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14 Attorneys for Plaintiffs

15 UNITED STATES DISTRICT COURT
16 FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION
17 2500 TULARE STREET | FRESNO, CA 93721

18 JEFF SILVESTER, BRANDON
19 COMBS, THE CALGUNS
FOUNDATION, INC., a non-profit
20 organization, and THE SECOND
AMENDMENT FOUNDATION,
21 INC., a non-profit organization,

22 Plaintiffs,

23 vs.

24 KAMALA HARRIS, Attorney General
25 of California, and DOES 1 to 20,
26

27 Defendants.

Case No.: 1:11-CV-2137 AWI SAB

PLAINTIFFS' SUPPLEMENTAL
DECLARATION

RE: ATTORNEY FEES AND COSTS

Hearing Date: December 8, 2014

Hearing Time: 1:30 p.m.

Judge: Hon. Anthony Ishii

Courtroom: 2

1 **INTRODUCTION**

2 In accordance with footnote #2 of the Plaintiffs' Reply Memorandum (Doc
3 126), Plaintiffs hereby submit this supplemental declaration of work performed
4 since the original motion for attorney's fees was filed through today's date.

5 Although the Court issued a minute order (Doc 127) that the matter would be
6 decided on the papers submitted, if the Court requires a motion to reopen argument
7 for submission of this additional material, please consider this introduction an
8 informal request for such an order.

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10 **DECLARATION OF DONALD KILMER**

11 My previous declaration is on file. I spent 4 hours preparing the reply
12 memorandum addressing attorney fees. I spent approximately 1 hour reviewing
13 and coordinating the work submitted by new associate counsel that was set forth
14 below. Total additional attorney time: 5 hours.

15 I declare under penalty of perjury under the laws of the United States and
16 California that the forgoing declaration is true and correct and this declaration was
17 executed in San Jose, CA on December 3, 2014.

18
19 /s/ Donald Kilmer
20 Donald Kilmer
21 Attorney for Plaintiffs

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23 **DECLARATION OF BENBROOK LAW GROUP**

24 I, Stephen M. Duvernay, declare:

25 1. I am an attorney duly licensed to practice law in the State of California. I am
26 an attorney at Benbrook Law Group, PC ("BLG"), counsel of record for Plaintiffs in
27 this matter. I have personal knowledge of the matters set forth in this declaration,
28 and would be able to testify competently to these facts if called as a witness.

1 2. BLG maintains contemporaneous daily time records that set forth the specific
2 services rendered by the firm. I personally reviewed the billing records for this
3 case, and the information below accurately sets forth the time billed to Plaintiffs in
4 connection with BLG's work in opposing Defendant's motion to alter or amend the
5 judgment (Dkt. 110) and motion to stay (Dkt. 114). Two BLG attorneys (Bradley A.
6 Benbrook and I) performed all work associated with this matter.

7 3. Bradley A. Benbrook was admitted to the California Bar in 1995. Mr.
8 Benbrook obtained his law degree in 1993 from the University of California,
9 Berkeley (Boalt Hall), and received his undergraduate degree from Stanford
10 University. Subsequent to graduation from law school, Mr. Benbrook clerked for
11 the Honorable J.L. Edmondson, Judge of the United States Court of Appeals for the
12 Eleventh Circuit. Before founding BLG in 2012, Mr. Benbrook was a partner at
13 Stevens & O'Connell LLP and DLA Piper (US) LLP. Mr. Benbrook was also an
14 associate with the law firm Wilson Sonsini Goodrich & Rosati in Palo Alto until he
15 joined Stevens & O'Connell in 1997. Mr. Benbrook's regular hourly rate is \$425.

16 4. I was admitted to the California Bar in 2007. I obtained my law degree, cum
17 laude, from the University of Notre Dame Law School, and earned my
18 undergraduate degree from the University of California, Berkeley. Before joining
19 BLG in 2013, I was an associate attorney with DLA Piper (US) LLP and Klinedinst
20 PC. My regular hourly rate is \$325.

21 5. I spent 8.1 hours in connection with the consolidated opposition to
22 Defendant's motion to alter or amend the judgment and motion to amend the stay,
23 which represents time spent communicating with the client and co-counsel
24 regarding strategy for the opposition, legal research, and preparing the opposition
25 brief.

26 6. Mr. Benbrook spent 1.9 hours in connection with the consolidated opposition,
27 which represents time communicating with the client and co-counsel regarding
28 strategy for the opposition and revising the opposition brief.

1 I declare under penalty of perjury under the laws of the State of California
2 and the United States of America that the foregoing is true and correct. Executed
3 December 2, 2014 in Sacramento, California.

4 BENBROOK LAW GROUP, PC

5 /S/ STEPHEN M. DUVERNAY

6 By _____
7 STEPHEN M. DUVERNAY
8 Attorneys for Plaintiffs
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