

HOPKINS RODEN CROCKETT  
HANSEN & HOOPEs, PLLC  
C. Timothy Hopkins, ISBN 1064  
428 Park Avenue  
Idaho Falls, Idaho 83402  
Telephone: 208-523-4445  
Facsimile: 208-523-4474  
Attorneys for Respondents

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

In Re: BRYAN D. SMITH and  
DOYLE H. BECK,  
  
Petitioners.

Case No. CV-15-6757

VERIFIED MEMORANDUM OF  
COSTS AND ATTORNEY FEES

STATE OF IDAHO            )  
  ) ss.  
County of Bonneville    )

C. TIMOTHY HOPKINS, being first duly sworn on his oath, deposes and  
says as follows:

1. I am an attorney for the Respondents, Steve Yates, Marsha Bjornn,  
Richard Larsen, Doug Hancey, Stephanie Mickelsen, Ann Rydalch and Sean Coletti  
("Respondents") and have personal knowledge of the facts stated herein.

2. This *Verified Memorandum* is submitted in support of the *Motion for Costs and Attorney Fees* filed herein, and pursuant to Rule 54 of the Idaho Rules of Civil Procedure and Idaho Code §§ 12-121 and 12-123.

3. Respondents were required to retain our law firm to provide the legal services necessary to obtain the Court's final Orders in this matter.

4. Respondents have, to date, incurred the following fees and costs in this matter:

Attorney Fees	\$ 9,915.00
Costs	\$ <u>156.00</u>
TOTAL	\$ 10,071.00

5. Attached to this Affidavit is a true and correct copy of a summary of all time and costs that were billed to Respondents related to obtaining the above-mentioned Judgment.

6. The attorney fees and costs set forth herein are, to the best of my knowledge and belief, correctly and properly claimed, and are in compliance with Rule 54 of the Idaho Rules of Civil Procedure. To the best of my knowledge and belief, all such costs and disbursements were incurred or expended reasonably, in good faith, for purposes of preparing and prosecuting this action, and were not incurred to vex, harass, or annoy the Petitioners or any other party.

7. My hourly rate (CTH) is \$300.00. I have been working as an attorney for more than 40 years. Sean J. Coletti's (SJC) hourly rate is \$225.00. Sean has been working as an attorney for over 8 years.

8. The fees incurred in this matter were fixed and not contingent.

9. Aside from Respondents' desire to promptly and efficiently conclude this matter, there were no particular time limitations imposed by the client or the circumstances of this case.

10. This case was not particularly undesirable.

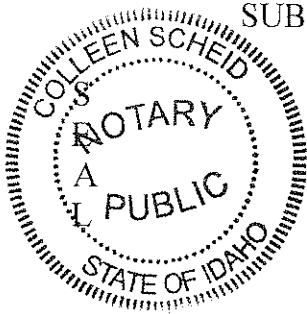
11. Our firm has been in a professional relationship with Respondents since March, 2016.

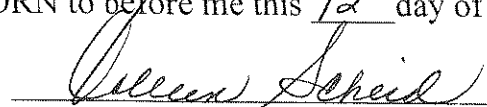
12. There were no costs of automated legal research incurred in obtaining the Court's final Orders.

DATED this 12<sup>th</sup> day of April, 2016.

  
C. Timothy Hopkins

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of April, 2016.



  
Notary Public for Idaho  
Residing at: Idaho Falls  
My Commission Expires: 8/12/20

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY  
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the persons named below, at the addresses set out below their name, either by mailing, hand delivery or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 12<sup>th</sup> day of April, 2016.

  
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C. Timothy Hopkins

Bryan D. Smith, Esq.  
Smith, Driscoll & Associates, PLLC  
P.O. Box 50731  
Idaho Falls, ID 83405-0731

- U.S. Mail
- Overnight Delivery
- Hand Delivery
- Facsimile

Christ T. Troupis, Esq.  
Troupis Law Office, P.A.  
801 E. State Street, Ste. 50  
P.O. Box 2408  
Eagle, ID 83616

- U.S. Mail
- Overnight Delivery
- Hand Delivery
- Facsimile

Hopkins Roden Crockett Hansen & Hoopes, PLLC  
428 Park Avenue  
Idaho Falls, ID 83402  
www.hopkinsroden.com

April 11, 2016

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
3/29/2016	CTH	Review Smith/Beck Petition and St.Clair Order; conferences with colleague as to approach in opposition; related matters and communications; etc.	1.50 300.00/hr	450.00
	SJC	Research issues for Motion for Reconsideration, phone calls with clients, prepare Motion, etc.	2.30 225.00/hr	517.50
3/30/2016	CTH	Review and revise Motion to Reconsider and related papers; conferences with colleague; file Motion and appearance; related matters and communications; etc.	2.00 300.00/hr	600.00
	SJC	Draft Motion for Reconsideration and Memorandum of Points and Authorities, conduct legal research, etc.	3.50 225.00/hr	787.50
3/31/2016	SJC	Review Motion to Shorten Time, review Brief, review communications to opposing counsel, communications with clients and with co-counsel, etc.	0.80 225.00/hr	180.00
	CTH	Conference with colleague; review briefing and case status; related matters and communications; etc.	1.00 300.00/hr	300.00
4/1/2016	CTH	Conference with colleague; prepare Motion to Quash subpoenas and supporting papers; contacts with Court; communications with clients; related matters and communications; etc.	2.00 300.00/hr	600.00
	SJC	Review Motion to Quash and Order to Quash, etc.	0.20 225.00/hr	45.00
4/4/2016	CTH	Office conference with Steve Yates and colleague to discuss background and case status; communications with clients; call from GOP State Chair; conference with colleague; related matters and communications; etc.	2.50 300.00/hr	750.00

		<u>Hrs/Rate</u>	<u>Amount</u>
4/4/2016	SJC Meeting with clients, etc.	1.50 225.00/hr	337.50
4/5/2016	SJC Phone call with clients, etc.	0.70 225.00/hr	157.50
4/6/2016	CTH Review Petitioners' Memorandum in Opposition to our Motions; review case law; review materials in preparation for argument on Motion for Reconsideration and to Quash before Judge St. Clair; communications and conferences with colleagues and clients; related matters and communications; etc.	7.50 300.00/hr	2,250.00
4/7/2016	CTH Preparation; communications with colleagues and client; attend and present argument to Judge St.Clair in support of Motion for Reconsideration and to Quash; further communications with press, clients and interested parties; related matters and communications; etc.	7.50 300.00/hr	2,250.00
4/8/2016	CTH Review of Minute Entry and preparation and filing of Orders Granting Reconsideration and Quashing subpoenas; related matters and communications; etc.	2.00 300.00/hr	600.00
4/11/2016	SJC Review and revise Motion and Verified Memorandum for Attorney Fees	0.40 225.00/hr	90.00
	For professional services rendered	<u>35.40</u>	<u>\$9,915.00</u>
	Additional Charges :		
3/24/2016	Bonneville County Court Copies		10.00
3/29/2016	Bonneville County Archives		10.00
3/30/2016	Bonneville County Court Appearance Fee		136.00
	Total additional charges		<u>\$156.00</u>