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Amalia Rodriguez-Mendoza
District Clerk
Travis District
D-1-GN-11-003130

CAUSE NO. D-1-GN-11-003130

THE TEXAS TAXPAYER & STUDENT FAIRNESS COALITION, et al; CALHOUN COUNTY ISD, et al; EDGEWOOD ISD, et al; FORT BEND ISD, et al; TEXAS CHARTER SCHOOL ASSOCIATION, et al., Plaintiffs	§	IN THE DISTRICT COURT
JOYCE COLEMAN, et al., Intervenors	§	
vs.	§	200th JUDICIAL DISTRICT
MICHAEL WILLIAMS, COMMISSIONER OF EDUCATION, IN HIS OFFICIAL CAPACITY; SUSAN COMBS, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, IN HER OFFICIAL CAPACITY; TEXAS STATE BOARD OF EDUCATION, Defendants.	§	TRAVIS COUNTY, TEXAS

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DEFENDANTS' AMENDED RESPONSE TO PLAINTIFFS' AND INTERVENORS' REQUESTS FOR ATTORNEYS FEES

TO THE HONORABLE JOHN K. DIETZ, PRESIDING JUDGE:

Defendants Michael Williams, Commissioner of Education, in his official capacity, Susan Combs, Texas Comptroller of Public Accounts, in her official capacity, the Texas State Board of Education and the Texas Education Agency file this amended response to Plaintiffs' and Intervenors' requests for attorney's fees and respectfully request the Court to altogether deny their applications or, alternatively, reduce the fee award in a manner that is equitable and just.

I. INTRODUCTION

Plaintiffs and Intervenors brought suit under the Texas Constitution, article VII, section 1, and article VIII, section 1-e. Each party has tacked into its suit a claim under the Uniform Declaratory Judgments Act ("UDJA"), and consequently seeks an award of attorneys' fees pursuant to that statute. The Parties are precluded from recovering attorneys' fees, however, because the remedies they seek under the Texas Constitution – aside from the award of attorneys' fees – are redundant to those sought under the UDJA and thus, attorney's fees are not available under the Act. Assuming, arguendo, that the law does permit the award of attorneys' fees in this case, the parties should be awarded an amount of fees less than that requested because significant portions of certain parties' proof of fees is vague, reflects duplicative work performed, and/or reflects unnecessary or non-legal work performed. Moreover, given that the case presented by Plaintiffs to this Court is similar to that put on eight years ago by many of the very same lawyers with expertise in the public education arena, the legal issues in this case should not be considered novel or new to those attorneys. As such, extensive research and foundation work is unnecessary. For these reasons, as articulated more fully below, Defendants respectfully request that the Court deny or reduce the Plaintiffs' and Intervenors' attorneys' fees applications.

II. ARGUMENT

A. PLAINTIFFS AND INTERVENORS MAY NOT RECOVER ATTORNEY'S FEES AND COSTS UNDER THE UNIFORM DECLARATORY JUDGMENTS ACT.

The "redundant remedies" doctrine defeats Plaintiffs' and Intervenors' requests for attorney's fees and costs. Under that doctrine, a party may not obtain a fee award under section 37.009 of the UDJAUDJA, TEX. CIV. PRAC. & REM. CODE § 37.009, when a complete remedy is available under another law that does not provide for the recovery of fees. *See MBM Fin. Corp.*

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v. Woodlands Operating Co., 292 S.W.3d 660, 669-71 (Tex. 2009). Here, Plaintiffs and Intervenors have such a remedy: independent of the UDJA, the parties can sue for equitable relief to redress their claims that the school finance system violates various self-executing provisions of the Texas Constitution.

1. The Texas Constitution Provides Plaintiffs And Intervenors A Complete Remedy For All Claims Asserted In This Case.

All Plaintiffs and Intervenors contend that the school finance system violates article VII, section 1 of the Texas Constitution, which requires the Legislature to make "suitable" provision for an "efficient" public school system that achieves a "general diffusion of knowledge." All Plaintiffs except the Texas Charter Schools Association Plaintiffs also claim that the system violates article VIII, section 1-e of the Texas Constitution, which prohibits the levy of a state property tax. In addition, the Texas Taxpayer and Student Fairness Coalition Plaintiffs contend that the system violates article VIII, section 1(a) of the Texas Constitution, which requires taxation to be "equal and uniform." And the Texas Charter Schools Association Plaintiffs claim that the system violates article I, section 3 of the Texas Constitution, which guarantees "equal rights" to all Texans. All Plaintiffs and Intervenors seek to enjoin Defendants from giving any force or effect to the current school finance system until the alleged constitutional violations are cured.

Each constitutional provision under which the parties seek relief is "self-executing." The Supreme Court has specifically held that Texas Constitution article VII, section 1 and all of article I are self-executing to the extent of prohibiting the adoption of any conflicting law or state action. *Neeley v. W. Orange-Cove Consol. Indep. Sch. Dist.*, 176 S.W.3d 746, 781-83 (Tex. 2005) ("*WOC II*") (article VII, section I); *City of Beaumont v. Bouillion*, 896 S.W.2d 143, 148-49 (Tex. 1995) (article I). And, although no court has addressed the issue, there is no dispute

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that sections 1(a) and 1-e of article VIII are self-executing to the extent that they bar any legislative or executive action contrary to their mandates. *Cf. Hendee v. Dewhurst*, 228 S.W.3d 354, 372 (Tex. App.—Austin 2007, pet. denied) (holding that article VIII, section 22, which restricts the amount and rate of growth of certain appropriations, is self-executing "to the extent of prohibiting legislative action inconsistent with its provisions"); *Motorola, Inc. v. Tarrant County Appraisal Dist.*, 980 S.W.2d 899, 902 (Tex. App.—Fort Worth 1998, no pet.) (holding that article VIII, section 1-j is self-executing "to the extent that all laws in conflict with its existence are void").

A "self-executing" constitutional provision effectuates the law by itself and is enforceable in Texas courts without the need for implementing legislation. *See City of Dallas v. Stewart*, 361 S.W.3d 562, 568 (Tex. 2012) (noting that a self-executing constitutional provision "authorizes suit, regardless of whether the Legislature has statutorily provided for it"); *First Nat'l Bank in Dallas v. Whirlpool Corp.*, 517 S.W.2d 262, 267 (Tex. 1975) (explaining that, because the imposition of a mechanics lien in article XVI, section 37 of the Texas Constitution is self-executing, such a lien "exists independently and apart from any legislative act"); *cf. WOC II*, 176 S.W.3d at 781-82 (noting that a *non-self-executing* constitutional provision "does not allow for court action to enforce its provisions"). Even if a constitutional provision is self-executing only to the extent of prohibiting laws that are inconsistent with its mandate, a Texas court may directly enforce that constitutional prohibition. *See WOC II*, 176 S.W.3d at 782-83; *Hendee*, 228 S.W.3d at 369-73.

Specifically, to enforce a self-executing constitutional provision, a plaintiff need only bring an action under that provision for equitable relief. *Bouillion*, 896 S.W.2d at 149. Article I, section 29 of the Texas Constitution declares that "all laws contrary" to Article I's "Bill of

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Rights" or to "the following provisions" —*i.e.*, the rest of the Constitution—"shall be void." TEX. CONST. art. I, § 29. The Supreme Court has construed this provision to establish what the Constitution's framers "intended to be the means of remedying a constitutional violation": "declar[ing] void" laws contrary to the Constitution and "equitable remedies for violation of constitutional rights." *Bouillion*, 896 S.W.2d at 149. That is, a self-executing constitutional provision, coupled with article I, section 29, creates an "implied . . . private equitable action" to redress a violation of that constitutional provision. *Brown v. De La Cruz*, 156 S.W.3d 560, 563 (Tex. 2004).[1]

Thus, the Texas Constitution *itself* affords all Plaintiffs and Intervenors the right to bring causes of action to determine whether the school finance system violates the constitutional provisions that they invoke and to enjoin any violations found to exist. *Brown*, 156 S.W.3d at 563; *Bouillion*, 896 S.W.2d at 149. Such relief is essentially all that is prayed for in this case.

2. Under The Redundant-Remedies Doctrine, Plaintiffs And Intervenors May Not Recover Attorney's Fees And Costs By Seeking Declaratory Relief Under The UDJA.

To be sure, Plaintiffs and Intervenors may also assert their statutory claims under the UDJA for declaratory judgments regarding the constitutionality of the school finance system.

[1] Sovereign or governmental immunity would not bar a proper claim of this nature for one of two reasons. A plaintiff may bring this sort of claim as an *ultra vires* suit against an appropriate governmental official because an official has no authority to apply or enforce a statute that violates the Texas Constitution. *See City of El Paso v. Heinrich*, 284 S.W.3d 366, 372 (Tex. 2009). Such a claim, if pleaded and proved, would not implicate immunity. *Id.* Alternatively, the Supreme Court has construed its *Bouillion* decision to allow a plaintiff to sue a governmental *entity* for equitable relief for a constitutional violation, suggesting that the relevant constitutional provision and article I, section 29 effect a valid waiver of immunity. *City of Elsa v. M.A.L.*, 226 S.W.3d 390, 392 (Tex. 2007) (per curiam). In light of the Court's later decision in *Heinrich*, which holds that all *ultra vires* claims must be asserted against an appropriate governmental official rather than an entity, 284 S.W.3d at 372-73, it is unclear whether *City of Elsa* remains good law, *Tex. State Bd. of Pub. Accountancy v. Bass*, No. 03-09-00251-CV, 2010 WL 5575921, at *6, n.3 (Tex. App.—Austin 2011, no pet.) (mem. op.) (questioning whether *City of Elsa*'s extension of *Bouillion* to governmental entities would survive *Heinrich*). The correct reason is immaterial in this case, however, because Defendants include both governmental officials and entities.

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See Tex. Lottery Comm'n v. First State Bank of DeQueen, 325 S.W.3d 628, 634 (Tex. 2010) (discovering an implied waiver of immunity from suit in the UDJA for claims challenging the validity of a statute). "'[T]he existence of another adequate remedy does not bar the right to maintain an action for declaratory judgment . . . .'" *MBM Fin.*, 292 S.W.3d at 669 (quoting *Cobb v. Harrington*, 190 S.W.2d 709, 714 (Tex. 1945)).

But "while declaratory relief may be obtained under the [UDJA]" despite the availability of another adequate remedy, "that does not mean attorney's fees can too." *Id.* Under the redundant-remedies doctrine, "a party cannot use the [UDJA] as a vehicle to obtain otherwise impermissible attorney's fees." *Id.* A fee award is "otherwise impermissible" if the plaintiff has a claim under another law that does *not* provide for the recovery of fees and the declaratory relief would "merely duplicate the issues litigated" in that other claim. *Id.* at 670-71.

For example, in *MBM Financial*, the Supreme Court held that a plaintiff could not recover attorney's fees by adding UDJA claims to its claims for breach of contract and common-law fraud. *Id.* at 669-71. The particular issues on which the plaintiff sought declaratory relief were "part and parcel" or "duplicative" of the contract and fraud claims. *Id.* at 671. To allow the plaintiff to recover fees under the UDJA in that circumstance would frustrate chapter 38 of the Civil Practice and Remedies Code, which expresses the Legislature's intent not to award fees in a contract suit in which the plaintiff recovered no damages (as was the case here). *Id.* at 670. Likewise, with respect to the fraud claim, a fee award would abrogate the common-law rule that each party bears its own litigation costs. *Id.* In the same vein, the Supreme Court has held that a party may not recover fees under the UDJA in a trespass-to-try-title case because the governing statute, section 22.001 of the Property Code, does not provide for such an award. *Martin v. Amerman*, 133 S.W.3d 262, 267 (Tex. 2004).

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The reasoning of *MBM Financial* and *Amerman* applies with equal force to claims that arise directly under the Texas Constitution, which does not provide for recovery of fees and costs. In *University of Texas v. Ables*, the plaintiffs sued the university for employment discrimination seeking declaratory and injunctive relief directly under article I, section 19, as well as under the UDJA. 914 S.W.2d 712, 714 (Tex. App.—Austin 1996, no writ). The court of appeals rejected the plaintiffs' fee requests because "the declaratory-judgment . . . requested no greater or different relief than did their claim for damages resulting from age or sex discrimination." *Id.* at 717. Similarly, in *City of Houston v. Texan Land & Cattle Co.*, the plaintiffs appended a claim for declaratory relief under the UDJA with an inverse-condemnation claim under article I, section 17. 138 S.W.3d 382, 392 (Tex. App.—Houston [14th Dist.] 2004, no pet.). The court of appeals affirmed the trial court's judgment denying a fee award because the requested declaratory relief added nothing to the relief available under the Constitution itself. *Id.*

This case, likewise presents a classic application of the redundant-remedies bar on attorney's fees. The self-executing provisions of the Texas Constitution invoked by Plaintiffs and Intervenors provide an independent procedural vehicle for challenging the school finance system, obtaining determinations about the system's validity, and securing injunctive relief to enforce any determination that the system is invalid. *Brown*, 156 S.W.3d at 563; *Bouillion*, 896 S.W.2d at 149. Plaintiffs' and Intervenors' requests for declaratory relief under the UDJA seek no remedy broader than that. Because the UDJA claims are thus merely "tacked onto a standard suit" under self-executing constitutional provisions, attorney's fees are not available under the UDJA. *See MBM Financial*, 292 S.W.3d at 670. Consequently, without an avenue for

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recovering attorney's fees directly under the Texas Constitution, Plaintiffs and Intervenors have no right to recover attorney's fees.

B. IF THE PLAINTIFFS AND INTERVENORS ARE ENTITLED TO ATTORNEY'S FEES AND COSTS, THE COURT SHOULD EXERCISE ITS DISCRETION AND AWARD THEM FEES IN AN AMOUNT THAT IS REASONABLE AND JUST.

The UDJA does not require an award of attorney's fees to the prevailing party; rather, the statute provides that the trial court "may award ... reasonable and necessary attorney's fees as are equitable and just" and may award fees to the prevailing party, the non-prevailing party, or neither. TEX. CIV. PRAC. & REM.CODE § 37.009; *Barshop v. Medina Cnty. Underground Water Conservation Dist.*, 925 S.W.2d 618, 637–38 (Tex. 1996) (award of attorney's fees under UDJA not dependent on finding that party "substantially prevailed"). Courts must make a factual determination regarding the reasonableness and necessity of the fees awarded and a legal determination as to whether the award is equitable and just. *Bocquet v. Herring*, 972 S.W.2d 19, 21 (Tex. 1998); *Stable Energy, L.P. v. Newberry*, 999 S.W.2d 538, 556 (Tex. App.—Austin 1999, pet. denied).

1. In Many Instances, The Plaintiffs' And Intervenor's Fee Requests Are Either Unreasonable Or Were Not Necessary To The Litigation.

To determine whether hours were reasonably spent on litigation, a reviewing court must look to the documented time records filed by the requesting party. "[T]he court should exclude all time that is excessive, duplicative or inadequately documented." *Watkins v. Fordice*, 7 F.3d 453, (5th Cir. 1993) (citing *Hensley v. Eckerhart,* 461 U.S. 424 at 432-34 (1983) and *Von Clark v. Butler*, 916 F.2d 225, 259 (5th Cir. 1990).[2] If an applicant's documentation of the hours

[2] Texas courts of appeals have relied on federal jurisprudence in determining whether attorney's fees awards are reasonable, necessary, and equitable. For instance, the Texas Supreme Court and the Austin Court of Appeals have looked to federal law in construing "prevailing party" status. *Intercontinental Group P'ship v. KB Home Lone Star*

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purportedly spent on the litigation is "vague or incomplete," the district court may reduce or eliminate those hours. *League of United Latin American Citizens v. Roscoe Indep. Sch. Dist.*, 119 F.3d 1228, 1233 (5th Cir. 1997). A short, thorough description of the services provided will suffice. *Id.* But entries equally vague as one describing "research and review of cases" will not. *Id.*

a. Lobbying, Public Relations, and Interaction with Media

Hours spent on lobbying, media, or public relations activities is not time "reasonably spent on litigation" where a requesting party fails to demonstrate the efficacy of the press conferences or other public relations activities or to show that those activities contributed to the litigation of the case. *Id.* at 458. Here, several of the parties have sought to recover fees to speaking to the media about the litigation, reviewing press coverage of it, or engaging in other public relations purportedly on their client's behalf. However, nothing in their time records demonstrates that any such activity was necessary to the litigation. Thus, it is not compensable under the UDJA.

b. Travel and Clerical Work

In addition, hours spent for travel time or on clerical activities should be reduced from the rate normally charged by the attorney for legal work. *Watkins*, 7 F.3d at 459 (citing *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714, 717 (5th Cir. 1974) (administrative work performed by attorney may command a lesser rate) and *Shirley v. Chrysler First, Inc.,* 762 F.Supp. 856, 858, 861 (N.D. Miss. 1991)(compensating travel at lesser rate)). Many parties seek the Court to compensate them at their full rate for travel time, which is far from insignificant.

L.P., 295 S.W.3d 650, 652, 653 (Tex. 2009), *Wibbenmeyer v. Techterra Communications, Inc.*, No. 03-09-00122-CV, 2010 WL 1173072 (Tex. App.—Austin, 2010, no pet.).

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However, the parties cannot show that the travel time for them was absolutely necessary to the litigation or that they did not have other alternatives to avoid spending so many hours traveling. For instance, because this lawsuit purportedly presents a statewide constitutional violation, venue is not mandatory in Travis County. The parties therefore could have filed this suit anywhere in the State of Texas, and for at least some, avoided the travel expenses they incurred. Others traveled every single day and seek compensation for their travel time. They chose to do this rather than to stay in a hotel in Travis County, which would be less expensive than paying for 3 hours of travel time at over $200 per hour. Furthermore, most parties' counsel included members who are located in Austin. To the extent that the parties' representatives must participate in activities in Austin, local counsel could have been engaged to save the expense of travel. Finally, the parties have not demonstrated that in-person meetings were necessary where such meetings did not involve the Court.

All parties seek compensation for travel time and bill their regular hourly rate for that time. They have failed to show that such travel was necessary or that it would be reasonable for the Court to compensate them at the full hourly rate for travel time that was not spent providing legal services.

c. Trial Time

Finally, active trial hours were set before trial even began: by the Court. Trial was in session Monday through Thursday, 9:00 a.m. to 12:00 p.m. which included a short break, resuming in an afternoon session from 1:30 p.m. through 4:45 p.m. On some occasions the morning session began after 9:30am and the afternoon session ended after 4:45 in the afternoons. But generally, the parties spent 6 hours and 15 minutes each day in open court.

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Despite this discrete daily trial schedule, some of the parties have billed to be in trial for longer than the scheduled 6 hours and 15 minutes. For instance, the Fort Bend Plaintiffs ask the Court to award them fees for nine (9) hours of trial time each day, whereas the Edgewood Plaintiffs seek compensation for seven-and-a-half (7.5) hours a day, and the Efficiency Intervenors ask to be paid for attendance and participation at trial for only seven hours a day.

Others bill for a total day, lumping in trial time into their daily hours. Specifically, the Texas Taxpayers Plaintiffs and the Calhoun County Plaintiffs have time entries for multiple attorneys per trial day, each claiming that at least part of their day was spent in trial. But from this lump sum billing, the Court cannot tell whether all attorneys were in trial or were not, for how long, whether it was necessary for all of them to be there, and whether the work each attorney did was duplicative of the other or in some supportive capacity.

Defendants submit that it is only reasonable and necessary for a single lawyer to seek an attorney's fee award for seven (7) hours each trial day. An award for any more than that would compensate the Plaintiffs for work that is duplicative and unnecessary.

d. Other Considerations

The Plaintiff School Districts are all represented by legal counsel who have been extensively involved in previous school finance litigation. Indeed, at least one attorney almost exclusive represents school districts in his legal practice, and another recently prosecuted a very similar case, with some of the very same witnesses, in Colorado. The facts and law relevant to this case are neither new nor novel to these lawyers. The witnesses are similar to those who previously offered testimony on behalf of school districts plaintiffs in other proceedings, and the experts in this case were the same as those who travel the school finance litigation circuit and routinely testify in favor of more money for school districts. While it is arguably reasonable to

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allow these attorneys to bill at higher rates given their expertise and experience, it is likewise reasonable to assume that it should have taken them less time to accomplish some of the tasks necessary to this litigation. *League of United Latin Am. Citizens*, 119 F.3d at 1234. Defendants request that the Court strike a balance between these lawyers' experience and the hours expended, and reduce the hours spent preparing for trial to an amount that is reasonable and necessary.

In addition, the Plaintiffs did not bring this suit as a class action. Nor have they requested individualized relief for each individual plaintiff. As the Texas Supreme Court has made clear, at least with respect to the Article VIII, section 1-e claim, it takes only a single district to state a claim. That is also at least arguably true with respect to any adequacy, equity, or suitability claims made pursuant to Article VII given the availability of statewide finance and testing data. Thus, solicitation of school district, parent, or student clients beyond one per Plaintiff group is excessive. This is evident by the parties' use of "focus districts" to manage the litigation. Although there were over 600 school districts as plaintiffs in this litigation, the court heard evidence from roughly less than 30 superintendents, and the depositions of approximately 30 additional superintendents were introduced into the record.. Thus, only a fraction of the total plaintiffs put on any evidence in this case, which demonstrates that even Plaintiffs did not believe it was necessary for each school district plaintiff to present evidence for it to prevail.

Defendants request the Court to consider what was truly minimally necessary to the Plaintiffs' prosecution of their case in awarding reasonable and necessary fees to the Plaintiffs and Intervenors.

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2. **In This Suit About Insufficient Resources For Public Education, Equity And Justice Militate In Favor Of The Parties Bearing Their Own Costs, Or At Least Reduced Fee Awards To The Parties To This Suit**.

At the core of this lawsuit is the issue of how the Texas Legislature allocates scarce resources – and, specifically, in the context of a recent national economic crisis that did not spare the State of Texas, the State operated with limited resources by reducing expenditures on all State entities, including those allocated to the school districts and the Texas Education Agency for the 2012-2013 biennium. Having litigated this case for nearly four months, counsel for the parties have a deep understanding of the strains placed on the state's coffers and the difficult decisions forced by those strains. The State asks that, as each of its entities have been asked to exercise restraint in their own spending costs, the Court award reduced fees to the parties to this suit.

a. Equity and justice require that all non-prevailing parties be treated the same.

The Efficiency Intervenors and the Charter Plaintiffs join the State Defendants as non-prevailing parties in this suit. The Court would be well within its discretion to award any of these parties their attorney's fees. The State Defendants simply request that all non-prevailing parties be treated the same with respect to attorney's fees awards. More specifically, if the Court finds it equitable and just to award the Efficiency Intervenors and Charter Plaintiffs attorney's fees, that it likewise either award fees to the State Defendants or off-set the opposing parties' fee awards against that to the State Defendants.

b. An award that Plaintiffs and Intervenors fully recover their attorney's fees even if the State Defendants completely prevail on appeal would be premature and possibly inequitable and unjust.

The Plaintiff school districts, in their proposed judgment, have asked the Court for the first time to fully award them their requested attorney's fees even if the State Defendants

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completely prevail on appeal. Whatever their reasons may be for this request, the ultimate result in this case affects whether any award of fees is equitable and just. "The trial court's decision whether to award attorney's fees in a declaratory judgment case depends on the court's conclusion whether it is just and equitable to do so under *all the circumstances in the case. . ..*" *See Michell v. Ballard*, No. 06-12-00012-CV, 2012 WL 4840812 (Tex. App.—Texarkana 2012, no pet.) (emphasis added). Any appellate court rulings in this case are circumstances that are relevant to a just and equitable attorneys fee award. It would therefore be premature, unjust, and inequitable for the Court to make this award without regard to the litigation's final, appellate outcome.

CONCLUSION

For the foregoing reasons, Defendants respectfully request the Court to deny altogether Plaintiffs' and Intervernors' request for attorney's fees. Alternatively, pursuant to the arguments in this response as well as the line-item objections lodged in Exhibit A attached to this response, Defendants request the Court to reduce Plaintiffs' and Intervenors' fee award to only the amount they proved to be reasonable and necessary, and what the Court finds to be equitable and just.

Respectfully submitted,

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I hereby certify that on the 19th day of March, 2013, I forwarded the foregoing document to all known counsel of record via e-mail notification:

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TXTP

School Finance Attorneys Fees

Date	Atty	Total Time	Total Value	Portion of Narrative in Dispute	Duplicative Work	Expert Withdrawn	Intervenor/ Charter Case	Not Billable	Travel	NOTES
10/23/01	RGIV	10.3	$1,802.50	*trial	X					
8/9/10	REG	1.25	$562.50	Work re: pleading preparation; conference with T. Hunter re: revisions and additional input	X					
8/9/10	REG	1.25	$562.50	Work re: pleading preparation; conference with T. Hunter re: revisions and additional input	X					
9/12/11	RBW	3.5	$1,312.50	Travel to San Antonio; travel back to Austin					X	
9/26/11	REG	2.5	$1,125.00	Conference with attorneys re: pleadings and strategy	X					
9/26/11	TBH	2.5	$812.50	*Attend meeting of attorneys	X					
9/29/11	RGIV	3.5	$612.50	*Travel to meeting; travel back to office from meeting*					X	
10/13/11	TBH	2	$325.00	*Travel to San Antonio for interview at KLRN on school finance					X	
10/19/11	RGIV	1.5	$262.50	Excel spreadsheet organization; review workings of excel (NO CHARGE)				X		
10/19/11	REG	5.75	$2,587.50	*travel to Houston for 10/20 presentation					X	
10/20/11	REG	8	$3,600.00	*Attend Region 4 conference; make presentation				X		
10/20/11	REG	8		*return travel to Austin					X	
10/20/11	TBH	2.7	$877.50	*Review bio and approve				X		
10/25/11	REG	11.25	$5,062.50	*travel to Ft. Worth; return travel					X	
10/26/11	TBH	3	$975.00	*travel to State Law Library to get 2nd article					X	
11/8/11	REG	10	$4,500.00	*Travel to/from Lubbock					X	
11/8/11	TBH	1.5	$487.50	*Review audion of B. Lesley re: money matters		X				
11/15/11	REG	4.15	$1,867.50	*Travel to/from San Antonio					X	
11/21/11	TBH	1.3	$422.50	*Telephone conference with B. Lesley re: expert analysis		X				
12/6/11	RGIV	0.3	$52.50	Review email and document sent by Mark Trachtenburg re: TIER and the state of public education in Texas			X			
12/6/11	REG	12.25	$5,512.50	*Travel to/from Odessa					X	
12/8/11	TBH	2.1	$682.50	*review material from B. Leslie		X				
1/9/12	TBH	4.8	$1,560.00	*Review articles emailed by B. Lesley		X				
1/12/12	TBH	3	$975.00	*Review questionairres filled out by potential plaintiff districts				X		
2/13/12	CMJ	4	$560.00	Review Dr. Baker's blog (schoolfinance101) to determine if he has written anything that may be used to impeach his testimony re: Texas school finance	X					
2/16/12	CMJ	2	$280.00	Review Dr. Baker's blog (schoolfinance101) to determine if he has written anything that may be used to impeach his testimony re: Texas school finance	X					
2/23/12	CMJ	2	$280.00	Review Dr. Baker's twitter account to determine if he has written anything that may be used to impeach his testimony re: Texas school finance	X					
2/24/12	RGIV	1.2	$210.00	*find contact information and call Chris Diamon re: 5th school finance suit			X			
2/24/12	TBH	4	$1,300.00	*conference with R. Gray re: 5th lawsuit; review 5th lawsuit			X			
2/24/12	CMJ	1.5	$210.00	Review Dr. Baker's twitter account to determine if he has written anything that may be used to impeach his testimony re: Texas school finance	X					

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School Finance Attorneys Fees

Date	Atty	Total Time	Total Value	Portion of Narrative in Dispute	Duplicative Work	Expert Withdrawn	Intervenor/ Charter Case	Not Billable	Travel	NOTES
2/24/12	CMJ	2	$280.00	Review Dr. Baker's twitter account to determine if he has written anything that may be used to impeach his testimony re: Texas school finance	X					
2/24/12	DOUG	0.4	$150.00	Review newly filed intervention			X			
2/25/12	REG	0.65	$292.50	*Analysis of new suit			X			
2/27/12	RGIV	0.1	$17.50	Review emails re: intervention lawsuit			X			
2/27/12	REG	0.75	$337.50	*review emails re: intervention; conference with T. Hunter re: securing consensus re: new answer to intervention			X			
2/27/12	CMJ	3	$420.00	Review Dr. Baker's twitter account to determine if he has written anything that may be used to impeach his testimony re: Texas school finance	X					
3/2/12	REG	3.25	$1,462.50	*review message from M. Hurley re: financial accountability; telephone conference with M. Hurley re: white paper; conference with T. Hunter re: conclustion of conference			X			
3/7/12	REG	0.4	$180.00	*Review M. Hurley email; reply to same			X			
3/8/12	REG	1.4	$630.00	*telephone conference with M. Hurley re: white paper preparation	X		X			
3/8/12	TBH	3	$975.00	*telephone conference with M. Hurley re: accountability	X		X			
3/28/12	REG	5.9	$2,655.00	*attend conference prior to pre-trial with Plaintiffs' counsel; attend pre-trial conference	X					
3/28/12	TBH	6.7	$2,177.50	*attend meeting with Plaintiff's attorneys; attend pre-trial conference	X					
3/28/12	DOUG	3.85	$1,443.75	Attended meeting and Pretrial Conference	X					
3/28/12	RBW	3.85	$1,443.75	Attended meeting and Pretrial Conference	X					
3/30/12	REG	1.1	$495.00	*telephone conference with C Diamond re: intervention			X			
4/2/12	REGIV	1.35	$236.25	*Review pleadings of Efficiency Intervenors			X			
4/4/12	TBH	5.2	$1,690.00	*review money matters articles by...Lesley		X				
4/9/12	RGIV	0.2	$35.00	Review and reply to email from Chris Diamond re: intervenors opposition to severence in the motion to consolidate; conference with counsel re: same			X			
4/11/12	TBH	2.7	$877.50	*Review letter filed by C Diamond re: Order on Motion to Consolidate; review emails re: same; draft letter to Judge Diets in response			X			
4/11/12	TBH	2.7		*telephone conference with B. Lesley re: edits to Money Matters article		X				
4/13/12	TBH	1.5	$487.50	*Travel to court house to deliver same to judge					X	
4/16/12	TBH	0.3	$97.50	*telephone conference with P. Theobald at Texas Tribune re: same [scheduling order]				X		
4/23/12	REG	1.95	$877.50	*conference with T. Hunter re: M. Hurley deposition and deposition dates			X			
4/23/12	SEJ	1	$100.00	*Prepare Plaintiffs' Request for Disclosure to Intervention; confer with T. Hunter re: same; serve Request for Disclosure to Intervenors			X			
4/24/12	REG	0.9	$405.00	*Review Intervenors request for disclosure			X			
5/3/12	REG	1.75	$757.50	*review subpoena for M. Hurley records; review C Diamond email; reply to same			X			

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5/9/12	REG	0.6	$270.00	*Reviwe C Diamond email; review 2nd amended plea in intervention			X			
5/10/12	REG	2.95	$1,327.50	*review amended intervention			X			
5/11/12	TBH	6	$1,950.00	*telephone conference with all Plaintiff attorneys re: intervenor's positions; plea to jurisdiction			X			
5/15/12	RBW	2.5	$375.00	*Meeting with Judge Dietz	X					
5/16/12	REG	3.25	$1,462.50	*telephone conference with G Santiago re: M Hurley deposition			X			
5/17/12	REG	2.1	$945.00	*telephone conference with G Santiago re: M Hurley deposition			X			
5/17/12	TBH	0.8	$260.00	*Review Efficiency Intervenor RFP			X			
5/23/12	REG	2.95	$1,327.50	*review M. Hurley report			X			
5/24/12	RGIV	0.25	$43.75	*review emails re: deposition of Mark Hurley			X			
5/24/12	REG	5.45	$2,452.50	*review email re: M Hurley deposition; review deposition notice with subpoena for M. Hurley; conference with S Jennings re: travel logistics for M Hurley deposition			X			
5/25/12	REG	5.55	$2,497.50	*prepare for conference with G Santiago and T Canby re: M Hurley; conference with T Canby and G Santiago re: M Hurley report			X			
5/25/12	TBH	2.5	$812.50	*conference with R Gray re: superintendents and M Hurley deposition			X			
5/29/12	REG	5.85	$2,632.50	*Travel to/from San Antonio					X	
5/29/12	SEJ	1.5	$150.00	*Confer with T Hunter re: Plaintiffs' response to Efficiency Intervenors' RFD; review and revise response; finalize and serve Plaintiffs' Response to the Efficiency Intervenors' Request for Disclosure			X			
5/29/12	TBH	6.6	$2,145.00	*Travel to San Antonio					X	
5/29/12	TBH	6.6		*finalize Response to RFP of Intervenors			X			
6/5/12	REG	5.25	$2,362.50	*Review C Diamond email; review Intervenors discovery			X			
6/7/12	REG	2.15	$967.50	*work re: preparation for M Hurley deposition			X			
6/9/12	REG	2.65	$1,192.50	*review cross-notice of deposition of M Hurley; review documents produced by M Hurley; work re: deposition preparation			X			
6/10/12	REG	1.25	$562.50	Work re: M Hurley deposition preparation			X			
6/11/12	REG	2.05	$922.50	*complete preparation for M Hurley deposition; telephone conference with D Thompson re:..M Hurley deposition			X			
6/12/12	REG	13.25	$5,962.50	*Travel to/from Dallas					X	
6/12/12	REG	13.25		*secure deposition of M Hurley			X			
6/13/12	REG	7.95	$3,577.50	*travel to The Woodlands					X	
6/13/12	TBH	7.3	$2,372.50	*Conference with R Gray re: Hurley deposition			X			
6/14/12	RGIV	3.95	$691.25	*travel to Capitol for legislative research					X	
6/19/12	REG	2	$900.00	*conference with R Gray IV re: Hurley education hearing			X			
6/22/12	RGIV	3.9	$682.50	*review Edgewood's Plea to the Jurisdiction and Motion to Dismiss Intervenors; conference with counsel re: same			X			
6/24/12	REG	2.25	$1,012.50	*review plea to jurisdiction filed by MALDEF			X			
6/25/12	RGIV	6.4	$1,120.00	*Equity Center Annual Breakfast				X		
6/25/12	REG	5.85	$2,632.50	*review plea to jurisdiction filed by Edgewood			X			

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6/25/12	TBH	9.6	$3,120.00	*review Money Matters by B Leslie and comment		X				
6/26/12	REG	3.85	$1,732.50	*partial attendance at R Scott deposition	X					Deposition was held on 6/28 and 6/29
6/26/12	TBH	3.2	$1,040.00	*conference with R Gray re: B Leslie report		X				
6/27/12	TBH	3.3	$1,072.50	*conference with W Pierce and R Freeman re: Leslie report and equal protection		X				
7/3/12	TBH	6.6	$2,145.00	*telephone conference with B Baker re Intervenor approach			X			
7/18/12	REG	3.8	$1,710.00	*review message from B Schulman; telephone call to B Schulman and J Hoffer re: background, charters, and consolidation			X			
7/20/12	REG	3.75	$1,687.50	*review Efficiency Intervenors response to jurisdiction plea; email attorneys re: plea status			X			
7/20/12	TBH	5.3	$1,722.50	*review J Knight's report and send comments		X				
7/20/12	TBH	5.3		*review Edgewood's Plea to Jurisdiction; review Intervenor's response			X			
7/23/12	TBH	4.8	$1,560.00	*telephone conference with B Leslie re: results and progress on report		X				
7/23/12	TBH	4.8		*email to D Hinojosa re: Plea to Juris; several emails to R Gray re: same			X			
7/24/12	RGIV	2.35	$411.25	*conference with counsel re: same and plea to the jurisdiction hearing			X			
7/24/12	TBH	3.1	$1,007.50	*Telephone conference with Plaintiff's attorney re: plea to jurisdiction and hearing on same; review emails from I Pina and D Hinojosa re: same			X			
7/25/12	TBH	4.9	$1,592.50	*telephone conference with B Leslie re: bill and report		X				
7/26/12	TBH	6.4	$2,080.00	*Review report from J Knight						
7/27/12	TBH	4	$1,300.00	*review report of B Leslie and email B Leslie re: same; email and telephone conference with W Pierce re: checking B Leslie's data		X				
7/28/12	REG	3.5	$1,575.00	*review B Lesley report		X		X		
7/30/12	REG	9.3	$4,185.00	*attend K Garza deposition	X					
7/30/12	REG	9.3		*review amended plea to the jurisdiction			X			
7/30/12	TBH	10	$3,250.00	*attend deposition of K Garza	X					
7/30/12	TBH	10		*emails to W Pierce re: checking numbers in B Leslie's report		X				
8/1/12	REG	5.65	$2,542.50	*review A Rolle report (partial)			X			
8/1/12	TBH	9	$2,925.00	*telephone conference with W Pierce re: Lesley's report		X				
8/2/12	REG	2.15	$967.50	*conference with T Hunter re: charter school consolidation			X			
8/2/12	TBH	6	$1,950.00	*meet with W Pierce, R Freeman and B Lesley re: reports; review B Lesley's report		X				
8/4/12	REG	2.5	$1,125.00	*review Intervenors' disclosure responses; review E Hanushek report			X			
8/6/12	RGIV	1.55	$271.25	*review Efficiency Intervenor's First Amended Response to Request for Disclosure			X			
8/6/12	TBH	4.9	$1,592.50	*Telephone conference with R Freeman re: Lesley report		X				
8/7/12	RGIV	4.75	$831.25	*review emails re: deposition of Dr Eric Hanushek			X			

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8/7/12	REG	8.5	$3,825.00	*review emails re: Hanushek deposition			X			
8/9/12	TBH	7	$2,275.00	*email to B Lesley re: strategies for ELL		X				
8/9/12	TBH	7		*review Hanushek material; review pleadings of Charter Schools			X			
8/10/12	TBH	1.8	$585.00	*review emails from Charter School attorneys re: telephone conference and respond			X			
8/13/12	REG	10.75	$4,837.50	*travel to Houston; return to Austin					X	
8/15/12	TBH	7.3	$2,372.50	*email to B Lesley re: report		X				
8/18/12	REG	1.5	$675.00	*review Intervenors' response to jurisdiction motion			X			
8/20/12	TBH	2.8	$910.00	*email to B Lesley re: formatting problems		X				
8/21/12	REG	8.25	$3,712.50	*review C Diamond emails (5); review P Hill file; review T Moe file; post-hearing conference with attorneys re: Hanushek deposition and strategy; work re: preparation for E Hanushek deposition			X			
8/21/12	SEJ	8.25	$400.00	*telephone conference with C Diamond re: data produced by Intervenors			X			
8/21/12	TBH	6	$1,950.00	*email to Baker re: Hanushek deposition; review several emails from Plaintiff's attorneys re: Hanushek deposition; draft Interrogatories and RFP to Intervenor and Charter School Plaintiffs			X			
8/22/12	REG	4.75	$2,137.50	*telephone conference with D Hinojosa and B Baker re: Hanushek deposition; email D Hinojosa re: Hanushek deposition			X			
8/23/12	REG	7.25	$3,262.50	*attend deposition of Dr Hanushek			X			
8/23/12	SEJ	6.25	$325.00	*review Efficiency Intervenor's RFP's and Interrogatories to the Plaintiff Groups; draft responses to same			X			
8/24/12	RGIV	1.4	$245.00	*conference with counsel re: Exhibit 1012 to Dr Hanushek's deposition			X			
8/24/12	SEJ	5.25	$225.00	*review and organize T Moe expert reports and supporting documents; review and organize P Hill documents; review and organize D McAdams report and documents			X			
8/28/12	RGIV	5.7	$997.50	*travel to courthouse; return to office from courthouse					X	
8/29/12	RGIV	6.1	$1,067.50	*travel to courthouse; return to office						
8/29/12	TBH	5.8	$1,885.00	*draft objections to discovery from...Intervenors			X			
8/29/12	TBH	5.8		*emails to B Lesley		X				
8/29/12	RBW	3	$1,125.00	Attend hearing on school finance matter	X					
8/30/12	SEJ	4.25	$100.00	*Prepare Plaintiffs' deposition notice for Dr Bonnie A Lesley		X				
8/30/12	TBH	5.5	$1,787.50	*telephone conference with L Halpern re: deposition of B Lesley		X				
8/31/12	TBH	10	$3,250.00	*review email from L Halpern re: Lesley backup data; email to B Lesley re: same; telephone conference with B Lesley re: same		X				
9/5/12	REG	4.2	$1,890.00	*review Charter School expert designations and reports; partial attendance of D McAdams deposition			X			
9/7/12	REG	4.25	$1,912.50	*review Charter School discovery			X			
9/9/12	REG	1.5	$675.00	*conference with T Hunter and B Lesley re: 9/10 deposition		X				

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9/9/12	TBH	3	$975.00	*Prepare for meeting with B Lesley; meet with B Lesley in preparation for deposition		X				
9/10/12	REG	5.9	$2,675.00	*partial attendance at B Lesley deposition		X				
9/10/12	REG	5.9		*review discovery from Charter Schools			X			
9/10/12	SEJ	5.25	$225.00	*Review and calendar Charter Schools' RFP to Plaintiffs; review Charter Schools' Interrogatories to Coalition Plaintiffs; review email from C Pacheco re: expert witness report for J Strohmeyer; review email from C Pacheco re: Wood Rolle expert witness report; confer with T Hunter re: answers to Charter Plaintiffs Interrogatories			X			
9/10/12	TBH	11	$3,575.00	*Attend deposition of B Lesley; conference with B Lesley		X				
9/11/12	REG	3	$1,350.00	*review emails re: B Lesley		X				
9/11/12	REG	3		*review Charter report			X			
9/11/12	SEJ	2.75	$100.00	*Draft Plaintiffs' Answers to Charter Schools' Interrogatories						
9/11/12	TBH	2.3	$747.00	*review discovery requests from the Charter schools			X			
9/13/12	REG	8.25	$3,712.50	*Travel to and from Houston					X	
9/17/12	REG	6.25	$2,812.50	*review R Schulman email; review C Diamond email; review Hanushek Supplemental Report; review Hanushek supplemental report			X			
9/19/12	RGIV	15.25	$2,668.75	*travel to kinkos re: copying of exhibits; travel back from kinkos					X	
9/19/12	REG	4.5	$2,025.00	*review and finalize discovery response to Intervenors			X			
9/24/12	RGIV	5.15	$901.25	*review Intervenors' responses to our interrogatories and request for production; email counsel re: same			X			
9/24/12	SEJ	10.5	$350.00	*review email from C Pacheco re: Charter Schools response to Plaintiffs' RFD; review email from C Diamond re: Intervenors' answers and responses to discovery requests; review email from C Pacheco re: Charter Schools' responses to discovery; review Intervenors; discovery responses; review C Pacheco email re: Charter School responses; confer with T Hunter re: Intervenors; discovery responses			X			
9/24/12	TBH	6	$1,950.00	*review discovery responses from Intervenor and Charter schools			X			
9/25/12	REG	5.75	$2,587.50	*review Intervenors' discovery responses			X			
9/27/12	REG	10.5	$4,725.00	*Review email re: charter school experts; review C Diamond email; review Intervenor's discovery responses			X			
9/27/12	REG	10.5		*travel to San Antonio; return to Austin					X	
9/28/12	REG	4.5	$2,025.00	*review expert witness list for Charter Plaintiffs			X			
10/2/12	SEJ	1.5	$75.00	*Email B Baker re: backup data for Hanushek; confer with T Hunter re: same			X			
10/2/12	TBH	7.8	$2,535.00	*draft responses to Charter Interrogatories						
10/5/12	RGIV	3.7	$647.50	*draft and send email to Discovery Superintendents re: Charter School's Interrogatories			X			
10/8/12	REG	7.75	$3,487.50	*review C Diamond email; review deposition notices of Wood & Rolle; review discovery production re: Charter Schools			X			

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10/8/12	TBH	7.5	$2,437.50	*review Ft Bend and State's response to charter Interrogatories; review Education Code for Charter Authorization			X			
10/9/12	RGIV	7.75	$1,356.25	*review and reply to email from superintendents re: response to Charter School Interrogatories			X			
10/9/12	REG	10.75	$4,837.50	*review Calhoun County objection to Charter discovery			X			
10/9/12	SEJ	10	$1,000.00	*review email from L Lawrence re: Calhoun County ISD's response to Charter Schools' interrogatories			X			
10/9/12	TBH	6.3	$2,047.50	*finalize discovery responses to Charters			X			
10/10/12	SEJ	8	$400.00	*work re: responses to Charter Schools' RFP's; review email re: Calhoun Co. responses to Charter Schools' interrogatories; finalize and serve response to Charter Schools' interrogatories; review email from C. Pacheco re: documents produced by Charter Schools			X			
10/10/12	TBH	8.5	$2,762.50	*finalize response to Intervenor			X			
10/11/12	REG	11.5	$5,175.00	*review Charter discovery responses; review responses to Charter discovery			X			
10/16/12	REG	10	$4,500.00	*review Charters Amended Petition; review Charter Schools' witness list			X			
10/17/12	TBH	6	$1,950.00	*review Intervenors exhibits for possible objections			X			
10/18/12	RGIV	6.05	$1,058.75	*travel to courthouse re: test trial technology					X	
10/18/12	RGIV	6.05		*test trial technology in Judge Dietz's courtroom				X		
10/18/12	REG	10.75	$4,837.50	*travel to and from Houston					X	
10/18/12	TBH	6	$1,950.00	*review Charter School exhibits			X			
10/19/12	REG	9.25	$4,162.50	*review additional material re: Charter Schools			X			
10/19/12	DOUG	2	$750.00	Attendance at pretrial hearing	X					
10/19/12	RBW	5.5	$2,062.50	Attendance at trial	X					Mr. Wood did not appear on the record nor do his time records indicate that he provided consulting services to the Texas Taxpayer Plaintiffs. Defendants object to his trial attendance time as unnecessary and unreasonable.
10/22/12	REG	12	$5,400.00	*Trial Day 1	X					
10/22/12	TBH	6.5	$2,112.50	*attend trial	X					
10/22/12	RBW	6.75	$2,531.25	Attendance at trial	X			X		
10/23/12	REG	9.75	$4,387.50	*Trial Day 2	X					
10/23/12	TBH	7.5	$2,437.50	*attend trial	X					
10/23/12	RBW	6.75	$2,531.25	Attendance at trial	X					
10/24/12	RGIV	12	$2,100.00	*trial	X					
10/24/12	REG	12.5	$5,625.00	*Trial Day 3	X					
10/24/12	TBH	7.5	$2,437.50	*attend Trial	X					
10/24/12	RBW	3	$1,125.00	Attendance at trial	X					
10/25/12	RGIV	10.65	$1,863.75	*trial	X					
10/25/12	REG	11	$4,950.00	*Trial Day 4	X					
10/25/12	TBH	11	$3,575.00	*attend trial	X			X		

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10/25/12	RBW	6.75	$2,531.00	Attendance at trial	X					
10/29/12	REG	9.75	$4,387.50	*Trial Day 5	X					
10/29/12	TBH	9.4	$3,055.00	*attend trial	X					
10/29/12	RBW	6.75	$2,531.00	Attend trial	X			X		
10/29/12	RBW	6.75	$2,531.00	Attend trial	X			X		
10/30/12	RGIV	12.85	$2,248.75	*trial	X					
10/30/12	REG	11	$4,950.00	*Trial Day 6	X					
10/30/12	TBH	9.7	$3,152.50	*attend trial	X					
10/30/12	RBW	6.75	$2,531.00	Attend trial	X			X		
10/31/12	RGIV	9.9	$1,732.50	*trial	X					
10/31/12	REG	10.75	$4,837.50	*Trial Day 7	X					
10/31/12	TBH	8.5	$2,762.50	*attend trial	X					
10/31/12	RBW	6.75	$2,531.00	Attend trial	X			X		
11/1/12	REG	8.75	$3,937.50	*trial day 8	X					
11/1/12	TBH	8	$2,600.00	*attend trial	X					
11/1/12	RBW	6.75	$2,531.25	Attend trial				X		
11/2/12	TBH	3.65	$1,186.25	*Review news coverage of yesterday's testimony				X		
11/5/12	REG	9.5	$4,275.00	*Trial Day 9	X					
11/5/12	TBH	10	$3,250.00	*attend trial	X					
11/6/12	RGIV	10.15	$1,776.25	*trial	X					
11/6/12	REG	10.75	$4,837.50	*Trial Day 10	X					
11/6/12	TBH	9.5	$3,087.50	*attend trial	X					
11/6/12	RBW	6.75	$2,531.25	Attend trial				X		
11/6/12	RBW	7.5	$2,812.50	Attend trial				X		
11/7/12	RGIV	8	$1,400.00	*trial	X					
11/7/12	REG	8.5	$3,825.00	*Trial Day 11	X					
11/7/12	TBH	7	$2,275.00	*Attend trial	X					
11/7/12	RBW	4	$1,500.00	Attend trial						
11/8/12	RGIV	7	$1,225.00	*trial	X					
11/8/12	REG	9	$4,050.00	*Trial Day 12	X					
11/8/12	TBH	7.5	$2,437.50	*attend trial	X					
11/13/12	RGIV	8.85	$1,548.75	*trial	X					
11/13/12	REG	8.75	$3,937.50	*Trial Day 13	X					
11/13/12	TBH	8	$2,600.00	*Attend trial	X					
11/14/12	RGIV	10.75	$1,881.25	*travel to airport to pick up Dr. Baker; take Dr. Baker to hotel; return home					X	
11/14/12	RGIV	10.75		*trial	X					
11/14/12	REG	9.25	$4,162.50	*Trial Day 14	X					
11/14/12	TBH	9	$2,925.00	*Attend trial	X					
11/15/12	RGIV	8	$1,400.00	*trial	X					
11/15/12	REG	8.5	$3,825.00	*Trial Day 15	X					
11/15/12	TBH	10	$3,250.00	*attend trial	X			X		
11/15/12	RBW	5.3	$1,987.50	Attend trial						
11/16/12	REG	2.75	$1,237.50	*Prepare for B Hammond deposition; attend Hammond deposition			X			
11/19/12	RGIV	11.7	$2,047.00	*trial	X					
11/19/12	REG	10.5	$4,725.00	*Trial Day 16	X					

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11/19/12	TBH	10	$3,250.00	*Attend trial	X					
11/19/12	RBW	6.25	$2,343.75	Attend trial	X			X		
11/20/12	RGIV	10.2	$1,785.00	*trial	X					
11/20/12	REG	10.15	$4,[illegible].50	*Trial Day 17	X					
11/20/12	TBH	9.5	$3,087.50	*Attend trial	X					
11/23/12	REG	3.75	$1,687.50	*Review reports re: Charter reports	X		X			
11/27/12	RGIV	9.75	$1,706.25	*trial	X					
11/27/12	REG	9	$4,050.00	*Trial day 19	X					
11/27/12	TBH	9	$2,925.00	*attend trial	X					
11/27/12	RBW	6.25	$2,343.75	Attend trial	X			X		
11/28/12	RGIV	10.95	$1,916.25	*trial	X					
11/28/12	REG	10.25	$4,612.50	*Trial day 20	X					
11/28/12	TBH	8.5	$2,762.50	*Attend trial	X					
11/28/12	TBH	8.5		*prepare proffer for Lesley		X				
11/28/12	RBW	3.25	$1,218.75	Attend trial	X			X		
11/29/12	RGIV	8.65	$1,513.75	*trial	X					
11/29/12	REG	9	$4,050.00	*Trial Day 21	X					
11/29/12	TBH	9	$2,925.00	*Attend trial	X					
11/29/12	RBW	6.25	$2,343.75	Attend trial	X			X		
11/29/12	RBW	3	$1,125.00	Attend trial	X			X		
12/3/12	RGIV	10.75	$1,881.25	*trial	X					
12/3/12	RGIV	10.75		*PowerPoints for proffers of Bonnie Lesley and Paul Colbert		X				
12/3/12	REG	10	$4,500.00	*Trial Day 22	X					
12/3/12	TBH	9	$2,925.00	*Attend trial	X					
12/3/12	RBW	6.5	$2,437.50	Attend trial	X			X		
12/4/12	RGIV	8.5	$1,487.50	*trial	X					
12/4/12	REG	9	$4,050.00	*Trial Day 23	X					
12/4/12	TBH	8	$2,600.00	*Attend trial	X					
12/4/12	RBW	3.25	$1,216.75	Attend trial	X			X		
12/5/12	RGIV	9.05	$1,583.75	*trial	X					
12/5/12	REG	8.5	$3,825.00	*trial Day 24	X					
12/5/12	TBH	7	$2,275.00	*Attend trial	X					
12/6/12	RGIV	9.25	$1,618.75	*trial	X					
12/6/12	REG	8.75	$3,937.50	*Trial Day 25	X					
12/6/12	TBH	8	$2,600.00	*Attend trial	X					
12/10/12	RGIV	9.3	$1,627.50	*trial	X					
12/10/12	REG	8.75	$3,937.50	*Trial Day 26	X					
12/10/12	TBH	7	$2,275.00	*Attend trial	X					
12/10/12	RBW	6.5	$2,437.50	Attend trial	X			X		
12/10/12	RBW	5.5	$2,062.50	Attend trial	X					
12/11/12	RGIV	12.5	$2,187.50	*trial	X					
12/11/12	REG	9.75	$4,387.50	*Trial Day 27	X					
12/11/12	TBH	9	$2,925.00	*Attend trial	X					
12/12/12	RGIV	10	$1,750.00	*trial	X					
12/12/12	REG	9.5	$4,275.00	*Trial Day 28	X					
12/12/12	TBH	9	$2,925.00	*Attend trial	X					

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1/3/13	RGIV	5.35	$[illegible]	*Meeting with counsel re: intervenors and charter school witnesses and findings of fact; review expert report of Allen Parker; conference call with plaintiffs counsel re: intervenor and charter witnesses			X			
1/3/13	TBH	1.5	$487.50	*Conference with R Gray and Richard Gray IV re: Intervenor and charter witnesses; telephone conference with Plaintiff attorneys re: cross of intervenor witnesses			X			
1/7/13	RGIV	10.25	$1,793.75	*trial	X					
1/7/13	REG	11.5	$5,175.00	*Trial Day 30	X					
1/7/13	TBH	8	$2,600.00	*Attend trial	X					
1/7/13	TBH	8		*prepare for Eissler deposition			X			
1/7/13	RBW	6.25	$2,343.75	Attend trial	x			x		
1/8/13	RGIV	12.3	$2,151.00	*trial	X					
1/8/13	REG	11.75	$5,287.50	*Trial Day 31	X					
1/8/13	TBH	10	$3,250.00	*Attend trial	X					
1/8/13	TBH	10		*review Moe deposition in preparation for Eissler deposition			X			
1/8/13	RBW	3.25	$1,216.75	Attend trial	x			x		
1/9/13	RGIV	9.15	$1,601.25	*trial	X					
1/9/13	REG	10.5	$4,725.00	*Trial Day 32	X					
1/9/13	REG	10.5		*conference with T Hunter re: R Eissler deposition			X			
1/9/13	TBH	8.5	$2,762.50	Attend deposition of R Eissler			X			
1/9/13	RBW	6.25	$2,343.75	Attend trial	x			x		
1/10/13	REG	8.5	$3,825.00	*Trial Day 33	X					
1/10/13	REG	8.5		*begin preparation of cross for intervenor witnesses			X			
1/10/13	SEJ	2.6	$130.00	*review email from T Hunter re: Intervenors' exhibits; review email from T Hunter re: R Eissler deposition transcript and exhibits; telephone conference with court reporter re: same; review email from T. Hunter re: Intervenors' admitted exhibits; review email from court reporter re: R Eissler transcript			X			
1/10/13	TBH	9	$2,925.00	*Attend trial	X					
1/10/13	TBH	9		*begin preparing Eissler cross			X			
1/11/13	TBH	4	$1,300.00	*begin gathering material for Eissler cross			X			
1/12/13	REG	1.75	$787.50	*Review M Hurley deposition; outline examination of M Hurley			X			
1/14/13	RGIV	9.05	$1,583.75	*trial	X					
1/14/13	REG	9.25	$4,162.50	*Trial Day 34	X					
1/14/13	TBH	9	$2,925.00	*Attend trial	X					
1/15/13	REG	10.5	$4,725.00	*Trial Day 35; prepare for Day 36			X			
1/16/13	REG	8.75	$3,937.50	*Trial Day 36; prepare for Day 37			X			
1/17/13	REG	8	$3,600.00	*Trial Day 37; review material re: T. Sage deposition			X			
1/19/13	REG	3.5	$1,575.00	*work on cross of Parker			X			
1/20/13	REG	2.75	$1,237.50	*work re: Daubert motion (Parker); work re: Parker cross			X			
1/21/13	RGIV	4.8	$840.00	*daubert motion re: Allen Parker			X			

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1/21/13	REG	4.5	$2,025.00	*Daubert challenge and Parker cross-examination; prepare for Day 38 of trial; review C Diamond email; conference with attorneys re: 1/22 meetings; review Hurley Power Point			X			
1/21/13	TBH	5	$1,[illegible]	*Daubert motion			X			
1/22/13	RGIV	9.15	$1,604.25	*Draft Motion to Exclude for Allan parker; conference with counsel re: same; review deposition of Allan Parker re: same; review Gatewill v. Jack Williams; review Daubert v. Robinson			X			
1/22/13	REG	10.5	$4,725.00	*Trial Day 38; prepare for Day 39			X			
1/23/13	RGIV	7.1	$1,242.50	*continue drafting motion to exclude re: Allan Parker			X			
1/23/13	REG	6.75	$3,037.50	*Trial Day 39; prepare for Day 40; work re: Parker cross			X			
1/24/13	RGIV	3.6	$630.00	*review Motion to Exclude testimony of Allan Parker			X			
1/25/13	RGIV	4.85	$848.75	*conference with counsel re: Report of Allan Parker			X			
1/25/13	REG	4.5	$2,025.00	*review emails re: Charter exhibits			X			
1/27/13	REG	7.75	$3,487.50	*prepare for Day 41			X			
1/28/13	REG	8	$3,600.00	*Trial day 41; prepare for Day 42			X			
1/29/13	REG	9.25	$4,162.50	*Trial Day [42]; prepare for Day 43			X			
1/30/13	REG	8	$3,600.00	*Trial Day 43			X			
2/21/13	RGIV	3.8	$665.00	*Review and reply to email from Tedrah Robertson re: article for equity center on Judge Dietz's ruling				X		
2/22/13	RGIV	3.6	$630.00	*Conference with counsel re: exhibits to use in presentation to the Mexican American Legislative Caucus; print same; email Marty Golando re: same and presentation of exhibits				X		
2/22/13	REG	2	$900.00	*Work re: preparation for MALAC meeting				X		
2/22/13	TBH	6	$1,950.00	*participate in telephone call with M Trachtenburg, P. Fraissinet, M. Jacobs and M. Bono re: charter findings			X			

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