

Exhibit B

Affidavit of James Vogts

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

Civil Action No. 14-cv-2822-RPM

SANDY PHILLIPS, individually and as surviving parent  
of Jessica Ghawi, decedent; LONNIE PHILLIPS,  
individually and as surviving parent of Jessica Ghawi,  
decedent.

Plaintiffs,

v.

LUCKY GUNNER, d/b/a/ BULKAMMO.COM,  
THE SPORTSMAN'S GUIDE,  
Brian Platt, d/b/a/ BTP ARMS,  
Gold Strike E Commerce LLC d/b/a/  
BULLETPROOFBODYARMORHQ.COM,  
and JOHN DOES 1 through 10, unknown individuals.

Defendants.

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**AFFIDAVIT OF JAMES B. VOGTS RE: FEES AND COSTS**

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James B. Vogts swears to the truth of the following:

1. I have been licensed to practice law in the State of Illinois since 1984 and have been admitted to practice in numerous federal district and appellate courts across the country, including before the United States District Court for the District of Colorado since 2014. I was a partner in the law firm of Wildman, Harold, Allen & Dixon, LLP in Chicago, Illinois, from 1992 through 2011. In 2011, I joined the law firm of Swanson, Martin & Bell, LLP, in Chicago, Illinois, as a partner. For nearly three-decades, a primary focus of my practice has been the representation of entities involved in the firearms and ammunition industry in complex civil litigation in federal and state courts across the country. I have also had extensive experience litigating issues related federal and state laws governing firearms, and the constitutionality of such laws.

2. The law firm of Swanson, Martin & Bell, LLP, was retained by LuckyGunner, LLC ("LG") to defend the above captioned matter, along with co-counsel from Bruno, Colin & Lowe, P.C.

3. Andrew Lothson is a senior associate attorney of Swanson, Martin & Bell, LLP. He was licensed to practice law in the State of Illinois in 2008. He is also licensed to practice before numerous federal district and appellate courts throughout the country, including the United States District Court for the District of Colorado since 2010. During his employment with Swanson, Martin & Bell, LLP, a primary focus of his practice has been the representation of entities involved in the firearms and ammunition industry in complex civil litigation in federal and state courts across the country. He has also had extensive experience litigating issues related federal and state laws governing firearms, and the constitutionality of such laws.

4. Steven Vanderporten is an associate attorney of Swanson, Martin & Bell, LLP. He was licensed to practice law in the State of Illinois in 2013 and the United States District Court of the Northern District of Illinois in 2013. During his employment with Swanson, Martin and Bell, LLP, he has had extensive experience assisting in research, analysis, and preparation of the defense of civil actions in federal district courts across the country, including in multiple firearms-related matters.

5. An experienced paralegal of Swanson, Martin & Bell, LLP, Gregory E. Mueller, also assisted in preparing materials and pleadings necessary to the defense of this action. He has been a paralegal since 2011, and joined Swanson, Martin & Bell, LLP in 2013. He has extensive experience assisting in federal court matters.

6. During the pendency of this litigation, the scheduled hourly fees billed to LG were as follows: James B. Vogts (JBV) -- \$390 per hour; Andrew A. Lothson (AAL) -- \$245 per hour;

Steven L. Vanderporten (SLV) -- \$220 per hour for the November 2014 invoice through present, and \$210 per hour for the October 2014 invoice; Gregory E. Mueller (GEM) -- \$135 per hour.

7. Based on my knowledge of the prevailing rates charged by attorneys performing similar services, and combined with the expertise offered by my firm with respect to claims of this nature, it is my opinion that this fee schedule is both reasonable and within the range, if not below the rates, charged by other firms providing similar services.

8. Attached to this Affidavit as Exhibit 1 is an itemization of the tasks billed to LG by my firm to defend this action. All of these fees and costs have been billed or will be billed to LG.

9. Based upon the legal and factual complexity of the claims of Plaintiffs' original and amended complaints, analysis of related litigation stemming from the indecent that forms the basis of the lawsuit, the removal of the action to federal court, the cooperation with multiple co-defendants, the extensive briefing and motion practice which occurred including intervention of the Department of Justice and constitutional and preemptive challenges to the federal and state immunity statutes, and the extensive preparation for oral argument of such issues, the time and entries reflected in the attached billing invoices were all reasonable and necessary for the defense of this lawsuit.

I declare under the penalty of perjury under the laws of the United States of America, and pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge and belief.

Dated this 9th day of April 2015.

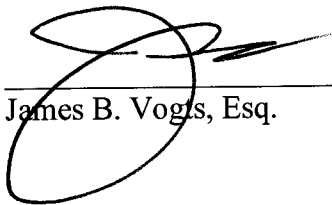
  
\_\_\_\_\_  
James B. Vogts, Esq.

Exhibit 1

Invoices of Swanson, Martin & Bell, LLP

**SWANSON, MARTIN & BELL, LLP**

ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

October 15, 2014  
Bill Number: [REDACTED]

**REMITTANCE COPY**

( Please return this page with payment )

<u>Matter Number</u>	<u>Matter Name</u>	<u>Fees / Costs</u>
[REDACTED]	Ghawi, Jessica (Phillips)	
	<b>TOTAL THIS BILL</b>	<b>\$29,225.50</b>
	<b>Previous Balance</b>	<b>\$0.00</b>
	<b>TOTAL DUE</b>	<b>\$29,225.50</b>

October 15, 2014

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
09/16/14	AAL	Telephone conference with client regarding lawsuit; analyze potential defenses; review amended complaint; analyze Colorado law on negligent entrustment; analyze issues related to removal to federal court; phone conference with [REDACTED] regarding preliminary analysis of plaintiffs' claims.	4.80	245.00	\$1,176.00
09/16/14	JBV	Review and analyze amended complaint; conference with Mr. Lothson regarding dismissal strategy; telephone conference with client regarding case; review and analyze Colorado and Aurora public nuisance statutes; research Colorado common law public nuisance and negligent entrustment law.	4.50	390.00	\$1,755.00
09/17/14	AAL	Analyze arguments for removal including monetary value of injunctive relief, impact of original complaint and arguments to defeat motion to remand; conference with client regarding general litigation strategy; review draft litigation hold; edit and revise same; emails with [REDACTED] regarding allegations of complaint and litigation hold; analyze arguments to dismiss nuisance claim; analyze original complaint; email to client regarding same.	6.20	245.00	\$1,519.00
09/17/14	JBV	E-mail exchanges with counsel regarding the case; conferences with Mr. Lothson regarding removal and dismissal strategies; conference with Mr. Vanderporten regarding research topics; research regarding [REDACTED] to seek injunctive relief and ability to plead irreparable harm; further analysis of amended complaint allegations; prepare outline of motion to dismiss.	5.40	390.00	\$2,106.00
09/17/14	SLV	Analysis of LG's legal defenses to plaintiff's complaint; conference regarding same; review and analyze plaintiff's amended complaint.	1.40	210.00	\$294.00

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
09/18/14	AAL	Research and analyze Tenth Circuit and District of Colorado law on impact of original complaint with non-diverse defendant; review original complaint's allegations including class action allegations, allegations against shooter, and requested relief; analyze additional issues related to establishing federal diversity jurisdiction; analyze all pleadings obtained from state court action filed to date; phone conference with [REDACTED] regarding strategy for removal, use of affidavit regarding jurisdictional amount threshold and other related issues; phone conference with co-defendant BTP Arms regarding status of case and removal consent; phone conference with Chris Russell of co-defendant regarding status of case and removal consent; phone conference with counsel for Sportsman's Guide regarding removal to federal court and status of case.	6.30	245.00	\$1,543.50
09/18/14	JBV	Research regarding special relationship factor in Colorado duty analysis; conferences with Mr. Lothson regarding removal issues.	2.80	390.00	\$1,092.00
09/18/14	SLV	Legal research on the elements of duty for the purpose of pleading an ordinary negligence claim under Colorado law in preparation for filing motion to dismiss plaintiff's amended complaint; legal research on the circumstances when a third party's intentional criminal acts are foreseeable for the purpose of pleading proximate cause as part of an ordinary negligence claim under Colorado law in preparation for filing motion to dismiss plaintiff's complaint; legal research on whether a claim for nuisance requires an underlying tort under Colorado law in preparation for filing motion to dismiss plaintiff's complaint; analyze and shepardize Colorado's state nuisance law, C.R.S. 16-13-301, in preparation for filing motion to dismiss.	3.30	210.00	\$693.00



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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
09/19/14	AAL	Email with counsel for Sportsman's Guide; research additional Tenth Circuit case law on establishing jurisdictional threshold when injunctive and declaratory relief is sole remedy; research additional case law on post-removal amendment of complaints and impact on diversity jurisdiction; review District of Colorado local rules on removal; draft outline for removal petition; draft introduction and background sections of removal; draft analysis of diversity jurisdiction case law; supplement and revise removal petition; conference with client regarding contact with co-defendants and general litigation strategy.	6.80	245.00	\$1,666.00
09/19/14	JBV	Attention to counsel of co-defendants.	0.30	390.00	\$117.00
09/19/14	SLV	Legal research on the elements of a public nuisance claim based on Colorado common law and analysis of whether plaintiffs state a claim; legal research on the Aurora Municipal Code provision on public nuisance; analysis of legal research findings in preparation for drafting motion to dismiss plaintiff's complaint for injunctive relief.	2.00	210.00	\$420.00
09/22/14	AAL	Analyze arguments for dismissal of injunctive relief allegations; conference with Mr. Vogts regarding same; phone conference with attorney for Sportsman's Guide on strategy for removal and dismissal; follow up emails with attorney for Sportsman's Guide regarding pertinent issues; conference with [REDACTED] regarding arguments for dismissal and preparation of material in support of removal; conference with attorney for BTP and OA; conference with [REDACTED] and [REDACTED] regarding co-defendant; supplement and revise affidavit in support of removal; revise notice of removal; review Tenth Circuit case law on removal issues and motions to dismiss.	6.90	245.00	\$1,690.50

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
09/22/14	JBV	Conference with Mr. Lothson regarding removal issues and status of research in support of motion to dismiss; research regarding constitutional and prudential standing under federal law and injunctive relief elements.	4.00	390.00	\$1,560.00
09/23/14	AAL	Review case law on requirements of consent of co-defendants; email to counsel for Sportsman's Guide regarding arguments for dismissal; supplement and revise declaration of JF in support of removal; conference with [REDACTED] regarding co-defendant Chris Russell and strategy for removal consent; draft consent to removal for Chris Russell; conference with Mr. Russell regarding removal and related issues; email to Mr. Russell regarding consent form; conference with attorney for Sportsman's Guide regarding grounds for removal; review Colorado statute on attorney's fees; supplement notice of removal with statements of JF from declaration and record citations; review local rules on removal procedure and practice and motion to dismiss procedure.	4.60	245.00	\$1,127.00
09/23/14	JBV	Telephone conference with potential local counsel Marc Colin regarding removal issues; supplement and revise motion to dismiss outline; further research on plaintiffs' standing to seek injunctive relief; research regarding scope of claims under Colorado wrongful death statute; research regarding recovery of attorney's fees under Colorado law; revise notice of removal; conference with Mr. Lothson regarding removal issues.	5.20	390.00	\$2,028.00
09/24/14	AAL	Conference regarding analysis of Colorado law on elements of negligence and public nuisance; review case law on same; email to client regarding draft notice of removal and supporting declaration.	1.60	245.00	\$392.00

October 15, 2014

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
09/24/14	JBV	Review and analyze research regarding special relationship factor in duty analysis; e-mail exchange with local counsel regarding removal decision and issues; revise declaration in support of notice of removal; conference with Mr. Lothson and Mr. Vanderporten regarding status of research in support of motion to dismiss.	2.80	390.00	\$1,092.00
09/24/14	SLV	Legal research on whether lawful operation of a business may constitute a public nuisance under Colorado law in preparation for drafting motion to dismiss; analyze and present legal research to defense team in preparation for drafting motion to dismiss.	2.60	210.00	\$546.00
09/25/14	JBV	Prepare memorandum of law in support of motion to dismiss (standing arguments) and analysis of injunctive relief; prepare e-mail to client regarding retention of local counsel; edit same.	6.20	390.00	\$2,418.00
09/26/14	AAL	Email to CR following up regarding removal; review email to local counsel regarding acquisition of state court file and related matters; review pertinent state court pleadings.	0.40	245.00	\$98.00
09/26/14	JBV	Prepare memorandum of law in support of motion of motion to dismiss (elements of injunctive relief and application of PLCAA); e-mail exchange with local counsel regarding retention and initial strategy.	5.30	390.00	\$2,067.00
09/29/14	AAL	Analyze Colorado fee shifting statute and related case law; analyze transfer of venue issues and related case law.	1.30	245.00	\$318.50
09/29/14	SLV	Legal research on cases discussing separation of powers and legislative deference policy in the area of gun control; legal research on whether civil litigants may assert private cause of action based on Colorado penal law; legal research on whether non-Colorado residents have standing to bring public nuisance claim under Colorado law.	1.60	210.00	\$336.00

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
09/30/14	AAL	Review additional case law on exceptions to PLCAA; supplement outline of motion to dismiss; research case law to support Rule 12 arguments on irreparable harm; draft outline for motion to stay discovery pending outcome of Rule 12 motion to dismiss; conference with client regarding status of removal and motion to dismiss; review email from Sportsman's Guide's counsel regarding timing of removal; analyze additional Colorado duty case law.	6.60	245.00	\$1,617.00
09/30/14	JBV	Meeting with clients regarding case and dismissal strategy.	3.50	390.00	\$1,365.00
09/30/14	SLV	Additional legal research on cases discussing separation of powers and legislative deference in the area of firearms and ammunition policy; organize folders of relevant case law in preparation for client meeting.	0.90	210.00	\$189.00

<b>TOTAL HOURS</b>	<b>97.30</b>
<b>TOTAL LEGAL SERVICES</b>	<b>\$29,225.50</b>

**ATTORNEY SUMMARY**

Andrew A. Lothson	45.50 Hrs	245.00/hr	\$11,147.50
James B. Vogts	40.00 Hrs	390.00/hr	\$15,600.00
Steve L. Vanderporten	11.80 Hrs	210.00/hr	\$2,478.00
	97.30 Hrs		\$29,225.50

<b>TOTAL FEES AND DISBURSEMENTS</b>	<b>\$29,225.50</b>
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**PLEASE REMIT TO:**

October 15, 2014

Page 8

Bill Number: [REDACTED]

SWANSON, MARTIN & BELL, LLP  
ATTN: [REDACTED]  
330 NORTH WABASH  
SUITE 3300  
CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.

**SWANSON, MARTIN & BELL, LLP**

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ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

November 19, 2014  
Bill Number: [REDACTED]

**REMITTANCE COPY**

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( Please return this page with payment )

<u>Matter Number</u>	<u>Matter Name</u>	<u>Fees / Costs</u>
[REDACTED]	Ghawi, Jessica (Phillips)	
	<b>TOTAL THIS BILL</b>	<b>\$29,566.50</b>
	<b>Previous Balance</b>	<b>\$0.00</b>
	<b>TOTAL DUE</b>	<b>\$29,566.50</b>

November 19, 2014

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/01/14	AAL	Review email from BTP's attorney; emails to and from BTP's attorney regarding removal and dismissal; analyze arguments against remand; email to Sportsman's Guide's attorney regarding removal and consent; draft consent pleadings; research Tenth Circuit case law to support Twombly/Iqbal pleading argument; research additional Tenth Circuit case law on prudential standing limitations; conference with Jim Vogts regarding litigation issues; draft standards sections for Rule 8 argument in motion to dismiss; telephone conference with counsel for BTP regarding status of removal and motion to dismiss; emails to BTP's counsel regarding underlying state court file; research additional case law on irreparable harm argument.	7.80	245.00	\$1,911.00
10/01/14	JBV	Prepare memorandum in support of motion to dismiss (introduction, background, lack of special relationship, and proximate cause); conference with Mr. Lothson regarding removal and dismissal issues; analysis of removal issues; research regarding Colorado state court [REDACTED] requirements.	8.20	390.00	\$3,198.00

November 19, 2014

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/02/14	AAL	Analyze additional arguments to oppose remand; phone conference with local counsel regarding status of removal and motion to dismiss; review arguments against motion to amend complaint post-removal; telephone conference with counsel for BTP regarding strategy for dismissal; phone conference with counsel for Sportsman's Guide regarding strategy for dismissal; email to CR regarding status; analyze Colorado wrongful death statute; analyze Colorado statute on limitation of actions related to personal injury caused by firearms and ammunition; analyze work product privilege issues; research additional case law on amount in controversy requirement for claims seeking equitable relief; review response from CR regarding status.	6.30	245.00	\$1,543.50
10/02/14	JBV	Telephone conference with local counsel regarding removal and early case strategy; prepare memorandum in support of motion to dismiss (proximate cause and public nuisance); research regarding Colorado firearms policies.	6.60	390.00	\$2,574.00
10/02/14	SLV	Legal research on legislative history of C.R.S. 13-21-501 in preparation for drafting motion to dismiss.	2.30	220.00	\$506.00
10/03/14	AAL	Analyze issues related to Colorado's "defectiveless" firearms immunity act; review summary of legislative history of same; telephone conference with CR regarding status; analyze revised outline for motion to dismiss; revise removal pleadings; telephone conference regarding co-defendants; draft pleading to be filed with Arapahoe County notifying of removal; edit same; conference with Mr. Vogts on motion to dismiss.	2.80	245.00	\$686.00



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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/03/14	JBV	Prepare memorandum of law in support of motion to dismiss (state statutory immunity, negligent entrustment, proximate cause); conference with Mr. Lothson regarding motion to dismiss issues; research regarding 2000 amendment to Colorado firearms and ammunition statute.	7.20	390.00	\$2,808.00
10/03/14	SLV	Legal research on articles and secondary sources discussing the enactment of C.R.S. 13-21-501 in preparation for drafting motion to dismiss; analyze findings regarding legislative history of Colorado's immunity covering claims for damages against firearm and ammunition dealers.	1.60	220.00	\$352.00
10/06/14	AAL	Analyze preliminary argument section of motion to dismiss; supplement and revise introduction and background sections; revise standards sections; supplement argument section on Colorado immunity defense; phone conference with clients regarding status of removal, motion to dismiss and general litigation issues; revise declaration in support of notice of removal; research additional law on amount in controversy requirement; supplement and revise argument section of motion to dismiss on Colorado duty law; review case law on deference to legislature regarding firearms policy.	6.70	245.00	\$1,641.50
10/06/14	JBV	Telephone conference with client regarding case status.	1.20	390.00	\$468.00

November 19, 2014

Page 5

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/07/14	AAL	Research additional Colorado proximate cause case law; supplement and revise proximate cause argument section of motion to dismiss; revise special relationship argument in motion to dismiss; supplement case law support for PLCAA immunity and exceptions argument; revise argument section on negligent entrustment; research additional case law on public policy deferral to legislative branch for firearms laws; supplement motion to dismiss with argument on legislative deference; further revise declaration in support of removal; revise case cites in notice of removal; telephone conference with CR regarding status of removal papers; telephone conference with SG's counsel regarding status of removal and motion to dismiss; review case law on Restatement of Torts and application to duty analysis.	7.30	245.00	\$1,788.50
10/07/14	AAL	Research choice of law issues related to injunctive relief and multi-defendant lawsuits; emails to and from counsel for SG regarding removal and MTD; review additional case law on personal jurisdiction issues.	0.80	245.00	\$196.00
10/08/14	AAL	Research additional case law on federal question jurisdiction; supplement and revise statutory interpretation argument for motion to dismiss; analyze entire draft motion to dismiss; supplement legal standards section of motion to dismiss; review terms of sale; draft footnote and related argument on terms; supplement argument on prosecution of public nuisance by non-government actor; conference with Mr. Vogts regarding status; conference with [REDACTED] on status; review financial information for declaration in support of removal; emails to and from local counsel regarding status of removal, motion to dismiss and general litigation strategy.	6.50	245.00	\$1,592.50

November 19, 2014

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/08/14	JBV	Review and revise draft memorandum in support of motion to dismiss; conference with Mr. Lothson regarding revisions; review and revise Felde declaration in support or removal.	2.80	390.00	\$1,092.00
10/09/14	AAL	Review corporate disclosure requirements of FRCP 7.1 and local rules; draft corporate disclosure statement; edit and revise same; draft appearance forms under local rule compliance; edit same; review requirements of briefing and page limitation; review local procedure for removal and e-filing in preparation for removal and filing of motion to dismiss; emails to local counsel regarding strategy for removal; review local requirements for notice of related matters; email to local counsel regarding declaration and page limitation on briefing; analyze briefing and orders entered in lawsuit against movie theater in federal court.	3.70	245.00	\$906.50
10/10/14	AAL	Email to counsel for BTP regarding status of removal and MTD; review updated docket report on Arapahoe County action.	0.20	245.00	\$49.00
10/13/14	AAL	Review state court file materials from related actions; telephone conference with counsel for BTP regarding motion to dismiss; research case law on conflicts of law and Erie doctrine issues related to injunctive relief; review client comments to draft motion to dismiss; analyze client comments with Mr. Vogts; phone conference with client regarding status of removal and motion to dismiss; further supplement and revise notice of removal, declaration in support of removal and motion to dismiss; follow-up conference with counsel for BTP regarding motion to dismiss; review additional case law on Colorado duty and special relationship received from local counsel; prepare substance of exhibits for notice of removal in preparation to finalize and e-file; update draft corporate disclosure statement in preparation to finalize and e-file.	6.90	245.00	\$1,690.50

November 19, 2014

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Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/13/14	JBV	Telephone conference with client regarding case status; conference with Mr. Lothson regarding same.	1.20	390.00	\$468.00
10/14/14	AAL	Research additional choice of law issues related to multi-defendant litigation and most significant contacts doctrine; conference with Mr. Vogts regarding same.	0.70	245.00	\$171.50
10/14/14	JBV	Revisions to motion to dismiss; conference with Mr. Lothson regarding choice of law issues.	0.50	390.00	\$195.00
10/15/14	AAL	Review standing orders of potential federal judge assignments; draft short motion for extension of page limitation; edit and revise same; emails with local counsel in preparation to file notice of removal and related papers; review final client comments to motion to dismiss; review additional Colorado duty law and analysis of special relationship; finalize state court notice regarding action removed to federal court; final review and edit of motion to dismiss in preparation to finalize and e-file; review issues related to terms of sale; emails to client regarding same; conference with [REDACTED] regarding status; conference with counsel for SG regarding removal and motion to dismiss.	5.70	245.00	\$1,396.50
10/15/14	JBV	Conference with Mr. Lothson regarding refinement of special relationship argument.	0.30	390.00	\$117.00

November 19, 2014

Page 8

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/16/14	AAL	Final review of Colorado law on negligent entrustment and proximate cause; final edit of motion to dismiss in preparation to e-file; emails with counsel for co-defendants regarding same; edit and revise corporate disclosure statement in preparation to e-file per client comments; finalize notice of removal; finalize exhibits to notice of removal; finalize motion for extension of page limitation; conference with Mr. Vogts regarding nuisance Colorado duty law; e-file notice of removal and related papers; finalize state court notice regarding removal; email to local counsel regarding instructions for state court notice; email to co-defendant's counsel regarding removal papers; e-file AAL's appearance; e-file motion to dismiss, corporate disclosure statement and motion for extension of page limitation; conference with [REDACTED] on status; review arguments of co-defendant.	6.80	245.00	\$1,666.00
10/16/14	JBV	Conference with Mr. Lothson regarding special relationship argument and Colorado duty law; review case law regarding argument on duty.	0.50	390.00	\$195.00
10/17/14	AAL	Review order entered by court regarding assignment of judges; review background on judges; review orders from Judge Matsch in other litigation; e-mails with local counsel regarding judicial assignment; email to client regarding same; review draft of BTP; review related case disclosure; email with local counsel regarding same; review state court filings in other cases stemming from movie theater shooting; draft local rule related case disclosure; e-file same; conference with BTP's counsel regarding status and motion to dismiss; conference with Mr. Vogts regarding same.	4.80	245.00	\$1,176.00
10/17/14	JBV	Review co-defendant's draft motion to dismiss; conference with Mr. Lothson regarding draft.	0.50	390.00	\$195.00

November 19, 2014

Page 9

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH OCTOBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
10/20/14	AAL	Email status to client regarding judge assignment and related case rules; email regarding media coverage.	0.30	245.00	\$73.50
10/22/14	AAL	Analyze impact of co-defendant's status; review Colorado local rules on entry of default; review co-defendant BTP's motion to dismiss; conference with attorney Tony Fabian; email to Mr. Fabian regarding status; conference with counsel for SG on status and motion to dismiss.	1.60	245.00	\$392.00
10/23/14	AAL	Review correspondence from TF regarding status; email to client updated status of motion practice; email to local counsel regarding local procedure post removal; review Judge Matsch's scheduling and pre-trial procedure; review SG's motion to dismiss.	0.70	245.00	\$171.50
10/24/14	AAL	Conference with counsel for SG regarding discovery issues; email to client regarding SG's motion to dismiss; review email from local counsel regarding status.	0.30	245.00	\$73.50
10/27/14	JBV	Review Sportmen's Guide motion to dismiss.	0.50	390.00	\$195.00
10/30/14	JBV	E-mail exchange with local counsel regarding plaintiffs' request for additional time to file consolidated response to motions to dismiss.	0.20	390.00	\$78.00

<b>TOTAL HOURS</b>	<b>103.50</b>
<b>TOTAL LEGAL SERVICES</b>	<b>\$29,566.50</b>

**ATTORNEY SUMMARY**

Andrew A. Lothson	69.90 Hrs	245.00/hr	\$17,125.50
James B. Vogts	29.70 Hrs	390.00/hr	\$11,583.00
Steve L. Vanderporten	3.90 Hrs	220.00/hr	\$858.00
	103.50 Hrs		\$29,566.50

November 19, 2014

Page 10

Bill Number: [REDACTED]

**TOTAL FEES AND DISBURSEMENTS** **\$29,566.50**

**OUTSTANDING INVOICES**

**TOTAL DUE** **\$29,566.50**

**PLEASE REMIT TO:**

SWANSON, MARTIN & BELL, LLP  
ATTN: [REDACTED]  
330 NORTH WABASH  
SUITE 3300  
CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.

**SWANSON, MARTIN & BELL, LLP**

---

ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID: [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

December 11, 2014  
Bill Number: [REDACTED]

**REMITTANCE COPY**

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( Please return this page with payment )

<u>Matter Number</u>	<u>Matter Name</u>	<u>Fees / Costs</u>
[REDACTED]	Ghawi, Jessica (Phillips)	
	<b>TOTAL THIS BILL</b>	<b>\$1,310.00</b>
	<b>Previous Balance</b>	<b>\$0.00</b>
	<b>TOTAL DUE</b>	<b>\$1,310.00</b>



December 11, 2014

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH NOVEMBER 30, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
11/03/14	AAL	Telephone conference with counsel for SG regarding briefing schedule on motion to dismiss; review emails from plaintiff's counsel regarding same; review Judge Matsch's procedure on extensions of time; phone conference with [REDACTED] regarding status.	0.50	245.00	\$122.50
11/05/14	AAL	Review motion to enlarge briefing schedule; emails with local counsel regarding same; review multiple emails with plaintiffs' counsel regarding scheduling; phone conference with SG's counsel regarding outstanding issues.	0.40	245.00	\$98.00
11/06/14	AAL	Review court order extending briefing schedule on all motions to dismiss; email to client regarding same.	0.10	245.00	\$24.50
11/10/14	AAL	Telephone conference with client regarding status.	0.70	245.00	\$171.50
11/10/14	JBV	Telephone conference with clients regarding case status.	0.70	390.00	\$273.00
11/12/14	AAL	Analyze additional issues related to privilege; phone conference with [REDACTED] regarding same; review emails to and from local counsel.	0.80	245.00	\$196.00
11/19/14	AAL	Email to clients regarding status.	0.10	245.00	\$24.50
<b>TOTAL HOURS</b>					<b>3.30</b>
<b>TOTAL LEGAL SERVICES</b>					<b>\$910.00</b>

**ATTORNEY SUMMARY**

Andrew A. Lothson

2.60 Hrs 245.00/hr \$637.00

James B. Vogts

0.70 Hrs 390.00/hr \$273.00

3.30 Hrs	\$910.00
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December 11, 2014

Page 3

Bill Number: [REDACTED]

**DISBURSEMENTS**

General

11/07/14 Andrew A. Lothson: 10/16/14 AAL Removal of filing fee \$400.00

\$400.00

**TOTAL DISBURSEMENTS**

**\$400.00**

**TOTAL FEES AND DISBURSEMENTS**

**\$1,310.00**

**OUTSTANDING INVOICES**

**TOTAL DUE**

**\$1,310.00**

**PLEASE REMIT TO:**

SWANSON, MARTIN & BELL, LLP

ATTN: [REDACTED]

330 NORTH WABASH

SUITE 3300

CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.

[REDACTED]

**From:** paygovadmin@mail.doc.twai.gov  
**Sent:** Thursday, October 16, 2014 1:42 PM  
**To:** [REDACTED]  
**Subject:** Pay.gov Payment Confirmation: COD CM ECF

Your payment has been submitted to Pay.gov and the details are below. If you have any questions or you wish to cancel this payment, please contact the court you paid at your earliest convenience.

Application Name: COD CM ECF  
Pay.gov Tracking ID: [REDACTED]  
Agency Tracking ID: [REDACTED] 4095329  
Transaction Type: Sale  
Transaction Date: Oct 16, 2014 2:41:58 PM

Account Holder Name: [REDACTED]  
Transaction Amount: \$400.00  
[REDACTED]

[REDACTED]  
State/Province: [REDACTED]  
Zip/Postal Code: [REDACTED]  
Country: [REDACTED]  
Card Type: [REDACTED]  
Card Number: [REDACTED]

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

**SWANSON, MARTIN & BELL, LLP**

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ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

January 26, 2015  
Bill Number: [REDACTED]

**REMITTANCE COPY**

( Please return this page with payment )

<u>Matter Number</u>	<u>Matter Name</u>	<u>Fees / Costs</u>
[REDACTED]	Ghawi, Jessica (Phillips)	

<b>TOTAL THIS BILL</b>	<b>\$29,493.00</b>
<b>Previous Balance</b>	<b>\$0.00</b>
<b>TOTAL DUE</b>	<b>\$29,493.00</b>

January 26, 2015

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/03/14	AAL	Conference with [REDACTED] regarding status; review docket report regarding plaintiffs' response to motions to dismiss and notice of constitutional challenge; review procedure for notice of constitutional challenges.	0.90	245.00	\$220.50
12/04/14	AAL	Analyze plaintiffs' response in opposition to motion to dismiss; review case law regarding constitutionality of Colorado and federal immunity statutes; review abstention doctrine regarding state constitutional challenge; conference with [REDACTED] regarding status; analyze arguments for dismissal that plaintiff did not address in response brief; conference with JBV regarding same.	5.20	245.00	\$1,274.00
12/04/14	JBV	Review and analyze plaintiffs' response to motion to dismiss; conference with Mr. Lothson regarding strategy.	1.20	390.00	\$468.00
12/05/14	AAL	Analyze additional issues related to abstention doctrine; review arguments regarding constitutionality of Colorado statute; analyze Aurora nuisance statute arguments.	1.40	245.00	\$343.00
12/05/14	JBV	Further review and analysis of plaintiffs' response to motion to dismiss; review case law cited by plaintiffs in response to motion to dismiss.	3.50	390.00	\$1,365.00
12/08/14	AAL	Analyze plaintiffs' nuisance arguments; analyze case law on implied preemption; prepare for conference with clients; conference with JBV regarding reply; phone conference with clients on status; phone conference with local counsel regarding same.	3.40	245.00	\$833.00
12/08/14	JBV	Conference with Mr. Lothson regarding outline of reply brief in support of motion to dismiss.	0.40	390.00	\$156.00

January 26, 2015

Page 3

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/09/14	AAL	Review duty case law cited by plaintiffs; review proximate cause case law cited by plaintiffs; compare plaintiffs' duty cases to cases cited in opening brief.	1.30	245.00	\$318.50
12/09/14	SLV	Analysis of implied preemption based on federal immunity statute governing certain firearm-related claims in preparation for drafting reply brief.	0.20	220.00	\$44.00
12/10/14	AAL	Draft preliminary outline of reply brief in support of motion to dismiss; draft introduction section of reply brief; conference regarding status of constitutional challenge and related issues; review case law on negligent entrustment cited by plaintiffs; review case law on scope of PLCAA cited by plaintiffs.	4.80	245.00	\$1,176.00
12/10/14	SLV	Analyze plaintiffs' opposition to defendants' motions to dismiss in preparation for researching scope and application of doctrine of implied preemption; conference with Mr. Lothson regarding same.	1.10	220.00	\$242.00
12/11/14	AAL	Analyze issues raised in plaintiffs' constitutional challenge; research separation of powers case law cited by plaintiffs; research First Amendment case law cited by plaintiffs; research equal protection and due process case law cited by plaintiffs; review Commerce Clause and Supremacy Clause arguments for constitutionality of PLCAA; prepare notes for use in reply brief on constitutional issues; conference regarding Aurora municipal code provisions related to firearms; analyze case law on meaning of sale and marketing provision of PLCAA; draft preliminary outline of constitutionally argument for reply brief.	9.20	245.00	\$2,254.00

January 26, 2015

Page 4

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/11/14	SLV	Analysis of plaintiffs' reliance on Aurora Municipal Code to demonstrate public nuisance claim; conference with Mr. Lothson regarding same; review Aurora Municipal Code to verify plaintiffs' citations to the Code were accurate; legal research for cases addressing PLCAA preemption of state affirmative or statutory-based defenses; legal research on the doctrine of implied preemption under the Supremacy Clause of the U.S. Constitution.	2.40	220.00	\$528.00
12/12/14	AAL	Review notice filed by DOJ; email to client regarding same; analyze case law on implied preemption; review other PLCAA cases to determine whether preemption was raised; analyze case law to support argument for due process and fifth amendment analysis; draft analysis of constitutional issues for use in reply brief; supplement outline of reply brief on constitutional issues; conference with [REDACTED] regarding status; review case law on constitutional avoidance doctrine; draft analysis of same for use in reply brief; research additional case law on separation of powers doctrine; review plaintiffs' citation to legislative history.	7.30	245.00	\$1,788.50
12/12/14	JBV	Conference with Mr. Vanderporten regarding PLCAA and implied preemption research and argument.	0.30	390.00	\$117.00
12/12/14	SLV	Legal research on the doctrine of implied preemption under the Supremacy Clause of the U.S. Constitution; analysis of conflict preemption and field preemption as applied to PLCAA's preemption of state-based tort claims but not state-based tort defenses; conference with Mr. Vogts regarding same.	2.50	220.00	\$550.00

January 26, 2015

Page 5

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/15/14	AAL	Draft summary of Colorado constitutional issues for use in reply brief; draft summary of equal protection case law for use in reply brief; draft background info section of reply brief; draft analysis of vested rights issues related to due process challenge raised by plaintiffs.	3.80	245.00	\$931.00
12/16/14	SLV	Analyze case law cited in plaintiffs' response brief addressing implied conflict and field preemption in preparation for distinguishing the PLCAA in defendant's reply brief; analyze multiple secondary sources on analysis of floor and ceiling preemption theory; prepare notes regarding implied preemption of C.F.S. 13-21-504.5 by the PLCAA; legal research for definition of "federal regulatory scheme" and for examples of federal laws that do not evince pervasive regulatory control; additional legal research for law review articles and other secondary sources addressing the recent United States Supreme Court precedent on federal implied preemption of state law.	5.40	220.00	\$1,188.00
12/17/14	SLV	Analyze additional Tenth Circuit and Supreme Court cases in preparation for arguing that PLCAA does not set a ceiling with respect to protection afforded ammunition dealers; supplement notes regarding summary of argument against implied preemption of C.R.S. 13-21-504.5 by the PLCAA.	2.70	220.00	\$594.00
12/18/14	AAL	Analyze multiple cases on implied preemption and pervasive regulatory scheme analysis; review additional case law on legislative deference doctrine; draft summary of legislative deference argument; conference with Mr. Vanderporten regarding floor and ceiling analysis of implied preemption.	1.70	245.00	\$416.50



January 26, 2015

Page 6

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/18/14	SLV	Supplement notes for argument against implied preemption of C.R.S. 13-21-504.5 by the PLCAA; analysis of defenses against implied preemption of state laws that create broader immunity than federal law; conference with Mr. Lothson regarding same; legal research for additional case law supporting deferring to legislature in the area of gun policy; legal research under Colorado law for whether preamble or prefatory language of statute is considered in analyzing the scope of substantive portions of the same statute.	4.60	220.00	\$1,012.00
12/19/14	AAL	Analyze issues related to express preemption and conflict preemption analysis; review Tenth Circuit case law regarding same; draft summary of Tenth Circuit cases.	1.20	245.00	\$294.00
12/19/14	SLV	Legal research for additional case law revealing preference for deferring to legislature in the area of gun policy.	0.60	220.00	\$132.00
12/22/14	AAL	Review additional Colorado law on intervening and predominant cause analysis in preparation to draft argument for reply brief.	0.80	245.00	\$196.00
12/23/14	AAL	Supplement outline of implied preemption argument; draft reply argument on implied preemption; edit and revise same; draft argument on negligent entrustment exception; draft argument on common law public nuisance; draft argument on concurrent liability analysis for scope of PLCAA argument section; email to client regarding status; review additional legislative history and floor debates during enactment of the PLCAA; draft summary of legislative history for use in reply brief; review additional Colorado law on duty to investigate in negligent entrustment actions.	9.40	245.00	\$2,303.00

January 26, 2015

Page 7

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/23/14	SLV	Analyze arguments against dismissal of prayer for injunctive relief in plaintiffs' response brief; analyze multiple Supreme Court cases and summarize arguments that Congress may preempt state-based causes of action in preparation for filing reply brief; supplement research on predominate cause theory of proximate cause under Colorado law; review injunctive relief arguments raised in LG's motion to dismiss in preparation for analyzing case law cited in plaintiffs' response brief; review proximate cause arguments raised in LG's motion to dismiss in preparation for supplementing research on predominant cause theory of proximate cause under Colorado law.	5.10	220.00	\$1,122.00
12/29/14	AAL	Review additional case law on injunctive relief requests; analyze additional case law on vested rights analysis of constitutional arguments; supplement draft of reply brief accordingly; review additional predominant cause case law; conference with Mr. Vogts regarding reply strategy.	2.30	245.00	\$563.50
12/29/14	JBV	Comprehensive review and revision of reply brief in support of motion to dismiss; conference with Mr. Lothson regarding same; review numerous pretrial cases on PLCAA.	6.30	390.00	\$2,457.00
12/29/14	SLV	Analyze injunctive relief cases cited in plaintiffs' response brief; legal research on principle that arguments not addressed in response brief are conceded by non-movant; supplement research regarding public policy deference to legislature in the area of gun policy; supplement research regarding rule of statutory construction preferring substantive provisions over preamble; supplemental research regarding predominant causation under Colorado law.	4.70	220.00	\$1,034.00

January 26, 2015

Page 8

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH DECEMBER 31, 2014**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
12/30/14	AAL	Prepare District of Colorado admission papers for JBV; review additional secondary sources on implied preemption; supplement and revise implied preemption analysis in reply brief; review additional case law on constitutional avoidance; revise constitutional avoidance analysis for use in reply brief; supplement and revise analysis of Colorado duty and proximate cause for inclusion in reply brief; conference with JBV regarding status and organization of reply brief.	5.40	245.00	\$1,323.00
12/30/14	JBV	Further prepare and supplement reply brief in support of motion to discuss; research regarding federal court's limited role in applying state court law; research on scope of PLCAA; conference with Mr. Lothson regarding reply.	6.60	390.00	\$2,574.00
12/31/14	AAL	Review supplemental changes to argument section of reply brief; conference with JBV regarding reply theories; review additional PLCAA case law on congressional intent and legislative history; supplement constitutional argument regarding separation of powers and prudential standing.	2.70	245.00	\$661.50
12/31/14	JBV	Revisions to reply brief in support of motion to dismiss; review and analyze additional cases cited by plaintiffs in support of opposition to motion to dismiss; conference with Mr. Lothson regarding same.	2.60	390.00	\$1,014.00

<b>TOTAL HOURS</b>	<b>111.00</b>
<b>TOTAL LEGAL SERVICES</b>	<b>\$29,493.00</b>

**ATTORNEY SUMMARY**

Andrew A. Lothson	60.80 Hrs	245.00/hr	\$14,896.00
James B. Vogts	20.90 Hrs	390.00/hr	\$8,151.00
Steve L. Vanderporten	29.30 Hrs	220.00/hr	\$6,446.00
	111.00 Hrs		\$29,493.00

January 26, 2015

Page 9

Bill Number: [REDACTED]

**TOTAL FEES AND DISBURSEMENTS** **\$29,493.00**

**OUTSTANDING INVOICES**

**TOTAL DUE** **\$29,493.00**

**PLEASE REMIT TO:**

SWANSON, MARTIN & BELL, LLP

ATTN: [REDACTED]

330 NORTH WABASH

SUITE 3300

CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.

**SWANSON, MARTIN & BELL, LLP**

---

ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

February 26, 2015  
Bill Number: [REDACTED]

**REMITTANCE COPY**

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( Please return this page with payment )

<u>Matter Number</u>	<u>Matter Name</u>	<u>Fees / Costs</u>
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[REDACTED]	Ghawi, Jessica (Phillips)	
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<b>TOTAL THIS BILL</b>	<b>\$15,957.50</b>
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<b>Previous Balance</b>	<b>\$0.00</b>
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<b>TOTAL DUE</b>	<b>\$15,957.50</b>
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February 26, 2015

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH JANUARY 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
01/02/15	AAL	Review multiple additional cases on the Colorado Constitution's open court provisions; draft analysis of same for use in reply brief; supplement and revise argument section on plaintiffs' due process challenge; revise policy consideration arguments for reply brief; supplement introduction section with analysis of constitutional issues; revise argument headings and subheadings; conference with JBV regarding reply brief issues.	7.40	245.00	\$1,813.00
01/02/15	JBV	Further legal research regarding judicial deference on matters of legislative policy; review and revise reply brief in support of motion to dismiss; conference with Mr. Lothson regarding briefing strategy.	3.70	390.00	\$1,443.00
01/04/15	JBV	Review and revise draft reply brief in support of motion to dismiss.	2.20	390.00	\$858.00
01/05/15	AAL	Review additional prudential standing case law; supplement argument section on Tenth Amendment and sovereign state law making function challenges to PLCAA; supplement section on legislative history of PLCAA; conference with client regarding status of brief; conference with co-defendants' counsel regarding status of briefing; review case law on scope of injunctive relief; supplement arguments section on legislative deference and policy making.	5.30	245.00	\$1,298.50
01/05/15	JBV	Comprehensive review and revision of reply brief in support of motion to dismiss; analyze cases on constitutional issues raised by plaintiffs.	5.50	390.00	\$2,145.00

February 26, 2015

Page 3

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH JANUARY 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
01/06/15	AAL	Supplement implied preemption argument section of reply brief; supplement section of reply brief regarding scope of PLCAA exceptions; review additional Colorado case law on duty and special relationship; conference with local counsel regarding same; revise draft of reply for client review and comment; review issues related [REDACTED] to client; review statute related to same; conference with Mr. Vogts on status.	6.40	245.00	\$1,568.00
01/06/15	JBV	Conference with Mr. Lothson regarding revisions to reply brief in support of motion to dismiss.	0.40	390.00	\$156.00
01/07/15	AAL	Telephone conference with [REDACTED] and OA regarding [REDACTED] matter; further supplement and revise proximate cause arguments; draft additional footnote to support Colorado duty law; edit and revise equal protection citations and analysis of Colorado immunity statute; conference with Mr. Vogts regarding Colorado law.	3.70	245.00	\$906.50
01/07/15	JBV	Conference with Mr. Lothson regarding additional analysis of negligent entrustment and duty under Colorado law.	0.30	390.00	\$117.00
01/08/15	AAL	Analyze client comments on draft reply; review issues raised by comments; review all cited implied preemption cases; review prudential standing issues raised by irreparable harm argument; revise footnotes on duty analysis; review Colorado law on negligent entrustment and adoption of restatement; phone conference with client regarding finalizing reply brief; review arguments on co-defendant's briefing; conference with co-defendants' counsel regarding same; supplement and revise entire reply brief in preparation to finalize and e-file.	5.70	245.00	\$1,396.50

February 26, 2015

Page 4

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH JANUARY 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
01/08/15	JBV	Review and analyze Platt's draft reply brief in support of motion to dismiss; conference with Mr. Lothson regarding proposed revisions; review Liebelt decision regarding negligent entrustment standard.	1.20	390.00	\$468.00
01/09/15	AAL	Analyze additional Colorado constitutional law on judicial review and equal protection; review additional issues related to implied preemption issue; supplement and revise brief argument sections accordingly; final review and sherardizing of all pertinent cases cited in argument sections; supplement and revise record cites; review and implement final comments and suggestions of client; final review and edit of entire reply brief in preparation to e-file; review brief of co-defendant; e-file reply brief in support of motion to dismiss; email to client regarding same.	6.80	245.00	\$1,666.00
01/12/15	AAL	Review SG's reply brief; email to client regarding replies of co-defendants and scheduling.	0.50	245.00	\$122.50
01/15/15	AAL	Telephone conference with SG's counsel regarding Holmes; phone conference with client regarding status; analyze issues related to same.	0.80	245.00	\$196.00
01/16/15	AAL	Review correspondence regarding issues on Holmes matter.	0.20	245.00	\$49.00
01/19/15	AAL	Review email from client regarding status; analyze issues related to rules of evidence and scope of corporate testimony; analyze issues related to Holmes' status; conference with client regarding status of case and discovery.	3.40	245.00	\$833.00
01/20/15	AAL	Telephone conference with SG's counsel regarding status; email to client updating status.	0.50	245.00	\$122.50
01/26/15	AAL	Analyze status of issues raised by [REDACTED]; edit email regarding same; email to client regarding discovery and DA.	0.70	245.00	\$171.50



February 26, 2015

Page 5

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH JANUARY 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
01/27/15	AAL	Review multiple emails regarding follow up on Holmes matter; review media coverage of Holmes matter; review docket report and timing of DOJ constitutionality brief; review admissions papers for JBV; draft appearance for JBV.	0.90	245.00	\$220.50
01/28/15	AAL	Review email from DOJ attorney regarding intervention and constitutionality; review multiple emails for other parties to the litigation regarding consent to intervene; conference with [REDACTED] regarding status of intervention and briefing; analyze abstention issues.	0.80	245.00	\$196.00

<b>TOTAL HOURS</b>	<b>56.40</b>
<b>TOTAL LEGAL SERVICES</b>	<b>\$15,746.50</b>

**ATTORNEY SUMMARY**

Andrew A. Lothson	43.10 Hrs	245.00/hr	\$10,559.50
James B. Vogts	13.30 Hrs	390.00/hr	\$5,187.00
	56.40 Hrs		\$15,746.50

**DISBURSEMENTS**

General

01/23/15	Andrew A. Lothson: 12/30/14 JBV Appearance fee	\$211.00	
			\$211.00
	<b>TOTAL DISBURSEMENTS</b>		<b>\$211.00</b>
	<b>TOTAL FEES AND DISBURSEMENTS</b>		<b>\$15,957.50</b>

**OUTSTANDING INVOICES**

February 26, 2015

Page 6

Bill Number: [REDACTED]

**TOTAL DUE**

**\$15,957.50**

**PLEASE REMIT TO:**

SWANSON, MARTIN & BELL, LLP

ATTN: [REDACTED]

330 NORTH WABASH

SUITE 3300

CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.

12/30/2014

Online Payment

**Online Payment**

**Step 3: Confirm Payment**

1 | 2 | 3

**Thank you.**  
**Your transaction has been successfully completed.**

**Pay.gov Tracking Information**

Application Name: COD Fee Collection System

Pay.gov Tracking ID: [REDACTED]

Agency Tracking ID: [REDACTED]

Transaction Date and Time: 12/30/2014 15:34 EST

**Payment Summary**

Address Information	Account Information	Payment Information
Account Holder Name: [REDACTED] Billing Address: [REDACTED] Billing Address 2: [REDACTED] City: [REDACTED] State / Province: [REDACTED] Zip / Postal Code: [REDACTED] Country: [REDACTED]	Card Type: [REDACTED] Card Number: [REDACTED]	Payment Amount: \$211.00 Transaction Date 12/30/2014 15:34 and Time: EST

**SWANSON, MARTIN & BELL, LLP**

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ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

March 25, 2015  
Bill Number: [REDACTED]

**REMITTANCE COPY**

( Please return this page with payment )

<b><u>Matter Number</u></b>	<b><u>Matter Name</u></b>	<b><u>Fees / Costs</u></b>
[REDACTED]	Ghawi, Jessica (Phillips)	
	<b>TOTAL THIS BILL</b>	<b>\$8,258.00</b>
	<b>Previous Balance</b>	<b>\$0.00</b>
	<b>TOTAL DUE</b>	<b>\$8,258.00</b>

March 25, 2015

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH FEBRUARY 28, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
02/02/15	AAL	Review petition to intervene filed by DOJ; review DOJ's proposed brief in support of the constitutionality of the PLCAA; review local rules on additional briefing; email to client regarding DOJ.	1.60	245.00	\$392.00
02/03/15	AAL	Review cases relied on in petition to intervene and related briefs; conference with [REDACTED] regarding constitutional arguments presented by DOJ and procedural issues related to additional briefing and appellate issues; review prior arguments on constitutionality.	1.10	245.00	\$269.50
02/03/15	JBV	Review and analyze DOJ's brief in support of constitutionality of PLCAA; review and respond to email from local counsel regarding hearing on motions to dismiss; review email from local counsel regarding hearing.	0.80	390.00	\$312.00
02/04/15	AAL	Telephone conference with SG's counsel regarding pending hearing; review emails regarding potential dates and correspondence with court clerk; conference with [REDACTED] regarding oral argument; analyze issues related to procedure for oral argument; conference with Mr. Vogts on same.	0.70	245.00	\$171.50
02/04/15	JBV	Review court order setting hearing on motions to dismiss; conference with Mr. Lothson regarding hearing.	0.20	390.00	\$78.00
02/09/15	AAL	Conference with JBV regarding status; phone conference with [REDACTED] regarding status of briefing, oral argument and related issues.	0.50	245.00	\$122.50
02/17/15	AAL	Telephone conference with [REDACTED] regarding status and impact of related actions; review emails regarding same; conference with JBV on oral argument.	0.40	245.00	\$98.00

March 25, 2015

Page 3

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH FEBRUARY 28, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
02/17/15	GEM	Review briefing on motions to dismiss, download voluminous set of cases and statutes cited in briefs, and begin compiling caselaw and statutes for use by Mr. Vogts at oral argument; review pertinent cases on each issue for motion to dismiss briefing.	7.80	135.00	\$1,053.00
02/18/15	GEM	Complete compilation of motion to dismiss briefing and caselaw for review by Mr. Vogts prior to oral argument; prepare oral argument binders; conference with Mr. Vogts in preparation for oral argument.	3.50	135.00	\$472.50
02/18/15	JBV	Conference with Mr. Mueller regarding oral argument preparation materials; review briefs and identify cases and statutes for inclusion in binders.	1.20	390.00	\$468.00
02/19/15	JBV	Detailed review of briefs in preparation for oral argument on motion to dismiss; prepare notes on same.	4.50	390.00	\$1,755.00
02/20/15	JBV	Prepare for oral argument on motion to dismiss (review briefing and case law addressing plaintiffs' preemption of section 504.5 argument); supplement notes on same.	5.30	390.00	\$2,067.00
02/23/15	AAL	Conference with JBV regarding oral argument issues; review plaintiffs' response to DOJ's brief regarding constitutionality; review plaintiffs' motion for default and related documents; emails to client regarding same; review federal rules regarding motions for default.	1.10	245.00	\$269.50
02/24/15	AAL	Emails with client and local counsel regarding plaintiff's briefing; conference with JBV regarding same.	0.20	245.00	\$49.00
02/24/15	JBV	Review plaintiffs' brief in reply to government's brief on constitutional issues; conference with Mr. Lothson on same.	0.30	390.00	\$117.00

March 25, 2015

Page 4

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH FEBRUARY 28, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
02/25/15	AAL	Telephone conference with co-defendant's counsel on status; analyze issues related to Rule 55(a) motion for default; prepare notes on abstention from entering default judgment in multi-defendant lawsuit; review DOJ's motion to substitute counsel; phone conference with [REDACTED] regarding status.	1.60	245.00	\$392.00
02/26/15	AAL	Review clerk's entry of default; review Rule 21 procedure; draft status report on co-defendant Gold Strike's position in the case to client.	0.70	245.00	\$171.50

<b>TOTAL HOURS</b>	<b>31.50</b>
<b>TOTAL LEGAL SERVICES</b>	<b>\$8,258.00</b>

**ATTORNEY SUMMARY**

Andrew A. Lothson	7.90 Hrs	245.00/hr	\$1,935.50
James B. Vogts	12.30 Hrs	390.00/hr	\$4,797.00
Gregory E. Mueller	11.30 Hrs	135.00/hr	\$1,525.50
	31.50 Hrs		\$8,258.00

<b>TOTAL FEES AND DISBURSEMENTS</b>	<b>\$8,258.00</b>
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**OUTSTANDING INVOICES**

<b>TOTAL DUE</b>	<b>\$8,258.00</b>
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**PLEASE REMIT TO:**

SWANSON, MARTIN &amp; BELL, LLP

March 25, 2015

Page 5

Bill Number: [REDACTED]

ATTN: [REDACTED]  
330 NORTH WABASH  
SUITE 3300  
CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.



**SWANSON, MARTIN & BELL, LLP**

---

ATTORNEYS AT LAW  
330 NORTH WABASH, SUITE 3300, CHICAGO, ILLINOIS 60611  
(312) 321-9100 • FAX (312) 321-0990  
TAX ID [REDACTED]

[REDACTED]  
LuckyGunner, LLC  
[REDACTED]@luckygunner.com

April 8, 2015

Bill Number: [REDACTED]

**REMITTANCE COPY**

( Please return this page with payment )

<b><u>Matter Number</u></b>	<b><u>Matter Name</u></b>	<b><u>Fees / Costs</u></b>
[REDACTED]	Ghawi, Jessica (Phillips)	
	<b>TOTAL THIS BILL</b>	<b>\$26,676.20</b>
	<b>Previous Balance</b>	<b>\$0.00</b>
	<b>TOTAL DUE</b>	<b>\$26,676.20</b>

April 8, 2015

Page 2

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH MARCH 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
03/01/15	JBV	Review and analyze Colorado case law regarding duty and proximate cause issues in preparation for oral argument on motion to dismiss; email to Mr. Lothson regarding structure of oral argument.	4.50	390.00	\$1,755.00
03/03/15	AAL	Conference with Mr. Vogts regarding structure of oral argument.	0.30	245.00	\$73.50
03/03/15	JBV	Further review of case law cited in parties' briefs in preparation for oral argument; conference with Mr. Lothson on strategy.	2.80	390.00	\$1,092.00
03/05/15	JBV	Review and analyze plaintiffs' arguments and case law regarding unconstitutionality of Colorado immunity statute in preparation for oral argument; prepare for oral argument on preemption and constitutionality of PLCAA.	4.60	390.00	\$1,794.00
03/09/15	AAL	Conference with [REDACTED] regarding status; conference with JBV regarding strategy.	0.40	245.00	\$98.00
03/09/15	JBV	Further review of preemption arguments and case law in preparation for oral argument; conference with Mr. Lothson regarding oral argument strategy.	3.50	390.00	\$1,365.00
03/10/15	AAL	Research other states laws on whether negligent entrustment is permitted; review legislative history of PLCAA on negligent entrustment exception for use in oral argument; email summary to JBV regarding same.	1.10	245.00	\$269.50
03/10/15	JBV	Further preparation for oral argument on motion to dismiss.	0.50	390.00	\$195.00
03/11/15	AAL	Review online materials posted by plaintiffs, Brady Center and related attorneys in preparation for oral argument; emails with [REDACTED] regarding same; analyze public nuisance standing issues and arguments related to same; conference with Mr. Vogts on same.	1.20	245.00	\$294.00

April 8, 2015

Page 3

Bill Number: 370131

**FOR PROFESSIONAL SERVICES THROUGH MARCH 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
03/11/15	JBV	Conference with Mr. Lothson regarding public nuisance issues.	0.30	390.00	\$117.00
03/12/15	AAL	Research case law from all jurisdictions on mootness doctrine and common law public nuisance claims; research update on PLCAA and immunity case law; conference with JBV regarding same; conference with counsel for co-defendant regarding same; emails regarding summary of analysis; conference with [REDACTED] regarding oral argument preparation.	5.40	245.00	\$1,323.00
03/12/15	JBV	Telephone conference with co-defendants' counsel regarding oral argument strategy; review case law on standing of nuisance claims and issues related to injunctive relief; conferences with Mr. Lothson regarding mootness arguments.	3.30	390.00	\$1,287.00
03/13/15	AAL	Final review of case law on public nuisance and abatements; conference with JBV on same.	1.30	245.00	\$318.50
03/13/15	JBV	Prepare for oral argument; further analysis of potential mootness issue and possible judicial estoppel; supplement outline of arguments.	3.80	390.00	\$1,482.00
03/15/15	AAL	Travel from Chicago to Denver for oral argument on pending motions; final review of constitutional and preemption issues; review docket report; review DOJ briefing.	5.70	245.00	\$1,396.50
03/15/15	JBV	Travel from Chicago to Denver; prepare for oral argument.	6.50	390.00	\$2,535.00
03/16/15	AAL	Final preparation for oral argument; meetings with JBV and local counsel regarding same; emails to and from SG's counsel regarding procedural issues; attend oral argument before Judge Matsch; conference with client regarding hearing; travel from Denver to Chicago.	10.30	245.00	\$2,523.50

April 8, 2015

Page 4

Bill Number: [REDACTED]

**FOR PROFESSIONAL SERVICES THROUGH MARCH 31, 2015**

Matter Number: [REDACTED]

RE: Ghawi, Jessica (Phillips)

<u>Date</u>	<u>Atty</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Amount</u>
03/16/15	JBV	Meeting with Mr. Lothson in preparation for oral argument; meeting with local counsel in preparation for oral argument; further review of briefs and cases in preparation for oral argument; attend oral argument; travel to Chicago.	11.50	390.00	\$4,485.00
03/17/15	AAL	Review Aurora municipal code provisions e-filed by plaintiff; analyze common law nuisance theory; emails with SG's counsel regarding same.	0.80	245.00	\$196.00
03/25/15	AAL	Analyze terms of sale referenced at oral argument and related issues; review federal law related to same.	0.40	245.00	\$98.00
03/27/15	AAL	Review court order granting dismissal and fees; emails to client regarding same; conference with JBV regarding status and fees awarded; review judgment entered by court.	1.20	245.00	\$294.00
03/27/15	JBV	Review and analyze Memorandum and Order dismissing case.	0.50	390.00	\$195.00
03/30/15	AAL	Analyze issues related to award of attorney fees; review Colorado Rule 12 statute regarding fee award; conference with clients regarding same; conference with local counsel regarding same; review case law on fee shifting; conference with Mr. Vogts on fee issues.	3.40	245.00	\$833.00
03/30/15	JBV	Conference with Mr. Lothson regarding petition for attorney's fees issues.	0.50	390.00	\$195.00
03/30/15	SLV	Analysis of order granting LG's motion to dismiss; analysis of case law on attorney fees and costs that can be recovered under Tenth Circuit/District Court of Colorado case law.	0.50	220.00	\$110.00
03/31/15	AAL	Review case law on discovery related to fee petitions.	0.30	245.00	\$73.50

<b>TOTAL HOURS</b>	<b>74.60</b>
<b>TOTAL LEGAL SERVICES</b>	<b>\$24,398.00</b>

April 8, 2015

Page 5

Bill Number: [REDACTED]

**ATTORNEY SUMMARY**

Andrew A. Lothson	31.80 Hrs	245.00/hr	\$7,791.00
James B. Vogts	42.30 Hrs	390.00/hr	\$16,497.00
Steve L. Vanderporten	0.50 Hrs	220.00/hr	\$110.00
	<u>74.60 Hrs</u>		<u>\$24,398.00</u>

**DISBURSEMENTS**

## General

04/01/15	Andrew A. Lothson: 03/15/15-03/16/15 AAL Airfare expense for travel to and from Denver, CO for hearing on motion to dismiss and strategy meetings with JBV and local counsel	\$784.20
04/01/15	Andrew A. Lothson: 03/15/15-03/16/15 AAL Hotel expense	\$261.71
04/01/15	Andrew A. Lothson: 03/15/15-03/16/15 AAL Total cab expense	\$269.42
04/01/15	Andrew A. Lothson: 03/15/15-03/16/15 AAL Meal expense	\$11.02
04/07/15	James B. Vogts: 03/15/15-03/16/15 JBV Airfare expense for travel to and from Denver, CO to attend hearing on motion to dismiss	\$536.20
04/07/15	James B. Vogts: 03/15/15-03/16/15 JBV Hotel expense	\$215.73
04/07/15	James B. Vogts: 03/15/15-03/16/15 JBV Total meal expense	\$82.92
04/07/15	James B. Vogts: 03/15/15-03/16/15 JBV Cab expense	\$58.00
04/07/15	James B. Vogts: 03/15/15-03/16/15 JBV Parking expense at O'Hare	\$59.00
		\$2,278.20
	<b>TOTAL DISBURSEMENTS</b>	<b>\$2,278.20</b>
	<b>TOTAL FEES AND DISBURSEMENTS</b>	<b>\$26,676.20</b>

**OUTSTANDING INVOICES**

April 8, 2015

Page 6

Bill Number: [REDACTED]

**TOTAL DUE**

**\$26,676.20**

**PLEASE REMIT TO:**

SWANSON, MARTIN & BELL, LLP

ATTN: [REDACTED]

330 NORTH WABASH

SUITE 3300

CHICAGO, IL 60611

PLEASE INDICATE OUR MATTER NUMBER ON YOUR REMITTANCE. THANK YOU.

1717 Champa Street At 17th  
Denver , CO 80202  
Tel. +1 (303) 2961717

**Room Request:** Deluxe guest room with 1 queen bed 300 sq ft free wifi for kimpton karma members frette

**Number of Rooms:** 1

**Cancellation:** Southwest Airlines does not charge cancellation or change fees for any hotel booked on southwest.com. However, we are required to pass on the following fees that are imposed by the property. Cancellations or changes made within 1 day prior to 4:00 PM local hotel time on the day of arrival are subject to a \$215.85 charge. Cancellations or changes made after 4:00 PM local hotel time on the day of arrival are subject to a 100% charge. We are sorry but refunds are not available for early check-out.

**Southwest Airlines Limit of Liability:** Hotel is solely responsible for fulfilling all reservations. Your preferences will be submitted with your reservation and subject to hotel availability.

**Hotel Cost:** \$ 188.10

**Cost and Payment Summary**

AIR - [REDACTED]

Base Fare	\$ 703.26	<b>Payment Information</b>
Excise Taxes	\$ 52.74	Payment Type: [REDACTED]
Segment Fee	\$ 8.00	Date: Mar 4, 2015
Passenger Facility Charge	\$ 9.00	Payment Amount: \$784.20
September 11th Security Fee	\$ 11.20	
<b>Total Air Cost</b>	<b>\$ 784.20</b>	✓

HOTEL - [REDACTED]

Rooms: 1		<b>Payment Information</b>
<b>Additional Taxes &amp; Fees</b>		Payment Type: [REDACTED]
Taxes & Fees	\$ 27.75	Payment Amount: \$ 215.85
<b>Total Hotel Cost:</b>	<b>\$ 215.85</b>	



Arrive in **CHICAGO (MIDWAY), IL (MDW)** at **11:40 PM**  
Travel Time 2 hrs 10 mins  
Business Select

**What you need to know to travel:**

- Don't forget to check in for your flight(s) 24 hours before your trip on southwest.com or your mobile device. This will secure your boarding position on your flights.
- Southwest Airlines does not have assigned seats, so you can choose your seat when you board the plane. You will be assigned a boarding position based on your checkin time. The earlier you check in, within 24 hours of your flight, the earlier you get to board.
- WiFi, TV, and related services and amenities may vary and are subject to change based on assigned aircraft. Learn more.

**Remember to be in the gate area on time and ready to board:**

- 30 minutes prior to scheduled departure time: We may begin boarding as early as 30 minutes prior to your flight's scheduled departure time. We encourage all passengers to plan to arrive in the gate area no later than this time.
- 10 minutes prior to scheduled departure time: All passengers must obtain their boarding passes and be in the gate area available for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.
- If you do not plan to travel on your flight: In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on the flight. If not, Southwest will cancel your reservation and all funds will be forfeited.


**Air Cost: 784.20**


Carryon Items: 1 Bag + small personal item are free. See full details. Checked Items: First and second bags fly free. Weight and size limits apply.

Fare Rule(s): 5262488693432: NONTRANSFERABLE.

Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase.


[REDACTED]

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 HOTEL Itinerary

**HOTEL Confirmation: C11C12GD**

Guest Name: Andrew Lothson 

Questions regarding your reservation?  
Call 1-800-545-4489

<b>Monaco Denver, a Kimpton Hotel</b>	<b>Check-In</b>	<b>Check-Out</b>
	Sun Mar 15, 2015	Mon Mar 16, 2015



**From:** Southwest Airlines <SouthwestAirlines@luv.southwest.com>  
**Sent:** Wednesday, March 11, 2015 4:09 PM  
**To:** Andrew Lothson  
**Subject:** Flight ([REDACTED]), hotel reservations | 15MAR15 | MDW-DEN | Lothson/Andrew [REDACTED]

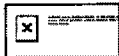
You're all set for your trip!



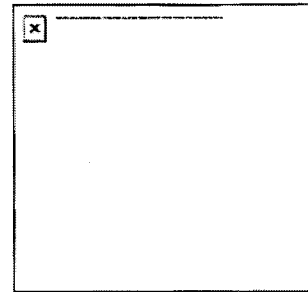
[My Account](#) | [View My Itinerary Online](#)

<a href="#">Check In Online</a>	<a href="#">Check Flight Status</a>	<a href="#">Change Flight</a>	<a href="#">Special Offers</a>	<a href="#">Hotel Offers</a>	<a href="#">Car Offers</a>
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**Ready for takeoff!**



Thanks for choosing Southwest® for your trip! You'll find everything you need to know about your reservation below. Happy travels!



**Upcoming Trip:** 03/15/15 - Denver

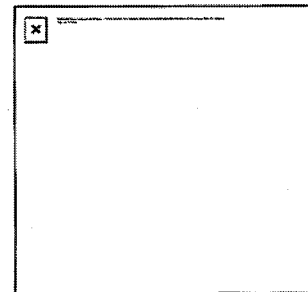


[AIR Itinerary](#)

**AIR Confirmation:** [REDACTED]

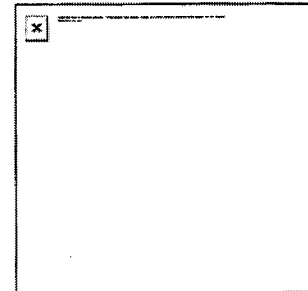
Confirmation Date: 03/4/2015

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
LOTHSON/ANDREW [REDACTED]	[REDACTED]	[REDACTED]		



Rapid Rewards points earned are only estimates. Visit your (MySouthwest, Southwest.com or Rapid Rewards) account for the most accurate totals - including A-List & A-List Preferred bonus points.

Date	Flight	Departure/Arrival
Sun Mar 15	794	Depart CHICAGO (MIDWAY), IL (MDW) on Southwest Airlines at 7:30 PM Arrive in DENVER, CO (DEN) at 9:10 PM Travel Time 2 hrs 40 mins <u>Business Select</u>



Mon Mar 16 212 Depart DENVER, CO (DEN) on Southwest Airlines at 8:30 PM



La Casita  
200 course C  
200 course C  
Denver, CO  
(303)-317-1015

Server: Guillermo 03/15/2015  
KFD/1 6:57 PM  
Guests: 1 20937

Bottled Juice 2.45  
Taco 7.75  
Subtotal 10.20  
TAX 0.82

Total ~~11.02~~

~~11.02~~

Auth: ~~XXXXXXXXXX~~

Tip: \_\_\_\_\_

Total: \_\_\_\_\_

Balance Due 0.00

Thank You!  
We would love to hear from you  
Please email comments to:  
lacasita@skypartia.com

--- Check Closed ---


Page 1 of 1



A KIMPTON HOTEL

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 1717 Champa Street  
 Denver, CO 80202  
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 Reservations: (800) 397.5380  
 www.monaco-denver.com



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[www.facebook.com/monaco.denver](http://www.facebook.com/monaco.denver)

LOTHSON, ANDREW

Room Number: [REDACTED]

Daily Rate: [REDACTED]

[REDACTED] Madison

Room Type: [REDACTED]

Chicago, IL 60661 US

No. of Guests: [REDACTED]

ARRIVAL	DEPARTURE	CREDIT CARD	RATE PLAN	CATEGORY	ACCOUNT
---------	-----------	-------------	-----------	----------	---------

03/15/15	03/16/15	XXXXXXXXXXXX [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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DATE	ROOM NO.	DESCRIPTION	REFERENCE	AMOUNT
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03/16/15	607	WIRELESS INTERNET/BUSINESS CTI	607 [REDACTED]	\$14.99
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03/16/15	607	PANZANO	607/3003/ [REDACTED]	\$30.87
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03/16/15	607	VISA	VISA	(\$45.86)
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TOTAL DUE:                      \$0.00

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Thank you for riding with us!

Forwarded me 43  
 From: Square  
 Date: Sun, Mar 3/15  
 Subject: Rece  
 To: [Redacted]

Time: 3/15 Date: 3/15  
 330 N. Webster  
 Received from: Midway Airport  
 Cab fare from: [Redacted]

To: \_\_\_\_\_  
 Driver: \_\_\_\_\_  
 Cab#: \_\_\_\_\_  
 Account #: \_\_\_\_\_

Thank you for riding with us!

Forwarded me 45  
 From: Square  
 Date: Sun, Mar 3/16  
 Subject: Rece  
 To: [Redacted]

Time: 3/16 Date: 3/16  
 Received from: Midway Airport  
 Cab fare from: [Redacted]

To: \_\_\_\_\_  
 Driver: \_\_\_\_\_  
 Cab#: \_\_\_\_\_  
 Account #: \_\_\_\_\_



312-829-4222  
yellowcabchicago.com



312-243-2537  
checkertaxichicago.com



312-226-8880  
bluediamondtaxi.com



773-248-7600  
773-248-7600  
americanunitedtaxiaffiliation.com



312-829-4222  
yellowcabchicago.com



312-243-2537  
checkertaxichicago.com



312-226-8880  
bluediamondtaxi.com



773-248-7600  
773-248-7600  
americanunitedtaxiaffiliation.com

\$63.42

Custom Amount	\$55.15
Subtotal	\$55.15
Tip	\$8.27
Total	\$63.42

Total Cab Expense \$269.42

From: [redacted] <[redacted]>  
Sent: Thursday, March 19, 2015 10:45 AM  
To: Andrew Lothson  
Subject: Fwd: Your Monday afternoon trip with Uber

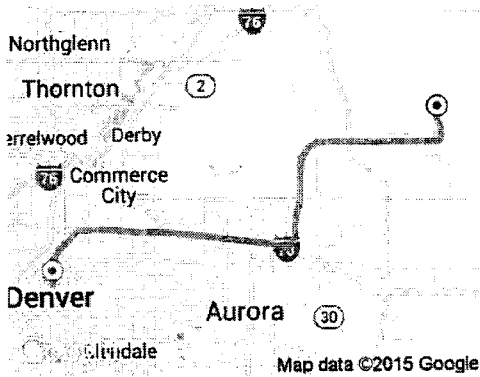
----- Forwarded message -----  
From: Uber Receipts <[redacted]>  
Date: Mon, Mar 16, 2015 at 5:02 PM  
Subject: Your Monday afternoon trip with Uber  
To: [redacted]

UBER

MARCH 16, 2015

\$118.00

Thanks for choosing Uber. [redacted]



FARE BREAKDOWN

Base Fare	14.
Distance	88.
Time	15.
<b>Subtotal</b>	<b>\$118.</b>
Rounding Down	-0.

03:23pm  
1926-1946 Broadway, Denver, CO

04:02pm  
Denver International Airport, Arrivals - Terminal West,  
Denver, CO

CHARGED [redacted] \$118.0

CAR	MILES	TRIP TIME
SUV	23.72	00:38:35


Page 1 of 1



A KIMPTON HOTEL

Hotel Monaco  
 1717 Champa Street  
 Denver, CO 80202  
 Telephone: (303) 296.1717  
 Facsimile: (303) 296.1818  
 Reservations: (800) 397.5380  
 www.monaco-denver.com



Find us on Facebook   
 www.facebook.com/monaco.denver

Vogts, James

Room Number: [REDACTED]

Daily Rate: 188.00

Room Type: [REDACTED]

No. of Guests: [REDACTED]

[REDACTED]  
 [REDACTED] IL [REDACTED] US

ARRIVAL	DEPARTURE	CREDIT CARD	RATE PLAN	CATEGORY	ACCOUNT
03/15/15	03/16/15	XXXXXXXXXXXX [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
DATE	ROOM NO.	DESCRIPTION	REFERENCE	AMOUNT	
03/15/15	321	ROOM CHARGE	[REDACTED] Vogts, James	\$188.00	
03/15/15	321	TAX - ROOM - CITY	TAX - ROOM - CITY	\$20.21	
03/15/15	321	TAX - ROOM - STATE	TAX - ROOM - STATE	\$7.52	
03/16/15	321	VISA	VISA	(\$215.73)	

TOTAL DUE: \_\_\_\_\_ \$0.00

KIMPTON® hotels & restaurants

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Per Person Total: 417.20USD

eTicket Total: 417.20USD

*536.20*

The airfare you paid on this itinerary totals: 361.87 USD

The taxes, fees, and surcharges paid total: 55.33 USD

Fare Rules: Additional charges may apply for changes in addition to any fare rules listed.

NONREF/0VALUAFTDPT/CHGFEE

Cancel reservations before the scheduled departure time or TICKET HAS NO VALUE.

Additional Charges: Sun., Mar. 1, 2015/Visa [redacted] was charged 56.00 USD for the following: Economy Plus Se

Sun., Mar. 1, 2015/Visa [redacted] was charged 63.00 USD for the following: Economy Plus Se

**Baggage allowance and charges for this itinerary.**

**Baggage fees are per traveler**

Origin and destination for checked baggage	1 <sup>st</sup> bag	2 <sup>nd</sup> bag	Max wt / dim per piece
3/15/2015 Chicago, IL (ORD - O'Hare) to Denver, CO (DEN)	25.00 USD	35.00 USD	50.0lbs (23.0kg) - 62.0in (157.0cm)
3/16/2015 Denver, CO (DEN) to Chicago, IL (ORD - O'Hare)	25.00 USD	35.00 USD	50.0lbs (23.0kg) - 62.0in (157.0cm)

**Additional Baggage Information**

The above amounts represent an estimate of the first and second checked baggage service charges that may apply to your itinerary.

If your itinerary contains multiple travelers, the service charges may vary by traveler, depending on status or memberships.

**Carry-on baggage information**

United accepts one carry-on item with maximum dimensions of 9"x14"x22" (22 cm + 35 cm + 56 cm) in the aircraft cabin, along with one personal item such as a laptop bag with maximum dimensions of 9"x10"x17" (2 cm + 25 cm + 43 cm).

**From:** [REDACTED]  
**Sent:** Tuesday, March 17, 2015 8:34 AM  
**To:** James Vogts  
**Subject:** Fwd: eTicket Itinerary and Receipt for Confirmation M4404R

Sent from [REDACTED]

Begin forwarded message:

**From:** "United Airlines, Inc." [REDACTED]  
**Date:** March 1, 2015 at 5:50:03 PM CST  
**To:** [REDACTED]  
**Subject:** eTicket Itinerary and Receipt for Confirmation M4404R



Confirmation:

M4404R  
[Check-In >](#)

Issue Date: March 01, 2015

Traveler	eTicket Number	Frequent Flyer	Seats
VOGTS/JAMESBMR	[REDACTED]	[REDACTED]	[REDACTED]
<b>FLIGHT INFORMATION</b>			
Day, Date	Flight Class	Departure City and Time	Arrival City and Time
Sun, 15MAR15	UA542 V	CHICAGO, IL (ORD - O'HARE) 3:04 PM	DENVER, CO (DEN) 4:46 PM
Mon, 16MAR15	UA1159 T	DENVER, CO (DEN) 8:03 PM	CHICAGO, IL (ORD - O'HARE) 11:33 PM
			Aircraft Meal A-320 Purchas
			737-900 Purchas

**FARE INFORMATION**

<b>Fare Breakdown</b>		
Airfare:	361.87USD	Form of Payment:
U.S. Federal Transportation Tax:	27.13	VISA
U.S. Flight Segment Tax:	8.00	Last Four Digits [REDACTED]
September 11th Security Fee:	11.20	
U.S. Passenger Facility Charge:	9.00	



FROM: JAMES B. VOGTS

DATE:

TO:

3/15/15

cab fare

Denver airport

\$ 58

# RECEIPT

O'Hare International Airport  
PO Box 66179, Chicago, IL 60666  
Tel: (773) 686-7532

LO Receipt no. [REDACTED] 03/16/15 p.1/1

Pay Parking Ticket \$ 59.00

# [REDACTED]

In: 03/15/15 13:36

Out: 03/16/15 23:13

Duration: 1 D, 9 Hr, 37 Min.

Total Amount \$ 59.00

Credit Visa \$ 59.00

Total Meal Expense  
\$82.92

Panzano  
909 17TH STREET  
DENVER CO 80202  
303-296-3525

Elway's DIA  
8500 Pena Blvd Con B  
Denver, CO 80249

Server: Jim  
06:00 PM  
102/1  
DOB: 03/15/2015  
03/15/2015  
6/60098

Server: Jamie  
06:11 PM  
Table 36/1  
DOB: 03/16/2015  
03/16/2015  
4/40102

SALE

SALE

VISA  
Card # [REDACTED]  
Magnetic card present: Yes  
Card Entry Method: S

VISA  
Card # [REDACTED]  
Magnetic card present: [REDACTED]  
Card Entry Method: S

Approval: [REDACTED]

Approval: [REDACTED]

Amount: \$ 25.92  
+ Tip: 5  
= Total: 30.92

Amount: \$ 122.04

+ Tip: 20.96

= Total: 142.00

\$52

I agree to pay the above  
total amount according to the  
card issuer agreement.

I agree to pay the above  
total amount according to the  
card issuer agreement.

X \_\_\_\_\_

X \_\_\_\_\_

Customer Copy

Thank You!!!  
Comments or concerns?  
info@elwaysdia.com  
303-342-7777