IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 1:14-cv-02822 - RPM

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

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

Plaintiffs,

AFFIDAVIT OF

v.

PETER A. T. CARLSON

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.

STATE OF MINNESOTA)) ss. COUNTY OF HENNEPIN)

I, Peter A. T. Carlson, have personal knowledge of the facts contained herein and, being first duly sworn on oath, depose and state the following:

1. I am one of the attorneys representing Defendant The Sportsman's Guide ("Sportsman's Guide") in the above-entitled action. I submit this affidavit in support of Sportsman's Guide's Bill of Costs pursuant to 28 U.S.C. § 1920 and D.C. Colo. L. Civil Rule 54.1.

2. Sportsman's Guide incurred \$1,186.40 in costs related to electronic and online research. These costs were comprised of the following:

Pacer Litigation Services in the amount of \$89.40. True and correct copies of the supporting invoices are attached hereto as Exhibit A.

b. Lexis online legal research charges in the amount of \$1,097.00. True and correct copies of the supporting invoices are attached hereto as Exhibit B. The online legal research was conducted by Sportsman's Guide in order to bring its motion to dismiss Plaintiff's Amended Complaint. The legal research was tailored to the issues reasonably necessary to prepare Sportsman's Guide's motion to dismiss.

3. On April 8, 2015, Sportsman's Guide's counsel emailed Plaintiffs' counsel concerning the Court's Order (ECF 45) awarding Sportsman's Guide its attorneys' fees and costs. Included in this email was a general summary of the attorneys' fees and costs incurred by Sportsman's Guide, and the hourly rates charged by its counsel. On April 9, 2015, Plaintiffs' counsel and Sportsman's Guide's counsel spoke via telephone regarding Sportsman's Guide's entitlement to an award of fees and costs and undertook a reasonable good faith effort to resolve the disputed matter. Nonetheless, the parties were not able to reach a resolution.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated: April 10, 2015

<u>s/ Peter A. T. Carlson</u> Peter A. T. Carlson

Subscribed and sworn to before me this 10th day of April, 2015.

s/ Jeanette A. Taylor Notary Public