	\$90.00
2/15/2024	Jesse Bair	Review T. Burns email memo re outcome of state court counsel meeting (.1);	0.10	\$90.00
2/15/2024	Timothy Burns	Prepare for state court counsel meeting (.1) participate in state court counsel meeting for insurance purposes re case strategy (.4);	0.50	\$560.00
2/16/2024	Jesse Bair	Correspondence with B. Wiesenbergs re insurance update for Committee meeting (.1);	0.10	\$90.00
2/22/2024	Timothy Burns	Review correspondence with Lowenstein and state court counsel re mediation session meeting (.1)	0.10	\$112.00
2/23/2024	Jesse Bair	Prepare for Committee meeting (.1);	0.10	\$90.00
2/23/2024	Jesse Bair	Participate in Committee meeting for insurance purposes re mediation strategy (.7);	0.70	\$630.00
2/29/2024	Timothy Burns	Participate in state court counsel meeting for insurance purposes re mediation strategy (1.1);	1.10	\$1,232.00
2/29/2024	Jesse Bair	Participate in state court counsel meeting for insurance purposes re case mediation strategy (1.1);	1.10	\$990.00
Totals for Committee Meetings			3.90	\$3,884.00

Fee Applications

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
2/11/2024	Jesse Bair	Review and edit Burns Bair's first interim fee application (1.9);	1.90	\$1,710.00

2/11/2024	Jesse Bair	Correspondence with the Committee re Burns Bair's first interim fee application (.1);	0.10	\$90.00
2/12/2024	Jesse Bair	Continue drafting exhibits and J. Bair certification in support of Burns Bair's first interim fee application (1.1);	1.10	\$990.00
2/12/2024	Jesse Bair	Correspondence with G. Albert re Burns Bair's first interim fee application (.1);	0.10	\$90.00
2/13/2024	Jesse Bair	Review and respond to G. Albert correspondence re interim fee application issues, including hearing date and objection deadline re same (.2);	0.20	\$180.00
2/13/2024	Jesse Bair	Draft S. Woodall declaration in support of Burns Bair interim fee application (.1);	0.10	\$90.00
2/13/2024	Jesse Bair	Review and edit J. Bair certification in support of Burns Bair interim fee application (.1);	0.10	\$90.00
2/13/2024	Jesse Bair	Review, edit, and finalize Burns Bair's first interim fee application, including all related exhibits and certifications (1.8);	1.80	\$1,620.00
2/13/2024	Jesse Bair	Correspondence with S. Woodall re Burns Bair's first interim fee application (.1);	0.10	\$90.00
2/13/2024	Jesse Bair	Additional correspondence with G. Albert re finalization and filing of Burns Bair's first interim fee application (.1);	0.10	\$90.00
2/13/2024	Brenda Horn-Edwards	Prepare letter to S. Woodall re first interim fee application (.1); correspond with J. Bair re same (.1);	0.20	\$68.00
2/13/2024	Brenda Horn-Edwards	Draft certification of Jesse Bair in support of first interim fee application (.2); correspond with J. Bair re same (.1);	0.30	\$102.00
2/16/2024	Jesse Bair	Correspondence with B. Horn-Edwards and G. Albert re the US Trustee's request for LEDES data in connection with interim fee applications (.1);	0.10	\$90.00
2/23/2024	Jesse Bair	Revise and edit Burns Bair second interim budget and staffing plan (.5);	0.50	\$450.00
2/27/2024	Brenda Horn-Edwards	Draft Burns Bair monthly fee statement (.2); correspond with J. Bair re same (.1);	0.30	\$102.00
2/27/2024	Jesse Bair	Review and edit Burns Bair invoice for inclusion in monthly fee submission (1.5);	1.50	\$1,350.00
2/27/2024	Jesse Bair	Review and edit Burns Bair's monthly fee submission (.2); correspondence with G. Albert re same (.1);	0.30	\$270.00
Totals for Fee Applications			8.80	\$7,472.00

Hearings

Date	Timekeeper	Narrative	Hours	Amount
2/7/2024	Jesse Bair	Participate in conference with T. Burns re outcome of hearing re LMI's Rule 2004 motion for reconsideration (.2);	0.20	\$180.00
2/7/2024	Timothy Burns	Participate in hearing re LMI's motion to reconsider the Rule 2004 Order (1.8); participate in conference with J. Bair re outcome of hearing (.2);	2.00	\$2,240.00
2/12/2024	Timothy Burns	Participate in insurance status conference (.7);	0.70	\$784.00
Totals for Hearings			2.90	\$3,204.00

Insurance Recovery Activities

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
2/1/2024	Jesse Bair	Review correspondence with the debtor and the insurers re document production matters (.1);	0.10	\$90.00
2/1/2024	Jesse Bair	Review correspondence with B. Wiesenbergs, state court counsel, and T. Burns re case insurance strategy call (.1);	0.10	\$90.00
2/1/2024	Jesse Bair	Review correspondence with B. Wiesenbergs and state court counsel re insurance exposure analysis presentation (.1);	0.10	\$90.00
2/2/2024	Jesse Bair	Prepare for call with state court counsel and B. Wiesenbergs re case insurance strategy (.1);	0.10	\$90.00
2/2/2024	Jesse Bair	Participate in call with state court counsel and B. Wiesenbergs re case insurance strategy (.6);	0.60	\$540.00
2/3/2024	Jesse Bair	Review correspondence with the insurers and C. Restel re the insurers' Rule 2004 document responses (.1);	0.10	\$90.00
2/3/2024	Timothy Burns	Review the US Trustee's brief in Gypsum re insurance neutrality issues in connection with Oakland Plan issues (.8);	0.80	\$896.00
2/3/2024	Timothy Burns	Review B. Weisenbergs correspondence and draft email memo re potential insurance demand letter strategy (.7);	0.70	\$784.00
2/3/2024	Timothy Burns	Review correspondence with CNA and Lowenstein re Rule 2004 subpoena issues (.1);	0.10	\$112.00
2/4/2024	Jesse Bair	Brief review re Kaiser Gypsum case in connection with insurer "party in interest" standing (.1);	0.10	\$90.00
2/4/2024	Jesse Bair	Review T. Burns email memo re potential insurance demand letter strategy (.1);	0.10	\$90.00
2/4/2024	Jesse Bair	Brief review re Travelers' answer to the third amended complaint (.1);	0.10	\$90.00
2/4/2024	Jesse Bair	Brief review re Westport's answer to the third amended complaint (.1);	0.10	\$90.00

2/4/2024	Jesse Bair	Review CIGA's motion to dismiss the third amended complaint (.2);	0.20	\$180.00
2/4/2024	Jesse Bair	Review the excess insurers' motion to dismiss the third amended complaint (.2);	0.20	\$180.00
2/4/2024	Jesse Bair	Review Chubb's motion to dismiss the third amended complaint (.2);	0.20	\$180.00
2/4/2024	Jesse Bair	Review Chubb's motion to withdraw the reference (.2); brief review re LMI's motion to withdraw the reference (.1);	0.30	\$270.00
2/4/2024	Jesse Bair	Review AIG's motion to dismiss the third amended complaint (.2);	0.20	\$180.00
2/4/2024	Jesse Bair	Draft email memo to Lowenstein team summarizing status of insurance adversary proceeding (.4);	0.40	\$360.00
2/5/2024	Jesse Bair	Additional analysis and consideration of motion to withdraw the reference issues (.2);	0.20	\$180.00
2/5/2024	Timothy Burns	Brief review of LMI's 2004 exam subpoena responses and objection (.2);	0.20	\$224.00
2/5/2024	Timothy Burns	Brief review of Westport's 2004 exam subpoena responses and objection (.2);	0.20	\$224.00
2/5/2024	Timothy Burns	Review and respond to correspondence from Lowenstein re the insurers' motions to withdraw the reference of coverage adversary (.2);	0.20	\$224.00
2/5/2024	Timothy Burns	Review and respond to correspondence with G. Albert re hearing on LMI's motion to clarify Rule 2004 Order (.1);	0.10	\$112.00
2/5/2024	Timothy Burns	Review J. Bair's email memo re status of insurance adversary proceeding (.1);	0.10	\$112.00
2/5/2024	Timothy Burns	Brief review of insurers' motions to withdraw the reference and accompanying paperwork (.5);	0.50	\$560.00
2/6/2024	Jesse Bair	Additional analysis re motion to withdraw the reference strategy (.1);	0.10	\$90.00
2/7/2024	Jesse Bair	Review correspondence with B. Wisenberg and the Debtor re motion to withdraw the reference issues (.1);	0.10	\$90.00
2/7/2024	Jesse Bair	Review the Debtor's status conference statement (.1);	0.10	\$90.00
2/7/2024	Jesse Bair	Review and consider notice of assignment of LMI's motion to withdraw the reference to Judge Corley (.1); additional analysis re the insurers' motions to withdraw the reference and potential response to same (.2);	0.30	\$270.00
2/7/2024	Timothy Burns	Prepare for hearing re LMI's motion to reconsider the Rule 2004 Order (1.6);	1.60	\$1,792.00

2/7/2024	Timothy Burns	Review and respond to correspondence with Lowenstein and state court counsel re judge assignment in the insurance adversary (.2); review Lowenstein research memo re withdrawal of the reference proceeding (.1);	0.30	\$336.00
2/8/2024	Jesse Bair	Participate in conference with T. Burns re outcome of meet and confer with the Debtor re the insurers' motions to withdraw the reference and strategy in connection with same (.3);	0.30	\$270.00
2/8/2024	Timothy Burns	Participate in conference with Lowenstein re motion to withdraw the reference strategy (.3);	0.30	\$336.00
2/8/2024	Timothy Burns	Participate in meet and confer with the Debtor and Lowenstein re the insurers' motions to withdraw the reference and strategy in connection with same (.5);	0.50	\$560.00
2/8/2024	Timothy Burns	Participate in conference with J. Bair re outcome of meet and confer with the Debtor re the insurers' motions to withdraw the reference and strategy in connection with same (.3);	0.30	\$336.00
2/8/2024	Timothy Burns	Review Continental's objections and responses to Rule 2004 subpoena (.1);	0.10	\$112.00
2/9/2024	Jesse Bair	Review correspondence from state court counsel re judge assignment in the withdrawn insurance adversary proceeding (.1);	0.10	\$90.00
2/9/2024	Jesse Bair	Continue analyzing issues re potential responses to the insurers' motions to withdraw the reference (.1);	0.10	\$90.00
2/10/2024	Jesse Bair	Draft email memorandum to the Committee and state court counsel re status of the insurance adversary proceeding and recommendations re the insurers' motions to dismiss and motions to withdraw the reference (.8);	0.80	\$720.00
2/10/2024	Jesse Bair	Follow-up correspondence with state court counsel re coverage issues and motion to withdraw the reference response (.1);	0.10	\$90.00
2/11/2024	Timothy Burns	Review J. Bair's email memorandum to the Committee and state court counsel re status of the insurance adversary proceeding and recommendations re the insurers' motions to dismiss and motions to withdraw the reference (.2);	0.20	\$224.00
2/12/2024	Timothy Burns	Participate in meet and confer with the insurers and the debtor re withdrawal of the reference issues (.3);	0.30	\$336.00
2/12/2024	Jesse Bair	Prepare for meet and confer with the insurers and the debtor re withdrawal of the reference issues (.1); participate in meet and confer with the debtor and the insurers re same (.3);	0.40	\$360.00

2/12/2024	Jesse Bair	Review correspondence with Lowenstein and T. Burns re strategy for upcoming insurance status conference (.1);	0.10	\$90.00
2/12/2024	Jesse Bair	Review email memo from T. Burns re outcome of insurance status conference (.1);	0.10	\$90.00
2/13/2024	Jesse Bair	Draft email memo to the Committee and state court counsel re outcome of insurance status conference and next-steps (.2); review follow-up correspondence from state court counsel re same (.1);	0.30	\$270.00
2/14/2024	Jesse Bair	Review the Committee's discovery deficiency letter to Westport (.1);	0.10	\$90.00
2/15/2024	Jesse Bair	Correspond with B. Wiesenberg re revised insurance presentation for upcoming mediation session (.1); analysis re potential revision to insurance presentation (.1);	0.20	\$180.00
2/15/2024	Timothy Burns	Review the Committee's discovery deficiency letters re the insurers' 2004 productions to CNA, LMI, and Westport (.3);	0.30	\$336.00
2/16/2024	Jesse Bair	Additional analysis re the Committee's response to the insurers' motions to withdraw the reference (.1);	0.10	\$90.00
2/16/2024	Timothy Burns	Consideration of insurance issues in advance of upcoming Committee meeting (.1); review correspondence with J. Bair and Lowenstein re same (.1);	0.20	\$224.00
2/17/2024	Jesse Bair	Correspondence with B. Wiesenberg re revised insurance presentation for use in connection with upcoming mediation session (.1);	0.10	\$90.00
2/18/2024	Jesse Bair	Review Stout's suggested edits to insurance mediation presentation (.2); review T. Burns' suggested edits to same (.1);	0.30	\$270.00
2/18/2024	Jesse Bair	Review and respond to correspondence with B. Wiesenberg and T. Burns re insurance strategy for upcoming mediation session (.2);	0.20	\$180.00
2/18/2024	Timothy Burns	Review and suggest revisions to claim and insurance valuation PowerPoints for potential use in connection with upcoming mediation session (.4);	0.40	\$448.00
2/19/2024	Jesse Bair	Revise and update insurance presentation for use during upcoming mediation (.4);	0.40	\$360.00
2/19/2024	Jesse Bair	Correspondence with Lowenstein re revised mediation insurance presentation (.1);	0.10	\$90.00
2/19/2024	Jesse Bair	Draft the Committee's response to the insurers' motions to withdraw the reference (.8);	0.80	\$720.00

2/19/2024	Jesse Bair	Review and edit Lowenstein's suggested insert to the Committee's response to the insurers' motions to withdraw the reference (.2); correspondence with B. Wiesenbergs re same (.1);	0.30	\$270.00
2/19/2024	Timothy Burns	Review and respond to correspondence with Lowenstein re presentations to the mediators (.2);	0.30	\$336.00
2/20/2024	Timothy Burns	Review LMI's response to the Committee's deficiency letter (.1);	0.10	\$112.00
2/20/2024	Timothy Burns	Review and prepare draft response to C. Restel's email re Travelers' and Lexington's insurance questions (.2);	0.20	\$224.00
2/20/2024	Timothy Burns	Review Century's, Westchester's, and Pacific's responses and objections to the Committee's deficiency letters (.2);	0.20	\$224.00
2/20/2024	Timothy Burns	Review the Committee's draft mediator presentations (.6);	0.60	\$672.00
2/20/2024	Timothy Burns	Review Continental's response to the Committee's deficiency letter (.1);	0.10	\$112.00
2/20/2024	Timothy Burns	Review Westport's response to the Committee's deficiency letter (.1);	0.10	\$112.00
2/20/2024	Jesse Bair	Brief review re Stout mediation presentation re claim values (.1);	0.10	\$90.00
2/21/2024	Timothy Burns	Review and respond to emails re Westport's meet and confer re 2004 subpoena and deficiency letter (.1);	0.10	\$112.00
2/21/2024	Jesse Bair	Review Travelers' Rule 2004 subpoena questions (.1); draft response to same (.1);	0.20	\$180.00
2/21/2024	Jesse Bair	Analyze Lexington coverage and claim exposure (.2);	0.20	\$180.00
2/21/2024	Jesse Bair	Review the Debtor's response to LMI's motion to withdraw the reference (.1);	0.10	\$90.00
2/21/2024	Jesse Bair	Review LMI's Rule 2004 discovery deficiency response letter (.1); review Westport's and Continental's response letters re same (.1);	0.20	\$180.00
2/21/2024	Jesse Bair	Review correspondence with LMI and Westport re discovery meet and confer (.1);	0.10	\$90.00
2/22/2024	Jesse Bair	Correspondence with B. Wiesenbergs re call to discuss mediation opening offer (.1);	0.10	\$90.00
2/23/2024	Timothy Burns	Participate in call with Lowenstein, BRG, and J. Bair re mediation strategy and potential opening offer (1.1);	1.10	\$1,232.00
2/23/2024	Jesse Bair	Prepare for Lowenstein meeting re mediation strategy, including review of BRG presentation re assets of the Debtor (.2);	0.20	\$180.00
2/23/2024	Jesse Bair	Participate in call with Lowenstein, BRG, and T. Burns re mediation strategy and potential opening offer (1.1);	1.10	\$990.00

2/26/2024	Timothy Burns	Participate in call with Lowenstein, BRG, and J. Bair re Committee mediation strategy and opening offer (1.2);	1.20	\$1,344.00
2/26/2024	Nathan Kuenzi	Participate in BB team meeting re case updates and ongoing insurance projects (.2);	0.20	\$110.00
2/26/2024	Timothy Burns	Met with J. Bair re case strategy and associate assignments (.3); met with associates re same (.2);	0.50	\$560.00
2/26/2024	Karin Jonch-Clausen	Review 2004 briefing and motion to amend, alter or reconsider briefing to inform research on the insurers' privilege and confidentiality arguments (.8);	0.80	\$440.00
2/26/2024	Jesse Bair	Participate in call with Lowenstein, BRG, and T. Burns re Committee mediation strategy and opening offer (1.2);	1.20	\$1,080.00
2/26/2024	Jesse Bair	Correspondence with N. Kuenzi re research project re LMI's position re non-production of London Broker materials (.1);	0.10	\$90.00
2/26/2024	Jesse Bair	Participate in conference with T. Burns re case status, insurance strategy, and related case projects (.3);	0.30	\$270.00
2/26/2024	Jesse Bair	Participate in BB team meeting re case updates and ongoing insurance projects (.2);	0.20	\$180.00
2/26/2024	Karin Jonch-Clausen	Research the application of attorney-client privilege to claims file in connection with the insurers' privilege arguments (1.0);	1.00	\$550.00
2/27/2024	Karin Jonch-Clausen	Research the applicability of work product protection to claims file in connection with the insurers' privilege arguments (1.5);	1.50	\$825.00
2/27/2024	Karin Jonch-Clausen	Research the applicability of trade secret privilege in connection with the insurers' privilege arguments (1.4);	1.40	\$770.00
2/27/2024	Jesse Bair	Review and respond to correspondence with the Debtor re responses to the insurers' motions to dismiss (.2);	0.20	\$180.00
2/28/2024	Timothy Burns	Participate in call with Lowenstein re case strategy and mediation (.5);	0.50	\$560.00
2/28/2024	Timothy Burns	Review the insurers' objection re protective order (.2);	0.20	\$224.00
2/28/2024	Karin Jonch-Clausen	Supplemental research re the application of attorney client privilege to claims files and loss reserves in connection with the insurers' privilege arguments (2.0);	2.00	\$1,100.00
2/28/2024	Karin Jonch-Clausen	Draft research memo to J. Bair and T. Burns assessing the insurers' privilege arguments (2.1);	2.10	\$1,155.00
2/29/2024	Timothy Burns	Participate in call with B. Weisenberg re mediation preparation and insurance (.5);	0.50	\$560.00
2/29/2024	Timothy Burns	Participate in call with B. Weisenberg re LMI appeal (.1); met with J. Bair re same (.1);	0.20	\$224.00

2/29/2024 Timothy Burns	Participate in mediation strategy meeting with Lowenstein, BRG and J. Bair (1.0);	1.00	\$1,120.00
2/29/2024 Timothy Burns	Prepare for upcoming mediation session (.7);	0.70	\$784.00
2/29/2024 Timothy Burns	Participate in call with B. Weisenberg re preparations for upcoming mediation session (.3);	0.30	\$336.00
2/29/2024 Jesse Bair	Prepare for mediation strategy meeting with Lowenstein, BRG and T. Burns (.1);	0.10	\$90.00
2/29/2024 Jesse Bair	Participate in mediation strategy meeting with Lowenstein, BRG and T. Burns (1.0);	1.00	\$900.00
2/29/2024 Jesse Bair	Review correspondence with LMI and C. Restel re hearing on LMI's motion to shorten time re LMI's motion for stay pending appeal (.1); participate in conference with T. Burns re LMI appeal issues (.1);	0.20	\$180.00
Totals for Insurance Recovery Activities		38.60	\$34,956.00
Total Hours and Fees		54.20	\$49,516.00

Timekeeper Summary

<u>Name</u>	<u>Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Brenda Horn-Edwards	Paralegal	0.80	\$340.00	\$272.00
Jesse Bair	Partner	24.70	\$900.00	\$22,230.00
Karin Jonch-Clausen	Associate	8.80	\$550.00	\$4,840.00
Nathan Kuenzi	Associate	0.20	\$550.00	\$110.00
Timothy Burns	Partner	19.70	\$1,120.00	\$22,064.00

Total Due This Invoice: \$49,516.00