

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

OFFICE OF
APPELLATE COURTS

MAY 11 2012

FILED

A11-152

Sara Hippert, Dave Greer, Linda Markowitz, Dee Dee Larson, Ben Maas, Gregg Peppin, Randy Penrod and Charles Roulet, individually and on behalf of all citizens and voting residents of Minnesota similarly situated,

Plaintiffs,

and

**AFFIDAVIT OF TONY P.
TRIMBLE**

Kenneth Martin, Lynn Wilson, Timothy O'Brien, Irene Peralez, Josie Johnson, Jane Krentz, Mark Altenburg and Debra Hasskamp, individually and on behalf of all citizens of Minnesota similarly situated,

Intervenors,

and

Audrey Britton, David Bly, Cary Coop, and John McIntosh, individually and on behalf of all citizens of Minnesota similarly situated,

Intervenors,

vs.

Mark Ritchie, Secretary of State of Minnesota; and Robert Hiivala, Wright County Auditor, individually and on behalf of all Minnesota county chief election officers,

Defendants.

strategic advice and counsel and assisted with the preparation of briefs and representation of Plaintiffs in proceedings before the Special Redistricting Panel. Briggs and Morgan, P.A. was primarily responsible for drafting briefs, preparing presentations, and representing Plaintiffs in proceedings before the Special Redistricting Panel.

7. During this litigation, attorneys from Trimble and Associates, Ltd., and Briggs and Morgan, P.A. engaged in the following activities while representing Plaintiffs: (i) legal and demographic research; (ii) consulting with and advising clients; (iii) consulting with demographic consultants; (iv) analyzing existing and proposed redistricting plans; (v) drafting and revising briefs, pleadings, and presentations; (vi) analyzing the pleadings, briefs, arguments, and proposed redistricting plans of other parties involved in the litigation; and (vii) preparing for and presenting oral arguments and Powerpoint presentations to the Special Redistricting Panel.

8. I am familiar with the prevailing hourly rates charged by lawyers in Minneapolis and St. Paul. I have reviewed the Affidavit of Eric J. Magnuson submitted in support of the Plaintiffs' application for attorneys' fees. The billing rate information in that affidavit is consistent with my understanding of prevailing hourly rates for lawyers in the Minneapolis and St. Paul area.

9. The hourly rates charged by Plaintiffs' attorneys in this case are consistent with reasonable and customary rates charged in the Minneapolis and St. Paul legal community. The rates charged are equivalent to or less than the median prevailing rates identified in the 2011 billing survey from Price Waterhouse Cooper discussed in the Affidavit of Eric J. Magnuson.

10. The attorneys' fees incurred by Plaintiffs in this litigation exceed the \$225,000 in attorneys' fees requested by Plaintiffs' motion for attorneys' fees and costs. I believe that \$225,000 represents a reasonable award of attorneys' fees to Plaintiffs for their efforts in this litigation. In stating this opinion, I have considered the experience of the attorneys involved, the responsibility they assumed, the difficulty of the issues presented, the amount of time spent in prosecuting the litigation, the customary and usual fees in the community, the matter in dispute, and the results obtained. The work was actually performed for the Plaintiffs' benefit and was necessary for their proper representation. No charges for any unnecessary or duplicative work or work unrelated to this matter have been submitted in support of this motion.

11. Trimble & Associates, Ltd. advanced \$5,861.91 in costs to Plaintiffs during this litigation. These costs were incurred for the following:

ITEM	COSTS
Photocopies	\$4,649.75
Telephone	\$41.75
Postage	\$23.80
Courier	\$113.00
Binders	\$165.50
Mileage/Parking	\$539.10
TOTAL	\$5,532.90

12. The total costs advanced to Plaintiffs during this litigation by both Briggs and Morgan, P.A., and Trimble and Associates, Ltd. is \$20,985.66.

13. I have reviewed the costs incurred by Plaintiffs in this litigation. Each of the costs were actually incurred by Plaintiffs and were necessary for their proper

representation. No charges for unnecessary or duplicative costs or costs unrelated to this matter have been submitted in support of this motion.

Dated: April 23, 2012.

Tony P. Trimble
Tony P. Trimble

Subscribed and sworn to before me on this 23rd day of April, 2012.

Teresa L. Johnson
Notary Public

