

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ACLU OF TENNESSEE, INC.,)	
)	
Intervening Plaintiff,)	Case No. 2:17-cv-2120-JPM-jay
)	
v.)	
)	
CITY OF MEMPHIS, TENNESSEE,)	
)	
Defendant.)	

ORDER ON COSTS OF INDEPENDENT MONITOR

The independent monitor has submitted an expense report and invoice for June 2020. The City of Memphis is ORDERED to file any objection to the monitor's fees and expenses by Friday, July 22, 2020. If no objections are received, the City shall make a full payment to the monitor no later than Friday, July 29, 2020.

SO ORDERED, this 15th day of July, 2020.

/s/ Jon P. McCalla
JON P. McCALLA
UNITED STATES DISTRICT JUDGE

City of Memphis Monitoring Team Invoice – June 2020

Butler Snow Monthly Fees/Expenses				
Name	Title	Hours	Total Fees	Total Expenses
Edward Stanton III	Monitor (\$350.00/hr)	129.90	\$45,465.00	\$0.00
Jim Letten	Deputy Monitor (\$295.00/hr)	99.10	\$29,234.50	\$0.00
Gadson Will Perry	Butler Snow Counsel (\$295.00/hr)	124.10	\$36,609.50	\$0.00
Keenan Carter	Butler Snow Counsel (\$295.00/hr)	47.20	\$13,924.00	\$0.00
Terri Wiseman	Paralegal (\$175.00/hr)	95.00	\$16,625.00	\$0.00
John C. Henegan	Constitutional Law and First Amendment Expert (\$275.00/hr)	80.60	\$22,165.00	\$0.00
Total Expenses: Trial transcripts - \$1,744.82; Subject Matter Experts – June 2020 Monthly Fees/Expenses - \$34,712.50; Deliveries - \$25.00; Image Reproduction - \$516.40; Pacer - \$5.00; Flash Drive - \$155.00				

Subject Matter Experts' Monthly Fees/Expenses				
Name	Title	Hours	Total Fees	Total Expenses
Rachel Levinson-Waldman	Public Policy and Social Medical Expert (\$275.00/hr)	65.50	\$18,012.50	\$0.00
Theron Bowman	Law Enforcement and Police Practices Expert (\$250.00/hr)	53.20	\$13,300.00	\$0.00
David McGriff	Compliance and Auditing Expert (\$200.00/hr)	17.00	\$3,400.00	\$0.00

TOTAL FEES AND EXPENSES	\$201,182.02
Credit Applied from invoice 10261306	(\$56,467.56)
TOTAL AMOUNT DUE for June 2020	\$144,714.46

Client: City of Memphis
Matter Number: 031353.203474
Billing Professional: Edward Stanton III

Invoice Number: 10268906
Invoice Date: July 15, 2020

DUE UPON RECEIPT

If paying by check, please remit payment to Butler Snow at the address noted above.
 Credit card payments can be made online at <https://www.butlersnow.com/payments>

ecf_judge_mccalla@tnwd.gov
 United States District Court – Western District of Tennessee
 Clifford Davis and Odell Horton Federal Building
 167 North Main Street, Room 942
 Memphis, TN 38103

Matter: Court Appointed Monitor re ACLU Tennessee, Inc. v. City of Memphis, Tennessee

INVOICE SUMMARY

For Services Rendered Through June 30, 2020

TOTAL FEES FOR CURRENT PERIOD	\$164,023.00
TOTAL EXPENSES FOR CURRENT PERIOD	\$37,159.02
NET FEES AND EXPENSES	\$201,182.02
Credit from invoice 10261306	(\$56,467.56)
TOTAL AMOUNT DUE	\$144,714.46

**Please reference matter and invoice number(s) with payment.*

Tax I.D. 64-0331849

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Client: City of Memphis
Matter Number: 031353.203474
Billing Professional: Edward Stanton III

Invoice Number: 10268906
Invoice Date: July 15, 2020

Matter: Court Appointed Monitor re ACLU Tennessee, Inc. v. City of Memphis, Tennessee

INVOICE DETAIL

PROFESSIONAL FEES

<u>DATE</u>	<u>PROF</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
06/01/20	TLW	Monitor email account for monitor website and respond to citizen's email regarding protest surveillance; complete pulling missing pleadings for "Full Docket" addition to the Monitor's Website; email to webmaster with detailed instructions for updates to the Monitor's website.	3.90
06/01/20	ELS	Prepare for and participate in status update and conference with Judge McCalla; follow up with co-counsel re: next steps and pre-trial planning; conference call with counsel for both parties re: Judge McCalla's pre-trial and trial expectations and next steps; follow up call to M. McGuinness re: adoption of social media policy.	3.50
06/01/20	ELS	Review and analyze multiple citizens' complaints re: protest intimidation and related items; confer with co-counsel and paralegal re: responses and next steps.	0.70
06/01/20	ELS	Follow up mediation conferences with counsel for both parties re: remaining KCD modification issues.	0.90
06/01/20	ELS	Review, analyze and respond to multiple RFA requests received from B. McMullen; confer with co-counsel and deputy monitor re: same.	1.70
06/01/20	JIML	Review/analyze and compose responses for Monitor to multiple RFAs from MPD.	1.20
06/01/20	GWP	Receive and review the City's annotated notice of joint proposed modifications to the consent decree and revised proposed consent decree; confer with J. Henegan re: publications concerning police tactics; receive and review community member inquiries re: MPD helicopter use at protest; confer with E. Stanton re: pretrial call with Judge McCalla; work on pre-trial report; receive, review, and confer with E. Stanton re: 5-point RFA from the City.	6.70
06/02/20	TLW	Monitor email account for monitor website; email to webmaster re: updates to Monitor's website; record recent RFAs on City RFA log; update Community Contact log with recent public inquiries.	3.60
06/02/20	JIML	Two phonecons with J. Henegan re: Consent Decree modification requests and responses--as trial prep.	0.60
06/02/20	JIML	Review outline of City, ACLU and Monitor positions on issues involving City/MPD request to modify Consent Decree, and confer with J. Henegan re: of report for final edit.	3.20
06/02/20	JCH	Review and reply to emails from W. Perry and J. Letten and conference with J. Letten re Monitor's Report and review and reply to emails received from J. Letten re mediation; telephone conference with and email to J. Letten re Memphis Police Department and ACLU collective changes to the Kendrick Consent Decree and work on same.	3.70
06/02/20	GWP	Work on pretrial report; receive and review order holding in abeyance ruling on social media policy; approve e-blast update to community contacts re: website updates; receive and review community member inquiries re: November Q&A and police taking pictures of protestors; confer with J. Letten and J. Henegan re: the parties' mediation papers.	6.10

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<u>DATE</u>	<u>PROF</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
06/02/20	ELS	Review and analyze Proposed Modified Consent Decree and City's Notice of Filing Pleading Regarding Jointly-Proposed Modifications to Consent Decree, including annotated version of City's April 17, 2020 filing; confer with co-counsel re: same and next steps.	1.70
06/02/20	ELS	Coordinate with paralegal and social media vendor re: updates to website and related matters.	0.50
06/02/20	ELS	Review and analyze Court's Order Holding In Abeyance Decision on the City's Proposed Social Media Policy; confer with co-counsel re: next steps.	0.20
06/02/20	ELS	Correspond with counsel for both parties re: status of Section I modifications.	0.70
06/02/20	ELS	Review, edit and finalize communication providing Monitoring Team updates to community via website.	0.60
06/02/20	ELS	Edit and finalize responses to citizens' inquiries via Monitor's website.	0.80
06/02/20	ELS	Telephone conference with B. McMullen re: City's proposed Section I language modification; review and analyze email re: same.	0.70
06/03/20	TLW	Monitor email account for monitor website; prepare exhibits and table of contents and appendix to trial brief; transcribe minutes from previous meetings with the City and Monitoring Team.	8.80
06/03/20	JIML	Review and edit latest J. Henegan additions to trial memo on proposed KCD amendments; followed by call with J. Henegan: completion of same.	2.30
06/03/20	JCH	Conference with J. Letten and work on City's 17 modifications to Consent Decree and return to and two telephone conferences with J. Letten re same; review and reply to emails from W. Perry and J. Letten re same.	2.60
06/03/20	GWP	Work on pretrial report; receive positive community feedback re: website updates; confer with E. Stanton and submit pretrial report.	15.40
06/03/20	ELS	Review and analyze correspondence from T. Castelli re: proposed revisions to Section I; discuss same with counsel for City.	1.00
06/03/20	ELS	Review and analyze City's Expert Report of E. Daigle.	1.30
06/03/20	ELS	Review and analyze Monitoring Team's comments and proposed suggestions to parties' proposed 16 modified KCD items.	1.40
06/03/20	ELS	Review and analyze multiple emails from counsel for parties re: attempts to reach agreement on Section I language; telephone and video conferences with counsel re: same, pretrial briefs and related matters.	1.60
06/03/20	ELS	Review, edit and finalize Monitor's Pretrial Report; confer with co-counsel re: same and next steps.	2.40
06/04/20	TLW	Monitor email account for monitor website and respond to inquiries/complaints; attend weekly team meeting and record minutes.	1.80
06/04/20	JIML	Trial Preparation; review Monitor's pre-trial report content, City's and ACLU's pretrial filings.	1.20
06/04/20	JIML	Monitor team conference call; trial preparation initiated.	0.90
06/04/20	JCH	Conference call with E. Stanton and the monitoring team re mediation update and prep for court hearing.	0.80
06/04/20	GWP	Participate in weekly monitoring team call; receive and review community inquiry re: allegedly fake social media account operated by MPD; receive and review the parties' pretrial briefs; receive and review order setting pretrial conference; receive and review correspondence from T. Bowman.	3.10
06/04/20	ELS	Review and analyze Pretrial Brief filed by City and ACLU-TN; confer with co-counsel re: same and remaining issues for trial/evidentiary hearing.	1.90
06/04/20	ELS	Prepare for and participate in weekly Team conference call.	0.80
06/04/20	ELS	Review and analyze Order Setting Pre-Hearing Conference.	0.10
06/04/20	ELS	Review and analyze draft of Joint Notice of Filing Proposed Modified Consent Decree with exhibits received from City.	1.00
06/04/20	ELS	Review and analyze Dr. T. Bowman's assessment of proposed modified Consent Decree terms and analysis of Daigle Expert Report provided by City.	1.30
06/04/20	ELS	Review and analyze complaint filed by citizen re: MPD and alleged fake accounts; coordinate with co-counsel and paralegal re: response to citizen and next steps.	0.70

DATE	PROF	DESCRIPTION	HOURS
06/05/20	TLW	Monitor email account for monitor website and respond to correspondence from public; updated community contact log; attend weekly meeting with City and record minutes.	1.70
06/05/20	ELS	Prepare for and participate in weekly conference call with City; follow up with deputy monitor re: next steps.	0.90
06/05/20	ELS	Correspond and telephone conferences with counsel for both parties re: outstanding mediation terms and related matters.	0.70
06/05/20	JIML	Weekly conference call with City/MPD legal teams.	0.60
06/05/20	JIML	Conference call with Monitor to discuss trial witness preparation; followed by review/analysis of parties' draft modifications to KCD.	0.50
06/05/20	JIML	Receive request from City/MPD re request for authority to carry out certain social media functions compliant with the KCD. Analysis and draft/send response with recommendation.	0.90
06/05/20	JCH	Review three pre-trial briefs and emails to monitoring team re same.	1.80
06/05/20	GWP	Receive and review the parties' draft joint notice of proposed consent decree modifications; confer with E. Stanton re: T. Bowman and R. Levinson-Waldman comments to the same; prepare response to community inquiries for E. Stanton review; confer with E. Stanton re: trial logistics; receive, review prepare response to 3-part RFA from the City.	3.70
06/05/20	ELS	Review and analyze comments and guidance from Monitoring Team members; review article re: social media and law enforcement issues from R. Levinson Waldman.	0.90
06/05/20	ELS	Correspond with T. Castelli.	0.20
06/05/20	ELS	Review, analyze and finalize response to multiple RFA related questions from J. Sink; confer with deputy monitor and co-counsel re: same.	0.90
06/06/20	JIML	Phone conference with J. Henegan re preparation and prep documents for trial testimony re 1st Amendment.	0.20
06/06/20	JCH	Review and reply to email from W. Perry re pre-hearing legal research; telephone conference with J. Letten; work in preparation for June 17 hearing testimony, including review of key court orders and City's pre-hearing brief and prep of resource materials.	4.80
06/07/20	JIML	Trial preparation re: J. Henegan's First Amendment presentation; follow up emails from/to J. Henegan re same.	1.70
06/07/20	JCH	Continue work in preparation for June 17 hearing testimony, including review of ACLU's pre-hearing brief and preparation of resource materials; email to J. Letten re same; review and reply to email from J. Letten re same.	3.70
06/08/20	TLW	Monitor email account for monitor website and respond to correspondence from public; review file and update RFA log; prepare correspondence to Judge McCalla re: mediation; transcribe minutes from previous meetings with City and Team;	4.20
06/08/20	ELS	Review and analyze correspondence from parties re: mediation update to Court and related materials; TCW J. Silk; finalize letter to Judge McCalla re: same.	1.00
06/08/20	ELS	Conference with co-counsel re: testimony preparation and related matters.	0.70
06/08/20	JIML	Phone conference with J. Henegan re: preparation for his expert testimony at trial.	1.10
06/08/20	JIML	Confer with J. Henegan re: trial preparation.	0.40
06/08/20	JCH	Review and reply to emails from J. Letten re preparation for June 17 hearing.	0.10
06/08/20	JCH	Telephone conference with J. Letten re key topics to address from First Amendment perspective in trial testimony.	1.10
06/08/20	JCH	Review letter from E. Stanton to U.S. District Judge McCalla re mediation status report; review and reply to email from court re pre-hearing conference.	0.10
06/08/20	JCH	Legal research related to First Amendment Issues related to Section I of Consent Decree and review parties' joint submission re mediation and review and reply to emails from J. Letten re same and continue preparation for trial testimony.	1.80

DATE	PROF	DESCRIPTION	HOURS
06/08/20	GWP	Confer with E. Stanton, R. Levinson-Waldman, J. Henegan, and J. Letten re: direct and cross examinations at trial; review the parties' joint notice re: proposed modifications to the consent decree.	2.20
06/08/20	ELS	Edit and finalize correspondence to Judge McCalla re: mediation status.	0.20
06/08/20	ELS	Review and analyze Notice of Joint Proposed Consent Decree Modifications and Exhibits.	0.50
06/09/20	TLW	Monitor email account for monitor website and respond to correspondence from public; correspondence to webmaster re: status of Full Court Docket page and addition of trial to Key Dates; transcribe minutes from previous meetings.	1.70
06/09/20	JIML	Prepare for and participate in conference call with D. McGriff re: testimony preparation for trial; Audit and Compliance document/testimony review.	1.90
06/09/20	JIML	Read/study W. Thomas article on MPD methods.	0.30
06/09/20	JIML	Continued trial preparation with J. Henegan.	1.10
06/09/20	JIML	Phone conference with E. Stanton and J. Henegan and attention to preparation of materials and outline of Monitor's witness presentations and positions at 6/17 trial.	0.90
06/09/20	JCH	Review and reply to email from R. Levinson-Waldman and consent decree issues; continue preparation for June 17 hearing, including telephone conference with J. Letten re outline for trial testimony.	3.60
06/09/20	GWP	Receive and review pro publica article from R. Levinson-Waldman re: W. Thomas public records request; confer with R. Levinson-Waldman and J. Henegan re: trial prep.	0.60
06/09/20	ELS	Review and analyze materials received from subject matter experts in preparation for trial.	0.60
06/10/20	TLW	Monitor email account for monitor website and respond to correspondence from public; transcribe minutes from previous meetings.	2.90
06/10/20	JIML	Prepare for and participate in Pre-Trial conference with Court and all parties on Skype.	1.60
06/10/20	JIML	Prepare for and participate in team phone conference.	0.90
06/10/20	JIML	Phone conference with J. Henegan followed by research of pleadings to assist in preparation of trial presentation.	0.40
06/10/20	ELS	Telephone conference with B. McMullen and counsel for City re: trial related issues; follow up with co-counsel re: same.	1.40
06/10/20	ELS	Prepare for and participate in pre-trial conference with Judge McCalla and Parties; follow up with co-counsel, deputy monitor and R. Levinson Waldman re: trial preparation and related matters.	2.60
06/10/20	JCH	Telephone conference with J. Letten re pre-trial conference; take part in pre-trial conference and email to E. Stanton and monitoring team re same; review and reply to emails from monitoring team re same; conference with J. Letten and W. Perry re preparation of hearing testimony re modified consent decree; work on outline for trial testimony related to the parties' proposed modifications to the Consent Decree.	5.70
06/10/20	SKC	Confer with E. Stanton regarding various issues in connection with June 17 trial preparation.	1.80
06/10/20	GWP	Confer with E. Stanton and R. Levinson-Waldman re: pretrial conference and participate in conference; confer with J. Henegan and J. Letten re: trial presentation; work on witness examinations for trial.	5.20
06/10/20	ELS	Review and analyze City's Motion to Review Monitor's Pretrial Report.	0.40
06/11/20	TLW	Monitor email account for monitor website; attend weekly team meeting and record minutes; correspondence to counsel for parties re: sealed monitor's report; review court's orders and transcripts in preparation for trial and prepare memo for attorneys; retrieve recent filings and prepare for upload to website; correspondence to webmaster re: updates and corrections to website.	5.90
06/11/20	ELS	Prepare for and participate in weekly Monitoring Team conference call.	1.40
06/11/20	ELS	Correspond and telephone conference with T. Castelli re: pre trial matters.	0.50
06/11/20	ELS	Trial and witness preparation.	3.40

<u>DATE</u>	<u>PROF</u>	<u>DESCRIPTION</u>	<u>HOURS</u>
06/11/20	ELS	Review and analyze City's Motion to Partially Withdraw Motion for Relief; confer with co-counsel re: same.	0.50
06/11/20	JIML	Preparation for trial on 6/17 with phone conference with D. McGriff; prep for Monitoring team trial conference Zoom.	0.20
06/11/20	JIML	Participate in Monitoring Team Zoom Meeting.	1.00
06/11/20	JIML	Trial preparation.	2.60
06/11/20	JIML	Trial preparation; confer with J. Henegan re: direct/cross exam testimony.	6.30
06/11/20	JCH	Conference call with monitoring team re preparation for June 17 hearing; telephone conference with J. Letten and review and reply to email from W. Perry re preparation of trial testimony; review City's Motion for Partial Withdrawal of Relief from Consent Decree; conference with J. Letten re continued preparation of trial testimony.	4.10
06/11/20	SKC	Confer with E. Stanton regarding various issues in connection with June 17 trial.	2.40
06/11/20	GWP	Receive and review the City's motion to see the team's pretrial report; prepare for and participate in weekly team call; work on website updates re: full court docket; confer with E. Stanton and J. Letten re: J. Henegan testimony at trial; receive and review the City's motion to partially withdraw its motion to vacate or modify the consent decree; confer with the City re: access to the team's pretrial report; prepare for weekly meeting with the City.	4.10
06/11/20	ELS	Review and analyze correspondence from B. McMullen re: Court's Order concerning release of Monitor's Pretrial Report; confer with co-counsel re: same and next steps.	0.60
06/12/20	TLW	Monitor email account for monitor website; continue transcribing minutes from previous team meetings and meetings with the City; attend weekly meeting with the City and record minutes.	3.30
06/12/20	ELS	Continue trial prep; coordinate with Audio Visual team re: logistics and exhibits coordination for trial.	3.70
06/12/20	JIML	Trial preparation: confer with J. Henegan.	0.10
06/12/20	JIML	Phone conference with J. Henegan/follow up testimony/exhibit preparation for trial on 6/17.	0.90
06/12/20	JIML	Call/email with E. Stanton re tech prep for testimony presentation at trial; tech prep conference call.	0.80
06/12/20	JIML	Calls with D. McGriff and J. Henegan re: trial testimony.	2.60
06/12/20	ELS	Prepare for and participate in weekly call with City.	0.20
06/12/20	JCH	Prepare for June 17 hearing on City's motion, including collection of prior publications; review court order granting City's motion to partially withdraw relief sought at June 17 hearing; telephone conference with J. Letten re trial testimony outline and message to R. Levinson-Waldman re same; review and reply to email from R. Levinson-Walden re same; conference with E. Stanton, W. Perry, J. Letten, and T. Peede re technical support issues.	2.50
06/12/20	GWP	Confer with team re: pretrial call with the parties next week and trial; receive and review CA article re: Director Rallings likely testimony at trial next week; receive and review order granting the City's partial motion; confer with the parties re: pretrial call next week; participate in weekly call with the City; confer with firm IT re: needs for trial and use of Skype; work on R. Levinson-Waldman, T. Bowman, and D. McGriff witness testimony.	4.10
06/12/20	ELS	Review and analyze Order granting City's Motion to Partially Withdraw Motion to Vacate.	0.20
06/13/20	JIML	Trial Preparation: Telephone conferences with D. McGriff re preparation for his testimony; reviewing all Audit and Compliance testimony materials/ followed by outline/email.	0.90
06/13/20	JCH	Telephone conference with R. Levinson-Waldman re parties' proposed changes to the consent decree; email to T. Peede re logistics for virtual hearing; prepare for trial testimony; review and reply to emails from R. Levinson-Waldman, J. Letten and W. Perry re proposed testimony.	2.10

DATE	PROF	DESCRIPTION	HOURS
06/13/20	GWP	Work on R. Levinson-Waldman testimony; receive and review updated correspondence from W. Thomas lawyer; prepare correspondence to the court re: the same.	4.80
06/13/20	ELS	Continue trial and witness preparation.	5.30
06/13/20	ELS	Correspond and telephone conference with Dr. S. Peters re: trial.	0.60
06/14/20	TLW	Attend Pre-Trial team meeting; prepare exhibits for trial; draft letter to Judge McCalla re: public comment clarification.	3.40
06/14/20	ELS	Prepare for and participate in Monitoring Team Conference in preparation for pre-trial meeting with Counsel for Parties.	2.40
06/14/20	ELS	Continue trial preparation, multiple conferences with and review of documents from co-counsel, deputy monitor and subject matter experts concerning pretrial meeting with counsel for both parties and trial testimony and related matters.	4.30
06/14/20	JIML	Trial Preparation: 12 calls with J. Henegan for specific testimony/exhibit preparation.	2.50
06/14/20	JIML	Trial preparation; compose exhibit cross reference and testimony colloquy conference call with J. Henegan, Monitor E. Stanton and W. Perry.	5.80
06/14/20	JCH	Review and reply to emails from J. Letten, R. Levinson-Waldman, and D. McGriff; review comments received from R. Levinson-Waldman re trial testimony and reply to same; telephone conference with J. Letten re proposed trial testimony; conference call with E. Stanton and monitoring team re preparation for hearing to modify the consent decree; telephone conference with J. Letten re preparation of documents for meeting with the City and ACLU attorneys and prepare exhibit for trial testimony; conference with E. Stanton and W. Perry and J. Letten re same; continue to work on same.	6.70
06/14/20	GWP	Work on T. Bowman and J. Henegan testimony; prepare for and participate in team call.	5.30
06/15/20	JIML	Prepare for and participate in Pre-Trial prep Zoom Team conference.	2.80
06/15/20	TLW	Correspondence to Judge McCalla re: public comment clarification; continue working on trial exhibits; attend Monitoring Team meeting and record minutes prior to joint Pretrial conference with City and ACLU; attend Joint Pretrial Conference with City and ACLU and record minutes.	10.70
06/15/20	ELS	Continue trial prep; Monitoring Team preparation conference; expert witness meeting with counsel for both Parties; continued preparation, review edit trial outlines, exhibits and related items; follow up conference call with counsel for City; work with co-counsel and paralegal re: finalizing Court submissions.	7.40
06/15/20	JCH	Prepare for trial and conference with J. Letten re same; telephone conference with J. Letten and prepare exhibits for trial; conference call with monitoring team; conference with monitoring team and attorneys for City and ACLU re proposed revisions to consent decree; prepare for June 17-19 hearing.	7.20
06/15/20	JIML	Prepare trial testimony outlines and exhibits for trial.	1.50
06/15/20	JIML	Trial prep continued: Participate in Monitor team ZOOM conference to prepare for conference with City/MPD on anticipated testimony.	0.60
06/15/20	JIML	Pre-Trial teleconference between Monitoring Team and counsel for City, MPD, and ACLU to discuss anticipated testimony.	0.90
06/15/20	JIML	Trial preparation: Zoom Conferences with Team.	0.60
06/15/20	GWP	Work with R. Levinson-Waldman, J. Henegan, and J. Letten on trial presentations; prepare for and participate in preliminary team call; prepare for and participate in pre-trial call with the City of Memphis and the ACLU-TN; receive and review Dr. Peters focus group update; finalize and submit witness list and exhibits for trial; receive and review website inquiry from G.M.	11.60
06/15/20	SKC	Review and analyze pre-hearing briefs filed by the parties; participate in meeting with parties and monitoring team regarding various issues relating to proposed modifications; participate in monitoring team pre-hearing meeting.	7.80

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DATE	PROF	DESCRIPTION	HOURS
06/16/20	TLW	Prepare trial notebooks; correspondence to webmaster re: updates to website; trial preparation; attend pretrial conference with parties and team and record minutes.	8.10
06/16/20	JIML	Following Pre-Trial Teleconference with City, MPD and ACLU, participate in debrief with Monitoring team.	1.50
06/16/20	JIML	Trial/testimony/exhibit preparation.	3.20
06/16/20	JIML	Resume trial preparation/outline/exhibit and testimony organization.	1.00
06/16/20	JIML	Continue trial preparation: work on evidentiary documents and witness prep, conference calls with D. McGriff and J. Henegan, and conference call with Firm's tech expert, T. Peede.	3.70
06/16/20	JCH	Prepare for hearing; conference call with J. Sample and monitoring team; conference call with monitoring team re trial preparation; second conference call with J. Sample and all counsel re a review and work on proposed testimony.	6.50
06/16/20	GWP	Work with D. McGriff and R. Levinson-Waldman re: trial examination; meet with team for virtual run through of trial presentations; prepare for and participate in follow-up pretrial conference with the ACLU-TN and the City; participate in practice run-through with the court; confer with E. Stanton re: trial presentation and examinations.	14.40
06/16/20	SKC	Preparation of outline of proposed modifications contained in pre-hearing briefs filed by the parties; participate in meeting with parties and monitoring team regarding various issues relating to proposed modifications; participate in monitoring team pre-hearing meeting; meet and confer with E. Stanton regarding various issues in preparation for modification hearing.	7.30
06/16/20	ELS	Trial and witness preparation.	11.90
06/16/20	JIML	Skype test conducted by Mr Sample, prep for trial.	0.50
06/17/20	TLW	Assist attorneys at trial.	8.60
06/17/20	ELS	Continue Trial Prep.	2.40
06/17/20	JIML	Day of Trial: Pre-trial preparations/exhibits, Commence Trial.	9.10
06/17/20	JIML	Following trial adjournment, confer with Monitor and team; assessment and planning for next day's witnesses; break.	1.50
06/17/20	JIML	Resume trial preparation; confer and prepare with experts R. Levinson-Waldman and J. Henegan.	4.60
06/17/20	JCH	Conference with R. Levinson-Walden and J. Letten re Monitoring Team Trial Exhibit 10; conference with J. Letten re proposed trial testimony; finish preparation for trial testimony.	4.00
06/17/20	GWP	Prepare for and participate in Day 1 of trial and prepare for Day 2.	9.80
06/17/20	SKC	Attend modification hearing; participate in monitoring modification hearing meetings and attention to issues related to same; meet and confer with E. Stanton regarding first day of modification hearing testimony.	8.60
06/17/20	ELS	Trial; debrief with Monitoring Team; prepare for Day Two of Trial.	12.70
06/18/20	TLW	Attend trial and assist attorneys.	9.00
06/18/20	JIML	Witness preparation before commencement of trial; trial adjourn followed by conference calls with monitor team.	11.40
06/18/20	JCH	Final preparation for and attend Hearing as witness and as a member of monitoring team post-hearing conference call with Monitoring Team.	6.50
06/18/20	GWP	Prepare for and participate in Day 2 of trial and prepare for Day 3.	10.80
06/18/20	SKC	Attend modification hearing; participate in monitoring modification hearing meetings and attention to issues related to same; meet and confer with E. Stanton regarding second day of modification hearing testimony.	8.40
06/18/20	ELS	Trial; debrief with Monitoring Team; prepare for Day Three of Trial.	13.40
06/19/20	TLW	Attend and assist attorneys at trial.	7.30
06/19/20	JIML	In Modification Trial--3rd day.	7.10
06/19/20	JIML	Post-trial conference with Monitoring Team re strategy for trial testimony on Monday 6/22.	0.20
06/19/20	JCH	Email to Monitoring Team re evidence submitted on June 18; attend June 19 hearing; conference calls with monitoring team during lunch recess and after hearing.	7.00

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DATE	PROF	DESCRIPTION	HOURS
06/19/20	GWP	Prepare for and participate in Day 3 of trial and prepare for final day.	7.50
06/19/20	SKC	Attend modification hearing; participate in monitoring modification hearing meetings and attention to issues related to same; meet and confer with E. Stanton regarding third day of modification hearing testimony.	6.50
06/19/20	ELS	Trial; debrief with Monitoring Team.	7.30
06/21/20	JCH	Email to E. Stanton and team re first-amendment based objections to terms in three provisions of the proposed modified consent decree Trial Exhibit 21.	1.40
06/21/20	GWP	Work on E. Daigle cross-examination; confer with E. Stanton re: closing statement and post-trial briefing.	3.80
06/21/20	ELS	Prepare for Day Four of Trial.	3.50
06/22/20	TLW	Attend and assist attorneys at trial; attend monitoring team meeting and record minutes; monitor email account and provide responses; phone conference with D. McGriff re: TN Fusion documents and affidavit for Ex. 11.	4.90
06/22/20	ELS	Continued preparation for and participate in Day Four of Trial; follow up debrief with co-counsel and Monitoring Team re: next steps and preparing post trial brief materials.	6.70
06/22/20	JIML	Resume Modification trial - day four.	2.90
06/22/20	JIML	Post-Trial Monitoring team conference call.	0.40
06/22/20	JCH	Attend Zoom hearing and exchange emails with team re testimony; conference call with monitoring team re preparation of post-trial brief.	2.80
06/22/20	ELS	Trial; Debrief with Monitoring Team re: post trial briefing, next steps and related matters.	4.70
06/22/20	SKC	Attend modification hearing; participate in monitoring team modification hearing meetings and attention to issues related to same; meet and confer with E. Stanton regarding final day of modification hearing testimony.	4.40
06/22/20	ELS	Review and analyze complaint filed by citizen on monitor's website; confer with co-counsel re: response and next steps.	0.30
06/22/20	GWP	Prepare for and attend the final day of trial; receive and review the court's minute entry re: trial; receive and review new community inquiry from H.B.; participate in monitoring team call re: post-trial briefing and other next steps; review Daily Memphian articles re: trial; receive and review the court's exhibit and witness list.	4.70
06/23/20	TLW	Monitor email account for monitor website.	0.20
06/24/20	TLW	Monitor email account for monitor website.	0.30
06/26/20	TLW	Monitor email account for monitor website; transcribe minutes from trial; attend weekly meeting with the city.	1.30
06/29/20	TLW	Monitor email account for monitor website; review court docket and retrieve missing documents for update to Monitor's website; transcribe minutes of pretrial meetings for attorney reference.	2.90
06/29/20	GWP	Confer with E. Stanton re: post-trial briefing.	0.20
06/30/20	TLW	Monitor email account for monitor website; review website and send additional changes to webmaster.	0.50

Rate Summary

PROFESSIONAL	TITLE	HOURS		RATE	TOTAL
Edward Stanton III	Monitor	129.90	hours at	\$350.00	\$45465.00
Jim Letten	Deputy Monitor	99.10	hours at	\$295.00	\$29234.50
Gadson William Perry	Butler Snow Counsel	124.10	hours at	\$295.00	\$36609.50
Keenan Carter	Butler Snow Counsel	47.20	hours at	\$295.00	\$13924.00
Terri Wiseman	Paralegal	95.00	hours at	\$175.00	\$16625.00
John C. Henegan	Subject Matter Expert	80.60	hours at	\$275.00	\$22165.00
Subtotal:		575.90			\$164,023.00

EXPENSES

<u>DATE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
06/11/20	Image Reproduction 425 Page(s)	42.50
06/11/20	No Charge Image Reproduction 50 Page(s)	0.00
06/16/20	Image Reproduction	201.20
06/16/20	Image Reproduction 2172 Page(s)	217.20
06/16/20	No Charge Image Reproduction 50 Page(s)	0.00
06/16/20	Flash Drive 58GB Requested by Terri Wiseman	155.00
06/17/20	Image Reproduction 489 Page(s)	48.90
06/17/20	No Charge Image Reproduction 50 Page(s)	0.00
06/22/20	Image Reproduction 66 Page(s)	6.60
06/22/20	No Charge Image Reproduction 50 Page(s)	0.00
06/23/20	Expedited trial transcript; PAYEE: Candace Cobey	1,137.40
06/23/20	Expedited trial transcript; PAYEE: Lisa Mayo	171.82
06/23/20	Expedited trial transcript; PAYEE: Catherine Phillips	435.60
06/23/20	Delivery to Federal Court See Session 13457.	25.00
06/30/20	Pacer Expense	2.50
06/30/20	Pacer Expense	2.50
06/30/20	SUBJECT MATTER EXPERT: Theron Bowman - INVOICE#: TLBSI-2020039 DATE: 6/30/2020 Subject Matter Experts Fees and Expenses for June 2020	13,300.00
06/30/20	SUBJECT MATTER EXPERT: Rachel Levinson Waldman INVOICE#: 063020RLW DATE: 6/30/2020 Subject Matter Expert Fees and Expenses for June 2020	18,012.50
06/30/20	SUBJECT MATTER EXPERT: Dave McGriff INVOICE#: 063020DM DATE: 6/30/2020 Subject Matter Experts Fees and Expenses for June 2020	3,400.00

Subtotal of Expenses: \$37,159.02

TOTAL CURRENT BILLING FOR THIS MATTER

\$201,182.02

6/22/2020

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PageID 11493

United States District Court
United States District Court Western Division

Date: 06/22/2020
Invoice Number: 202000099
Re: ACLU v. City of Memphis

To:

Ms. Pamela Atkins
Butler Snow
Memphis, TN
Phone: (901) 680-7345
Email: pamel.a.atkins@butlersnow.com

Make Checks Payable To:

Candace Covey, RDR, CRR
Official US Court Reporter
EIN / Tax ID: 45-2626753
Federal Building
167 North Main Street, Suite 242
Memphis, TN, 38103
Phone: (901) 495-1216
Email: Candace_Covey@tnwd.uscourts.gov

Case Details:

Case Number: 2:17-cv-2120-JPM
Case Title: ACLU vs. City of Memphis
Case Description: Trial transcripts from 6/17/20 and 6/18/20
Criminal or Civil: Civil

Proceeding Date: Jun 17, 2020
Judge Hearing Case: Jon P. McCalla

Transcripts:

Date Ordered: Jun 22, 2020
Date Delivered: Jun 26, 2020
Transcripts Requested By: Mr. Mark Glover

Charges:

Page Type	Page Count	Rate	Sub-Total
3-Day Original	470	\$2.42	\$1,137.40

Total: \$1,137.40

Amount Due: \$1,137.40

Notes

The transcript fees were divided equally between all parties.

/s/ Candace Covey

6/22/2020

View Invoice | Reporter Suite - App for Court Reporters, Stenographers and Proofreaders. Manage reports, invoices, expenses, time tracking, c...
PageID 11494**United States District Court
Western**Date: 06/22/2020
Invoice Number: 202000018
Re: ACLU v. City of Memphis**To:****Edward L. Stanton, III**
Butler Snow, LLP
6075 Poplar Avenue, Ste. 500
Memphis, TN, 38119
Phone: (901) 682-7369**Make Checks Payable To:****Catherine J. Phillips**
Official US Court Reporter
167 N. Main Street
#242
Memphis, TN, 38103
Phone: (901) 495-1535
Email: cathyphillips1989@gmail.com**Case Details:****Case Number:** 2:17-cv-02120-JPM-jay
Case Title: ACLU vs. City of Memphis
Case Description: Trial date June 19, 2020
Criminal or Civil: Civil**Proceeding Date:** Jun 19, 2020
Courthouse: Memphis
Judge Hearing Case: McCalla**Transcripts:****Date Ordered:** Jun 22, 2020
Transcripts Requested By: Stanton**Charges:**

Page Type	Page Count	Rate	Sub-Total
3-Day Original	180	\$2.42	\$435.60

Total: \$435.60**Amount Due:** \$435.60**/s/ Catherine Phillips**

United States District Court
Western District of Tennessee

Date: 06/22/2020
Invoice Number: 202000218
Re: ACLU vs. City of Memphis

To:

Ed Stanton
Butler Snow
6075 Poplar Avenue, Suite 500
Memphis, TN, 38119
Assistant's Name: Pamela Atkins
Assistant's Email: pamela.atkins@butlersnow.com

Make Checks Payable To:

Lisa J. Mayo, CRR, RDR
Official US Court Reporter
167 North Main Building, Room 242
Memphis, Tennessee, 38103
Phone: (901) 495-1537
Email: lisamayo22@gmail.com

Case Details:

Case Number: 2:17-cv-02120
Case Title: ACLU vs. City of Memphis
Case Description: ACLU of Tennessee vs. City of
Memphis, TN (Modification hearing)
Criminal or Civil: Civil

Proceeding Date: Jun 22, 2020
Judge Hearing Case: Jon P. McCalla

Transcripts:

Date Ordered: Jun 22, 2020
Date Delivered: Jun 26, 2020
Transcripts Requested By: All parties

Charges:

Page Type	Page Count	Rate	Sub-Total
3-Day Original	71	\$2.42	\$171.82

Total: \$171.82

Amount Due: \$171.82

/s/ Lisa Mayo

SUBJECT MATTER EXPERTS' MONTHLY FEES/EXPENSES

<u>June 2020</u>				
Name	Title	Hours	Total Fees	Total Expenses
Rachel Levinson-Waldman	Public Policy and Social Media Expert (\$275.00/hr)	65.50	\$18,012.50	\$0.00
Theron Bowman	Law Enforcement and Police Practices Expert (\$250.00/hr)	53.20	\$13,300.00	\$0.00
David McGriff	Compliance and Auditing Expert (\$200.00/hr)	17.00	\$3,400.00	\$0.00

MPD Monitoring Team

Name: Rachel Levinson-Waldman

Date: June 2020

Page ____ **of** ____ **Pages**

Date	Description	Start time	End time	Total
6/3	Reviewing and commenting on city's expert report for monitoring team's submission to the court			3
6/4	Team meeting	10:30	11:12	.7
6/8	Reviewing pre-trial briefs			2
6/10	Pre-trial conference (1 hour); debrief with monitor (.5)			1.5
6/11	Team meeting	10:30	11:24	.9
6/12	Reviewing and drafting materials for trial prep			1.5
6/13	Reviewing and drafting materials for trial prep			4.5
6/14	Reviewing and drafting materials for trial Team call	4 pm	5:40 pm	7 1.7
6/15	Team meeting (30 mins); prep call with parties (2.5 hours); further prep (2.5 hours)			5.5

6/16	Trial prep, including meeting with team and with city	9:30 am	6 pm	8.5
	Additional trial prep	8:30 pm	11 pm	2.5
6/17	Trial prep	9:15 am	10:30 am	1.25
	Call with team members	9:20 pm	9:50 pm	.5
6/17	Trial	10:30 am	6 pm	7.5
6/18	Trial	10 am	6:15 pm	8.25
6/19	Trial	10 am	4:08 pm	6.1
	Team call	4:08 pm	4:20 pm	.2
6/22	Trial	10 am	12:08 pm	2.1
	Team call	2:30 pm	2:48 pm	.3

Total: 65.5 x \$275 = \$18,012.50

MPD Monitoring Team

Name: David N. McGriff **Date: 6-4-20** **Page 1 of 1 Pages**

[illegible]

MPD Monitoring Team

Name: David N. McGriff **Date: 6-11-20** **Page 1 of 1 Pages**

[illegible]

MPD Monitoring Team

Name: David N. McGriff **Date: 6-14-20** **Page 1 of 1 Pages**

[illegible]

MPD Monitoring Team

Name: David N. McGriff Date: 6-15-20 Page 1 of 1 Pages

[illegible]

MPD Monitoring Team

Name: David N. McGriff Date: 6-16-20 Page 1 of 1 Pages

[illegible]

MPD Monitoring Team

Name: David N. McGriff **Date: 6-17-2020** **Page 1 of 1 Pages**

[illegible]

Theron L Bowman, Inc.

2921 Collard Road
Arlington TX 76017
United States
<http://www.drtlbowman.com>
817-585-4242
chiefdrt@aol.com



**THE BOWMAN
GROUP
INVOICE**

For: Butler Snow LLP

Invoice Date: 06/30/2020

Due Date: 07/30/2020

Invoice Number:

TLBSI-2020039

Reference: MPD- KCD

Customer:

Butler Snow LLP

Invoice To

Crescent Center
6075 Poplar Avenue, Suite 500
Memphis TN 38119

Deliver To

Crescent Center
6075 Poplar Avenue, Suite 500
Memphis TN 38119

Description	Code	Qty/Hrs	Price/Rate \$	Amount \$
6/3 Reviewed documents (prepared/submitted analysis of Daigle report	Document review	4.00	250.00	1,000.00
6/4 Telephone or Video Conference call preparation and participation (weekly team call	CALL-CONF	0.50	250.00	125.00
6/5 Reviewed and responded to 13 messages (media reports, Order Holding in Abeyance Decision on the City of Memphis's Proposed Social Media Policy, Updates to Monitoring Team Website, Pre-Trial Report, Trial Briefs).	REVIEW-RESPOND	2.00	250.00	500.00
6/11 Telephone or Video Conference call preparation and participation (weekly team call 1.0) 6/14 Telephone or Video Conference call preparation and participation (team court prep 1.8). 6/15 Telephone or Video Conference call preparation (2.0) and participation (MT, ACLU and City prep for court)(2.5).	CALL-CONF	7.30	250.00	1,825.00

Terms and Conditions

Net 30

Description	Code	Qty/Hrs	Price/Rate \$	Amount \$
6/12 Reviewed and responded to 33 messages (Joint Notice of Filing Proposed Modified Consent Decree, (329) City's Motion to View the Pretrial Submissions of the Independent Monitor, (330) PRETRIAL REPORT OF THE INDEPENDENT MONITOR_53339517_1, Motion to Partially Withdraw Motion for Relief from Judgment or Order, Potential Meeting with the City's Lawyers, Order Granting Defendant's Motion to Partially Withdraw its Motion, use of social media during Floyd protests)	REVIEW-RESPOND	3.40	250.00	850.00
6/15 Reviewed and responded to 21 messages (social media, Annotated Guide to Kendrick Consent Decree, Consent decrees, Draft Witness Examination Outline, Team Meeting, Modification Hearing, Henegan drafts, Letter to Judge and Exhibits)	REVIEW-RESPOND	2.30	250.00	575.00
6/16 Telephone or Video Conference call preparation and participation (prep for court)	CALL-CONF	6.50	250.00	1,625.00
6/17 Reviewed and responded to 9 messages (Facebook pages, Follow up on testimony of monitor team members testimony, Modification Hearing, Trial Schedule)	REVIEW-RESPOND	0.70	250.00	175.00
6/17 Telephone or Video Conference call preparation and participation (in court 8.0). 6/18 Telephone or Video Conference call preparation and participation (in court 8.5). 6/19 Telephone or Video Conference call preparation and participation (in court 6.0).	CALL-CONF	22.50	250.00	5,625.00
6/22 Telephone or Video Conference call preparation and participation (in court and team call thereafter)	CALL-CONF	2.80	250.00	700.00
6/18- 6/22 Reviewed and responded to 68 messages (53 during court hours, 15 additional, including City of Memphis Trial Exhibit 21, conference call, media reports)	REVIEW-RESPOND	1.00	250.00	250.00
6/30 Reviewed and responded to 3 messages.	REVIEW-RESPOND	0.20	250.00	50.00

Subtotal	13,300.00
Total	\$13,300.00
Amount Due	\$13,300.00

Comments

June 1-30, 2020

Terms and Conditions

Net 30