

EXHIBIT 2a

DECLARATION OF CAROL A. SOBEL

1 BELINDA ESCOBOSA HELZER (SBN 214178)
2 bescobosahelzer@aclu-sc.org
3 ACLU FOUNDATION OF SOUTHERN CALIFORNIA
4 2140 W. Chapman Avenue, Suite 209
5 Orange, California 92868
6 Telephone: (714) 450-3962
7 Facsimile: (714) 450-3969

8 PETER BIBRING (SBN 223981)
9 pbibring@aclu-sc.org
10 ACLU FOUNDATION OF SOUTHERN CALIFORNIA
11 1313 West Eighth Street
12 Los Angeles, California 90017
13 Telephone: (213) 977-9500
14 Facsimile: (213) 977-5297

15 Attorneys for Plaintiffs-Petitioners
16 [Additional Counsel on Following Page]

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**

19 MANUEL VASQUEZ, et al.,
20 Plaintiffs,
21 v.
22 TONY RACKAUCKAS, et al.,
23 Defendants.

) Case No. CV 09-1090 VBF (RNBx)

) **DECLARATION OF PETER**
) **BIBRING IN SUPPORT OF**
) **PLAINTIFFS' MOTION TO**
) **AMEND ATTORNEYS' FEES**
) **AWARD AGAINST DEFENDANT**
) **RACKAUCKAS ON REMAND**

) Honorable Valerie B. Fairbank

1 JACOB S. KREILKAMP (Bar No. 248210)
Jacob.Kreilkamp@mto.com
2 LAURA D. SMOLOWE (Bar No. 263012)
Laura.smolowe@mto.com
3 MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th floor
4 Los Angeles, CA 90071-1560
Telephone: (213) 683-9100
5 Facsimile: (213) 687-3702
6 Attorneys for Plaintiffs-Petitioners

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DECLARATION OF PETER BIBRING

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3 I, Peter Bibring, hereby declare:

4 1. I make this declaration based on my own personal knowledge and if
5 called to testify regarding the facts below, I could and would do so competently.

6 2. I currently work for the American Civil Liberties Union Foundation of
7 Southern California (“ACLU/SC”). I joined the ACLU/SC as a staff attorney in
8 2006, and was made a senior staff attorney in 2011 and Director of Police Practices
9 in 2014. Throughout the course of this litigation, I have been employed by the
10 ACLU/SC, have been the one of the attorneys representing Plaintiffs/Appellees
11 Manuel Vasquez, Miguel Lara, Randy Bastida and Gabriel Bastida, and have been
12 one of the primary attorneys responsible for and involved in this litigation.

13 3. I graduated *magna cum laude* from New York University School of
14 Law in 2002. Following law school, I served as a judicial law clerk for the Hon.
15 Marilyn Hall Patel, then Chief Judge of the United States District Court for the
16 Northern District of California, and also for the Hon. Pierre N. Leval on the United
17 States Court of Appeals for the Second Circuit. A true and correct copy of my
18 resume is attached as Exhibit A.

19 4. Following my clerkships, I worked as an associate in private practice
20 for a law firm that specialized in civil rights and plaintiff-side employment cases.
21 While at that firm, I engaged in complex class-action litigation, including *Wang v.*
22 *Chinese Daily News, Inc.*, No. CV 04-1498 (C.D. Cal.) & Nos. 04-80094, 05-
23 80010 (9th Cir.) (class action on behalf of more than two hundred newspaper
24 workers for violations of the Fair Labor Standards Act and California Labor Code;
25 plaintiffs prevailed at summary judgment and damages and attorneys’ fees at trial
26 totaling more than \$5 million); *Bonilla v. Starwood Hotels & Resorts Worldwide,*
27 *Inc.*, No. BC 421541 (L.A. Super. Ct.), No. CV 04-9025 CBM (C.D. Cal.) (class
28 action on behalf of hotel workers denied meal and rest breaks; settled for more

1 than \$3 million); as well as novel litigation on behalf of domestic workers held in
2 involuntary servitude, including *Mintarsih v. Lam*, No. BC319275 (L.A. Super.
3 Ct.) (case asserting employment law violations and constitutional involuntary
4 servitude claims on behalf of a Indonesian domestic worker trafficked into the
5 United States and forced to work for nearly no pay for seven years).

6 5. I have worked as a staff attorney at the ACLU of Southern California
7 since 2006. During that time, I have continued to work on complex and novel
8 litigation, including: *Fazaga v. Federal Bureau of Investigation*, No. SA CV 11-
9 00301 (C.D. Cal.) & Nos. 12-56867, 12-56874, and 13-55017 (9th Cir.) (lead
10 counsel) (class action challenge to FBI's use of undercover informants to collect
11 information in mosques without suspicion of criminal activity); *Nee v. County of*
12 *Los Angeles*, No. CV 11-8899 (C.D. Cal.) (lead counsel) (challenging sheriff
13 department's repeated harassment and detention of photographers on the asserted
14 ground that photography potentially indicated involvement with terrorism); *K.L. v*
15 *City of Glendale*, No. CV 11-8484 (C.D. Cal.) (co-lead counsel) (class action
16 challenge to gang sweep in high school by police that exclusively targeted Latino
17 students as unlawful detention and equal protection violation; settlement required
18 changes to policies and training of four municipal agencies and verification that no
19 information collected in sweep was retained by police); *Gordon v. City of Moreno*
20 *Valley*, No. ED CV 09-688 (C.D. Cal.) (lead counsel) (representing African-
21 American barbers in a challenge to raids by police, state and city officials;
22 settlement required changes to policy and training); *United States v. Los Angeles*,
23 No. CV 00-11769 (C.D. Cal.) (representing community interveners in United
24 States Department of Justice case resulting in far-reaching consent decree over Los
25 Angeles Police Department); *Trujillo v. City of Ontario*, No. ED CV 04-1015
26 (C.D. Cal.) and No. 06-55736 (9th Cir.) (class action on behalf of police officers
27 subjected to covert video surveillance in their station locker room settled on the
28 first day of trial for more than \$2 million); *Fitzgerald v. City of Los Angeles*, No.

1 03-01876 (C.D. Cal) (class action challenge to Los Angeles Police Department
2 detention and search practices in the Skid Row area of Los Angeles, entered
3 settlement requiring changes in LAPD training on search and detention);
4 *Palmer/Sixth Street Properties, L.P. v. City of Los Angeles*, No. B206102 (Cal. Ct.
5 App.) (co-lead counsel) (representing interveners and *amici* in support of the City
6 of Los Angeles in a challenge to the City’s affordable housing law); and *People v.*
7 *MTA*, No. BC440034 (L.A. Sup. Ct.) (filed June 21, 2010) (lead counsel)
8 (defending artist in public nuisance and unfair competition claims brought by the
9 City of Los Angeles based on alleged prior participation in graffiti crew, which
10 sought to impose restrictive “gang injunction”-style restrictions and to impose
11 penalties and seize proceeds from lawful sale of art).

12 6. In addition to my work at the ACLU/SC, I have since 2012 served as
13 adjunct faculty at UCLA School of Law, where I have taught a clinical class in
14 Civil Rights Litigation. As part of my duties, I provide classroom instruction on
15 procedural and immunities issues with federal civil rights actions. I also provide
16 instruction in legal skills including interviews, depositions, negotiations, and
17 provide supervision and detailed feedback on simulated exercises to test those
18 skills. I also closely supervise students in their work on an active civil rights case,
19 as well as on non-litigation projects that involve research or advocacy in
20 conjunction with a community-based organization.

21 7. In addition to me, the ACLU of Southern California is seeking
22 compensation in this matter for time spent by attorney Peter Eliasberg. I am
23 familiar with the work of Peter Eliasberg as I have worked closely with him since I
24 joined the ACLU of Southern California in 2006.

25 8. Mr. Eliasberg graduated *magna cum laude* from Harvard Law School
26 in 1994. In the two years following my graduation, he clerked for one year for a
27 United States District Judge in the District of Columbia and for one year on the
28 Ninth Circuit Court of Appeals for the Honorable Stephen Reinhardt. After

1 clerking, he worked as the Staff Fellow at the American Civil Liberties Union
2 Foundation of Southern California (“ACLU”) for two years. He became a Staff
3 Attorney at the ACLU in the fall of 1998 and continued to work in this position
4 until 2002, when he became the Managing Attorney. He was appointed Legal
5 Director of the ACLU in 2012.

6 9. Mr. Eliasberg has briefed and argued eight times before the Ninth
7 Circuit on civil rights matters, briefed and argued one civil rights matter before
8 both the United States and California Supreme Courts, and made countless
9 appearances in the United States District Court for the Central District of
10 California.

11 10. In 2013, Mr. Eliasberg received California Lawyer’s California
12 Lawyer of the Year Award for his work on *Rosas v. Baca*, a federal injunctive
13 class action on behalf of inmates in the Los Angeles County jails. A true and
14 correct copy of Mr. Eliasberg’s resume is attached as Exhibit 1.

15 11. It is the practice of the attorneys and other legal staff in this office to
16 keep track of their time through the use of contemporaneous timekeeping records.
17 Over the course of this litigation, all attorneys and other legal staff employed by
18 our office utilized a computer billing program that maintains contemporaneous
19 time records of work performed on cases. It is the policy and regular practice of
20 the ACLU of Southern California for a legal assistant to print out a billing
21 statement that lists, among other things, the hours worked on the matter, the billing
22 rate for the person who worked those hours, and total “lodestar” for each person
23 who billed, and a cumulative lodestar for the ACLU as a whole. Once this print-
24 out is made, it is the practice of a senior lawyer on the case to review the entries
25 and note those that are duplicative, or improperly assigned to the matter, and to
26 delete entries or mark them “Do Not Bill” in an exercise of billing judgment. The
27 senior lawyer who reviews the bills then directs a paralegal to delete those entries
28 and print out a revised statement. A true and correct copy of the time records, up

1 to and including July 11, 2014, for the attorneys who worked on this appeal are
2 attached to this declaration as Exhibit C. These records do not reflect the time
3 spent preparing this motion between July 11 and its filing on July 14, which will be
4 reflected in a supplemental declaration accompanying Plaintiffs' reply.

5 12. In my opinion, the time spent on this fee application was reasonable
6 and necessarily incurred. In submitting the time, I eliminated specific charges to
7 account for work performed on work that was duplicative in nature. For instance, I
8 have not sought compensation for approximately \$960 in time (those entries
9 marked "No" in the "Bill" column), most of which time was spent assigning
10 research to an intern or was clerical in nature or duplicative in reviewing other
11 attorneys' edits. *See* Exhibit C. These discretionary decisions reflect a reduction
12 of approximately 9.6% in the total fees sought for the ACLU. Additionally, we
13 have not sought to recover time for legal interns, although I used interns to perform
14 legal research that I would otherwise have had to do myself. We also did not seek
15 to recover time spent mediating the issue of fees through the Ninth Circuit
16 mediator, although that mediation would have resolved the issues addressed in this
17 motion.

18 13. The ACLU/SC does not charge fees to its clients. Instead, the
19 ACLU/SC seeks attorneys' fees as part of settlements or from the courts whenever
20 it represents a prevailing party. As a result, the ACLU/SC frequently conducts
21 informal surveys of law firms in Los Angeles and in Orange County to ascertain
22 prevailing market rates, and it reviews more formal surveys of attorney billing
23 rates.

24 14. Since 2011, the ACLU/SC has continued to conduct an annual survey
25 of the prevailing rates of attorneys in Southern California to determine the rates
26 they charge for individuals with different experience levels, and then to set our
27 rates accordingly. The billing rates used here are commensurate with prevailing
28 fees for attorneys of similar experience in Southern California.

1 15. I have further confirmed the justification for the rates we seek through
2 my communications with Carol Sobel, an experienced civil rights attorney in the
3 Southern California region, and through a review of the materials she has provided
4 in support of her declaration. Ms. Sobel has conducted extensive analysis of the
5 fees charged by and awarded to attorneys in the Southern California region in a
6 variety of civil rights contexts, and our rates are very reasonable in light of her
7 analysis.

8 16. The charts below reflects the fees incurred by attorneys and paralegals
9 in this case, based on the number of hours reasonably expended in preparing this
10 motion and the reasonable hourly rate:

11 **ACLU/SC Attorneys' Fees for Motion on Remand**
12 **(through July 11, 2014)**

Attorney	Graduation Year	Rate	Hours	Total
Peter J. Eliasberg	1994	\$730	0.5	\$365
Peter Bibring	2002	\$640	15.0	\$9,600

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20 17. Based on the above, the total fees reasonably incurred by the
21 ACLU/SC in and sought for this motion total : **\$10,093**

22 I declare under penalty of perjury under the laws of the United States and the
23 State of California that the foregoing is true and correct.

24 Executed this 14th day of July, 2014, at Los Angeles, California.

25
26 s/Peter Bibring
27 PETER BIBRING
28 Attorney for Plaintiffs/Appellees

Exhibit A

PETER BIBRING

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, New York

J.D. Degree, *magna cum laude*, May 2002

Journal: *NYU Review of Law & Social Change*, Editor-in-Chief

Honors: Order of the Coif

Florence Allen Scholar—top ten percent of class based on cumulative G.P.A. after three semesters

Dean's Scholarship Recipient—half tuition scholarship based on academic merit

Summer Seminar for Future Law Teachers

Equal Justice America 2000 Summer Fellowship

Activities: Prisoner's Rights Education Project, co-coordinator

Students Need to Advocate Responsible Lawyering, co-coordinator

CALIFORNIA INSTITUTE OF TECHNOLOGY, Pasadena, California

Coursework for Ph.D. in Physics, January 1998

HARVARD UNIVERSITY, Cambridge, Massachusetts

A.B. in Physics, *magna cum laude*, June 1996

Derek Bok Award for Excellence in Teaching, Introductory Physics

Mission Hill After-School Program, tutor

WORK EXPERIENCE

AMERICAN CIVIL LIBERTIES UNION OF SOUTHERN CALIFORNIA, Los Angeles, California

Director of Police Practices, Senior Staff Attorney

July 2006 – present

Advance civil rights and civil liberties working through litigation, policy advocacy, legislation, media, and community education, focusing on policing and criminal justice, privacy and technology, housing and homelessness, and the First Amendment. Identify, and design strategies to address, issues for advocacy in focus areas, in cooperation with local community and advocacy organizations. Act as lead or co-lead counsel on cases including challenges to FBI use of informants to target Muslims in Orange County mosques, the use and enforcement of gang injunctions, racial profiling by local police agencies, unlawful detention of protestors and photographers, and police sweeps in schools, as well as interventions to support municipal policies on inclusionary housing and limitations on car impoundment. Work with government officials and stakeholders (including community organizations, religious organizations, service providers, and residents) on legislation and policy changes related to civilian oversight of police; analysis and reporting of and advocacy on counterterrorism operations by local police departments; stop-and-frisk and racial profiling issues; the use of public surveillance measures including video surveillance, drones, location tracking, and online privacy; free speech and open government, and advocacy around homelessness, housing and services, focusing on chronically homeless individuals with mental illness, through strategy development, advocacy and technical assistance with legal interpretation, drafting legislation, messaging, and community education. Conduct interviews for print media, radio, and television, and give presentations to community members and officials. Draft blog posts, op-eds, social media updates and talking points. Supervise junior attorneys, fellows, paralegals and interns.

UNIVERSITY OF CALIFORNIA, LOS ANGELES, SCHOOL OF LAW, Los Angeles, California

Adjunct Faculty

January 2011 – present

Teach Civil Rights Litigation Clinic, alone and with Prof. Joanna Schwartz. With Prof. Schwartz, designed and revised curriculum for new clinic focusing on all aspects of advancing civil rights and social change through both litigation and non-litigation advocacy. Teach or co-teach classroom and simulation component focusing on legal doctrines arising in civil rights litigation (including pleading standards, immunities, and relief), narrative advocacy, the attorney's role in civil rights advocacy, and litigation skills including client interviews, depositions, oral argument and negotiation. Supervise clinic fieldwork including work on civil rights cases, and pre-litigation investigation and non-litigation advocacy on civil rights issues including police practices, immigration, educational equity, and First Amendment.

THE HONORABLE PIERRE N. LEVAL, SECOND CIRCUIT COURT OF APPEALS, New York, New York
Law Clerk September 2003 – August 2004

CHIEF JUDGE MARILYN HALL PATEL, NORTHERN DISTRICT OF CALIFORNIA, San Francisco, California
Law Clerk September 2002 – August 2003

NYU SCHOOL OF LAW IMMIGRANT RIGHTS CLINIC, New York, New York
Student Advocate August 2001 – May 2002
Developed legal and factual theories and filed petition for writ of habeas corpus in federal district court on behalf of immigrant client deported for felony convictions; briefed and argued government's motion to dismiss. Analyzed legal issues and assisted with outreach and education in the creation of a day laborer hiring hall in Hempstead, NY.

AMERICAN CIVIL LIBERTIES UNION OF SOUTHERN CALIFORNIA, Los Angeles, California
Legal Intern June 2001 – August 2001
Performed legal research and prepared memoranda on topics such as attorneys' fees, class certification, and state constitutional protections against gender discrimination in youth sports program. Conducted background research and evaluation of potential cases and interviewed potential class members.

PROFESSOR ANTHONY AMSTERDAM, NEW YORK UNIVERSITY, New York, New York
Research Assistant March 2001 – July 2001
Performed legal research for petition for certiorari and petitioner's brief to the U.S. Supreme Court in a capital habeas case raising issues of ineffective assistance of counsel due to conflict of interest, *Mickens v. Taylor*, 535 U.S. 162 (2002).

PROFESSOR RICHARD STEWART, NEW YORK UNIVERSITY, New York, New York
Teaching Assistant August 2000 – December 2000
Teaching Assistant for first-year Torts class. Composed practice questions and provided extensive feedback on student answers. Conducted weekly discussion sections of about twenty students.

NEIGHBORHOOD DEFENDER SERVICE OF HARLEM, New York, New York
Civil Team Legal Intern February 2000 – August 2000
Participated in all aspects of civil litigation arising out of clients' criminal cases, including abuse/neglect proceedings in family court, forfeiture actions in New York Supreme Court, and police misconduct actions in Federal court. Performed legal research, prepared memoranda, and drafted motions, pleadings, and discovery requests. Conducted interviews of clients and assisted in preparation of witnesses for trial. Assisted with court proceedings and settlement negotiations.

SELECTED LECTURES, PRESENTATIONS, and HONORS

Panelist, *Civilian Oversight of Police Departments*, La Verne Law School Civil Rights Symposium, Feb. 7, 2013.

Panelist, *Critical Incident Management Training*, L.A. County Police Chiefs Ass'n, Los Angeles, California, Nov. 10, 2011.

Panelist, *PERF vs. The ACLU: The Great Debate* (Plenary Panel), Annual Meeting of the Police Executive Research Forum, Seattle, WA, Apr. 28, 2011.

Panelist, *Gang Injunctions*. Appellate Justices Institute, Center for Judicial Education and Research of the California Administrative Office of the Courts. San Diego, CA, Oct. 30, 2008.

Featured Presenter for *TASERS: A Dialogue on Policies and Deployment in Law Enforcement*. Institute for Law Enforcement Administration conference on Police Use of Force. Plano, TX, Sept. 30, 2008.

Presenter, Suspicious Activity Reporting Privacy and Civil Liberties Dialogue, Director of National Intelligence. Washington, D.C., Sept. 3, 2008.

Panelist, *Intervening on Behalf of Children and Families: Using Litigation to Force Developers to Comply with Affordable Housing Requirements*. National Legal Aid & Defender Conference. Tuscon, AZ, Nov. 7, 2007.

Commentator on issues related to policing and First Amendment in various media, including New York Times, Washington Post, Los Angeles Times, and USA Today.

SUPERLAWYERS RISING STAR, NAMED BY LAW & POLITICS MAGAZINE, 2006, 2007, 2008, AND 2009

Exhibit B

Peter J. Eliasberg
ACLU of Southern California
1313 West 8th Street
Los Angeles, California 90017
213-977-9500 ext 228
peliasberg@aclu-sc.org

LEGAL EXPERIENCE

- 2011-** Legal Director and and Manheim Family Attorney for First Amendment Rights for the ACLU of Southern California
- 2004-2011** Managing Attorney and Manheim Family Attorney for First Amendment Rights for the ACLU of Southern California
- 2002-2004** Managing Attorney for the ACLU of Southern California
- 1996-2001** Staff Attorney for the ACLU of Southern California
George Slaff First Amendment Fellow
- 1995-1996** Law Clerk for the Honorable Stephen Reinhardt
United States Court of Appeals for the Ninth Circuit
- 1994-1995** Law Clerk for the Honorable Stanley Sporkin
United States District Court for the District of Columbia
- Summer 1994** Summer Associate, Cleary, Gottlieb, Steen & Hamilton
New York City
- Summer Associate, Office of Policy Development, United States Department of Justice, Washington, D.C.
- Summer 1993** Summer Associate ACLU of Northern California
San Francisco
- Summer 1992** Summer Associate NAACP Legal Defense Fund
New York City

EDUCATION

1991-1994 Harvard Law School, Cambridge, Massachusetts
J.D., magna cum laude
Ames Moot Court Semi-Finalist
Research Assistant for Richard Fallon, Professor of
Federal Courts and Constitutional Law

1978-1982 Yale College, New Haven, Connecticut
B.A., *magna cum laude*
Honors In History

List of significant cases litigated available upon request

SELECTED APPEARANCES IN CIVIL RIGHTS CASES IN FEDERAL AND STATE COURT

PRISONERS' RIGHTS

Rosas v. Baca – co-lead counsel in putative class actions federal district court challenging pattern of deputy on inmate abuse in the Los Angeles County jails

Rutherford v. Baca – co-lead counsel overseeing monitoring of jails as a result of successful judgment in case challenging conditions of confinement in Los Angeles County jails.

FIRST AMENDMENT SPEECH AND ASSOCIATION

Porter v. Bowen – successfully represented plaintiffs in Ninth Circuit Court of Appeals making First Amendment challenge to California Secretary of State's attempt to prohibit so-called vote swapping web sites.

Alliance For Survival v. City of Los Angeles -- Case on behalf of non-profit peace and environmental organization challenging validity of city's anti-

solicitation ordinance. Argued for Plaintiffs in Ninth Circuit Court of Appeals and California Supreme Court on certification of state law question.

Valley Vote v. City of Los Angeles -- Represented and negotiated settlement for non-profit group barred from gathering petition signatures in public forum.

Burkow v. City of Los Angeles – Obtained preliminary injunctive relief forbidding defendant from enforcing ordinance banning “For Sale” signs on parked cars. Defendant subsequently agreed to cease enforcing the ordinance permanently in settlement agreement.

Lifestyles Inc. v. Stroh -- Successfully represented adult organization that had been barred from holding its annual sensual and erotic art exhibition. Obtained injunctive relief allowing exhibition to go forward. Argued for Plaintiff in Ninth Circuit Court of Appeals.

Neal v. Basset Unified School District – Represented student suspended for writing open letter to school community critical of principal. Obtained Temporary Restraining Order enabling student to return to school and Preliminary Injunction allowing student to attend graduation with his class and obtain his diploma.

FIRST AMENDMENT RELIGION

Buono v. Norton – Successfully represented plaintiffs challenging display of Latin Cross on federal land in Mojave National Preserve in both district court and the Ninth Court of Appeals. Represented Plaintiff in United States Supreme Court on challenge to validity of congressional transfer of land upon which the Latin Cross is located.

Bacus v. Palo Verde Unified School District – Case on behalf of two teachers challenging constitutionality of school board practice of opening school board meetings with sectarian prayers. Successfully argued appeal for Plaintiffs in Ninth Circuit Court of Appeals.

ACLU v. City of Redlands – Obtained injunctive relief under the Establishment Clause preventing City of Redlands from sponsoring March For Jesus Parade.

FOURTH AMENDMENT AND PRIVACY

Trujillo/Bernhard v. City of Ontario – Represented class of police officers challenging warrantless video surveillance of police locker room. Successfully argued appeal for Plaintiff class in Ninth Circuit Court of Appeal of denial of qualified immunity to Defendants.

Fitzgerald v. City of Los Angeles – Represented group of homeless individuals and obtained settlement in challenge to pattern of arrests and searches of Plaintiffs.

Riordan v. Verizon and Campbell v. AT&T – Representing telephone customers in challenge to telecommunications carriers' practice of turning over customer phone records to the National Security Agency.

DISABILITY RIGHTS

Beauchamp v. MTA -- class action suit on behalf of bus riders in wheelchairs against the Los Angeles County MTA for failing to obey Americans With Disabilities Act. Obtained preliminary injunctive relief and negotiation settlement agreement requiring significant improvements in bus service to riders with mobility impairments.

Miles v. Superior Court – Represented class of persons with disabilities challenging inaccessibility of Los Angeles County Superior Courts.

EDUCATIONAL EQUITY

Daniel v. California – Challenge to unequal access to AP classes under the California State Constitution. Case resulted in settlement through legislation setting up AP Challenge Grant program for schools with few or no AP classes.

Williams v. California – Challenge to unequal and inadequate school facilities, unqualified teachers and lack of instructional materials in K-12 public schools. Settlement provided for, among other things, \$800 million emergency repair program and monitoring of facilities, access to instructional materials by County Superintendents of Education.

EQUAL PROTECTION

Gregorio T. v. Wilson -- case successfully challenging the constitutionality of California's Proposition 187.

FREEDOM OF INFORMATION

Wiener v. FBI -- successfully represented University of California history professor seeking documents concerning the FBI's surveillance of John Lennon during the early 1970's

HABEAS CORPUS

McDougal v. Ramon -- Successfully challenged confinement of Whitewater suspect, Susan McDougal, in 23-hour lockdown in Los Angeles County Jail.

References for Peter J. Eliasberg

Professor William B. Rubenstein
Harvard Law School - AR323
1545 Massachusetts Avenue
Cambridge, Massachusetts 02138
617.496.7320
rubenstein@law.harvard.edu
(former Project Director and Staff Attorney, ACLU National LGBT and AIDS Projects,
1987-1995)

Hector Villagra
Legal Director
ACLU Foundation of Southern California
1313 West 8th Street
Los Angeles, California 90017
213-977-9500 ext 101
hvillagra@aclu-sc.org

Exhibit C

<u>Description</u>	<u>Bill</u>	<u>Biller</u>	<u>Rate</u>	<u>Date</u>	<u>Hrs</u>	<u>Billed</u>	<u>Unbilled</u>	<u>Billed</u>
Outline for motion to affirm fee award; email cocounsel re same	Yes	PB	640	3/30/2014	0:36	0:36	\$ -	\$ 384.00
Draft Vasquez stip re fees in district court, counter-offer email to Shel; email to Joe Ybarra	Yes	PB	640	4/8/2014	1:42	1:42	\$ -	\$ 1,088.00
Fees motion -- adapt stip to factual background; research & drafting on law of case section	Yes	PB	640	4/16/2014	0:30	0:30	\$ -	\$ 320.00
Fees motion -- research re interest & calculation	Yes	PB	640	4/16/2014	0:54	0:54	\$ -	\$ 576.00
Fees motion -- research & draft law of case section	Yes	PB	640	4/16/2014	0:42	0:42	\$ -	\$ 448.00
Conf. with intern (JK) re scope of remand research assignment	No	PB	640	5/20/2014	0:30	0:00	\$ 320.00	\$ -
Review intern memo; conf. re further research	No	PB	640	5/28/2014	0:12	0:00	\$ 128.00	\$ -
Review revised draft of intern memo	No	PB	640	6/4/2014	0:12	0:00	\$ 128.00	\$ -
motion to confirm fees: incorp. intern memo & add'l research, draft reduction for multiplier	Yes	PB	640	6/22/2014	1:00	1:00	\$ -	\$ 640.00
motion to confirm fees: incorp. intern memo & add'l research, draft reduction for multiplier	Yes	PB	640	6/22/2014	1:00	1:00	\$ -	\$ 640.00
motion to confirm fees: incorp. intern memo & add'l research, draft reduction for multiplier	Yes	PB	640	6/23/2014	1:42	1:42	\$ -	\$ 1,088.00
motion to confirm fees: incorp. intern memo, draft reduction for multiplier; research and drafting on entitlement to multiplier from fed claims	Yes	PB	640	6/26/2014	2:54	2:54	\$ -	\$ 1,856.00
calls w Carol Sobel, LS re fees declarations	No	PB	640	6/28/2014	0:12	0:00	\$ 128.00	\$ -
review motion re fees	Yes	PJE	730	7/1/2014	0:30	0:30	\$ -	\$ 365.00
review PJE edits; circulate draft to team	No	PB	640	7/1/2014	0:24	0:00	\$ 256.00	\$ -
restructure & edits to memo to confirm fees; draft proposed order	Yes	PB	640	7/1/2014	3:00	3:00	\$ -	\$ 1,920.00
Review LS changes to memo re fees, further edits; draft proposed Order	Yes	PB	640	7/11/2014	1:00	1:00	\$ -	\$ 640.00
Totals		PB	640		16:30	15:00	\$ 960.00	\$ 9,600.00
		PJE	730		0:30	0:30	\$ -	\$ 365.00
	All Billers					17:00	15:30	\$ 960.00