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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

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JUL 23 2002

**CLARENCE MADDOX
CLERK, USDC / SDFL / MIA**

JORGE and SUSAN GARCIA, NELSON
RUIZ, and OSVALDO E. CUELI,

CASE NO. 01-801 CIV-MOORE
Magistrate Judge John O'Sullivan

Plaintiffs,

v.

UNITED STATES OF AMERICA,
U.S. ARMY CORPS OF ENGINEERS,
and R.L. BROWNLEE, ACTING ASSISTANT
SECRETARY OF THE ARMY (CIVIL
WORKS), in his official capacity,

Defendants.

_____ /

**PLAINTIFF'S MOTION FOR ATTORNEY'S FEES
AND TO TAX COSTS AGAINST DEFENDANTS**

Plaintiff, Osvaldo E. Cueli, moves the Court to award him attorney's fees and costs expended in prosecuting this case pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, and as grounds would show:

1. Plaintiff filed this action against Defendants under the Administrative Procedure Act, 5 U.S.C. § 701, to set aside the Corps' plan to acquire and flood developed property in the Eight and One-Half Square Mile Area as unauthorized and contrary to specific provisions of the Everglades National Park Protection and Expansion Act, 16 U.S.C. § 410r-8. The complaint also sought declaratory and injunctive relief and attorney's fees under the Equal Access to Justice Act.

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2. On May 8, 2002, the Magistrate Judge recommended that the Corps' plan be set aside because it was unauthorized and contrary to the clear statutory directive of section 410r-8. This Court approved and adopted the Magistrate Judge's recommendations in an order dated July 5, 2002.

3. The Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), provides, in part: "a court shall award to a prevailing party other than the United States fees and other expenses . . . incurred by that party in any civil action . . . brought by or against the United States in any court having jurisdiction of that action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust."

4. The position of Defendants in this case was not justified. Defendants based their case upon a strained construction of words used in section 410r-8(c), arguing that the statutory directive to "construct a flood protection system" to protect developed land in the Area from the adverse effects of its project modifications allowed it to condemn and flood residences in the Area.

5. Osvaldo Cueli had a net worth of less than \$2 million at the time this action was filed, as shown by his affidavit submitted in support of this motion.

6. Richard A. Warren and Richard J. Suarez have each been practicing law for over 20 years in the area of commercial and tort litigation and appeals. The fee customarily charged in this locality for similar legal services by attorneys of their experience is over \$250 per hour. Hardeman & Suarez agreed to represent Plaintiff at the rate of \$250 per hour.

7. Attached hereto as Exhibit "A" is an itemized statement of the time spent by the attorneys for Plaintiff on this case. Subsection 2412(d)(2)(A) provides a maximum rate of \$125 per hour, but allows that rate to be increased due to an increase in the cost of living, or other special factors. The cost-of-living adjustment is determined by multiplying the basic EAJA rate by the

current consumer price index for urban consumers (CPI-U), and then dividing the product by the CPI-U in the month that the \$125 cap was imposed (March 1996). *See Sorenson v. Mink*, 239 F.3d 1140, 1148 (9th Cir. 2001). The March 1996 CPI-U is 155.7; the February 2001 CPI-U (the month work on this case began) is 175.8; and the February 2002 CPI-U is 177.8. The hourly rate for 2001 is therefore \$141.00, and the hourly rate for 2002 is \$143.00. Since the CPI-U index increased for each month during this period, these rates are conservative.

8. Based upon the foregoing, Plaintiff seeks an award of fees as follows:

Attorney time for 2001 (98.7 hours) x 141.00 = \$13,916.70

Attorney time for 2002 (66.3 hours) x 143.00 = \$ 9,480.90

TOTAL: \$23,397.60

9. Paralegals spent 9.5 hours on this case, and their time was billed at \$75.00 per hour, for a fee of \$712.50.

10. Plaintiff's attorneys incurred expenses in the amount of \$4,083.22 in this proceeding. A list of those expenses is attached as Exhibit "B."

WHEREFORE, Plaintiff, Osvaldo Cueli, respectfully requests that this Court enter a judgment for attorney's fees and costs against Defendants, United States of America, U.S. Army Corps of Engineers, and R.L. Brownlee, Acting Assistant Secretary of the Army (Civil Works), in his official capacity.

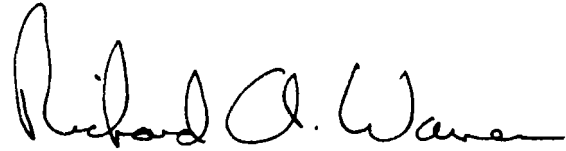
CERTIFICATION OF COUNSEL

The undersigned attorneys have fully reviewed the time records of Hardeman & Suarez, P.A. and the supporting data, and certifies that this motion is well-grounded in fact and justified.

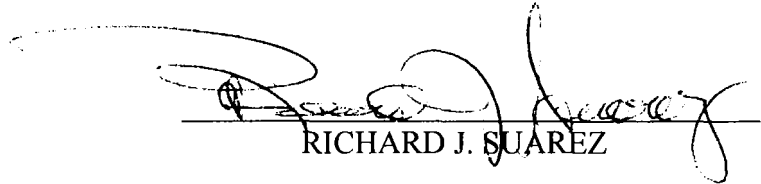
In addition, counsel have conferred with counsel for Defendants in a good faith effort to resolve this motion by agreement. As a result, no agreement was reached. No hearing is requested.

VERIFICATION

The undersigned attorneys, having knowledge of the facts, verify that each item of costs listed in this motion is correct and has been necessarily incurred in this case and that the services for which fees are sought were actually and necessarily performed.



RICHARD A. WARREN



RICHARD J. SUAREZ

MEMORANDUM OF LAW

The Equal Access to Justice Act provides:

Except as otherwise specifically provided by statute, a court shall award to a prevailing party other than the United States fees and other expenses, in addition to any costs awarded pursuant to subsection (a), incurred by that party in any civil action (other than cases sounding in tort), including proceedings for judicial review of agency action, brought by or against the United States in any court having jurisdiction of that action, unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.

28 U.S.C. §§ 2412(d)(1)(A).

1. Entitlement.

“The EAJA was designed to eliminate the economic deterrents which cause those with valid claims against the government but few financial resources to avoid seeking relief in the courts. *See* H. R. REP. NO. 99-120, pt. 1, at 4 (1985), *reprinted in* 1985 U.S.C.C.A.N. at 132.” *Singleton v. Apfel*, 231 F.3d 853, 858 (11th Cir. 2000). The majority of the residents of the Area, including Mr. Cueli, are low-income Hispanics.

As stated in Section 3 of this document, the majority of the population residing in the 8.5 SMA is Hispanic. In addition, although specific income data do not exist, given the rural nature and the reported presence of migrant farm workers within the 8.5 SMA, a substantial percentage of the residents within the 8.5 SMA could be considered as a low-income population.

AR 63 (July 2000 SEIS at 79).

There is no question that Plaintiff was the prevailing party. He obtained all of the relief sought in the complaint, setting aside in its entirety the Corps’ plan to evict residents and to flood a substantial portion of the Area. “[T]he assessment of fees in favor of an eligible prevailing party and against the government is obligatory under subsection (d) unless ‘the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.’” *Maritime Mgmt, Inc. v. United States*, 242 F.3d 1326, 1332 (11th Cir. 2001).

A position that is “substantially justified” is one that is justified to a reasonable degree that could satisfy a reasonable person or that has a reasonable basis in both law and fact. *In re Rasbury*, 24 F.3d 159 (11th Cir. 1994) (relying upon *Pierce v. Underwood*, 487 U.S. 552 (1988)). “The government bears the burden of showing that its position was substantially justified.” *City of Brunswick, Ga. v. United States*, 849 F.2d 501, 504 (11th Cir. 1988).

If the government's position is contrary to the clear meaning of a statute, its position is not substantially justified. In *Wilkes v. United States*, 289 F.3d 684 (11th Cir. 2002), the court affirmed a judgment awarding fees against the government under a similar statute, 26 U.S.C. § 7430(a), finding that the government's statutory construction argument was not "substantially justified" because it was contrary to the plain meaning of the statute.

We conclude that the district court did not abuse its discretion. The court below properly focused on the language of the statute itself. The crucial language is: "The executor is relieved of liability for the payment of that portion of the tax ... which such ... [ESOP] is required to pay." §§ 2210(a). The natural and ordinary meaning of the term "executor" refers to the executor in his representative capacity, which is the equivalent of the estate itself. . . .

The government argues that until this case there was a lack of case law touching on the issue of whether the statutory language relieving the "executor" of liability relieved the executor in his representative capacity or only in his personal capacity. Thus, the government argues that the issue is one of first impression, and therefore this case is not an appropriate one for concluding that the government's position lacks substantial justification. However, in view of the fact that all of the above mentioned considerations of statutory construction point clearly to the interpretation that the term "executor" refers to the executor in his representative capacity, and in view of the fact that the government has advanced on appeal only the mere possibility that the term "executor" could mean personal capacity without advancing any plausible reasons why it should have that meaning, we cannot conclude that the district court abused its discretion in holding that the government's position lacked substantial justification.

Id. at 688-90 (footnote omitted).

Because Defendants' position in this case was not substantially justified, and because all other conditions for an award of fees under the Act have been met, Plaintiff is entitled to an award of attorney's fees and costs.

2. Amount.

"As the statute indicates, a court's starting point should be . . . the 'prevailing market rates' for services of like quality and kind. Market rates for legal services being what they are, these rates will exceed the EAJA's \$75 [now \$125] cap in many cases." *Jean v. Nelson*, 863 F.2d 759, 773 (11th Cir. 1988). The market rate for similar services in this case greatly exceeds the statutory rate. Hardeman & Suarez billed Plaintiff \$250 per hour for its services, and the market rate for such services is even higher. The maximum statutory rate, as increased for the increases in the cost of living (*see* para. 7), should therefore be awarded in this case. *See Meyer v. Sullivan*, 958 F.2d 1029, 1034 (11th Cir. 1992) (where market rate exceeds cap, "Congress undoubtedly expected that the courts would use the cost-of-living escalator to insulate EAJA fee awards from inflation; this expectation will not be realized, however, if district courts, without explanation, refuse to consider increases in the cost of living when calculating EAJA fees.").

Although Plaintiff prevailed on one of his two arguments (the Court did not reach the second argument because it ruled for Plaintiff on the statutory construction issue), the two arguments were intertwined and were based on the same core of facts. "[A] plaintiff who has prevailed against the United States on one claim may recover for all the hours reasonably expended on the litigation even though he or she failed to prevail on other claims involving a common core of facts or related legal theories." *United States v. Jones*, 125 F.3d 1418, 1429 (11th Cir. 1997).

An applicant is entitled to attorney fees for litigating the fee matter, including the amount of the fees. *See Commissioner, INS v. Jean*, 496 U.S. 154, 161-62 (1990). The time spent in preparing this motion has therefore been included.

In *Jean v. Nelson*, the court held that expenses routinely billed to a client, such as expenses for copying, postage, telephone and computerized legal research, are recoverable under the EAJA, in addition to costs for filing fees and service of process. 863 F.2d at 777-78 Paralegal fees are also properly awarded where the work was that normally done by an attorney. *Id.* at 778.

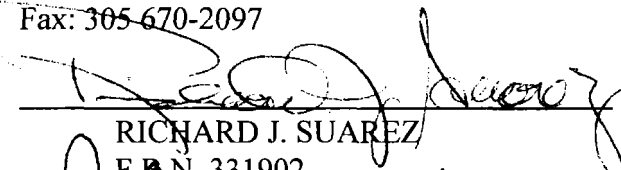
CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing was mailed on July 23, 2002 to the attorneys listed below:

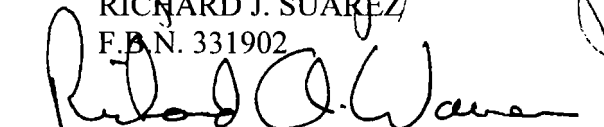
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RICHARD J. SUAREZ
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RICHARD A. WARREN
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EXHIBIT "A"
TIME ENTRIES OF HARDEMAN & SUAREZ, P.A.

01/31/2001	RW	ATTEND CONFERENCE WITH HOMEOWNERS RE: COMPLAINT	1.00
01/31/2001	RJS	ATTEND CONFERENCE WITH HOMEOWNERS RE: COMPLAINT	1.00
02/01/2001	P	RECEIVED DOCUMENTS FOR NEW SUIT; OPENED NEW FILE MATTER	0.50
02/07/2001	RW	LEGAL RESEARCH RE: CAUSES OF ACTION AGAINST ARMY CORPS	2.80
02/07/2001	RW	REVIEWED DRAFT COMPLAINT	0.50
02/08/2001	RW	TELEPHONE CONVERSATION WITH J. LORION RE: REVISIONS TO COMPLAINT	0.10
02/08/2001	RW	REVIEWED PROPOSED COMPLAINT; DRAFTED NEW ALLEGATIONS AND COUNT TO SET ASIDE AGENCY ACTION	2.50
02/08/2001	RJS	REVIEWED PROPOSED COMPLAINT AND NEW ALLEGATIONS AND COUNT TO SET ASIDE AGENCY ACTION	2.00
02/09/2001	RW	TELEPHONE CONVERSATIONS WITH K. BROOKS RE: MEETING TO DISCUSS REVISIONS TO PROPOSED COMPLAINT	0.10
02/12/2001	RW	REVIEWED AND REVISED COMPLAINT	1.20
02/12/2001	RW	CONFERENCE WITH J. LORION AND K. BROOKS RE: ALLEGATIONS OF COMPLAINT	0.90
02/12/2001	RW	REVIEWED STATUTES CITED BY CORPS AS AUTHORITY FOR CONDEMNATION	0.20
02/13/2001	RW	REVISED COMPLAINT PER EDITS OF J. LORION; REVIEWED P.L. 106-291	0.50
02/16/2001	RW	TELEPHONE CONVERSATION WITH J. LORION; REVISED COMPLAINT	0.30

02/21/2001	RW	TELEPHONE CONVERSATIONS WITH J. LORION; REVISED COMPLAINT	0.30
02/23/2001	P	PREPARED COMPLAINT AND PERTINENT SUMMONS IN FINAL FORM FOR COURT FILING	1.00
02/23/2001	RJS	REVIEWED COMPLAINT	0.50
02/23/2001	P	PREPARED SUMMONS FOR JOSEPH W. WESTPHAL, ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS) IN HIS CAPACITY	0.20
02/23/2001	P	PREPARED SUMMONS FOR UNITED STATES OF AMERICA BY SERVING ATTORNEY GENERAL HONORABLE JOHN ASHCROFT	0.20
02/23/2001	P	PREPARED SUMMONS FOR UNITED STATES ATTORNEY GUY LEWIS	0.20
02/23/2001	P	PREPARED SUMMONS FOR U.S. ARMY CORPS OF ENGINEERS	0.20
02/23/2001	MS	REVIEW COMPLAINT, CIVIL COVER SHEET AND SUMMONS PRIOR TO FILING	0.30
03/05/2001	P	TELEPHONE CALL FROM BIANCA AT DEXTER LEHTINEN'S OFFICE	0.10
03/06/2001	RJS	RECEIVED VERIFIED RETURN OF SERVICE OF COMPLAINT ON UNITED STATES ATTORNEY, GUY LEWIS	0.10
03/06/2001	RJS	LETTER FROM JORGE AND SUSAN GARCIA REGARDING WITHDRAWING FROM CASE	0.10
03/06/2001	RJS	E-MAIL CORRESPONDENCE TO DEXTER LEHTINEN'S OFFICE REGARDING GARCIA LETTER	0.10
03/08/2001	P	TELEPHONE CALL FROM ALICE PENA REGARDING A MEETING THAT RICK SUAREZ WILL BE ATTENDING TO EXPLAIN SITUATION TO LANDOWNERS WHO ARE UNFAMILIAR WITH THEIR OPTIONS	0.10
03/08/2001	RW	RECEIVED AND REVIEWED EMAIL FROM J. LORION	0.10

03/12/2001	RJS	LETTER FROM NEIL MCALILEY, ATTORNEY FOR THE FEDERAL DEFENDANTS IN CASE	0.10
03/12/2001	RJS	RECEIVED AND REVIEWED FEDERAL DEFENDANTS' NOTICE OF THE PENDENCY OF OTHER ACTIONS	0.10
03/14/2001	P	TELEPHONE CALL FROM ALICE PENA REGARDING LOCATION OF MEETING INVOLVING LAWSUIT TO TALK TO OTHER LANDOWNERS	0.10
03/15/2001	RW	LEGAL RESEARCH RE: RESPONSE TO NOTICE OF SIMILAR CASES	0.30
03/16/2001	P	CORRESPONDENCE TO J. LORION REGARDING DOCUMENTS RECEIVED FROM THE ATTORNEY FOR DEFENDANTS	0.20
03/17/2001	RJS	ATTENDED MEETING WITH CLIENTS AND HOMEOWNERS RE: LITIGATION	4.00
03/21/2001	RJS	RECEIVED COPY OF LETTER TO JORGE AND SUSAN GARCIA FROM THE DEPARTMENT OF THE ARMY, CORP. OF ENGINEERS, ELIMINATING THE NEED TO ACQUIRE THEIR PROPERTY	0.10
03/21/2001	RJS	RECEIVED AND REVIEWED CLERK'S ORDER CORRECTING JUDICIAL OFFICER ASSIGNMENT	0.10
03/26/2001	RJS	RECEIVED AND REVIEWED ORDER OF REFERENCE TO MAGISTRATE JUDGE	0.10
04/05/2001	RJS	CONFERENCE CALL WITH DEXTER LEHTINEN AND J. LORION RE: LITIGATION	0.30
04/06/2001	RW	ATTENDED CONFERENCE WITH WASHINGTON AIDE AND LOBBYIST RE: LITIGATION	1.30
04/06/2001	RJS	ATTENDED CONFERENCE WITH WASHINGTON AIDE AND LOBBYIST RE: LITIGATION	1.30
04/09/2001	RJS	CORRESPONDENCE TO L. PINERO RE: PROPOSED EMPLOYMENT AGREEMENT & STATEMENT OF CLIENT'S RIGHTS, ENCLOSING SAME	0.20
04/11/2001	RW	DRAFTED REQUEST TO PRODUCE	0.80

04/11/2001	RW	DRAFTED AFFIDAVIT OF SERVICE	0.20
04/12/2001	P	PREPARED AND FILED NOTICE OF FILING PLAINTIFFS' AFFIDAVIT OF SERVICE	0.20
04/17/2001	RJS	CORRESPONDENCE FROM J. CONCEPCION RE: EMPLOYMENT AGREEMENT	0.10
05/02/2001	P	TELEPHONE CALL TO CLERK'S OFFICE TO INQUIRE AS TO WHETHER ANSWER HAD BEEN FILED BY THE U.S. GOVERNMENT	0.10
05/02/2001	RJS	RECEIVED AND REVIEWED FEDERAL DEFENDANTS' ANSWER TO PLAINTIFFS' COMPLAINT DATED FEBRUARY 23, 2001	0.30
05/08/2001	RJS	DICTATE, REVIEW AND SIGN CORRESPONDENCE TO VARIOUS POSSIBLE ADDITIONAL PLAINTIFFS (IN ENGLISH) (6)	0.80
05/08/2001	P	TRANSLATE CORRESPONDENCE TO VARIOUS POSSIBLE ADDITIONAL PLAINTIFFS TO SPANISH (6)	1.00
05/09/2001	RW	DRAFTED MOTION FOR SUMMARY JUDGMENT	1.80
05/18/2001	RW	LEGAL RESEARCH AND DRAFTED MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT	1.30
05/22/2001	RW	LEGAL RESEARCH AND DRAFTED MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT	1.10
06/06/2001	RJS	DRAFT AFFIDAVIT REGARDING PROPERTY OWNERS	0.50
06/07/2001	RW	REVIEWED AND REVISED PROPOSED AFFIDAVIT IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT	0.30
06/07/2001	RJS	REVIEWED AND EDITED MOTION FOR SUMMARY JUDGMENT	3.20
06/07/2001	RW	LEGAL RESEARCH AND DRAFTED MEMO ON ADDING NEW PLAINTIFF	0.40

06/08/2001	RJS	LETTER TO MR. BRACERAS REQUESTING INFORMATION NECESSARY FOR AFFIDAVIT	0.30
06/12/2001	P	TRANSLATE LETTERS (2) FROM ENGLISH TO SPANISH	0.60
06/19/2001	RJS	RECEIVED AND REVIEWED LETTER FROM JULIO CONCEPCION FORWARDING DOCUMENTS FOR AFFIDAVIT INCLUDING BUILDING PERMITS AND DEED	0.50
06/21/2001	RJS	RECEIVED AND REVIEWED LETTER FROM DIONISIO FEBLES RE PROPERTY AND HISTORY OF PURCHASE	0.30
06/25/2001	P	TELEPHONE CALL TO JUSTINO RODRIGUEZ REGARDING STATUS OF SIGNED EMPLOYMENT AGREEMENT	0.20
06/25/2001	P	TELEPHONE CALL TO OSVALDO CUELI REGARDING STATUS OF SIGNED EMPLOYMENT AGREEMENT	0.20
06/27/2001	P	TELEPHONE CALL TO JUSTINO RODRIGUEZ REGARDING STATUS OF EMPLOYMENT AGREEMENT	0.20
06/27/2001	P	TELEPHONE CALL TO DIONISIO FEBLES REGARDING STATUS OF EMPLOYMENT AGREEMENT	0.20
06/27/2001	P	TELEPHONE CALL TO OSVALDO CUELI REGARDING STATUS OF EMPLOYMENT AGREEMENT	0.20
06/27/2001	P	TELEPHONE CALL FROM OSVALDO CUELI REGARDING EMPLOYMENT AGREEMENT	0.20
06/28/2001	RJS	RECEIVED COPY OF CHAIRMAN JIM HANSEN'S STATEMENT FOR THE RECORD REGARDING FUNDING FOR SOUTH FLORIDA REGARDING THE INTERIOR APPROPRIATION ACT	0.10
07/02/2001	P	TELEPHONE CALL TO OSVALDO CUELI REGARDING EMPLOYMENT AGREEMENT	0.20
07/02/2001	P	TELEPHONE CONFERENCE WITH JUSTINO RODRIGUEZ REGARDING EMPLOYMENT AGREEMENT	0.20
07/02/2001	RJS	DICTATE, REVIEW AND SIGN CORRESPONDENCE	0.20

TO JUSTINO RODRIGUEZ REGARDING
EMPLOYMENT AGREEMENT

07/03/2001	RJS	DICTATE, REVIEW AND SIGN CORRESPONDENCE TO VICTOR REYES REGARDING EMPLOYMENT AGREEMENTS AND STATEMENTS OF CLIENT'S RIGHTS FOR ALL ADDITIONAL INTERESTED PLAINTIFFS	0.20
07/05/2001	RJS	RECEIVED AND REVIEWED E-MAIL FROM TERRY RICE FORWARDING COPY OF LETTER FROM CHAIRMAN CYPRESS DIRECTED TO SUPERINTENDENT DONAHUE FOR REVIEW	0.20
07/09/2001	RJS	RECEIVED AND REVIEWED E-MAIL FROM TERRY RICE FORWARDING INSERTION INTO CONGRESSIONAL RECORD ON JUNE 27 BY CHAIRMAN HANSER FOR REVIEW	0.20
07/15/2001	RJS	FAX TO ALICE PENA FORWARDING TABLE OF INFORMATION LISTING KNOWN PLAINTIFFS AND REQUESTING INFORMATION IN ORDER TO FILE SUMMARY JUDGMENT	0.20
07/19/2001	RJS	RECEIVED AND REVIEWED FAX FROM ALICE PENA WITH ATTACHMENT OF A MIAMI-DADE LEGISLATIVE ITEM RE FUNDING FOR SELLERS IN THE 8.5 SQUARE MILE AREA	0.30
07/22/2001	RJS	RECEIVED AND REVIEWED E-MAIL FROM TERRY RICE DIRECTED TO SECRETARY IZZO RE AMENDED PCA FOR MODIFIED WATERS DELIVERIES PROJECT	0.30
07/22/2001	RJS	RECEIVED AND REVIEWED E-MAIL FROM TERRY RICE DIRECTED TO JOHN OGDEN RE SCT AND WG AND PROCEDURAL QUESTIONS	0.20
07/22/2001	RJS	RECEIVED AND REVIEWED E-MAIL FROM TERRY RICE RE DEPARTMENTAL BUREAUS AND OFFICES RESPONSIBILITIES AND POLICIES	0.20
07/22/2001	RJS	RECEIVED AND REVIEWED E-MAIL FROM TERRY RICE TO G. RONNIE RE TRIBE'S INTERESTS IN SCT AND MODIFIED WATER DELIVERIES	0.20
07/22/2001	RJS	RECEIVED AND REVIEWED E-MAIL DIRECTED TO	0.20

G. RONNIE RE PARTICIPATION AT SCT
MEETINGS

07/24/2001	P	TELEPHONE CALL FROM ALICE PENA REGARDING INSPECTIONS TAKING PLACE ON PROPERTIES	0.20
07/30/2001	RW	DRAFTED MOTION TO ADD PARTIES; CONFERENCE WITH R. SUAREZ CONCERNING SAME	0.70
07/30/2001	RW	DRAFTED FAX TO OPPOSING COUNSEL RE: ATTEMPT TO RESOLVE MOTION TO ADD PARTIES	0.20
07/30/2001	RW	LEGAL RESEARCH ON INJUNCTION AGAINST CONDEMNATION	0.70
07/30/2001	RW	REVIEWED AND REVISED MOTION FOR SUMMARY JUDGMENT; DRAFTED FAX TO J. LORION CONCERNING SAME	1.30
07/31/2001	RJS	CORRESPONDENCE TO TABATHA VARELA REGARDING MAP OF EFFECTED AREAS	0.20
07/31/2001	P	LETTER TO ALICE PENA (FAX) SPECIFICALLY DELINEATING ALL PARTICIPANTS AND WHAT IS NECESSARY FROM EACH TO PROCEED	0.80
08/03/2001	RW	DRAFTED AFFIDAVIT OF L. SILVA IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT	0.20
08/06/2001	RJS	CORRESPONDENCE FROM THE UNITED PROPERTY OWNERS OF THE 8.5 SQUARE MILE AREA, INC. REGARDING AFFIDAVIT INFORMATION FROM PROPERTY OWNERS	0.10
08/06/2001	P	TRANSLATE 3 LETTERS FROM SPANISH TO ENGLISH (CONCEPCION, MESA AND FEBLES)	1.00
08/06/2001	RW	REVIEWED CORRESPONDENCE AND DRAFTED AFFIDAVITS OF CONCEPCION AND MESA RE: MOTION FOR SUMMARY JUDGMENT	0.50
08/07/2001	RW	TELEPHONE CONVERSATION WITH A. PENA RE: AFFIDAVITS NEEDED FOR MOTION FOR SUMMARY JUDGMENT	0.20
08/10/2001	RW	LEGAL RESEARCH ON INJUNCTION AGAINST	2.60

CONDEMNATION

08/13/2001	RW	REVIEWED LIST OF PLAINTIFFS AND REVISED MOTION TO ADD AND DROP PARTIES	0.30
08/13/2001	RW	TELEPHONE CONVERSATION WITH D. VARELA; DRAFTED AFFIDAVIT	0.40
08/15/2001	RW	REVIEWED FILES RE: INFORMATION NEEDED FOR AFFIDAVITS	0.40
08/15/2001	RW	CONFERENCE WITH PLAINTIFFS RE: STATUS OF CASE AND INFORMATION NEEDED FOR AFFIDAVITS	3.00
08/15/2001	RJS	ATTEND MEETING WITH ASSOCIATION MEMBERS AND CLIENTS RE: LITIGATION	3.00
08/16/2001	RJS	LETTER FROM HAYDEE ULLFIG WITH ENCLOSURE	0.10
08/16/2001	RJS	RECEIVED COPIES OF LETTERS TO GOVERNMENT AGENCIES REGARDING 8.5 SQUARE MILE AREA FROM HAYLEE ULLFIG	0.30
08/17/2001	RW	REVIEWED AND REVISED AND DRAFTED AFFIDAVITS; DRAFTED CORRESPONDENCE TO A. PENA RE: EXECUTION	1.50
08/18/2001	RW	LEGAL RESEARCH ON INJUNCTIVE RELIEF FOR UNAUTHORIZED TAKING	1.00
08/20/2001	RJS	RECEIVED COPY OF LETTER TO ARMANDO POMAR OF THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS FROM THE UNITED PROPERTY OWNERS OF THE 8.5 SQUARE MILE AREA, INC.	0.10
08/24/2001	P	TELEPHONE CALL FROM ALICE PENA REGARDING AFFIDAVITS OF PROPERTY OWNERS	0.10
08/28/2001	RW	REVIEWED CLIENT INFORMATION AND REVISED MOTION TO ADD PARTIES	0.40
08/28/2001	RW	TELEPHONE CONVERSATION WITH A. PENA RE: FURTHER INFORMATION NEEDED FOR AFFIDAVITS	0.10
08/28/2001	RW	REVIEWED AND REVISED MOTION FOR SUMMARY	0.70

JUDGMENT BASED ON AFFIDAVITS

08/28/2001	RW	TELEPHONE CONVERSATION WITH OPPOSING COUNSEL N. MCALILEY RE: MOTION TO ADD PARTIES; CONFERENCE WITH R. SUAREZ CONCERNING SAME	0.20
08/30/2001	RW	LEGAL RESEARCH ON MOTION FOR PRELIMINARY INJUNCTION	2.80
08/30/2001	RW	DRAFTED MOTION FOR PRELIMINARY INJUNCTION AND MEMORANDUM OF LAW	0.80
08/31/2001	RW	LEGAL RESEARCH AND DRAFTED MEMO OF LAW IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION	2.80
09/04/2001	RW	REVISED CUELI AFFIDAVIT; TELEPHONE CONVERSATION AND DRAFTED CORRESPONDENCE TO A. PENA CONCERNING SAME	0.30
09/08/2001	RW	REVIEWED CONGRESSIONAL MATERIALS; REVISED MOTIONS FOR PRELIMINARY INJUNCTION AND SUMMARY JUDGMENT TO INCLUDE	1.20
09/10/2001	RW	TELEPHONE CONVERSATION WITH M. JOMARRON RE: NEW PLAINTIFF	0.20
09/10/2001	RW	REVIEWED REVISED PROJECT COOPERATION AGREEMENT EXECUTED BY CORPS	0.30
09/13/2001	RJS	RECEIVED AND REVIEWED AFFIDAVIT OF O. CUELI	0.10
09/14/2001	RW	PROOFREAD MOTION FOR SUMMARY JUDGMENT AND MOTION FOR PRELIMINARY INJUNCTION; DRAFTED CORRESPONDENCE TO A. PENA AND J. LORION CONCERNING SAME	0.80
09/19/2001	RW	TELEPHONE CONVERSATION WITH N. MCALILEY RE: EXTENSION OF TIME TO RESPOND TO MOTIONS	0.10
09/20/2001	RW	REVIEWED FILE AND DRAFTED STATUS REPORT	0.60
09/20/2001	RW	RECEIVED AND REVIEWED DEFENDANTS' MOTION	0.10

FOR EXTENSION OF TIME

09/25/2001	RJS	RECEIVED AND REVIEWED ORDER ALLOWING FEDERAL DEFENDANTS EXTENSION TO FILE RESPONSIVE PAPERS TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND MOTION FOR SUMMARY JUDGMENT	0.10
09/28/2001	RJS	DRAFT STATUS REPORT LETTER	0.50
10/02/2001	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: FORTIN SUIT	0.40
10/11/2001	RJS	LETTER TO ALICE PENA REGARDING INFORMATION FOR BOARD MEETING AND CUELI	0.30
10/17/2001	RW	TELEPHONE CONVERSATION WITH OPPOSING COUNSEL N. MCALILEY RE: FILING ADMINISTRATIVE RECORD	0.10
10/18/2001	RW	RECEIVED AND REVIEWED ADMINISTRATIVE RECORD FILED BY DEFENDANTS	0.50
10/18/2001	RW	TELEPHONE CONVERSATIONS WITH A. PENA AND OPPOSING COUNSEL N. MCALILEY	0.20
10/19/2001	RJS	RECEIVED AND REVIEWED FEDERAL DEFENDANTS' NOTICE OF FILING ADMINISTRATIVE RECORD AND CERTIFICATION OF THE ADMINISTRATIVE RECORD	0.10
10/22/2001	RJS	RECEIVED FEDERAL DEFENDANTS' SECOND UNOPPOSED MOTION TO ENLARGE TIME TO RESPOND TO PLAINTIFFS' MOTIONS FOR PRELIMINARY INJUNCTION AND SUMMARY JUDGMENT	0.10
10/23/2001	RJS	RECEIVED AND REVIEWED ORDER GRANTING FEDERAL DEFENDANTS' SECOND UNOPPOSED MOTION TO ENLARGE TIME TO RESPOND TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION AND SUMMARY JUDGMENT	0.10
10/24/2001	RW	TELEPHONE CONVERSATION WITH M. SELIG RE: STATUS OF CASE, POSSIBLE NEW PLAINTIFFS	0.20
10/24/2001	RW	REVIEWED LETTERS AND DOCUMENTS FROM	0.30

CORPS PROVIDED BY A. PENA

10/30/2001	RW	REVIEWED MOTION FOR SUMMARY JUDGMENT AND MEMORANDUM OF LAW IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT AND PRELIMINARY INJUNCTION OF DEFENDANTS	1.50
10/30/2001	RJS	REVIEWED MOTION FOR SUMMARY JUDGMENT AND MEMORANDUM OF LAW IN OPPOSITION TO MOTION FOR SUMMARY JUDGMENT AND PRELIMINARY INJUNCTION OF DEFENDANTS	1.00
11/01/2001	P	LETTER TO ALICE PENA REGARDING FEDERAL DEFENDANTS' OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION	0.30
11/02/2001	RW	DRAFTED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO DEFENDANTS' RESPONSE TO MOTION FOR SUMMARY JUDGMENT; DRAFTED PROPOSED ORDER GRANTING SAME	0.50
11/06/2001	RW	TELEPHONE CONVERSATION WITH N. MCALILEY RE: ENLARGEMENT OF TIME TO SERVE RESPONSES	0.10
11/07/2001	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: STATUS OF RESPONSE	0.10
11/09/2001	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: RESPONSE TO GOVERNMENT MEMORANDUM	0.30
11/17/2001	RJS	E-MAIL FROM TERRY RICE REGARDING RESULTS OF VARIOUS REPORTS AND OTHER INFORMATION CONCERNING THIS MATTER	0.20
11/19/2001	RJS	RECEIVED ORDER OF TRANSFER	0.10
12/03/2001	RW	REVIEWED ADMINISTRATIVE RECORD RE: RESPONSE TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT	3.70
12/04/2001	RW	REVIEWED DEFENDANTS' MEMORANDUM OF LAW RE: PREPARATION OF RESPONSE	0.70
12/04/2001	RJS	REVIEWED DEFENDANTS' MEMORANDUM OF LAW RE: PREPARATION OF RESPONSE	0.70

12/06/2001	RJS	LETTER TO RAY VELARDE, ESQUIRE, WITH ENCLOSURES OF VARIOUS DOCUMENTS	0.30
12/06/2001	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: AMICUS BRIEF	0.30
12/10/2001	RW	CONFERENCE WITH R. SUAREZ, DRAFTED MOTION FOR ENLARGEMENT	0.40
12/10/2001	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: AMICUS BRIEF	0.10
12/10/2001	RW	REVIEWED DEFENDANTS' MEMORANDUM AND CASES CITED, OUTLINED RESPONSE	0.60
12/11/2001	RW	REVIEWED DEFENDANTS' MEMORANDUM; LEGAL RESEARCH AND OUTLINED RESPONSE	1.80
12/11/2001	RW	TELEPHONE CONVERSATION WITH OPPOSING COUNSEL RE: ENLARGEMENT OF TIME; DRAFTED PROPOSED ORDER	0.30
12/12/2001	RJS	CORRESPONDENCE FROM THE UNITED PROPERTY OWNERS OF THE 8.5 SQUARE MILE AREA	0.10
12/12/2001	RW	TELEPHONE CONVERSATION WITH AND DRAFTED FAX TO D. DUNCAN	0.20
12/13/2001	RW	LEGAL RESEARCH, OUTLINED RESPONSE TO DEFENDANTS' MEMORANDUM	2.20
12/14/2001	RW	LEGAL RESEARCH ON STANDING RE: RESPONSE TO DEFENDANTS' MEMORANDUM	1.50
12/17/2001	RJS	RECEIVED AND REVIEWED ORDER OF MAGISTRATE JUDGE REASSIGNMENT	0.10
12/17/2001	RW	LEGAL RESEARCH ON STANDING RE: RESPONSE TO DEFENDANTS' MEMORANDUM	2.10
12/18/2001	RW	DRAFTED MEMORANDUM OF LAW IN RESPONSE TO DEFENDANTS' MEMORANDUM RE: SUMMARY JUDGMENT	1.60
12/26/2001	RW	REVIEWED RECORD AND DRAFTED MEMORANDUM OF LAW IN RESPONSE TO GOVERNMENT'S MEMORANDUM RE: SUMMARY JUDGMENT	2.80

12/27/2001	RW	DRAFTED MEMORANDUM OF LAW IN RESPONSE TO DEFENDANTS' MEMORANDUM RE: MOTION FOR SUMMARY JUDGMENT	2.50
12/28/2001	RW	DRAFTED MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MEMORANDUM RE: MOTION FOR SUMMARY JUDGMENT	3.50
01/02/2002	RW	LEGAL RESEARCH, REVIEWED RECORD, AND DRAFTED MEMORANDUM OF LAW RE: MOTIONS FOR SUMMARY JUDGMENT	5.20
01/02/2002	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: DRAFT OF MEMORANDUM	0.10
01/02/2002	RW	DRAFTED MOTION FOR HEARING	0.20
01/04/2002	RW	LEGAL RESEARCH AND DRAFTED REPLY MEMORANDUM RE: MOTION FOR PRELIMINARY INJUNCTION	2.60
01/04/2002	RW	DRAFTED CORRESPONDENCE TO A. PENA RE: RESPONSES TO GOVERNMENT'S BRIEF	0.20
01/05/2002	RW	REVIEWED DRAFT AMICUS BRIEF	0.80
01/05/2002	RW	REVIEWED AND REVISED REPLY MEMORANDUMS RE: MOTIONS FOR SUMMARY JUDGMENT AND PRELIMINARY INJUNCTION	1.40
01/07/2002	RW	PROOFREAD MEMORANDUMS RE: SUMMARY JUDGMENT AND PRELIMINARY INJUNCTION	0.50
01/09/2002	RJS	RECEIVED BRIEF OF AMICI CURIAE MADELEINE FORTIN AND RAYMOND E. WOODARD, JR., IN SUPPORT OF PLAINTIFFS' MOTIONS FOR PRELIMINARY INJUNCTION AND SUMMARY JUDGMENT AND PLAINTIFFS' OPPOSITION TO DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT	0.30
01/09/2002	RW	REVIEWED MOTION TO FILE AMICUS BRIEF AND SUPPORTING MEMORANDUM	0.30
01/14/2002	RJS	RECEIVED COPY OF LETTER FROM THE UNITED PROPERTY OWNERS TO LIDA RODRIGUEZ-TASEFF	0.10

01/15/2002	RW	RECEIVED AND REVIEWED DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME TO FILE REPLY MEMORANDUM	0.10
01/17/2002	RJS	RECEIVED ORDER ON DEFENDANTS' UNOPPOSED MOTION FOR AN ENLARGEMENT OF TIME TO FILE REPLY IN SUPPORT OF CROSS MOTION FOR SUMMARY JUDGMENT	0.10
01/22/2002	RJS	RECEIVED EXECUTED ORDER GRANTING MOTION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE	0.10
01/30/2002	RJS	RECEIVED AND REVIEWED ORDER OF REFERENCE TO MAGISTRATE	0.10
01/31/2002	RW	TELEPHONE CONVERSATION WITH D. DUNCAN RE: ORDER REFERRING TO MAGISTRATE	0.10
02/01/2002	RW	RECEIVED AND REVIEWED REPLY MEMORANDUM OF DEFENDANTS	0.60
02/04/2002	RJS	RECEIVED AND REVIEWED ORDER GRANTING FEDERAL DEFENDANTS' UNOPPOSED MOTION TO ENLARGE PAGE LIMITATION ON REPLY IN SUPPORT OF CROSS-MOTION FOR SUMMARY JUDGMENT	0.10
02/04/2002	RJS	RECEIVED AND REVIEWED ORDER ON DEFENDANTS' MOTION TO FILE A SINGLE CONSOLIDATED BRIEF	0.10
02/22/2002	RJS	RECEIVED AND REVIEWED ORDER OF REFERENCE TO MAGISTRATE	0.10
02/22/2002	RW	TELEPHONE CONVERSATIONS WITH S. KINARD OF CORPS AND A. PENA RE: OFFER TO CUELI; RECEIVED AND REVIEWED ORDER REFERRING TO MAGISTRATE	0.30
02/25/2002	RW	TELEPHONE CONVERSATION WITH A. PENA RE: CUELI	0.10
03/07/2002	RJS	RECEIVED MOTION TO APPEAR PRO HAC VICE FILED BY LAW FIRM OF HUNTON & WILLIAMS	0.10
03/08/2002	RJS	RECEIVED AND REVIEWED ORDER GRANTING ADMISSION PRO HAC VICE	0.10

03/09/2002	RJS	ATTENDED MEETING WITH CLIENTS LITIGATION	2.50
03/14/2002	RW	PREPARED FOR HEARING ON MOTION FOR SUMMARY JUDGMENT	5.50
03/15/2002	RW	ATTENDED HEARING ON MOTION FOR SUMMARY JUDGMENT	2.50
03/15/2002	RJS	ATTENDED HEARING ON MOTION FOR SUMMARY JUDGMENT	2.50
03/15/2002	RW	DRAFTED CORRESPONDENCE TO M. SELLEK ENCLOSING COPIES OF BRIEFS	0.10
03/18/2002	RW	TELEPHONE CONVERSATION WITH P. PAVLOV RE: JOINING SUIT	0.10
05/13/2002	P	PREPARED FAXES TO ALICE PENA AND JOETTE IN DEXTER LEHTINEN'S OFFICE REGARDING REPORT RECEIVED FROM MAGISTRATE JUDGE	0.20
05/13/2002	P	PREPARED FAXED CORRESPONDENCE TO STEVE NICKELSBURG, ESQ. REGARDING COURT'S REPORT AND RECOMMENDATION	0.20
05/13/2002	RJS	RECEIVED AND REVIEWED REPORT AND RECOMMENDATION	0.30
05/13/2002	RW	RECEIVED AND REVIEWED REPORT AND RECOMMENDATION; CONFERENCE WITH R. SUAREZ AND TELEPHONE CONVERSATION WITH S. NICKELSBURG CONCERNING SAME	0.70
05/13/2002	RW	LEGAL RESEARCH AND DRAFTED MEMO ON STANDARD FOR FEE AWARD UNDER EAJA	2.20
05/19/2002	RJS	MEETING WITH 8.5 SQUARE MILE BOARD AND CLIENT	2.50
05/19/2002	RW	MEETING WITH 8.5 SQUARE MILE BOARD AND CLIENT	2.50
05/23/2002	RW	TELEPHONE CONVERSATION WITH OPPOSING COUNSEL RE: AGREEMENT TO ENLARGE PAGE LIMIT	0.10

05/24/2002	RW	TELEPHONE CONVERSATION WITH AND REVIEWED AND RESPONDED TO EMAIL FROM S. NICKELSBURG	0.20
05/28/2002	RJS	RECEIVED COPY OF LETTER TO CLERK FROM ATTORNEY MATTHEW CLIFFORD WITH ENCLOSURE	0.10
05/28/2002	RJS	RECEIVED AND REVIEWED FEDERAL DEFENDANTS' UNOPPOSED MOTION TO ENLARGE PAGE LIMITATIONS FOR OBJECTIONS TO MAGISTRATE'S REPORT AND RECOMMENDATION	0.30
05/28/2002	RW	TELEPHONE CONVERSATION WITH AND DRAFTED FAX TO D. DUNCAN RE: DEFENDANTS' OBJECTIONS	0.20
05/29/2002	P	PREPARED CORRESPONDENCE TO BE FAXED TO ALICE PENA REGARDING FEDERAL DEFENDANTS' OBJECTIONS TO MAGISTRATE JUDGE'S REPORT	0.20
05/29/2002	RJS	LETTER TO TOBY BRIGHAM, ESQUIRE REGARDING RECOMMENDATION BY MAGISTRATE JUDGE O'SULLIVAN	0.30
05/31/2002	RW	REVIEWED OBJECTIONS OF DEFENDANTS AND REPORT; OUTLINED ISSUES AND ARGUMENT	2.30
06/03/2002	RW	LEGAL RESEARCH AND DRAFTED RESPONSE TO DEFENDANTS' OBJECTIONS TO REPORT	4.30
06/04/2002	RW	REVIEWED RECORD AND BRIEFS AND DRAFTED RESPONSE TO DEFENDANTS' OBJECTIONS TO REPORT	2.50
06/07/2002	RW	REVIEWED ADMINISTRATIVE RECORD AND DRAFTED MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' OBJECTIONS TO MAGISTRATE'S REPORT	6.50
06/07/2002	RW	REVIEWED AND REVISED MEMORANDUM IN OPPOSITION TO DEFENDANTS' OBJECTIONS TO MAGISTRATE'S REPORT	0.80
06/10/2002	RW	REVIEWED AND REVISED RESPONSE TO DEFENDANTS' OBJECTIONS TO MAGISTRATE'S REPORT	1.10
06/10/2002	RW	TELEPHONE CONVERSATION WITH D. DUNCAN	0.10

RE: FILING AMICUS BRIEF

06/11/2002	P	CORRESPONDENCE TO ALICE PENA REGARDING OUR RESPONSE TO DEFENDANTS' OBJECTIONS TO REPORT AND RECOMMENDATIONS OF MAGISTRATE JUDGE	0.20
06/11/2002	RW	RECEIVED AND REVIEWED MEMORANDUM OF AMICI IN OPPOSITION TO DEFENDANTS' OBJECTIONS TO MAGISTRATE'S REPORT	0.30
06/26/2002	RJS	RECEIVED E-MAIL FROM TERRY RICE REGARDING PARAGON FOUNDATION TO CONDUCT SOUTH FLORIDA PROPERTY RIGHTS MEETING	0.20
07/08/2002	RJS	RECEIVED AND REVIEWED EXECUTED ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT THAT WAS ENTERED BY JUDGE MOORE UPHOLDING MAGISTRATE JUDGE'S RECOMMENDATION	0.30
07/08/2002	RJS	RECEIVED AND REVIEWED EXECUTED ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT THAT WAS ENTERED BY JUDGE MOORE UPHOLDING MAGISTRATE JUDGE'S RECOMMENDATION	0.30
07/08/2002	RW	REVIEWED ORDER; TELEPHONE CONVERSATION WITH S. NICKELSBURG RE: ORDER	0.20
07/08/2002	RW	LEGAL RESEARCH AND DRAFTED MOTION FOR ATTORNEY'S FEES AND COSTS AND SUPPORTING MEMORANDUM OF LAW	2.90
07/09/2002	RW	REVIEWED TIME RECORDS RE: MOTION FOR FEES	1.50
07/09/2002	RW	LEGAL RESEARCH AND DRAFTED MOTION FOR FEES AND MEMORANDUM OF LAW	1.20
07/09/2002	RW	LEGAL RESEARCH AND DRAFTED MOTION FOR ENTRY OF FINAL JUDGMENT, MEMORANDUM OF LAW, AND PROPOSED FINAL JUDGMENT	1.80
07/09/2002	RW	DRAFTED FAXES TO J. LORION AND S. NICKELSBURG RE: PROPOSED FINAL JUDGMENT	0.20

07/10/2002	RW	REVIEWED EMAIL FROM S. NICKELSBURG; REVISED MOTION AND PROPOSED FINAL JUDGMENT	0.30
07/10/2002	RW	DRAFTED AFFIDAVIT OF CUELI IN SUPPORT OF MOTION FOR FEES; DRAFTED CORRESPONDENCE TO A. PENA CONCERNING SAME	0.40
07/11/2002	RW	LEGAL RESEARCH AND DRAFTED MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR FEES	1.20
07/12/2002	RJS	RECEIVED AND REVIEWED ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT	0.10
07/23/2002	RW	REVIEWED AND REVISED MOTION FOR FEES AND EXHIBITS	1.40
07/23/2002	RW	TELEPHONE CONVERSATION WITH M. CLIFFORD RE: OBJECTIONS TO MOTION FOR FEES	0.10

EXHIBIT "B"
EXPENSES INCURRED BY HARDEMAN & SUAREZ, P.A.

02/07/2001	13 PHOTOCOPIES	\$ 4.55
02/13/2001	13 FACSIMILE	13.00
02/15/2001	26 FACSIMILE	26.00
02/16/2001	18 PHOTOCOPIES	6.30
02/20/2001	3 PHOTOCOPIES	1.05
02/21/2001	13 PHOTOCOPIES	4.55
02/22/2001	Check # 15993 to CLERK OF THE COURT; disbursement for: FILING FEES	150.00
02/22/2001	31 PHOTOCOPIES	10.85
02/26/2001	111 PHOTOCOPIES	38.85
02/28/2001	6 POSTAGE	13.50
03/05/2001	13 PHOTOCOPIES	4.55
03/05/2001	14 FACSIMILE	14.00
03/07/2001	Check # 16016 to ATTORNEY SERVICES; disbursement for: SUMMONS RE USA, UNITED STATE ATTORNEY GUY LEWIS	25.00
03/07/2001	Check # 16020 to MIAMI EXPRESS COURIER CORP.; disbursement for: EXPRESS MAIL	40.50
03/07/2001	52 PHOTOCOPIES	18.20
03/15/2001	Check # 16041 to WESTLAW; disbursement for: ONLINE RESEARCH	8.75
03/16/2001	9 FACSIMILE	9.00
03/22/2001	5 PHOTOCOPIES	1.75
03/28/2001	20 PHOTOCOPIES	7.00
03/28/2001	6 POSTAGE	2.88
03/30/2001	40 PHOTOCOPIES	14.00
04/02/2001	14 FACSIMILE	14.00
04/04/2001	20 PHOTOCOPIES	7.00
04/04/2001	8 FACSIMILE	8.00
04/09/2001	1 PHOTOCOPIES	0.35
04/12/2001	21 PHOTOCOPIES	7.35
04/24/2001	1 PHOTOCOPIES	0.35
04/27/2001	1 POSTAGE	6.10
05/05/2001	Check # 16188 to MIAMI EXPRESS COURIER CORP.; disbursement for: EXPRESS MAIL	14.75
05/08/2001	6 PHOTOCOPIES	2.10
05/09/2001	5 PHOTOCOPIES	1.75
05/31/2001	1 POSTAGE	1.36
06/10/2001	13 PHOTOCOPIES	4.55

06/11/2001	1 PHOTOCOPIES	0.35
06/13/2001	6 PHOTOCOPIES	2.10
06/20/2001	1 PHOTOCOPIES	0.35
06/24/2001	13 POSTAGE	9.42
06/25/2001	1 PHOTOCOPIES	0.35
06/29/2001	11 FACSIMILE	11.00
07/02/2001	5 PHOTOCOPIES	1.75
07/03/2001	1 PHOTOCOPIES	0.35
07/09/2001	1 POSTAGE	5.65
07/15/2001	3 FACSIMILE	3.00
07/16/2001	2 FACSIMILE	2.00
07/18/2001	6 FACSIMILE	6.00
07/28/2001	1 PHOTOCOPIES	0.35
07/30/2001	1 PHOTOCOPIES	0.35
07/30/2001	6 FACSIMILE	6.00
07/31/2001	2 PHOTOCOPIES	0.70
07/31/2001	8 FACSIMILE	8.00
08/07/2001	2 PHOTOCOPIES	0.70
08/08/2001	1 PHOTOCOPIES	0.35
08/10/2001	6 FACSIMILE	6.00
08/14/2001	1 PHOTOCOPIES	0.35
08/15/2001	9 PHOTOCOPIES	3.15
08/17/2001	1 PHOTOCOPIES	0.35
08/20/2001	11 PHOTOCOPIES	3.85
08/28/2001	3 FACSIMILE	3.00
09/04/2001	1 POSTAGE	0.44
09/04/2001	1 PHOTOCOPIES	0.35
09/09/2001	14 PHOTOCOPIES	4.90
09/10/2001	Check # 16536 to PRINTING STATION; disbursement for: PHOTOCOPIES	15.87
09/14/2001	277 PHOTOCOPIES	96.95
09/24/2001	6 POSTAGE	14.65
09/24/2001	70 PHOTOCOPIES	24.50
09/28/2001	36 PHOTOCOPIES	12.60
10/08/2001	22 PHOTOCOPIES	7.70
10/10/2001	Check # 16609 to PRINTING STATION; disbursement for: PHOTOCOPIES	53.95
10/11/2001	18 POSTAGE	14.12
10/11/2001	50 PHOTOCOPIES	17.50
10/30/2001	63 PHOTOCOPIES	22.05
10/31/2001	1 INTEREST UNPAID BALANCE	132.56
11/01/2001	2 PHOTOCOPIES	0.70
11/02/2001	1 PHOTOCOPIES	0.35

11/06/2001	16 PHOTOCOPIES	5.60
11/07/2001	1 LONG DISTANCE CALLS	0.58
11/08/2001	Check # 16682 to PACER SERVICE CENTER; disbursement for: COPIES	11.34
11/09/2001	4 PHOTOCOPIES	1.40
11/20/2001	Check # 16715 to LANGUAGESPEAK, INC; disbursement for: INTERPRETER	60.00
11/30/2001	17 POSTAGE	14.36
11/30/2001	1 PHOTOCOPIES	0.35
11/30/2001	1 INTEREST UNPAID BALANCE	170.71
12/05/2001	1 LONG DISTANCE CALLS	0.58
12/06/2001	131 PHOTOCOPIES	45.85
12/08/2001	Check # 16737 to WEST GROUP; disbursement for: ONLINE RESEARCH	510.34
12/11/2001	16 PHOTOCOPIES	5.60
12/11/2001	1 LONG DISTANCE CALLS	0.58
12/12/2001	7 FACSIMILE	14.00
12/12/2001	1 LONG DISTANCE CALLS	1.15
12/21/2001	16 PHOTOCOPIES	5.60
12/21/2001	3 FACSIMILE	3.00
12/27/2001	15 POSTAGE	12.10
12/31/2001	1 INTEREST UNPAID BALANCE	179.90
01/02/2002	2 FACSIMILE	2.00
01/07/2002	133 PHOTOCOPIES	46.55
01/10/2002	20 FACSIMILE	20.00
01/11/2002	1 PHOTOCOPIES	0.35
01/15/2002	3 FACSIMILE	3.00
01/25/2002	13 POSTAGE	10.28
01/30/2002	Check # 16865 to MIAMI EXPRESS COURIER CORP.; disbursement for: COURIER SERVICE	14.75
01/31/2002	1 INTEREST UNPAID BALANCE	243.63
02/28/2002	9 POSTAGE	3.96
02/28/2002	1 INTEREST UNPAID BALANCE	251.13
03/05/2002	2 FACSIMILE	2.00
03/14/2002	2 PHOTOCOPIES	0.70
03/14/2002	3 FACSIMILE	3.00
03/15/2002	183 PHOTOCOPIES	64.05
03/29/2002	11 POSTAGE	7.42
03/31/2002	1 INTEREST UNPAID BALANCE	297.19
04/21/2002	Check # 17071 to LEXISNEXIS; disbursement for: MARCH CHARGES	0.29
05/03/2002	3 FACSIMILE	3.00

05/13/2002	23 PHOTOCOPIES	\$ 8.05
05/13/2002	97 FACSIMILE	121.00
05/17/2002	1 LONG DISTANCE CALLS	0.10
05/23/2002	1 LONG DISTANCE CALLS	0.58
05/28/2002	24 PHOTOCOPIES	8.40
05/28/2002	25 FACSIMILE	50.00
05/29/2002	23 PHOTOCOPIES	8.05
05/29/2002	25 FACSIMILE	25.00
05/31/2002	1 POSTAGE	1.58
05/31/2002	1 INTEREST UNPAID BALANCE	3 32.51
06/05/2002	24 PHOTOCOPIES	8.40
06/10/2002	58 PHOTOCOPIES	20.30
06/10/2002	1 LONG DISTANCE CALLS	0.58
06/11/2002	Check # 17200 to LEXISNEXIS; disbursement for: ONLINE RESEARCH	3.69
06/11/2002	15 FACSIMILE	15.00
06/20/2002	Check # 17223 to MIAMI EXPRESS COURIER CORP.; disbursement for: COURIER SERVICE	14.75
06/27/2002	1 POSTAGE	2.58
06/30/2002	1 INTEREST UNPAID BALANCE	337.50
07/02/2002	8 FACSIMILE	12.00
07/02/2002	1 LONG DISTANCE CALLS	6.92
07/08/2002	6 FACSIMILE	6.00
07/08/2002	6 FACSIMILE	6.00
07/09/2002	29 PHOTOCOPIES	10.15
07/09/2002	24 FACSIMILE	45.00
07/15/2002	Check # 17282 to LEXISNEXIS; disbursement for: online research	11.39
07/22/2002	Check # 17289 to MIAMI EXPRESS COURIER CORP.; disbursement for: COURIER	14.75
07/22/2002	10 FACSIMILE	20.00
TOTAL:		\$4,083.22