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9 Of Attorneys for Sunwest Investors  
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12 IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

13 **ROBERT T. and NANCY L. DEVANEY,**  
14 husband and wife; **R DEVANEY'S**  
15 **CHESTNUT HILL, LLC; N DEVANEY'S**  
16 **CHESTNUT HILL, LLC; R DEVANEY'S**  
17 **NIELSEN COMPLEX, LLC; N**  
18 **DEVANEY'S NIELSEN COMPLEX, LLC;**  
19 **R DEVANEY'S VILLAG AT LAKE**  
20 **NORMAN, LLC; and N DEVANEY'S**  
21 **VILLAGE AT LAKE NORMAN, LLC,** all  
22 Oregon limited liability companies; **MIKE**  
23 **DUNN, MRD PROPERTIES, LLC,** and  
24 **DUNN'S WATERFORD, LLC,** an Oregon  
25 limited liability company; **JOHN E. and**  
26 **MARY JANE SEMASKO,** husband and wife,  
and individually and as trustees of the Semasko  
Living Trust dated 1-31-95; **SEMASKO'S**  
**ENGLEWOOD HEIGHTS, LLC;**  
**SEMASKO'S CHESTNUT HILL, LLC;**  
**SEMASKO'S CORINTHIANS, LLC;** and  
**SEMASKO'S CARNEGIE VILLAGE, LLC,**  
Oregon limited liability companies, by and in  
their own behalf and in behalf of everyone  
similarly situated,,

Plaintiffs,

Civil No. 6:10-cv-06134-HO

**DECLARATION OF RICHARD S.  
YUGLER IN SUPPORT OF  
REQUEST FOR AWARD OF  
CONTINGENT ATTORNEY FEES**

Page 1 - DECLARATION OF RICHARD S. YUGLER IN SUPPORT OF REQUEST FOR  
AWARD OF CONTINGENT ATTORNEY FEES

v.

**DAVIS WRIGHT TREMAINE, LLP**, a  
Washington limited liability partnership,

Defendant.

I, RICHARD S. YUGLER, declare upon personal knowledge as follows:

(1) I have personal knowledge of the matters set forth herein. This Declaration is submitted in support of the joint fee petition of Esler Stephens and Buckley (“ESB”) and Landye Bennett Blumstein, LLP (“LBB”) for an amount out of the common settlement fund to compensate such counsel for contingent fee representation of certain third-party claimants.

(2) I am co-counsel with Michael Esler as attorneys for certain third-party claimants in connection with their prosecution of third-party claims (“TPC”) against Davis Wright Tremaine (“DWT”), specifically with respect to the prosecution of securities claims in the Circuit Court of the State of Oregon for the County of Multnomah, entitled: *B. Fletcher’s Town Village LLC, et al. v. Davis Wright Tremaine LLP, et al.*, Case No. 0901-00827; *Blatchley’s Fisher’s Landing LLC, et al. v. Davis Wright Tremaine LLP, et al.*, Case No. 0810-14167, and *Alleman’s Kensington LLC, et al. v. Davis Wright Tremaine LLP*, Case No. 0812-180201.

(3) Mr. Esler and his firm, Esler Stephens & Buckley (“ESB”), and my law firm, Landye Bennett Blumstein LLP (“LBB”), jointly represent over 300 third-party claimants on a contingent fee basis in connection with their prosecution of third-party claims against certain professionals. On October 16, 2008, ESB and LBB agreed to join together in representing these third-party claimants. Pursuant to that agreement, the total award of fees to ESB and LBB, to be earned on a contingent fee basis from our joint efforts, would be divided based on a ratio calculated from the product of hours worked by the billing lawyers and paralegals billed at the normal billing rates by each firm. Should the Court enter an Order permitting ESB and LBB to be compensated on a contingent fee basis from the common fund of third-party recoveries, the

1 total fees awarded to ESB and LBB will be divided based on the ratio noted, even if rates higher  
 2 than the normal hourly rates are charged by professionals at such firms.

3 (4) By Order of the Court on June 2, 2009, the court noted that ESB and LBB jointly  
 4 represented third-party investors against certain third parties in the above pending litigation that  
 5 arose out of or related to transactions or occurrences involving the Receivership Entities or  
 6 principals of the Receivership Entities. Although the Court's Order determined that the Receiver  
 7 was authorized to employ ESB and LBB as special litigation counsel to assist the Receiver in the  
 8 mediation of third-party claims, no formal agreement was signed with the Receiver for the  
 9 compensation of ESB and LBB for such services. However, the Receiver agreed to recommend  
 10 12.5% of the recovery as a reasonable contingent fee and the law firms agreed to accept that  
 11 amount.

12 (5) Attached to this declaration as Exhibit 1 is a detailed statement setting forth the hours  
 13 and services arising from and related to this matter undertaken by LBB from our initial  
 14 engagement through the present date. LBB anticipates being compensated on a contingent fee  
 15 basis from the common fund recovered from settlement of third-party claims, particularly the  
 16 recovery obtained from Davis Wright Tremaine LLP, which should be greater than the standard  
 17 hourly rates. However, a summary of the time provided by each timekeeper of the detailed  
 18 information set forth in Exhibit 1, if compensated at hourly rates, is as follows:

<u>Timekeeper</u>	<u>Position</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Richard S. Yugler	Partner	411.05	450	\$ 184,972.50
Michelle McClure	Partner	36.80	250	\$ 9,200.00
Thane W. Tienson	Partner	6.25	300	\$ 1,875.00
James C. Crane	Partner	11.35	275	\$ 3,121.25
Sandra Bledsoe	Paralegal	102.25	110	\$ 11,247.50
Joseph F. Larson	Paralegal	5.00	150	\$ 750.00
	Total:	572.70		\$ 211,166.25

1 (6) Attached to this declaration as Exhibit 2 is a detailed statement setting forth the costs  
2 and expenses advanced by LBB from our initial engagement through the present date.

3 I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING  
4 IS TRUE AND CORRECT.

5 Executed on this 20<sup>th</sup> day of December, 2010.

6  
7 /s/ Richard S. Yugler  
8 Richard S. Yugler, OSB No. 80416

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## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Meet with attorneys regarding participation in Esler firm's document management system;				
TIME	10/16/2008	JFL	T	Attend meeting at Esler firm regarding document management system;	0.8	150		120
TIME	10/17/2008	JFL	T	Review Esler e-mail regarding document management system, e-mail to Richard S. Yugler with comments;	1.5	150		225
TIME	10/23/2008	JFL	T	Confer with Richard S. Yugler regarding document management issues;	0.6	150		90
TIME	10/28/2008	JFL	T	Assist Sandra G. Bledsoe with loading imaged documents into Summation database;	0.3	150		45
TIME	2/2/2009	JFL	T	Confer with Sandra G. Bledsoe regarding document imaging issues;	0.4	150		60
TIME	2/3/2009	JFL	T	Communications with Bridge City regarding format of revised disks;	0.6	150		90
TIME	2/11/2009	JFL	T	Confer with Sandra G. Bledsoe regarding database issues viz Davis Wright production;	0.2	150		30
TIME	8/14/2009	JFL	T	Confer with Sandra G. Bledsoe regarding database management;	0.5	150		75
TIME	8/19/2009	JFL	T	Conference with Richard S. Yugler regarding claims against agents and brief legal research regarding same;	0.1	150		15
TIME	5/28/2009	JSC	T	Legal issue and analyze issues for proposal for claims against agents;	0.5	275		137.5
TIME	5/29/2009	JSC	T	Legal research regarding proceedings against brokers;	2.5	275		687.5
TIME	6/1/2009	JSC	T	Legal research regarding proceedings against brokers	0.1	275		27.5
TIME	6/1/2009	JSC	T	Review and analyze spreadsheet of potential claims; begin letter to receiver;	1.5	275		412.5
TIME	6/2/2009	JSC	T	Draft and revise letter to receiver;	3	275		825
TIME	6/3/2009	JSC	T		2	275		550

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	9/8/2009	JSC	T	Review pleadings and conference with Mr. Stephens and Mr. Esler;	1.75	275		481.25
TIME			T	Conference with Richard S. Yugler, Sandy G. Bledsoe and Joseph F. Larson regarding case status and upcoming meeting;				
TIME	10/16/2008	MKM	T	Attend conference with Bridge City regarding discovery tools and practices.	0.5	250		125
TIME	10/17/2008	MKM	T	Conference with R. Yugler regarding matter status;	1.5	250		375
TIME	11/12/2008	MKM	T	conference with Mike Esler's office regarding same; Review documents;	1.3	250		325
TIME	11/20/2008	MKM	T	conference with Richard S. Yugler; conference with Richard S. Yugler and Esler team; follow up conference with Richard S. Yugler;	1.9	250		475
TIME	11/24/2008	MKM	T	Research related to national Sunwest lawsuits;	3	250		750
TIME			T	Conference with Rick Yugler regarding matter status; follow up conference regarding research regarding class action opt out provision; review complaint.				
TIME	2/13/2009	MKM	T	Research regarding class action opt out options.	1.8	250		450
TIME	2/15/2009	MKM	T	Further research regarding potential to limit opt out member, including research and review regarding ABA opinion related to attorney contact of putative class members.	3.5	250		875
TIME	2/16/2009	MKM	T	Conference with Rick Yugler regarding findings related to limitation of opt out risk of putative class members; research regarding same;	2	250		500
TIME	2/17/2009	MKM	T	conferences regarding same. Conference with Rick Yugler regarding strategy for settlement within bankruptcy court.	2.8	250		700
TIME	2/18/2009	MKM	T		0.2	250		50

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/19/2009	MKM	T	Further research regarding potential to claims against third party non-debtor.	1.5	250		375
TIME	2/23/2009	MKM	T	Further research regarding potential for channeling claims against DWT into bankruptcy court to facilitate settlement; conference with Rick Yugler regarding same.	4	250		1000
TIME	2/24/2009	MKM	T	Research potential to bar non debtor claims in bankruptcy; attend meeting regarding same.	6.5	250		1625
TIME	2/25/2009	MKM	T	Review of additional case law to develop strategy to encourage defendant's tender of policy.	2.5	250		625
TIME	2/26/2009	MKM	T	Further research regarding potential strategy to encourage tender of policy limits; conference with Rick Yugler regarding same; conference with John Stephens regarding same.	3.8	250		950
TIME	9/24/2008	RSY	T	Conference with Esler, Stevens and Buckley about Sunwest securities litigation;	1.5	450		675
TIME	10/16/2008	RSY	T	Conference with staff regarding technology meeting;	0.5	450		225
TIME	10/23/2008	RSY	T	Telephone conference with Mike Esler;	0.25	450		112.5
TIME	10/27/2008	RSY	T	Meeting with Esler, Stevens and Buckley regarding case management and organization;	1.5	450		675
TIME	10/28/2008	RSY	T	Review file materials from Esler, Stephens and Buckley with clients and correspondence regarding discovery organization;	2.5	450		1125
TIME	11/4/2008	RSY	T	Review Nashville Sr. bankruptcy objections to Asset Purchase Agreement;	0.5	450		225
TIME	11/12/2008	RSY	T	Conference with Michelle K. McClure regarding discovery organization and work tasks;	0.2	450		90
TIME	11/17/2008	RSY	T	Review private placement memoranda for Fisher's Landing;	2	450		900

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	11/19/2008	RSY	T	Call with Mike Esler regarding class action complaint;	0.2	450		90
TIME	11/20/2008	RSY	T	Complete review of offering materials;	1.75	450		787.5
TIME	11/20/2008	RSY	T	Review document repository proposal;	0.5	450		225
TIME	11/20/2008	RSY	T	Web investigation of materials related to Sunwest;	2.25	450		1012.5
TIME	11/20/2008	RSY	T	Conference call with all counsel and paralegals regarding document retention and division of labor for prosecution of claims;	1.25	450		562.5
TIME	11/24/2008	RSY	T	Call with Mike Esler regarding potential action by Oregon Attorney General and preparation of file memorandum regarding ORS 59.331;	1	450		450
TIME	11/24/2008	RSY	T	Attend meeting at Esler Stephens & Buckley with George Kirkland;	1.5	450		675
TIME	11/24/2008	RSY	T	Meeting with Mike Esler, Kim Buckley regarding response to potential class action filing;	0.25	450		112.5
TIME	11/25/2008	RSY	T	Revise memorandum to Esler Stephens & Buckley regarding attorney general receivership;	0.2	450		90
TIME	12/15/2008	RSY	T	Begin review of Oklahoma City Seniro Living documents	1.5	450		675
TIME	12/19/2008	RSY	T	Review Oklahoma City Senior LLC operating agreement	1.25	450		562.5
TIME	12/23/2008	RSY	T	Review Town Village offering documents	5	450		2250
TIME	12/23/2008	RSY	T	Correspondence with co-counsel and telephone conference regarding review of plaintiff/investor list for draft of Town Village complaint	2.5	450		1125
TIME	12/29/2008	RSY	T	Continue review of Town Village materials for preparation of complaint	2.5	450		1125
TIME	12/30/2008	RSY	T	Continue analysis of securities claim	5.25	450		2362.5
TIME	1/2/2009	RSY	T	Review documents regarding financing of Town Village property for draft of non-disclosures of material fact	4.5	450		2025

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Conference with Sandra Bledsoe regarding organization of additional documentation for other Assisted Living Facilities, Harder bankruptcy and Hobbs investors				
TIME	1/5/2009	RSY	T	Finalize material non-disclosure misrepresentation allegations in Town Village complaint	0.25	450		112.5
TIME	1/5/2009	RSY	T	Complete first draft of Town Village complaint	6	450		2700
TIME	1/6/2009	RSY	T	Final edit of Town Village complaint	6.5	450		2925
TIME	1/7/2009	RSY	T	Correspondence with co-counsel regarding clarification of investment amounts in Town Village;	1.5	450		675
TIME	1/7/2009	RSY	T	Review general correspondence regarding status of mediation and harder bankruptcy	0.5	450		225
TIME	1/7/2009	RSY	T	Review response to motion to change venue and motion to dismiss filed in Fisher's Landing case; prepare Notice of Association of Counsel	0.25	450		112.5
TIME	1/9/2009	RSY	T	Reply to ESB email about tax advice for clients	0.5	450		225
TIME	1/12/2009	RSY	T	Call to Kim Buckley; call with Mike Esler regarding review of Town Village complaint	0.25	450		112.5
TIME	1/13/2009	RSY	T	Meeting with Kim Buckley and Mike Esler regarding finalization of Town Village complaint; exclusion of non-registration claim and opposition to consolidation of claims; review edits and changes from ESB to complaint	0.5	450		225
TIME	1/14/2009	RSY	T	Call with Kim Buckley regarding inconsistent investor lists for Town Village TIC purchasers	2.75	450		1237.5
TIME	1/15/2009	RSY	T		0.25	450		112.5

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Conference with staff regarding further investigation of Town Village investor lists; review all investor lists for identification of amounts and identities of investors				
TIME	1/15/2009	RSY	T	Incorporate changes to analysis of Town Village fraud allegations	1.25	450		562.5
TIME	1/15/2009	RSY	T	Modifications to complaint in Town Village with ESB changes and pro forma changes due to modified investor lists	2.25	450		1012.5
TIME	1/15/2009	RSY	T	Finalize complaint and correspondence to co-counsel	1.75	450		787.5
TIME	1/16/2009	RSY	T	Phone conference with John Stephens regarding his changes to complaint	1.25	450		562.5
TIME	1/16/2009	RSY	T	Meeting with Michelle K. McClure regarding Hobbs landing offering memorandum	0.5	450		225
TIME	1/16/2009	RSY	T	Call with Joe Arellano regarding service of summons and complaint; correspondence with co-counsel	0.75	450		337.5
TIME	1/19/2009	RSY	T	Correspondence regarding additional investors and preparation of additional complaints for more facilities	0.4	450		180
TIME	1/19/2009	RSY	T	Call with John Stephens; review of motion to dismiss and for change of venue hearing	0.25	450		112.5
TIME	1/20/2009	RSY	T	Attend hearing on motion to dismiss and change of venue	0.4	450		180
TIME	1/21/2009	RSY	T	Meeting with Mike Esler and John Stephens regarding seller liability under Oregon Securities Law; case status	1	450		450
TIME	1/21/2009	RSY	T	Meeting with Kim Buckley and Gary Greenley regarding Harder bankruptcy hearing and TIC investor strategy	1	450		450
TIME	1/21/2009	RSY	T	Attend Harder bankruptcy hearing	1.5	450		675

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	1/21/2009	RSY	T	Meeting with Keven Anslem, Dan Rosenhouse, Steve English and Mike Esler regarding Attorney General securities litigation for TIC investors	1.25	450		562.5
TIME	1/22/2009	RSY	T	Telephone conference with David Leith and Keith Dubanovich at DOJ; correspondence with DOJ	1	450		450
TIME	1/23/2009	RSY	T	Conference with Mitchel R. Cohen regarding TIC and 1031 tax treatment	0.5	450		225
TIME	1/27/2009	RSY	T	Correspondence w/ opposing counsel and with court regarding service of summons	0.3	450		135
TIME	1/27/2009	RSY	T	Review correspondence from co-counsel regarding Harder bankruptcy testimony and evidence	0.4	450		180
TIME	1/27/2009	RSY	T	Conference call with Mike Esler regarding strategy for settlement conference, TIC investor pools and State of Oregon quasi-receivership	1	450		450
TIME	1/28/2009	RSY	T	Correspondence regarding tolling agreement and SOL dates; conference with Sandy Bledsoe regarding importation of discovery documents into summation database	0.75	450		337.5
TIME	1/29/2009	RSY	T	Telephone conferece with investors McLennan and Carver regarding Hilton Head	0.75	450		337.5
TIME	1/29/2009	RSY	T	Conference with Sandy Bledsoe regarding priority and SOL identification of investments	0.25	450		112.5
TIME	1/29/2009	RSY	T	Call from Jack Platten regarding claims against Dick Wilde	0.25	450		112.5
TIME	1/29/2009	RSY	T	Conference call with all investors counsel	1	450		450
TIME	1/31/2009	RSY	T	Call with Mike Esler regarding Harder offer to sell certain TIC properties	0.4	450		180

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/2/2009	RSY	T	Review DOJ materials, call with Chris Fowler at DCBS; dictation of draft letter to Kevin Anselm regarding settlement	3	450		1350
TIME	2/3/2009	RSY	T	Revise draft correspondence to Kevin Anselm	0.5	450		225
TIME	2/3/2009	RSY	T	Review Harder Plan of Reorganization; correspondence to co-counsel regarding priority of filing of further securities complaints	0.5	450		225
TIME	2/3/2009	RSY	T	Call with Barbara Howard	0.2	450		90
TIME	2/4/2009	RSY	T	Review draft mediation submission, and revise same	1	450		450
TIME	2/5/2009	RSY	T	Call with Mike Esler regarding mediation; review final mediation statement	0.5	450		225
TIME	2/6/2009	RSY	T	Meetings with Mike Esler regarding mediation; attend mediation in federal court	3	450		1350
TIME	2/6/2009	RSY	T	Conference with Stuart K. Cohen and David L. Blount regarding settlement strategy	1	450		450
TIME	2/10/2009	RSY	T	Review correspondence and Call with Mike Esler regarding status of creditors committee and response to Judge Hogan	0.25	450		112.5
TIME	2/10/2009	RSY	T	Discussion with Keith Dubanivich regarding claims bar from State of Oregon	0.25	450		112.5
TIME	2/11/2009	RSY	T	Call from Mike Esler regarding joint prosecution and referral agreements	0.25	450		112.5
TIME	2/11/2009	RSY	T	Begin draft of referral agreement among plaintiff's counsel	2.75	450		1237.5
TIME	2/12/2009	RSY	T	Continue preparation of referral agreement among plaintiff's counsel	5.25	450		2362.5
TIME	2/13/2009	RSY	T	Attend meeting of TIC creditors committee	2	450		900
TIME	2/13/2009	RSY	T	Attend meeting with general creditors at Bullivant Houser Conference with Joe Arellano regarding claims bar and settlement; confer with Michelle K. McClure regarding Rule 32 research	2	450		900
TIME	2/13/2009	RSY	T		1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Call with Mike Esler regarding Chestnut Hill case; status of mediation with Judge Hogan and Harder statement; status of claims bar efforts with DWT and plaintiff's counsel fee				
TIME	2/13/2009	RSY	T	divisions	0.75	450		337.5
TIME	2/16/2009	RSY	T	Attend bankruptcy mediation	6.5	450		2925
TIME	2/16/2009	RSY	T	Attend interview of Jon Harder	3	450		1350
TIME	2/17/2009	RSY	T	Conference with staff regarding Vista Pointe offering	0.1	450		45
				Call with Mike Esler regarding claims bar and Harder interview; telephone conference with Michelle K. McClure regarding using bankruptcy procedures for claims bar				
TIME	2/17/2009	RSY	T	Conference with Sandy Bledsoe regarding document organization with ESB	0.5	450		225
TIME	2/17/2009	RSY	T	Review Vista Pointe offering memorandum and draft complaint; correspondence with Mike Esler regarding complaint allegations	0.25	450		112.5
TIME	2/19/2009	RSY	T	Research US Supt Ct case regarding Traveler's Indemnity for bankruptcy channelling injunction as means to bar creditors from suing 3rd parties; call with John Stephens	5.25	450		2362.5
TIME	2/20/2009	RSY	T	Participate in investor conference call	1.5	450		675
TIME	2/20/2009	RSY	T	Correspondence	1	450		450
TIME	2/20/2009	RSY	T	Conference call with Mike Esler regarding status of Vista Pointe complaint and division of tasks for further mediation efforts	0.1	450		45
TIME	2/21/2009	RSY	T	Conference call with Mike Esler regarding status of Vista Pointe complaint and division of tasks for further mediation efforts	0.5	450		225
				Calls with Kevin Anselm; calls with Steve English regarding status of mediation; conferences regarding continued mediation in Eugene				
TIME	2/23/2009	RSY	T	Review and comment on tolling agreement	0.9	450		405
TIME	2/23/2009	RSY	T		0.4	450		180

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/23/2009	RSY	T	Review Town Village additional client materials regarding Olsons Town Village	0.4	450		180
TIME	2/23/2009	RSY	T	Review cases and analysis from Michelle K. McClure regarding channelling injunction for settlement of creditors claims against third parties	2.25	450		1012.5
TIME	2/24/2009	RSY	T	Finish review of Hilton Head PPM; Conference call and correspondence with Mac McClennan; correspondence with Scott McClennan and ESB office regarding additional clients for ML-7 investors	1.25	450		562.5
TIME	2/24/2009	RSY	T	Calls and correspondence with Kevin Anselm, Steven English regarding meetings; conference call with John Stephens regarding claims bar research and meeting with Michelle K. McClure regarding channelling order for claims bar	0.5	450		225
TIME	2/24/2009	RSY	T	Meeting at ESB with Michelle K. McClure regarding channelling injunction as method for claims bar	1.75	450		787.5
TIME	2/24/2009	RSY	T	Correspondence regarding further mediation meetings	0.25	450		112.5
TIME	2/24/2009	RSY	T	Conference call with Ford Elsasser regarding forensic accountant interview	0.6	450		270
TIME	2/25/2009	RSY	T	Revise and redline tolling agreement	1	450		450
TIME	2/25/2009	RSY	T	Correspondence with Bridge Forensics regarding meeting	0.25	450		112.5
TIME	2/25/2009	RSY	T	Review bankruptcy opinion and order on injunction	0.5	450		225
TIME	2/25/2009	RSY	T	Meeting with Colleen Lowmiller, Louis Robichaux,, David Phelps, and Mike Esler regarding Bridge Associates as potential consulting CPA to TIC investors	2	450		900

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/26/2009	RSY	T	Meeting with Kevin Anselm and Chris Fowler and Mike Esler regarding State DBCS involvement in investors claims and status of regulatory action	1.25	450		562.5
TIME	2/26/2009	RSY	T	Meeting with Steve English and others regarding plan of action for cooperation in securities prosecution against DWT	1.75	450		787.5
TIME	2/26/2009	RSY	T	Meeting with John Stephens; Gary Hardman regarding discovery	0.4	450		180
TIME	2/26/2009	RSY	T	Meeting with Michelle K. McClure regarding research results regarding channelling injunction and further research regarding attorney client privilege in discovery	0.75	450		337.5
TIME	2/26/2009	RSY	T	Review draft Wyndmoor complaint	1	450		450
TIME	2/26/2009	RSY	T	Begin review of Wyndmoor offering memorandum	0.5	450		225
TIME	2/27/2009	RSY	T	Draft demand letter	2.5	450		1125
TIME	2/27/2009	RSY	T	Attend TIC investors meeting	2.5	450		1125
TIME	2/27/2009	RSY	T	Review of defendants RTP and call to Gary Hardman regarding modification of response	0.25	450		112.5
TIME	2/28/2009	RSY	T	Call with Mike Esler regarding SEC action and meetings for Sunday	0.5	450		225
TIME	3/1/2009	RSY	T	Meeting with Mike Esler and conference call with David Osiss	1.5	450		675
TIME	3/1/2009	RSY	T	Meeting with Harder's and Sunwests counsel regarding SEC suit and receivership motion	2	450		900
TIME	3/1/2009	RSY	T	Lunch meeting with Mike Esler regarding client contacts and TRO hearing	0.5	450		225
TIME	3/1/2009	RSY	T	Call with Ford Elsasser, general creditors committee regarding status of response to SEC filing	0.75	450		337.5
TIME	3/1/2009	RSY	T	Conference call with Marilee MacLean, Bill Brian and Mike Esler regarding response to SEC receivership motion	1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Travel to/from Eugene for SEC hearing and receivership negotiations				
TIME	3/2/2009	RSY	T	Pre-hearing meetings with counsel and attend SEC receivership/TRO hearing	4	450		1800
TIME	3/2/2009	RSY	T	Lunch meeting with Harder/Sunwest counsel regarding scope of proposed limited receivership	4	450		1800
TIME	3/2/2009	RSY	T	Attend mediation with Judge Hogan, with Sunwest counsel and SEC counsel regarding scope of special receivership	1	450		450
TIME	3/2/2009	RSY	T	Conference with Michelle K. McClure regarding status of SEC hearing; Call with Gary Hardman regarding SEC hearing and TIC committee	5	450		2250
TIME	3/3/2009	RSY	T	Revise response to request for production in Fishers Landing	0.4	450		180
TIME	3/3/2009	RSY	T	Call with Mike Esler regarding contact with receiver; call from Steve English regarding form of receivership order	2	450		900
TIME	3/3/2009	RSY	T	Conference call with Mike Esler regarding receivership engagement of securities counsel	0.4	450		180
TIME	3/4/2009	RSY	T	Call with Gary Hardman regarding discovery	0.25	450		112.5
TIME	3/4/2009	RSY	T	Correspondence with Bill Brian regarding meeting	0.25	450		112.5
TIME	3/4/2009	RSY	T	Call with Mike Esler regarding receivership status	0.1	450		45
TIME	3/4/2009	RSY	T	Meeting with Allen Gartner from US Attorney Office	0.25	450		112.5
TIME	3/4/2009	RSY	T	Correspondence regarding Sheila Stearns as new client	1.5	450		675
TIME	3/5/2009	RSY	T	Call with Mike Esler regarding status	0.2	450		90
TIME	3/5/2009	RSY	T	Review correspondence regarding form of receivership TRO; conference calls with Mike Esler, further conference call with David Osias	0.2	450		90
TIME	3/7/2009	RSY	T		1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	3/9/2009	RSY	T	Finish draft of response to defendant's request for production in Town Village	0.4	450		180
TIME	3/9/2009	RSY	T	Review Kurtz class action complaint	0.3	450		135
TIME	3/9/2009	RSY	T	Draft plaintiff's first request for production in Town Village	5.5	450		2475
TIME	3/9/2009	RSY	T	Conference calls with Mike Esler regarding receivership Order negotiations	0.5	450		225
TIME	3/9/2009	RSY	T	Attend meeting at Bullivant Houser regarding final negotiations over form of receivership Order	3.75	450		1687.5
TIME	3/10/2009	RSY	T	Review final proposed receivership Order; review motion to intervene	0.25	450		112.5
TIME	3/10/2009	RSY	T	Review changes to request for production in Town Village	0.4	450		180
TIME	3/10/2009	RSY	T	Review and provide further comment and changes to proposed tolling agreement with DWT	0.25	450		112.5
TIME	3/10/2009	RSY	T	Call with Mike Esler regarding receivership hearing; review final receivership order	0.5	450		225
TIME	3/12/2009	RSY	T	Review correspondence with TIC counsel and co-counsel; review changes to response to protective order	1	450		450
TIME	3/16/2009	RSY	T	Review correspondence regarding consolidation, mediation; call with Mike Esler	0.75	450		337.5
TIME	3/17/2009	RSY	T	Review DWT tax opinion; review Paul Connelly motions in SEC litigation; correspondence with co-counsel	0.9	450		405
TIME	3/18/2009	RSY	T	Respond to co-counsel about email from TIC committee regarding meeting and pooling of funds	0.75	450		337.5
TIME	3/18/2009	RSY	T	Meeting with Mike Esler regarding conference with receiver counsel	1	450		450
TIME	3/18/2009	RSY	T	Meeting with David Osias and David Zarov; Steve English and Mike Esler regarding receiver third party claims	3	450		1350

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Prepare for meeting with Management Committee; call with Mike Esler	1.25	450		562.5
TIME	3/19/2009	RSY	T	Meeting with Management Committee members	2.3	450		1035
				Call from Steve Walters regarding tolling agreement; correspondence with Gary Hardman;	0.5	450		225
TIME	3/23/2009	RSY	T	Call with Mike Esler regarding receivership, management committee and CRO meetings regarding pooling/tracing alternatives	0.25	450		112.5
TIME	4/1/2009	RSY	T	Call from Gina Johnie regarding pooling vs. tracing for client claims	0.3	450		135
				Call with Mike Esler regarding complex case designation for state court cases, claims bar and receivership employment; change of venue of SEC proceeding	0.75	450		337.5
TIME	4/7/2009	RSY	T	Call with Mike Esler regarding complex case designation and filing v. Thompson and Knight	0.25	450		112.5
				Review response to plaintiff's request for production in Town Village; draft correspondence to opposing counsel regarding objections to production requests	1.25	450		562.5
TIME	4/10/2009	RSY	T	Review Wyndmoor complaint	1.5	450		675
TIME	4/14/2009	RSY	T	Finish review of Wyndmoor draft complaint	1	450		450
TIME	4/16/2009	RSY	T	Meeting with Mike Esler regarding motion to designate case complex and SEC status	0.75	450		337.5
TIME	4/21/2009	RSY	T	Further review of Wyndmoor offering	3.5	450		1575
				Telephone conference with Stephen Walters, attorney for SEC receiver regarding motion hearing on complex case designation and SEC intervention	0.75	450		337.5
TIME	4/21/2009	RSY	T					

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper Code	Description	Time	Rate	Exp	Total
TIME	4/21/2009	RSY T	Attend hearing before Presiding Judge Jean K. Mauer regarding complex case and assignment to single judge for case coordination	1.25	450		562.5
TIME	4/22/2009	RSY T	Correspondence with ESB office regarding DWT communications with investors and upcoming Velure mediation	0.25	450		112.5
TIME	4/23/2009	RSY T	Review and revise fee proposal to receiver and David Osias for additional investor participation in state court litigation	1.5	450		675
TIME	4/23/2009	RSY T	Attend mediation before Judge Velure	5.3	450		2385
TIME	4/24/2009	RSY T	Correspondence regarding further mediation	0.25	450		112.5
TIME	4/27/2009	RSY T	Conference call with Mike Esler regarding court appearance; call with Thomas McDermott regarding suit v. CPA firms	0.4	450		180
TIME	4/28/2009	RSY T	Travel to/from Eugene for court appearance; attend hearing before Judge Hogan and conference with Mike Esler	8	450		3600
TIME	4/29/2009	RSY T	Correspondence to Judge Velure regarding mediation	0.4	450		180
TIME	4/29/2009	RSY T	Correspondence to staff regarding tolling agreement with CPA firm; revise tolling agreement and correspondence to Thomas McDermott	1.5	450		675
TIME	4/29/2009	RSY T	Review receiver report and correspondence to opposing counsel regarding discovery	1	450		450
TIME	4/29/2009	RSY T	Revise letter to David Osias and conference call with Mike Esler	1.25	450		562.5
TIME	4/29/2009	RSY T	Review Orders issued by USDC	0.5	450		225

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	4/30/2009	RSY	T	Mediation with Lyle Velure and meeting with counsel for TIC investors, Gary Greenley, Paul Connelly, Tiffany Elkins (for Garry Kahn), and Mike Esler, and Stephen English regarding prosecution of third party claims;	2.25	450		1012.5
TIME	4/30/2009	RSY	T	Further mediation meeting with all counsel and Judge Velure regarding third party claims	2	450		900
TIME	4/30/2009	RSY	T	Meeting with Dan Kepler and Gary Hardman, John Stephens and Mike Esler regarding discovery plan and case management for state cases;	2.5	450		1125
TIME	4/30/2009	RSY	T	Conference call with Stephen Walters, receiver counsel regarding attorney client privilege waiver and document repository	0.5	450		225
TIME	4/30/2009	RSY	T	Correspondence with counsel and draft letter to Judge LaBarre	2.75	450		1237.5
TIME	5/1/2009	RSY	T	Revision of Referral and Joint Prosecution Agreement	5	450		2250
TIME	5/4/2009	RSY	T	Review opposing counsel's status submissions to Judge LaBarre	0.5	450		225
TIME	5/4/2009	RSY	T	Call with Mike Esler regarding referral agreement	0.2	450		90
TIME	5/4/2009	RSY	T	Revise Referral Agreement and correspondence with Mike Esler; Finalize and send to other counsel	2.5	450		1125
TIME	5/5/2009	RSY	T	Call with Kit Pierson regarding class action case in Canyon Creek and coordination before Judge LaBarre	0.3	450		135
TIME	5/5/2009	RSY	T	Meeting with John Stephens regarding case management conference	0.5	450		225
TIME	5/6/2009	RSY	T	Attend case management conference before Judge LaBarre	1.5	450		675

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	5/6/2009	RSY	T	Conference with Stephen Walters regarding receiver engagement of ESB & LBB	0.5	450		225
TIME	5/6/2009	RSY	T	Review correspondence from Paul Connelly; respond to Mike Esler	0.5	450		225
TIME	5/6/2009	RSY	T	Correspondence to Mike Esler regarding receivership fee proposal	0.5	450		225
TIME	5/6/2009	RSY	T	Call with Mike Esler regarding referral agreement response to Paul Connelly and response to Stephen Walters regarding receivership engagement of special counsel	0.3	450		135
TIME	5/7/2009	RSY	T	Review correspondence regarding discovery and tolling agreement	0.25	450		112.5
TIME	5/11/2009	RSY	T	Call with Mike Esler; correspondence to Judge Velure	1.5	450		675
TIME	5/12/2009	RSY	T	Call with Mike Esler regarding mediation with Judge Velure	0.25	450		112.5
TIME	5/12/2009	RSY	T	Follow up call with Mike Esler and gather materials for further mediation and attend mediation with Judge Velure	2.2	450		990
TIME	5/12/2009	RSY	T	Evening call from Mike Esler regarding meeting with Receiver	0.3	450		135
TIME	5/13/2009	RSY	T	Meeting with Receiver, receiver's counsel and SEC counsel regarding terms and conditions of engagement and coordination of third party litigation claims	1.3	450		585
TIME	5/13/2009	RSY	T	Attend further mediation with creditors and debtor's counsel, and other TIC counsel before Judge Velure; revise drafts of Notice to Investors	7.6	450		3420
TIME	5/14/2009	RSY	T	Telephone call with Mike Esler regarding third-party claims and status with Order and Notice of Special Counsel	0.3	450		135
TIME	5/15/2009	RSY	T	Revise billing terms and conditions for receiver; call with Mike Esler	0.75	450		337.5

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	5/15/2009	RSY	T	Correspondence with Steve Walters regarding TIC releases of brokers	0.2	450		90
TIME	5/15/2009	RSY	T	Correspondence with Gary Hardman regarding billing entries for receiver	0.2	450		90
TIME	5/15/2009	RSY	T	Review correspondence between Osias, Esler and Walters regarding form of Order of appointment of ESB & LBB as special counsel	0.3	450		135
TIME	5/15/2009	RSY	T	Dictate correspondence to Judge LaBarre and email to Dan Kepler regarding appearance and Rule 7 extension	0.25	450		112.5
TIME	5/20/2009	RSY	T	Attend meeting with Stephen Walters at Esler Stephens and Buckely regarding third party claims; review correspondence regarding third party claims; Attend telephone conference call with Michael Grassmueck and receiver team;	3	450		1350
TIME	5/20/2009	RSY	T	Call with Mike Esler and review correspondence regarding receivership response to Greenly/Connelly; Call with Thomas McDermott regarding Grover Mueller liability, litigation and Tolling Agreement; correspondence to receivership team;	2	450		900
TIME	5/21/2009	RSY	T	Call with Dan Keppler regarding filing appearance in Town Village case extension; Review correspondence and e-mails regarding Receiver claims;	0.4	450		180
TIME	5/22/2009	RSY	T	Call with Dan Keppler regarding filing appearance in Town Village case extension; Review correspondence and e-mails regarding Receiver claims;	0.75	450		337.5
TIME	5/22/2009	RSY	T	Call with Dan Keppler regarding filing appearance in Town Village case extension; Review correspondence and e-mails regarding Receiver claims;	0.4	450		180
TIME	5/26/2009	RSY	T	Call with Dan Keppler regarding filing appearance in Town Village case extension; Review correspondence and e-mails regarding Receiver claims;	0.7	450		315
TIME	5/26/2009	RSY	T	Revise draft letter to investors; Call with Thomas McDermott regarding receiver and investor claims v Grover Mueller;	1	450		450
TIME	5/27/2009	RSY	T	Continue revision to information notice to investors for receiver;	0.5	450		225
TIME	5/27/2009	RSY	T	Continue revision to information notice to investors for receiver;	1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	5/28/2009	RSY	T	Call with Mike Esler regarding CRO presentation and attend CRO/Receiver presentation about reorganization and third party claims;	3	450		1350
TIME	5/28/2009	RSY	T	Prepare for and attend conference call with Receiver and receivership litigation team;	3.5	450		1575
TIME	5/28/2009	RSY	T	Meeting with Thomas McDermott and David Osias regarding receiver claims v. Grover Mueller;	1	450		450
TIME	5/29/2009	RSY	T	Correspondence with Lyle Velure regarding mediation date;	0.3	450		135
TIME	5/29/2009	RSY	T	Review correspondence from Stephen Walters, receiver and CRO, and broker commission statements for preparation of proposal to Receiver for pursuit of disgorement claims; review SEC v. Ross;	1.4	450		630
TIME	5/29/2009	RSY	T	Numerous correspondence regarding mediation scheduling and calls with Steve English;	1.25	450		562.5
TIME	6/1/2009	RSY	T	Call with Mike Esler regarding class action intervention in receivership;	0.5	450		225
TIME	6/2/2009	RSY	T	Sunwest conference call with Receiver/Investors and committees;	2.25	450		1012.5
TIME	6/2/2009	RSY	T	Call with Mike Esler regarding Grenly/Connelly and Pierson objections to receiver pursuit of claims;	0.3	450		135
TIME	6/2/2009	RSY	T	Review and revise submission to receiver for pursuit of third-party claims against brokers; Attend further mediation before Judge Velure regarding prosecution of receivership claims v. DWT;	1.5	450		675
TIME	6/3/2009	RSY	T	Meeting with counsel for receiver;	5.5	450		2475
TIME	6/3/2009	RSY	T	Review Rule 21 motions in Town Village;	1.5	450		675
TIME	6/4/2009	RSY	T		1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	6/5/2009	RSY	T	Call with Mike Esler and correspondence with Kit Pierson regarding coordination of settlement demands with class action claims;	0.4	450		180
TIME	6/5/2009	RSY	T	Call with Dan Kepler regarding settlement and Rule 21 motions and case management plan; e-mail to co-counsel;	0.4	450		180
TIME	6/8/2009	RSY	T	Call with Stephen Walters; correspondence with Mike Esler;	0.5	450		225
TIME	6/8/2009	RSY	T	Call from attorney Steven Berman regarding claims v. DWT for 'partners' and LLC members;	0.5	450		225
TIME	6/9/2009	RSY	T	Correspondence to Steve Walters and David Osias regarding Steve English mediation demands/requests; Telephone conference with Steve English regarding discovery coordination and DWT mediation schedule; call with Bill Bryan regarding reorganizaiton plan; call with David Osias regarding current status;	1.25	450		562.5
TIME	6/10/2009	RSY	T	Attend presentation before Judge Velure for preview of reorganization plan	0.75	450		337.5
TIME	6/10/2009	RSY	T	presentation to Judge Hogan; Attend breakfast meeting with Michael Grassumueck, David Osias, Mike Esler regarding engagement of LBB/ESB status and DWT settlement strategy;	1.25	450		562.5
TIME	6/11/2009	RSY	T	Correspondence with Bill Bryan and receiver counsel;	1.5	450		675
TIME	6/12/2009	RSY	T	Review and comment on correspondence from Steve English and Steve Walters regarding mediation discovery limitations and receivership retention of LBB/ESB;	0.75	450		337.5
TIME	6/12/2009	RSY	T		1.5	450		675

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	6/12/2009	RSY	T	Prepare first draft of Case Management Order and schedule spreadsheet;	1.5	450		675
TIME	6/12/2009	RSY	T	Conference call with Bill Bryan, David Osias and Mike Esler;	0.8	450		360
TIME	6/13/2009	RSY	T	Conference call with Mike Esler regarding TIC committee meetings	0.5	450		225
TIME	6/15/2009	RSY	T	Draft Case Management Order for Town Village case;	0.5	450		225
TIME	6/15/2009	RSY	T	Revise Case Management Order for Fisher's Landing; discussion with Joe Arellano following court hearing regarding trial schedule	0.5	450		225
TIME	6/15/2009	RSY	T	Draft Case Management Order for Kensington;	0.5	450		225
TIME	6/15/2009	RSY	T	Attend hearing before Judge Hogan regarding reorganization plan and timelines; conferences with counsel following;	2.5	450		1125
TIME	6/16/2009	RSY	T	Review correspondence regarding receivership order of appointment for mediation; conference call with Mike Esler;	0.5	450		225
TIME	6/17/2009	RSY	T	Review and comment on receivership order for mediation;	1	450		450
TIME	6/17/2009	RSY	T	Review and comment on receivership claim form;	0.5	450		225
TIME	6/17/2009	RSY	T	Review form of letter and comments on claims form;	0.25	450		112.5
TIME	6/17/2009	RSY	T	Review and comment on letter to Judge Velure regarding mediation discovery limitations; conference call with Joe Arellano; call with Steve English and correspondence with counsel;	2	450		900
TIME	6/17/2009	RSY	T	Revise Case Management Order in all cases for version #2 for shorter time to trial; conference call with Joe Arellano	2.25	450		1012.5
TIME	6/18/2009	RSY	T	Conference call with Joe Arellano regarding Case Management Order;	0.5	450		225

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	6/19/2009	RSY	T	Call with Mike Esler regarding current status;	0.5	450		225
TIME	6/19/2009	RSY	T	Conference call with Steve Walters and Mike Esler regarding status;	0.5	450		225
TIME	6/19/2009	RSY	T	Review correspondence from Joe Arellano and Justine Fisher;	0.25	450		112.5
TIME	6/22/2009	RSY	T	Dictation of letter to Judge LaBarre regarding Case Management Order;	0.25	450		112.5
TIME	6/23/2009	RSY	T	Review and edit correspondence to Judge LaBarre and final changes to Case Management Orders;	0.25	450		112.5
TIME	6/23/2009	RSY	T	Conference call with Steve Walters and Mike Esler;	0.5	450		225
TIME	6/25/2009	RSY	T	Call from Bill Bryan regarding plan of reorganization;	0.5	450		225
TIME	6/26/2009	RSY	T	Attend status hearing before Judge LaBarre and begin revisions to Case Management Order;	2	450		900
TIME	7/2/2009	RSY	T	Call with Mike Esler regarding status;	0.6	450		270
TIME	7/3/2009	RSY	T	Call with Mike Esler regarding receiver motion for approval of transfer of interests to limited partnership;	0.5	450		225
TIME	7/6/2009	RSY	T	Attend meeting at Hamstreet and Associates regarding Plan of Reorganization;	4.5	450		2025
TIME	7/7/2009	RSY	T	Attend meeting with Steve Walters, Julie Vacura, Mike Esler and John Stephens regarding discovery plan for mediation;	1.5	450		675
TIME	7/7/2009	RSY	T	Attend discovery meeting with Kit Pierson;	1.5	450		675
TIME	7/7/2009	RSY	T	Attend further mediation with Judge Velure;	1.5	450		675
TIME	7/8/2009	RSY	T	Call with Mike Esler and review correspondence regarding Connelly communication with investors;	0.3	450		135
TIME	7/9/2009	RSY	T	Call with Mike Esler regarding settlement demand and mediation status;	0.5	450		225

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Conference call with Mike Esler regarding prior investor meeting regarding POR impact on securities damages; preparation for Velure mediation and court appearance on Monday before Judge Hogan;				
TIME	7/10/2009	RSY	T	Conference call with David Osias regarding POR and impact on thrid party recoveries;	1.5	450		675
TIME	7/10/2009	RSY	T	Prepare draft demand for policy limits on behalf of receiver for investors; correspondence with counsel;	0.75	450		337.5
TIME	7/10/2009	RSY	T	Call with Mike Esler review correspondence from investors regarding preference for Plan of Reorganization; Travel to/from Eugene for mediation;	1.75	450		787.5
TIME	7/11/2009	RSY	T	Attend further mediation for plan of reorganization; Call with Steve Walters regarding policy limits demand; revise demand;	0.75	450		337.5
TIME	7/13/2009	RSY	T	Call with Mike Esler regarding mediation status;	4	450		1800
TIME	7/13/2009	RSY	T	Correspondence and calls with John Stephens regarding settlement demand for receivership investors;	8	450		3600
TIME	7/14/2009	RSY	T	Call with Mike Esler regarding mediation status and review correspondence;	0.5	450		225
TIME	7/14/2009	RSY	T	Call with Mike Esler regarding Plan of Reorganization agreement among TICs and receiver;	0.2	450		90
TIME	7/15/2009	RSY	T	Finalize policy limits demand for investors represented by receiver;	0.5	450		225
TIME	7/15/2009	RSY	T	Prepare revised case management orders;	0.5	450		225
TIME	7/17/2009	RSY	T	Finish draft of proposed Case management Orders and correspondence to court;	0.8	450		360
TIME	7/17/2009	RSY	T		0.4	450		180
TIME	7/20/2009	RSY	T		1.5	450		675
TIME	7/21/2009	RSY	T		1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeep	Code	Description	Time	Rate	Exp	Total
TIME	7/21/2009	RSY	T	Conference call with Mike Esler regarding status of POR;	0.3	450		135
TIME	7/23/2009	RSY	T	Review correspondence and conference call with Mike Esler regarding POR, discovery for third party claims and current mediation status;	1	450		450
TIME	7/23/2009	RSY	T	Call with Joe Arellano regarding Case Management Order;	0.25	450		112.5
TIME	7/23/2009	RSY	T	Correspondence to Steve Walters;	0.3	450		135
TIME	7/24/2009	RSY	T	Conference call with Joe Arellano regarding Case Management Order; revise Order per agreement;	0.5	450		225
TIME	7/27/2009	RSY	T	Conference with staff regarding circulation of Case Management Order and final review of draft Orders;	0.3	450		135
TIME	7/28/2009	RSY	T	Correspondence with court regarding Case Management Order;	0.2	450		90
TIME	7/28/2009	RSY	T	Call with Steve Walters regarding discovery plan and settlement objectives and document review schedule;	0.4	450		180
TIME	7/31/2009	RSY	T	Conference with all plaintiffs counsel and Steve Walters, Julie Vacura, Bill Larkin regarding deposition strategy and discovery plan per mediation stipulation;	3	450		1350
TIME	8/3/2009	RSY	T	Review correspondence regarding witness interviews;	0.3	450		135
TIME	8/3/2009	RSY	T	Conference call with Mike Esler regarding status of discovery and deposition preparation for mediation;	0.3	450		135
TIME	8/3/2009	RSY	T	Review plan of reorganization; Call with Mike Esler regarding Thompson and Knight liability and impact on third party claims from Harder liability/recovery in reorganization;	1	450		450
TIME	8/6/2009	RSY	T		0.5	450		225

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	8/11/2009	RSY	T	Review correspondence regarding plan of reorganization impact on third party claims;	0.4	450		180
TIME	8/11/2009	RSY	T	Conference call with John Stephens and Mike Esler regarding plan of reorganization and status of prosecution of investor claims;	1	450		450
TIME	8/12/2009	RSY	T	Review correspondence regarding mediation depositions and comment to all plaintiffs counsel;	1.5	450		675
TIME	8/13/2009	RSY	T	Call with all plaintiff's counsel and Steve Walters regarding interviews/depositions of DWT witnesses in mediation;	0.8	450		360
TIME	8/13/2009	RSY	T	Call with John Stephens regarding interview preparation;	0.3	450		135
TIME	8/14/2009	RSY	T	Conference with James S. Crane and Sandra Bledsoe regarding document review for deposition preparation;	0.5	450		225
TIME	8/17/2009	RSY	T	Conference with Gary Greenly, Mike Esler and Kim Buckley regarding third party litigation division of labor and impact of Reorganization Plan;	1.5	450		675
TIME	8/17/2009	RSY	T	Call with Mike Esler regarding K&L Gates litigation and Vista Pointe;	0.3	450		135
TIME	8/24/2009	RSY	T	Review correspondence regarding plan of reorganization; partial review of revisions to POR regarding third party claims;	1.5	450		675
TIME	8/24/2009	RSY	T	Review correspondence regarding mediation depositions/interviews;	0.3	450		135
TIME	8/26/2009	RSY	T	Correspondence regarding POR;	0.2	450		90
TIME	8/27/2009	RSY	T	Attend interview of Tom Biesiadecki;	3.5	450		1575
TIME	8/31/2009	RSY	T	Call with Mike Esler regarding status of trial preparation and discovery for interviews;	0.5	450		225

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper Code	Description	Time	Rate	Exp	Total
TIME	9/2/2009	RSY T	Meeting with Thane W. Tienson regarding document review;	0.4	450		180
TIME	9/3/2009	RSY T	Calls and e-mails with Mike Esler regarding preparation of budget for litigation and status of Receiver Fee Agreement; Call with Mike Esler regarding offer to purchase Sunwest impact on third party securities claims;	1	450		450
TIME	9/10/2009	RSY T	Attend part of interview of Mike Deines;	0.5	450		225
TIME	9/11/2009	RSY T		0.8	450		360
TIME	9/14/2009	RSY T	Review correspondence and pleading submissions to court; Call with Mike Esler regarding status of buyout in reorganization for impact on third party litigation;	0.4	450		180
TIME	9/16/2009	RSY T		0.5	450		225
TIME	9/17/2009	RSY T	Review correspondence; Review and respond to correspondence regarding mediation; review status memoranda; call with Mike Esler;	0.3	450		135
TIME	9/18/2009	RSY T		0.4	450		180
TIME	9/27/2009	RSY T	Call with Mike Esler regarding status of mediation;	0.6	450		270
TIME	10/12/2009	RSY T	Call with Mike Esler regarding mediation update; Conference call with plaintiff's counsel regarding third party claims mediation status;	0.3	450		135
TIME	10/13/2009	RSY T		0.5	450		225
TIME	10/21/2009	RSY T	Call with Mike Esler regarding Circuit Court status; Call with Mike Esler regarding further proceedings in state court v. Thompson & Knight and K&L Gates; general status on all pending cases;	0.5	450		225
TIME	10/22/2009	RSY T	Court appearance in before Hon. Jerome LaBarre regarding settlement status; Call with Mike Esler; call with Joe Arellano regarding settlement status;	1	450		450
TIME	10/23/2009	RSY T		0.6	450		270
TIME	10/23/2009	RSY T	Conference call with Mike Esler regarding Connelly cases;	0.4	450		180

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	10/30/2009	RSY	T	Call with Mike Esler regarding third party litigation meeting with Jon Stewart; conference call with Steve Walters regarding compensation for third party litigation;	1.8	450		810
TIME	11/6/2009	RSY	T	Attend meeting with Judge Hogan, Michael Grassmueck, Clyde Hamstreet, Steve English and other third party counsel regarding third party claims;	1.5	450		675
TIME	11/11/2009	RSY	T	Correspondence from John Stewart and response; telephone conference with Mike Esler;	0.4	450		180
TIME	11/24/2009	RSY	T	Call with Mike Esler regarding Thompson and Knight litigation; and DWT settlement conditions	0.4	450		180
TIME	12/10/2009	RSY	T	Call from Mike Esler regarding Steve English request for LBB/ESB to proceed against Grove Mueller, CPAs	0.5	450		225
TIME	12/11/2009	RSY	T	Call with Mike Esler regarding right to collect attorney fees from common fund due to contingent fee agreement	0.25	450		112.5
TIME	1/14/2010	RSY	T	Correspondence regarding conference in advance of court appearance before Judge LaBarre	0.2	450		90
TIME	1/15/2010	RSY	T	Phone conference with plaintiff's counsel and Joe Arellano regarding appearance before Judge LaBarre and finalization of settlement agreement due to SEC investigation	0.6	450		270
TIME	1/15/2010	RSY	T	Court appearance before Judge LaBarre	0.7	450		315
TIME	2/5/2010	RSY	T	Correspondence from Judge Velure regarding settlement status	0.3	450		135
TIME	2/7/2010	RSY	T	Review settlement agreement and conference with Mike Esler regarding attorneys lien	1	450		450

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/26/2010	RSY	T	Call wit Mike Esler regarding status of DWT settlement & K&L Gates mediation; attend status conference before Judge LaBarre	0.5	450		225
TIME	3/18/2010	RSY	T	Review K&L Gates submissions from Stoel Rives, correspondence to Mike Esler	1	450		450
TIME	3/22/2010	RSY	T	Correspondence to Mike Esler	0.3	450		135
TIME	3/26/2010	RSY	T	Call with Mike Esler regarding DWT settlement agreement	0.2	450		90
TIME	3/29/2010	RSY	T	Review draft settlement agreement; correspondence with Mike Esler	1	450		450
TIME	5/3/2010	RSY	T	Call with Mike Esler regarding court appearance before Judge LaBarre and status of DWT settlement, K&L Gates litigation and class action allegations	0.5	450		225
TIME	6/11/2010	RSY	T	Review reorganization plan; call with Mike Esler	0.5	450		225
TIME	6/16/2010	RSY	T	Correspondence to Mike Esler regarding reorganization plan disclosure of professional fees for third party litigation	0.2	450		90
TIME	9/29/2010	RSY	T	Review orders for submission of fee petition; call with Mike Esler regarding coordination of submissions	0.4	450		180
TIME	10/4/2010	RSY	T	Begin compilation of Fee Petition information	4	450		1800
TIME	10/5/2010	RSY	T	Continue fee petition preparation and Notice of Experience and Rates	3	450		1350
TIME	10/12/2010	RSY	T	Finish fee petition preparation	3	450		1350
TIME	10/16/2008	SGB	T	Conference with Richard S. Yugler and Michelle K. McClure regarding case document management; Review complaint; attend planning session with Esler firm;	1.25	110		137.5
TIME	10/17/2008	SGB	T	Research and print Sunwest Management web data;	1.75	110		192.5
TIME	10/28/2008	SGB	T		0.4	110		44

## LBB Time Records

Time/Exp	Date of Entry	Timekeep	Code	Description	Time	Rate	Exp	Total
				Review e-mail and proposed BC contract transmitted by Esler's office; telephone conference with Gary Hardiman; e-mails to Richard S. Yugler and Michelle K. McClure regarding scheduling team meeting;				
TIME	11/17/2008	SGB	T	Telephone conference with Esler's office to discuss status of case and document management; review DCBS Order;	0.5	110		55
TIME	11/20/2008	SGB	T	Review case management spreadsheet; review proposed amended complaint;	1.25	110		137.5
TIME	11/21/2008	SGB	T	Begin file organization;	0.5	110		55
TIME	11/24/2008	SGB	T	Print client database spreadsheets and review; review file material; telephone conference with Gary Hardiman regarding file organization and document processing.	0.5	110		55
TIME	11/25/2008	SGB	T	Review file material; prepare detailed file organizational chart; begin document organization.	1.75	110		192.5
TIME	11/26/2008	SGB	T	Finalize file organization and inventory sheet; e-mail to Richard S. Yugler and Michelle K. McClure regarding same.	3.75	110		412.5
TIME	12/1/2008	SGB	T	Contact Alaska for conflict material; review same.	3.25	110		357.5
TIME	12/8/2008	SGB	T	Research regarding Oklahoma litigation against Town Village facilities; phone calls to Oklahoma counsel and confer with Richard S. Yugler regarding same.	0.25	110		27.5
TIME	1/5/2009	SGB	T	Review e-mail from Gary Hardiman regarding electronic documents and document organization; continue file organization.	1	110		110
TIME	1/8/2009	SGB	T		0.5	110		55

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	1/9/2009	SGB	T	Organize newly received case documents for Town Center, Kensington Green, Hobbs, and Fisher's Landing facilities; expand file system and update file inventory; review conflict material.	5.75	110		632.5
TIME	1/14/2009	SGB	T	Organize Town Village, Fisher's Landing, Kensington Green and Hobbs documents; organize general litigation file material.	5.75	110		632.5
TIME	1/15/2009	SGB	T	Organize Town Village documents and create working subsets for drafting complaint. Confer with Bridge City regarding documents loaded into Summation.	1.25	110		137.5
TIME	1/16/2009	SGB	T	Conference regarding Summation document organization.	0.1	110		11
TIME	1/26/2009	SGB	T	Review updated data and Hardiman e-mail regarding document organization; rework spreadsheets.	0.25	110		27.5
TIME	1/28/2009	SGB	T	Conference with Richard S. Yugler regarding data reorganization and statute deadlines; e-mails to Hardiman regarding document organization; reorganize spreadsheets and begin statute analysis.	2.5	110		275
TIME	1/29/2009	SGB	T	Work on SOL list; conference with Esler LA; review updated spreadsheets.	4.75	110		522.5
TIME	1/30/2009	SGB	T	Finalize statute spreadsheets; review material from ESB offices regarding file structure; review document disks and load into Summation; confer with Joseph F. Larson and Bridge City.	5	110		550
TIME	2/2/2009	SGB	T		6.25	110		687.5

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/3/2009	SGB	T	Continued document loading into Summation; quality control review; conference with Gary Hardiman and Bridge City regarding inconsistencies in document scanning; confer with Joseph F. Larson; data organization for document tracking.	5.75	110		632.5
TIME	2/4/2009	SGB	T	Continued work on electronic document organization; phone conferences with Bridge City regarding inconsistencies in document sorting.	5.5	110		605
TIME	2/5/2009	SGB	T	Continue document and file organization; phone conferences with Bridge City regarding document scanning. Phone conference with Gary Hardiman; review updated	4.75	110		522.5
TIME	2/9/2009	SGB	T	ESB spreadsheet. Review communications from Esler's office; review issues surrounding Summation	0.5	110		55
TIME	2/12/2009	SGB	T	document loading. Phone conference with Gary Hardiman regarding facility documents; conference with Richard S. Yugler regarding same; case administration	1.25	110		137.5
TIME	2/17/2009	SGB	T	tasks. Case administration tasks; conference regarding file organization; review recent case documents; load	1.75	110		192.5
TIME	2/18/2009	SGB	T	Volumes 1-7 into Summation and run QC.	5.25	110		577.5
TIME	2/19/2009	SGB	T	Conference with Esler's office; review property documents and organize; conference with Michelle K. McClure regarding USDC Pacer research. Research Pacer for U. S.	2.5	110		275
TIME	2/20/2009	SGB	T	Supreme Court, U. S. District Court, and U. S. Bankruptcy Court dockets; notebook for Michelle K. McClure.	2.5	110		275

## LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
TIME	2/23/2009	SGB	T	Administrative tasks; e-mail communication to Estler's office regarding documents.	0.5	110		55
TIME	2/24/2009	SGB	T	Organize all exemplar facility documents received to date; additional case origination and case administration tasks; confer regarding same; review communications transmitted by Esler's office.	6.25	110		687.5
TIME	2/25/2009	SGB	T	Continued case organization and case administration tasks; phone conference with Angie at Esler's office regarding exemplar documents for Town Village and Hobbs' facilities. Hariman conference re Town Village and Hobbs request for production; update docket per investor information and case administration	3.75	110		412.5
TIME	2/26/2009	SGB	T	Review TIC committee information; research SEC docket and records, organize same	2.25	110		247.5
TIME	3/3/2009	SGB	T	Review TIC committee information; research SEC docket and records, organize same	2	110		220
TIME	3/4/2009	SGB	T	Phone call from Eugene USDC; e-mail to SEC counsel for Exhibit to Proposed TRO; organize SEC documents; case administration.	1.25	110		137.5
TIME	3/18/2009	SGB	T	Research Pacer and pull recent documents.	0.5	110		55
TIME	8/14/2009	SGB	T	Conference with Richard S. Yugler and James S. Crane regarding document review; confer with Bridge City on creating Summation load files; confer with paralegal associate regarding database workup; Communications with Bridge City regarding the creation of Summation load files for DWT production and document review;	1	110		110
TIME	8/17/2009	SGB	T	Begin copying Summation load files into database;	1	110		110
TIME	8/18/2009	SGB	T		1	110		110

LBB Time Records

Time/Exp	Date of Entry	Timekeeper	Code	Description	Time	Rate	Exp	Total
				Finish copying Summation load files into database, load images and organize database; prepare Jim Crane computer for reviewing documents;				
TIME	8/19/2009	SGB	T	Duplicate complaints for James S. Crane and Thane W. Tienson for document review preparation;	3.75	110		412.5
TIME	9/4/2009	SGB	T	Review file; update docket information.	0.25	110		27.5
TIME	12/7/2009	SGB	T		0.75	110		82.5
TIME			T	Conference with Richard S. Yugler regarding case background and handling; telephone call to John Stephens and Steve Walters;				
TIME	9/2/2009	TWT	T	Conference with co-counsel Stephens and Esler;	1	300		300
TIME	9/8/2009	TWT	T	Attend deposition/questioning of witness Deines; conference with co-counsel;	2.25	300		675
TIME	9/11/2009	TWT	T		3	300		900
								211166.3

## LBB Costs

Time/Exp	Date	Timekeeper Code	Description	Quantity	Rate	Amount
EXP	10/31/2008	DR	Document Reproducti	417	0.15	62.55
EXP	11/30/2008	DR	Document Reproducti	1138	0.15	170.7
EXP	12/31/2008	DR	Document Reproducti	1049	0.15	157.35
EXP	1/30/2009	DR	Document Reproducti	3294	0.15	494.1
EXP	2/27/2009	DR	Document Reproducti	3062	0.15	459.3
EXP	3/24/2009	DR	Document Reproducti	924	0.15	138.6
EXP	4/21/2009	DR	Document Reproducti	70	0.15	10.5
EXP	5/1/2009	DR	Document Reproducti	117	0.15	17.55
EXP	5/29/2009	DR	Document Reproducti	1724	0.15	258.6
EXP	6/29/2009	DR	Document Reproducti	1482	0.15	222.3
EXP	7/31/2009	DR	Document Reproducti	970	0.15	145.5
EXP	8/17/2009	DR	Document Reproducti	55	0.15	8.25
EXP	8/26/2009	DR	Document Reproducti	428	0.15	64.2
EXP	9/29/2009	DR	Document Reproducti	244	0.15	36.6
EXP	10/26/2009	DR	Document Reproducti	101	0.15	15.15
EXP	11/30/2009	DR	Document Reproducti	228	0.15	34.2
EXP	12/14/2009	DR	Document Reproducti	235	0.15	35.25
EXP	1/22/2010	DR	Document Reproducti	108	0.15	16.2
EXP	2/12/2010	DR	Document Reproducti	52	0.15	7.8
EXP	3/29/2010	DR	Document Reproducti	222	0.15	33.3
EXP	9/29/2010	DR	Document Reproducti	12	0.15	1.8
EXP	10/1/2010	DR	Document Reproducti	1	0.15	0.15
EXP	Component: DR		Total	15933		2389.95
EXP	Component: DRO					
EXP	3/13/2009	DRO	Bridge City Legal, Inc.	1	235.58	235.58
EXP	Component: DRO		Total			235.58
EXP	Component: FAX					
EXP	2/2/2009	FAX	Facsimile Charges	32	0.15	4.8
EXP	2/3/2009	FAX	Facsimile Charges	1	0.15	0.15
EXP	2/3/2009	FAX	Facsimile Charges	5	0.15	0.75
EXP	Component: FAX		Total			5.7
EXP	Component: FF					
EXP	1/16/2009	FF	State of Oregon	1	189	189
EXP	Component: FF		Total			189
EXP	Component: LDT					
EXP	1/5/2009	LDT	Long Distance Teleph	1	0.45	0.45
EXP	1/5/2009	LDT	Long Distance Teleph	1	0.3	0.3
EXP	1/5/2009	LDT	Long Distance Teleph	1	0.15	0.15
EXP	1/29/2009	LDT	Long Distance Teleph	1	2.55	2.55
EXP	1/29/2009	LDT	Long Distance Teleph	1	2.25	2.25
EXP	1/29/2009	LDT	Long Distance Teleph	1	8.85	8.85
EXP	2/27/2009	LDT	Long Distance Teleph	1	17.55	17.55
EXP	3/3/2009	LDT	Long Distance Teleph	1	0.3	0.3
EXP	3/3/2009	LDT	Long Distance Teleph	1	0.15	0.15
EXP	3/23/2009	LDT	Long Distance Teleph	1	1.35	1.35
EXP	4/21/2009	LDT	Long Distance Teleph	1	3.45	3.45
EXP	5/5/2009	LDT	Long Distance Teleph	1	1.65	1.65
EXP	7/14/2009	LDT	Long Distance Teleph	1	0.15	0.15
EXP	7/28/2009	LDT	Long Distance Teleph	1	2.1	2.1
EXP	8/26/2009	LDT	Long Distance Teleph	1	1.65	1.65
EXP	8/27/2009	LDT	Long Distance Teleph	1	1.5	1.5

LBB Costs

EXP	9/27/2009	LDT	Long Distance Teleph	1	4.2	4.2
EXP	Component: LDT		Total			48.6
EXP	Component: MCAH					
EXP	3/13/2009	MCAH	A+ Conferencing	1	78.9	78.9
EXP	3/23/2009	MCAH	A+ Conferencing	1	22.33	22.33
EXP	5/13/2009	MCAH	A+ Conferencing	1	10.13	10.13
EXP	8/26/2009	MCAH	Bridge City Legal, Inc.	1	195	195
EXP	Component: MCAH		Total			306.36
EXP	Component: MDS					
EXP	1/28/2009	MDS	LSQ Funding Group, I	1	3	3
EXP	2/13/2009	MDS	LSQ Funding Group, I	1	8	8
EXP	5/25/2009	MDS	LSQ Funding Group, I	1	5	5
EXP	5/25/2009	MDS	LSQ Funding Group, I	1	17	17
EXP	7/14/2009	MDS	LSQ Funding Group, I	1	9	9
EXP	8/13/2009	MDS	ABC Legal Services	1	29.26	29.26
EXP	8/13/2009	MDS	LSQ Funding Group, I	1	13	13
EXP	Component: MDS		Total			84.26
EXP	Component: ME					
EXP	6/8/2009	ME	American Express	1	35.9	35.9
EXP	Component: ME		Total			35.9
EXP	Component: MREP					
EXP	1/26/2009	MREP	Bridge City Legal, Inc.	1	100	100
EXP	4/13/2009	MREP	Bridge City Legal, Inc.	1	40	40
EXP	Component: MREP		Total			140
EXP	Component: OLLR					
EXP	3/23/2009	OLLR	West Payment Center	1	412.45	412.45
EXP	7/27/2009	OLLR	West Payment Center	1	18.3	18.3
EXP	Component: OLLR		Total			430.75
EXP	Component: OLR					
EXP	4/28/2009	OLR	Pacer Service Center	1	0.08	0.08
EXP	Component: OLR		Total			0.08
EXP	Component: OLS					
EXP	7/27/2009	OLS	Pacer Service Center	1	3.92	3.92
EXP	1/25/2010	OLS	Pacer Service Center	1	8.08	8.08
EXP	Component: OLS		Total			12
EXP	Component: PST					
EXP	1/12/2009	PST	Postage	1	0.42	0.42
EXP	3/10/2009	PST	Postage	1	0.42	0.42
EXP	3/10/2009	PST	Postage	1	1.68	1.68
EXP	Component: PST		Total			2.52
EXP	Grand Total				3,875.00	