

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
APPELLATE DIVISION
DIVISION OF ST. THOMAS AND ST. JOHN

EAST END TAXI OPERATIONS, INC.	)	
	)	
Appellant,	)	
	)	D.C. CIVIL APPEAL NO. 06/146
v.	)	
	)	OPINION ON APPELLANT'S
VIRGIN ISLANDS TAXI ASSOCIATION, INC.	)	APPLICATION FOR
	)	ATTORNEY'S FEES AND
	)	COST
	)	
Appellee.	)	
	)	
	)	

Appearances:

Hodge & Francois, Esq.
By Mark D. Hodge, Esq.
St. Thomas, U.S.V.I.
for Appellant

Rohn & Carpenter, LLC
By Lee J. Rohn, Esq.
St. Croix, U.S.V.I.

Terri Griffiths, Esq.
St. Thomas, U.S.V.I.
Appellee

Before this Court is the application of Appellant East End Taxi Operations, Inc.

(“Appellant”), which hereby renews its Motion for Attorney Fees and Costs against Appellee Virgin Islands Taxi Association Inc. (“Appellee”), pursuant to Virgin Islands Rule of Appellate Procedure 30.

I. Procedural History

The above-captioned matter was an interlocutory appeal of a ruling by the Superior Court of the Virgin Islands regarding the imposition of sanctions. On February 6, 2008, the Court entered an order reversing the interlocutory order of the Superior Court. (ECF Documents 44 through 45). Within fourteen days, on February 20, 2008, Appellant filed a timely motion for attorney fees and costs pursuant to V.I.R. App.P.30. (ECF Document #46). On February 26, 2008, Appellee filed a timely notice of appeal to the Circuit Court of Appeals for the Third Circuit (ECF Document #49). On April 17, 2008 this Court after reviewing the papers submitted in the aforementioned matter for attorney fees and costs, and noting that an appeal was pending by Appellee before the Third Circuit Court in this matter entered an order that the Motion for Attorney Fees and Costs was denied without Prejudice, pending the appeal to the Third Circuit (ECF Document #58).

On February 3, 2011, the Third Circuit dismissed Appellee’s appeal to the Third Circuit for lack of Appellate Jurisdiction. On August 2, 2011, Appellant renewed its prior filed Motion for Attorney Fees and Costs (ECF Document #66), since the original Motion was Denied Without Prejudice pending the determination of the appeal to the Third Circuit which had been dismissed for “want of jurisdiction.”

II. Discussion

1. Time line of Appellant's Motion for Attorney Fees and Costs.

On February 3, 2011, the Third Circuit Court of Appeals dismissed Appellee's appeal for lack of Appellate Jurisdiction. Subsequently on August 2, 2011 Appellant filed its renewed Motion for Attorney's Fees and Costs against Appellee, pursuant to Virgin Islands Rule of Appellate Procedure 30. It is to be noted that what is being requested in this renewed motion, which is identical to the original motion, are solely the counsel fees and costs incurred on the appeal of Judge Kendal's order, in a case in which personal injury was not an issue. Appellee's argument that this is a personal injury case is rejected.

In this case, the Court is acting pursuant to its authority under V.I.R. App. P.30 and that authority is statutory in nature and is set forth in the Virgin Islands Code. See V.I.R. App.P. 19(d). That being so,

“[i]n the courts of the Virgin Islands, including the Appellate Division of the District Court of the Virgin Islands, the American Rule against shifting fees to the losing party does not apply. Rather, there shall be allowed to the prevailing party in the judgment such sums as the Court in its discretion may fix by way of indemnity for his attorney's fees in maintaining the action or defense thereto.” 5 V.I.C. § 541(b) *Prosser v. Prosser* 40 F.Supp.2d 663,671 (D.V.I. app. 1998).

V.I.R. App.P.30(b) states that a Motion for Attorney Fees and Costs in the Appellate Division of the District Court should be filed within fourteen days after entry of judgment. Appellant's appeal to the Appellate Division of the District Court resulted in a judgment in favor of Appellant and against Appellee on February 6,

2008 (ECF Document #45). Within fourteen days, thereafter, February 20, 2008, Appellant filed this timely motion.

The Appellate Division of the District Court entered judgment in this case on February 6, 2008. A timely Motion for Attorney Fees and Costs was made in response to the entered judgment. Whether or not an ultimate decision on the merits of that Motion was deferred, pending a ruling from the Third Circuit Court of Appeals, the timeliness of the Motion itself is clear. V.I.R. App.P.30(b) does not provide a deadline to renew a timely Motion for Attorney Fees and Costs where a decision was deferred pending the resolution of an appeal.

2. Rule 30 of the Virgin Islands Rules of Appellate Procedure provides, in pertinent part, as follows: “...if a judgment is reversed, reasonable costs shall be taxed against the Appellee unless otherwise ordered...” 5 V.I.C. § 541(a)(6) includes “attorney’s fees” within the definition of “costs”. Accordingly, appellant is entitled to an award of reasonable attorney fees and costs as an element of the costs it incurred in prosecuting this appeal.

3. As set forth above, the Virgin Islands Code allows for the recovery of attorneys’ fees and costs as follows:

- a. Fees of officers, witnesses, and jurors;
- b. Necessary expenses of taking depositions which were reasonably necessary in the action;
- c. Expenses of publication of the summons or notices, and the postage when they are served by mail;
- d. Compensation of a master as provided in Rule 53 of the Federal Rules

of Civil Procedure;

- e. Necessary expense of copying any public record, book, or document used as evidence in the trial; and
- f. Attorney's fees as provided in subsection (b) of this section.

V.I. CODE ANN. tit. 5, § 541 9a) (1986), the statute further provides: "there shall be allowed to the prevailing party in the judgment such sums as the court in its discretion may fix by way of indemnity for his attorney's fees in maintaining the action or defenses thereto" Id. At 9b).

2. Fair and Reasonable Award

To determine a fair and reasonable award of attorneys' fees, the Court considers factors including the time and labor involved, skill required, customary charges for similar services, benefits obtained from the service and the certainty of compensation. *Lempert v. Singer*, Civ. No. 1990-200, 1993 U.S. Dist. LEXIS 19923, at *5 (D.V.I. Dec. 30, 1993; see also *Morcher v. Nash*, 32 F. Supp. 2d 239, 241 (D.V.I. 1998). Reasonable attorneys' fees may include charges for work that was "useful and of a type ordinarily necessary to secure the final result obtained from the litigation." *Pennsylvania v. Delaware Valley Citizens' Council for Clean Air*, 478 U.S. 546, 561 (1986); see also *Gulfstream III Associates, Inc. v. Gulfstream Aerospace Corp.*, 995 F.2d 414, 420 (3d Cir. 1993) (noting that reasonable attorneys' fees may include charges for measures necessary to enforce district court judgments as well as other charges "reasonably expended" to advance the litigation). However, the decision whether to award fees to a prevailing party and to what extent is within the Court's discretion. *Jo-Ann's Launder Ctr. v. Chase Manhattan Bank* 31 V.I. 226, 234

(1995).

Appellant's bill of costs was timely filed on February 20, 2008 along with the Declaration and Certification of Counsel at that time, Alan D. Smith¹ (see Document # 46). Subsequent to the renewal motion on August 2, 2011 an amended Declaration of Alan D. Smith and a declaration of substitute counsel Mark D. Hodge were filed with the Clerk on August 31, 2011 (Document # 71).

Applying the standard outlined above, the Court turns to Appellee's objections to various items listed in Appellant's schedule attached hereto.²

a. Appellee essentially argues that the deadline for filing Appellant's motion for fees and costs in the Appellate Division of the District Court "must be measured from February 3, 2011", the date that the Third Circuit of Appeals entered its judgment dismissing Appellee's meritless appeal of the judgement of this Court. While that date might be relevant to a Motion for Fees and Costs in the Third Circuit Court of Appeals, the "judgment" of the Third Circuit is not relevant for purposes of V.I.R. App. P.30. The deadline for a motion pursuant to V.I.R. App. P.30 is measured not from the date of entry of judgment in the Third Circuit Court of Appeals, but rather from the date of "entry of" the judgment in the Appellate Division of the District Court. In this case, a Motion of Judgment was placed in the docket on February 6, 2008. That being so, Appellant's Motion for Attorney Fees

¹Presently a Magistrate Judge of the Superior Court of the Virgin Islands.

² The Court has reviewed the briefs of counsel and has heard oral argument with respect to the respective position of the parties.

and Costs filed fourteen days later on February 20, 2008 was timely under App.P. 30(b). The Third Circuit's entry of its own judgment did not create a new judgment date by the Appellate Division of the District Court.

b. Appellee next argues that the Declaration by Plaintiffs initial Counsel, Alan Smith, should be rejected because:

1. It was not signed by hand but is the manner for signing electronically under the local rules of Civil Procedure.
2. It does not state it is made under penalty of perjury.
3. It does not affirm that the services were necessary.
4. It does not affirm that the rates charged were reasonable for the time period.

c. The amended declaration and affirmation by Alan Smith, as well as the declaration by current Counsel regarding costs, have been filed addressing these objections. The Court after a review of the above documents finds that Appellee's objection above is now moot.

There has been many objections entered by Appellee to Appellant's inclusion in the schedule items related to Appellant's work including security in place of the deposit of \$105,000.00 which the Court had ordered all Appellants to post. This Appellant was unable to deposit cash and sought and obtained official Court approval of other type of security. The items reflecting counsel's effort in obtaining such security are not a reasonable cost and such items have been denied as noted herein.

The party seeking fees has the burden of producing sufficient evidence of

what constitutes a reasonable market rate for the essential character and complexity of the legal services rendered. *Knight v. Drye*, 2009 U.S. Dist. LEXIS 82369 M.D. Pa. Sept. 10, 2009, quoting *McCutcheon v. America's Servicing Co.*, 560 F.3d 143, 150 (3d Cir. 1990); *Windfall*, 51 F.3d at 1186 quoting *Washington v. Philadelphia Cty. Ct. Of Common Pleas*, 89 F.3d 1031, 1035 (3d Cir. 1996) (internal quotation omitted).

A reasonable hourly rate is typically based on the prevailing rates in the relevant community, and “ [t]he court should assess the experience and skill of the prevailing party’s attorneys and compare their rates to the rates prevailing in the community for similar services... “Maldonado v. Houstown, 256F.3d 181,184 (3d Cir. 2001).”

In his amended declaration, Alan Smith states as follows:

“I further declare, affirm, and certify that the hourly rate reflected in the attached billings for my work was reasonable and at or below the prevailing rates in this community for counsel, with my decades of skill and experience, and that the same is true of our paralegal and the hourly rate charged for her time.”

His billing reflected an hourly rate between \$200.00 and \$300.00 for attorney and \$100.00 to \$125.00 for a paralegal. In further support of above hourly rate in the community, see reference to the Virgin Island Supreme Court’s pronouncement in *Judi’s of St. Croix Car Rental v. Weston*, Civ. No.2007-50, 2008 V.I. Supreme LEXIS 21 (V.I. Apr. 14, 2008), that “\$300 per hour is at the high end

of rates normally charged by Virgin Islands attorneys.”

A review of Appellant’s counsel present application gives indication of the essential character and complexity of the legal services he rendered.

III. Fee Analysis

The Court now directs its attention to the specific fees and costs sought by Appellant as set forth in Exhibit 1 herein to which the Appellee has objected. To facilitate this process, the Court will adopt a chronological listing and attribute a numerical designation for each line item where an objection has been made by Appellee thereto. If the Court sustains it, a “minus” sign will designate the amount to be deducted from the Appellant’s schedule; where an objection is denied, the claim will remain.

1. September 8, 2006

This is a “block billing which includes a conference between firm attorneys, re: results of September 7, 2006 bankruptcy issues, Appellate Division issues and strategy; draft portions of a memorandum in support of motion for emergency stay; research for same.

- a. There is insufficient information as to time allowance for each item that was the subject of the attorney conference. In addition, such type of conferences for billing purposes is frowned upon.
- b. Objection sustained except for the two remaining items; memorandum for emergency stay and research are sufficiently defined. Requested fee of \$1200.00 reduced to \$600.00.

- \$600.00

2. September 9, 2006

Objection denied.

3. September 10 2006
Objection denied. -\$125.00
4. September 11, 2006
Objection denied.
5. September 12 2006
Objection denied.
6. September 18, 2006
Objection sustained -\$62.50
7. October 3, 2006
Objection denied.
8. October 4, 2006
Objection denied.
- 9 October 18, 2006
Objection sustained. -\$62.50
10. October 24, 2006
Objection sustained. -\$150.00
11. November 2 , 2006
Objection denied.
12. November 16, 2006
Objection sustained. -\$62.50
13. January 17, 2007
Objection denied.
14. January 18, 2007 to January 25, 2007

Claim for 29.70 hours for drafting and preparation
of brief on appeal (total \$7250.00).
Objection sustained and fee for brief preparation
reduced to \$6,000.00 - \$1250.00

15. March 5, 2007

Objection sustained. - \$62.50

Conferences and communication between
own staff not included as assessment of
reasonable fee. - \$125.00

16. March 9, 2007

Objection sustained as to all items except
attending Status Conference with Judge Brotman. - \$562.50

17. March 11, 2007

Objection sustained. (bond) - \$250.00

Objection denied. (VITA brief)

18. March 12, 2007

Objection sustained. - \$750.00

19. March 13, 2007

Objection denied.

20. March 17, 2007 to March 20, 2007

Objection denied.

21. March 22, 2007

Objection denied.

22. April 18, 2007

Objection denied.

23.	<u>September 7, 2007</u> Objection sustained.	- \$75.00
24.	<u>September 10, 2007</u> Objection sustained.	- \$75.00
25.	<u>September 11, 2007</u> Objection sustained except as to VITA Brief	- \$75.00 - \$75.00
26.	<u>September 13, 2007</u> Objection sustained.	- \$75.00
27.	<u>November 1, 2007</u> Objection sustained. (Circuit Appeal)	- \$75.00
28.	<u>November 5, 2007</u> Objection sustained.	- \$150.00
29.	<u>November 6, 2007</u> Objection sustained.	- \$150.00
30.	<u>November 7, 2007</u> Circuit Appeal Circuit Appeal	- \$150.00 - \$300.00
31.	<u>November 16, 2007</u> Objection denied.	
32.	<u>November 20, 2007</u> Objection sustained.	- \$300.00
33.	<u>November 21, 2007</u> Objection denied. (telephone call)	

Objection sustained. (bond) -\$150.00
Objection denied. (research/drafting)

34. November 26, 2007
Objection denied.

35. November 28, 2007
Objection denied.

36. February 8, 2008
Objection sustained. -\$75.00

37. February 12, 2008
Objection sustained. -\$225.00

38. February 14, 2008
Objection sustained. -\$75.00

39. February 19, 2008
Objection sustained as to first portion. -\$225.00
Objection sustained as to second portion. -\$187.50
*-\$6500.00

*Total objections sustained to be deducted from
Appellant's application for fees (Exhibit 1).

There has also been attached hereto exhibits of which the contents were
utilized in the preparation of the opinion.

Exhibit 1: Appellant's application for fees.

Exhibit 2: Declaration & Certification for attorney fees and costs by
Alan D. Smith, Esq.

Exhibit 3: Amended declaration & affirmation for attorney fees and costs
by Alan D. Smith, Esq.

Exhibit 4: Declaration & affirmation for attorney fees and costs by
Mark D. Hodge, Esq.

Exhibit 5: Applicable charges of Westlaw (5 pages)

IV. Conclusion

Appellant claims in Exhibit 1 for professional services:	\$23,650.00
Disallowance of claimed items as set forth herein:	<u>-\$6500.00</u>
Total for professional services	\$17,150.00

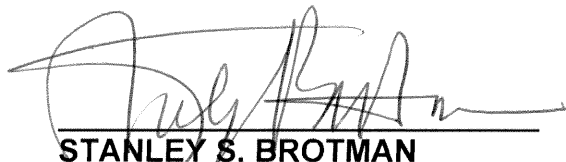
Appellant also in Exhibit 1 claims additional charges*:	\$1817.56
Disallowance for copying charges, corporate documents December 14, 2007:	<u>-\$1.20</u>
Total additional charges	\$1816.36

*See declaration of Mark Hodge, paragraphs 2,3,4 and 5.

1. As to
 - a. photocopies
 - b. dividing the charge attributed to this item by \$.40 will provide the number of pages photocopied
2. As to Westlaw charges, the 5 sheets submitted by Appellant reflect the specific charges to the designated client listed as East End Taxi or EETA.

An appropriate order will be entered.

Date: January 30, 2012


STANLEY S. BROTMAN
UNITED STATES DISTRICT JUDGE
(Sitting by Designation)

Law Offices of Hodge & Francois
 1340 Taarneberg
 St Thomas, VI 00802

East End Taxi Association
 PO Box 12029
 St. Thomas VI 00801
 Attn: Audley Osborne, Treasurer

Exhibit 1

February 04, 2008

In Reference To: General Representation

Professional Services					
<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
9/8/2006	AGC	Conference with A Smith re results of Sept. 7, 2006, bankruptcy issues, appellate division issues and strategy; draft portions of memorandum in support of motion for emergency stay; research re same	200.00/hr	6.00	1,200.00
9/9/2006	ADS	Continue to work on memo in support of emergency motion for stay.	250.00/hr	4.00	1,000.00
9/10/2006	ADS	Continue work on final draft of motion for emergency stay, including revising and editing, organizing exhibits and faxing out motion, memo and exhibits	250.00/hr	2.50	625.00
9/11/2006	ADS	Attend emergency stay hearing in Dist Ct.	250.00/hr	2.00	500.00
9/12/2006	ADS	Telephone call(s), to A. Smith concerning stay order, etc.	250.00/hr	0.25	62.50
9/18/2006	ADS	Prepare forms for appeal.	250.00/hr	0.25	62.50
10/3/2006	ADS	Review email and attached notice of compliance from VITA in response to order to provide the names of two people to serve as special master.	250.00/hr	0.25	62.50
10/4/2006	ADS	Telephone call(s), to C. Engeman concerning the Caneel vouchers with EET on the face.	250.00/hr	0.25	62.50
10/18/2006	ADS	Review and download discovery documents from VITA.	250.00/hr	0.25	62.50
10/24/2006	JB	Review PDF files for references to East End Taxi; create folder for discovery files and move files.	100.00/hr	1.50	150.00
11/2/2006	ADS	Telephone call(s), from A. Smith concerning voucher from Caneel Bay.	250.00/hr	0.25	62.50

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
11/16/2006	ADS	Telephone call(s), from Judge Brotman concerning hearing to determine amount of bond to be posted by client on appeal.	250.00/hr	0.25	62.50
1/16/2007	ADS	Review documents related to appeal.	250.00/hr	0.25	62.50
1/17/2007	ADS	Review proposed joint appendix for brief on appeal.	250.00/hr	0.25	62.50
1/18/2007	ADS	Begin to work on appeal brief.	250.00/hr	0.50	125.00
	ADS	Continue initial work for preparing brief on appeal.	250.00/hr	0.25	62.50
1/20/2007	ADS	Begin to draft brief on appeal	250.00/hr	3.50	875.00
	ADS	Begin legal research required to support brief on appeal.	250.00/hr	3.00	750.00
1/21/2007	ADS	Continue to work on appellate brief	250.00/hr	3.00	750.00
	ADS	Continue work on brief on appeal.	250.00/hr	2.00	500.00
1/22/2007	ADS	Continue to work on appeal brief.	250.00/hr	5.00	1,250.00
1/23/2007	ADS	Continue to work on appeal brief.	250.00/hr	5.00	1,250.00
1/24/2007	ADS	Continue to work on appeal brief.	250.00/hr	5.00	1,250.00
1/25/2007	ADS	Continue and finalize brief on appeal.	250.00/hr	2.50	625.00
3/5/2007	ADS	Office conference paralegal concerning corporate disclosure.	250.00/hr	0.25	62.50
	ADS	Draft motion and order to enlarge time to file corporate disclosure. Revise and edit corporate disclosure form.	250.00/hr	0.50	125.00
3/9/2007	ADS	Attend status conference with Brotman.	250.00/hr	0.75	187.50
	ADS	Telephone call(s), Conley Randazzo, Ozzie EETA Treasurer, and A Smith EETA President concerning the hearing set for 3/12 at 10 am concerning ability to pay assessment.	250.00/hr	0.50	125.00
	ADS	Telephone call(s), to Conley-Randazzo concerning Monday's hearing.	250.00/hr	0.25	62.50
	ADS	Continue research in preparation for hearing on ability to pay or post bond.	250.00/hr	1.00	250.00
	ADS	Continue working on matters related to posting security on appeal including telephone calls to insurance agencies re: bond, etc..	250.00/hr	0.50	125.00
3/11/2007	ADS	Research law concerning proving inability to pay bond on appeal.	250.00/hr	0.50	125.00

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
3/11/2007	ADS	Continue to prepare for evidentiary hearing on ability to pay bond or post security on appeal.	250.00/hr	1.00	250.00
	ADS	Review VITA brief on appeal.	250.00/hr	0.50	125.00
3/12/2007	ADS	Attend evidentiary hearing on appeal bond and security.	250.00/hr	2.00	500.00
	ADS	Continue legal research for cases to provide to judge in connecting with attempt to have bond waived.	250.00/hr	1.00	250.00
3/13/2007	ADS	Review VIPA reply brief.	250.00/hr	0.25	62.50
3/17/2007	ADS	Begin legal research and drafting of reply brief.	250.00/hr	5.00	1,250.00
3/18/2007	ADS	Continue to work on reply brief.	250.00/hr	4.00	1,000.00
3/20/2007	ADS	Continue to work on reply brief.	250.00/hr	4.00	1,000.00
3/22/2007	ADS	Review, revise and final edit reply brief.	250.00/hr	2.00	500.00
4/18/2007	MTH	Review supplemental document production from plaintiff	250.00/hr	0.25	62.50
9/7/2007	ADS	Review file and documents re bond on appeal, etc.	300.00/hr	0.25	75.00
9/10/2007	ADS	Continue to work on finalizing documents that need to be filed in district court	300.00/hr	0.25	75.00
9/11/2007	ADS	Telephone call(s) to A Smith of EETA re medallion	300.00/hr	0.25	75.00
	ADS	Meet with A Osborne re taxi medallion; revise proposed supersedeas bond	300.00/hr	0.25	75.00
	ADS	Electronically file motion for leave to file proposed supersedeas bond out of time; proposed bond; proposed order; and opposition to motion to vacate stay	300.00/hr	0.25	75.00
9/13/2007	ADS	Telephone call(s) from T Griffiths re supersedeas bond form	300.00/hr	0.25	75.00
11/1/2007	ADS	Review notice from 3rd Circuit re appeal and invitation to file pleading re dismissal of appeal	300.00/hr	0.25	75.00
11/5/2007	ADS	Research law regarding appeal of order setting bond	300.00/hr	0.50	150.00
11/6/2007	ADS	Research law	300.00/hr	0.50	150.00
11/7/2007	ADS	Research law regarding final orders	300.00/hr	0.50	150.00
	ADS	Draft letter brief to 3rd Circuit on final order issue raised by motion panel	300.00/hr	1.00	300.00

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
11/16/2007	ADS	Review email from C Engeman re allocation of time for oral argument, review appeal brief and respond	300.00/hr	0.25	75.00
11/20/2007	ADS	Draft corporate documents in support of bond; revise and edit final bond form; telephone calls to EETA to convey information to S Chinnery re need to file bond and deposit medallion	300.00/hr	1.00	300.00
11/21/2007	ADS	Telephone call(s) from H Carr re order from appellate division to submit supplemental brief on expiration of taxi franchise; and review order	300.00/hr	0.25	75.00
	ADS	Meet with client board of directors re signing documents for bond	300.00/hr	0.50	150.00
	ADS	Begin research and drafting of supplemental brief re expiration date of franchise to VITA	300.00/hr	2.50	750.00
11/26/2007	ADS	Continue to research and work on draft of supplemental brief	300.00/hr	2.00	600.00
	ADS	Continue to work on supplemental brief	300.00/hr	4.00	1,200.00
11/28/2007	ADS	Prepare for appellate oral argument	300.00/hr	1.00	300.00
	ADS	Attend appellate oral argument	300.00/hr	2.00	600.00
2/8/2008	ADS	Draft letter to EETA transmitting appellate court decision and order, etc	300.00/hr	0.25	75.00
2/12/2008	ADS	Draft motion and order for fees and costs in the Appellate Division appeal	300.00/hr	0.75	225.00
2/14/2008	ADS	Review detailed slip listing for fees and costs incurred in appeal of Kendall order	300.00/hr	0.25	75.00
2/19/2008	ADS	Draft motion and order to exonerate supersedeas bond	300.00/hr	0.75	225.00
	LE	Edit and review Motion, Memo, proposed Order and Declaration for Attorney's Fees & Costs; edit and review Motion and proposed Order for Exoneration of Bond	125.00/hr	1.50	187.50
For professional services rendered				93.50	\$23,650.00

Additional Charges :

<u>Date</u>	<u>Init.</u>	<u>Description</u>	
9/11/2006	CF	Copying Charges Motion for Emergency Stay.	142.00
9/25/2006	CF	Westlaw Research For the month of August.	288.43

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Amount</u>
10/11/2006	CF	Westlaw Research For the month of September.	297.31
10/17/2006	LMC	Government of the VI - Filing Civil Appeal - Check #12171 - 9/20/06	105.00
1/25/2007	CF	Copying Charges - Legal briefs	124.80
2/16/2007	CF	Westlaw Research for the month of January.	110.10
3/5/2007	CF	Copying Charges - Motion to File Out of Time and Order.	16.00
	CF	Copying Charges - Motion to File Out Of Time And Order	12.00
3/22/2007	CF	Copying Charges for Reply Brief on 3/22/07	72.00
4/17/2007	CF	Westlaw Research for the month of March.	227.41
11/20/2007	CF	Copying Charges Corporate Documents	1.20
12/14/2007	CF	Westlaw LegalResearch November 2007	421.31
Total additional charges			<u>\$1,817.56</u>

Exhibit 2

**DECLARATION AND CERTIFICATION IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES AND COSTS**

I, Alan D. Smith, hereby declare as follows:

1. I am employed by the Law Offices of Hodge & Francois and am the attorney of record for defendant East End Taxi Operations, Inc., in the captioned action, and have personal knowledge of the facts contained herein.

2. The Order of the Superior Court of the Virgin Islands from which East End Operations, Inc. took this appeal, was reversed by this Court.

3. I hereby declare and certify that the copy of the billing records of Hodge & Francois and the attorneys' fees and costs listed in the detailed billings attached hereto reflect costs related solely to this case, and which were expended by Hodge & Francois on behalf of East End Taxi Operations, Inc.

4. Accordingly, I respectfully request that East End Taxi Operations, Inc. be awarded attorneys' fees in the sum of \$23,650.00 and costs in the sum of \$1,817.56.

Dated: February 20, 2008

s/
Alan D. Smith, Esq.
Hodge & Francois
1340 Taarneberg
St. Thomas, VI 00802
(340) 774-6845

Law Offices of Hodge & Francois
 1340 Taarneberg
 St Thomas, VI 00802

East End Taxi Association
 PO Box 12029
 St. Thomas VI 00801
 Attn: Audley Osborne, Treasurer

February 04, 2008

In Reference To: General Representation

Professional Services

<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
9/8/2006	AGC	Conference with A Smith re results of Sept. 7, 2006, bankruptcy issues, appellate division issues and strategy; draft portions of memorandum in support of motion for emergency stay; research re same	200.00/hr	6.00	1,200.00
9/9/2006	ADS	Continue to work on memo in support of emergency motion for stay.	250.00/hr	4.00	1,000.00
9/10/2006	ADS	Continue work on final draft of motion for emergency stay, including revising and editing, organizing exhibits and faxing out motion, memo and exhibits	250.00/hr	2.50	625.00
9/11/2006	ADS	Attend emergency stay hearing in Dist Ct.	250.00/hr	2.00	500.00
9/12/2006	ADS	Telephone call(s), to A. Smith concerning stay order, etc.	250.00/hr	0.25	62.50
9/18/2006	ADS	Prepare forms for appeal.	250.00/hr	0.25	62.50
10/3/2006	ADS	Review email and attached notice of compliance from VITA in response to order to provide the names of two people to serve as special master.	250.00/hr	0.25	62.50
10/4/2006	ADS	Telephone call(s), to C. Engeman concerning the Caneel vouchers with EET on the face.	250.00/hr	0.25	62.50
10/18/2006	ADS	Review and download discovery documents from VITA.	250.00/hr	0.25	62.50
10/24/2006	JB	Review PDF files for references to East End Taxi; create folder for discovery files and move files.	100.00/hr	1.50	150.00
11/2/2006	ADS	Telephone call(s), from A. Smith concerning voucher from Caneel Bay.	250.00/hr	0.25	62.50

East End Taxi Association

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
11/16/2006	ADS	Telephone call(s), from Judge Brotman concerning hearing to determine amount of bond to be posted by client on appeal.	250.00/hr	0.25	62.50
1/16/2007	ADS	Review documents related to appeal.	250.00/hr	0.25	62.50
1/17/2007	ADS	Review proposed joint appendix for brief on appeal.	250.00/hr	0.25	62.50
1/18/2007	ADS	Begin to work on appeal brief.	250.00/hr	0.50	125.00
	ADS	Continue initial work for preparing brief on appeal.	250.00/hr	0.25	62.50
1/20/2007	ADS	Begin to draft brief on appeal	250.00/hr	3.50	875.00
	ADS	Begin legal research required to support brief on appeal.	250.00/hr	3.00	750.00
1/21/2007	ADS	Continue to work on appellate brief	250.00/hr	3.00	750.00
	ADS	Continue work on brief on appeal.	250.00/hr	2.00	500.00
1/22/2007	ADS	Continue to work on appeal brief.	250.00/hr	5.00	1,250.00
1/23/2007	ADS	Continue to work on appeal brief.	250.00/hr	5.00	1,250.00
1/24/2007	ADS	Continue to work on appeal brief.	250.00/hr	5.00	1,250.00
1/25/2007	ADS	Continue and finalize brief on appeal.	250.00/hr	2.50	625.00
3/5/2007	ADS	Office conference paralegal concerning corporate disclosure.	250.00/hr	0.25	62.50
	ADS	Draft motion and order to enlarge time to file corporate disclosure. Revise and edit corporate disclosure form.	250.00/hr	0.50	125.00
3/9/2007	ADS	Attend status conference with Brotman.	250.00/hr	0.75	187.50
	ADS	Telephone call(s), Conley Randazzo, Ozzie EETA Treasurer, and A Smith EETA President concerning the hearing set for 3/12 at 10 am concerning ability to pay assessment.	250.00/hr	0.50	125.00
	ADS	Telephone call(s), to Conley-Randazzo concerning Monday's hearing.	250.00/hr	0.25	62.50
	ADS	Continue research in preparation for hearing on ability to pay or post bond.	250.00/hr	1.00	250.00
	ADS	Continue working on matters related to posting security on appeal including telephone calls to insurance agencies re: bond, etc..	250.00/hr	0.50	125.00
3/11/2007	ADS	Research law concerning proving inability to pay bond on appeal.	250.00/hr	0.50	125.00

East End Taxi Association

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
3/11/2007	ADS	Continue to prepare for evidentiary hearing on ability to pay bond or post security on appeal.	250.00/hr	1.00	250.00
	ADS	Review VITA brief on appeal.	250.00/hr	0.50	125.00
3/12/2007	ADS	Attend evidentiary hearing on appeal bond and security.	250.00/hr	2.00	500.00
	ADS	Continue legal research for cases to provide to judge in connecting with attempt to have bond waived.	250.00/hr	1.00	250.00
3/13/2007	ADS	Review VIPA reply brief.	250.00/hr	0.25	62.50
3/17/2007	ADS	Begin legal research and drafting of reply brief.	250.00/hr	5.00	1,250.00
3/18/2007	ADS	Continue to work on reply brief.	250.00/hr	4.00	1,000.00
3/20/2007	ADS	Continue to work on reply brief.	250.00/hr	4.00	1,000.00
3/22/2007	ADS	Review, revise and final edit reply brief.	250.00/hr	2.00	500.00
4/18/2007	MTH	Review supplemental document production from plaintiff	250.00/hr	0.25	62.50
9/7/2007	ADS	Review file and documents re bond on appeal, etc.	300.00/hr	0.25	75.00
9/10/2007	ADS	Continue to work on finalizing documents that need to be filed in district court	300.00/hr	0.25	75.00
9/11/2007	ADS	Telephone call(s) to A Smith of EETA re medallion	300.00/hr	0.25	75.00
	ADS	Meet with A Osborne re taxi medallion; revise proposed supersedeas bond	300.00/hr	0.25	75.00
	ADS	Electronically file motion for leave to file proposed supersedeas bond out of time; proposed bond; proposed order; and opposition to motion to vacate stay	300.00/hr	0.25	75.00
9/13/2007	ADS	Telephone call(s) from T Griffiths re supersedeas bond form	300.00/hr	0.25	75.00
11/1/2007	ADS	Review notice from 3rd Circuit re appeal and invitation to file pleading re dismissal of appeal	300.00/hr	0.25	75.00
11/5/2007	ADS	Research law regarding appeal of order setting bond	300.00/hr	0.50	150.00
11/6/2007	ADS	Research law	300.00/hr	0.50	150.00
11/7/2007	ADS	Research law regarding final orders	300.00/hr	0.50	150.00
	ADS	Draft letter brief to 3rd Circuit on final order issue raised by motion panel	300.00/hr	1.00	300.00

East End Taxi Association

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Amount</u>
11/16/2007	ADS	Review email from C Engeman re allocation of time for oral argument, review appeal brief and respond	300.00/hr	0.25	75.00
11/20/2007	ADS	Draft corporate documents in support of bond; revise and edit final bond form; telephone calls to EETA to convey information to S Chinnery re need to file bond and deposit medallion	300.00/hr	1.00	300.00
11/21/2007	ADS	Telephone call(s) from H Carr re order from appellate division to submit supplemental brief on expiration of taxi franchise; and review order	300.00/hr	0.25	75.00
	ADS	Meet with client board of directors re signing documents for bond	300.00/hr	0.50	150.00
	ADS	Begin research and drafting of supplemental brief re expiration date of franchise to VITA	300.00/hr	2.50	750.00
11/26/2007	ADS	Continue to research and work on draft of supplemental brief	300.00/hr	2.00	600.00
	ADS	Continue to work on supplemental brief	300.00/hr	4.00	1,200.00
11/28/2007	ADS	Prepare for appellate oral argument	300.00/hr	1.00	300.00
	ADS	Attend appellate oral argument	300.00/hr	2.00	600.00
2/8/2008	ADS	Draft letter to EETA transmitting appellate court decision and order, etc	300.00/hr	0.25	75.00
2/12/2008	ADS	Draft motion and order for fees and costs in the Appellate Division appeal	300.00/hr	0.75	225.00
2/14/2008	ADS	Review detailed slip listing for fees and costs incurred in appeal of Kendall order	300.00/hr	0.25	75.00
2/19/2008	ADS	Draft motion and order to exonerate supersedeas bond	300.00/hr	0.75	225.00
	LE	Edit and review Motion, Memo, proposed Order and Declaration for Attorney's Fees & Costs; edit and review Motion and proposed Order for Exoneration of Bond	125.00/hr	1.50	187.50
For professional services rendered				93.50	\$23,650.00

Additional Charges :

<u>Date</u>	<u>Init.</u>	<u>Description</u>	
9/11/2006	CF	Copying Charges Motion for Emergency Stay.	142.00
9/25/2006	CF	Westlaw Research For the month of August.	288.43

East End Taxi Association

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<u>Date</u>	<u>Init.</u>	<u>Description</u>	<u>Amount</u>
10/11/2006	CF	Westlaw Research For the month of September.	297.31
10/17/2006	LMC	Government of the VI - Filing Civil Appeal - Check #12171 - 9/20/06	105.00
1/25/2007	CF	Copying Charges - Legal briefs	124.80
2/16/2007	CF	Westlaw Research for the month of January.	110.10
3/5/2007	CF	Copying Charges - Motion to File Out of Time and Order.	16.00
	CF	Copying Charges - Motion to File Out Of Time And Order	12.00
3/22/2007	CF	Copying Charges for Reply Brief on 3/22/07	72.00
4/17/2007	CF	Westlaw Research for the month of March.	227.41
11/20/2007	CF	Copying Charges Corporate Documents	1.20
12/14/2007	CF	Westlaw LegalResearch November 2007	421.31
Total additional charges			<u>\$1,817.56</u>

Exhibit 3

**AMENDED DECLARATION AND AFFIRMATION IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES AND COSTS**

I, Alan D. Smith, hereby declare as follows:

1. At all relevant times, I was employed by the Law Offices of Hodge & Francois and was the attorney of record for Appellant East End Taxi Operations, Inc., in St. Thomas/St. John D.C. CIVIL APPEAL NO. 06/146 up to and including the filing of Appellant's Motion for Attorney Fees and Costs on February 20, 2008, and have personal knowledge of the facts contained herein.

2. The Order of the Superior Court of the Virgin Islands from which East End Operations, Inc. took this appeal, was reversed by this Court.

3. I hereby declare, affirm, and certify that the copy of the billing records of Hodge & Francois and the attorneys' fees and costs listed in the detailed billings attached hereto reflect costs related solely to this case, which were expended by Hodge & Francois on behalf of East End Taxi Operations, Inc.

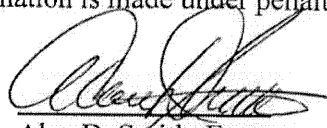
4. I further declare, affirm, and certify that the time set forth in the attached billings for my work is true and accurate as described in the bills, and that I personally devoted the time described to representation of East End Taxi Operations, Inc. as described in those bills.

5. I further declare, affirm, and certify that the hourly rate reflected in the attached billings for my work was reasonable and at or below the prevailing rates in this community for counsel with my decades of skill and experience, and that the same is true of our paralegal and the hourly rate charged for her time.

6. I further declare, affirm, and certify that the services provided were necessary and proper in light of the circumstances and complexity of the case.

7. The foregoing declaration and affirmation is made under penalty of perjury.

Dated: August 31, 2011



Alan D. Smith, Esq.
c/o Hodge & Francois
1340 Taarneberg
St. Thomas, VI 00802
P: (340) 774-6845 / F: (340) 776-7720

Exhibit 4

**DECLARATION AND AFFIRMATION OF ATTORNEY MARK HODGE IN SUPPORT
OF MOTION FOR ATTORNEYS' FEES AND COSTS**

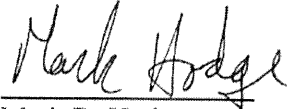
I, Mark D. Hodge, hereby declare and affirm as follows:

1. At all relevant times, I was employed by the Law Offices of Hodge & Francois, and have personal knowledge of the facts contained herein.
2. During the course of Attorney Alan Smith's representation of East End Taxi Operations, Inc., in St. Thomas/St. John D.C. CIVIL APPEAL NO. 06/146 up to and including the filing of East End Taxi Operations, Inc.'s Motion for Attorney Fees and Costs on February 20, 2008, the Law Offices of Hodge & Francois charged clients for photocopies at the rate of forty cents per page (\$0.40/page), which was at or below the standard and reasonable cost charged by law firms in this jurisdiction.
3. During that period, the Law Offices of Hodge & Francois never charged a client for the base cost of Westlaw service.
4. During that period, the Law Offices of Hodge & Francois charged a client only for the specific amount of time attributed to that client by Westlaw for research conducted for that client, in which that client's billing code was entered at the beginning of the research, which was at or below the standard and reasonable cost charged by law firms in this jurisdiction.
5. The cost for photocopies charged to East End Taxi Operations, Inc. for work related to St. Thomas/St. John D.C. CIVIL APPEAL NO. 06/146 was at the standard rate for photocopies in the Law Offices of Hodge & Francois.
6. The cost for legal research on Westlaw for work related to St. Thomas/St. John D.C. CIVIL APPEAL NO. 06/146 was at the standard rate for Westlaw research in the Law Offices of Hodge & Francois.

7. Accordingly, I respectfully request that East End Taxi Operations, Inc. be awarded costs in the sum of \$1,817.56.

8. I declare, certify, and verify, under penalty of perjury, that the foregoing is true and correct.

Executed on: August 31, 2011

A handwritten signature in black ink, appearing to read "Mark Hodge", written over a horizontal line.

Mark D. Hodge, Esq.
Hodge & Francois
1340 Taarneberg
St. Thomas, VI 00802
P: (340) 774-6845 / F: (340) 776-7720

Exhibit 5

Account: HODGE & FRANCOIS, CHARLOTTE AMALIE VI (1000637324)

Date Range: August 01, 2006 - August 31, 2006

Report Format: Summary-Account by Client by User by Day

Database Time	Transactions	Docs/Lines	Connect Time	Standard Charge	Special Pricing Charge	Tax Amount	Total Charge
User Name SMITHALAN D (3192663)							
Day 08/08/2006	12			\$551.60	\$115.37	\$0.00	\$115.37
Totals for Included	12			\$551.60	\$115.37	\$0.00	\$115.37
Day 08/14/2006							
Totals for Included	18			\$842.40	\$173.06	\$0.00	\$173.06
Totals for Day 08/14/2006	18			\$842.40	\$173.06	\$0.00	\$173.06
Totals for User Name SMITHALAN D (3192663)	30			\$1,404.00	\$288.43	\$0.00	\$288.43
Totals for Client EAST END TAXI	30			\$1,404.00	\$288.43	\$0.00	\$288.43
Client ELLICK R							
User Name SMITHALAN D (3192663)							
Day 08/25/2006	17			\$669.25	\$137.49	\$0.00	\$137.49
Totals for Included	17			\$669.25	\$137.49	\$0.00	\$137.49
Totals for Day 08/25/2006	17			\$669.25	\$137.49	\$0.00	\$137.49
Totals for User Name SMITHALAN D (3192663)	17			\$669.25	\$137.49	\$0.00	\$137.49
Totals for Client ELLICK R	17			\$669.25	\$137.49	\$0.00	\$137.49
Client MORRIS L							
User Name SMITHALAN D (3192663)							
Day 08/01/2006	13			\$418.45	\$85.96	\$0.00	\$85.96
Totals for Included	13			\$418.45	\$85.96	\$0.00	\$85.96
Totals for Day 08/01/2006	4			\$418.45	\$85.96	\$0.00	\$85.96
Totals for User Name SMITHALAN D (3192663)	17			\$418.45	\$85.96	\$0.00	\$85.96
Day 08/17/2006							
Totals for Included	20			\$795.00	\$163.32	\$0.00	\$163.32
Totals for Day 08/17/2006	20			\$795.00	\$163.32	\$0.00	\$163.32
Day 08/21/2006							
Totals for Included	14			\$658.40	\$134.85	\$0.00	\$134.85
Totals for Day 08/21/2006	14			\$658.40	\$134.85	\$0.00	\$134.85
Totals for User Name SMITHALAN D (3192663)	51			\$1,917.85	\$384.13	\$0.00	\$432.13
Totals for Client MORRIS L	51			\$1,917.85	\$384.13	\$0.00	\$432.13
Totals for Account 1000637324	15,368	177	5,048	\$9,097.32	\$1,851.05	\$0.00	\$1,937.97
Report Totals - Included	15,288	171	5,048	\$9,010.40	\$1,851.05	\$0.00	\$1,851.05
Report Totals - Excluded	82	6	82	\$86.92	\$0.00	\$0.00	\$86.92
Report Totals	15,368	177	5,048	\$9,097.32	\$1,851.05	\$0.00	\$1,937.97

Date	Description	Debit	Credit	Balance
Day 09/28/2006	Totals for Included	29	1,126	\$448.41
Totals for Day 09/28/2006		29	1,126	\$448.41
Totals for User Name CHRISTIAN ADAM (3192684)		55	3,969	\$560.00
Totals for Client 491		55	3,969	\$560.00
Client 518	VI (parent)			\$560.00
User Name CHRISTIAN ADAM (3192684)				
Day 09/24/2006	Totals for Included	21	552	\$50.49
Totals for Day 09/24/2006		21	552	\$50.49
Day 09/26/2006	Totals for Included	12	\$273.50	\$45.60
Totals for Day 09/26/2006		12	\$273.50	\$45.60
Day 09/27/2006	Totals for Included	15	\$431.20	\$71.89
Totals for Day 09/27/2006		15	\$431.20	\$71.89
Totals for User Name CHRISTIAN ADAM (3192684)		48	\$1,007.53	\$167.99
Totals for Client 518		48	\$1,007.53	\$167.99
Client 526	Kristen Totti			\$167.99
User Name CHRISTIAN ADAM (3192684)				
Day 09/08/2006	Totals for Included	13	\$462.91	\$77.18
Totals for Day 09/08/2006		13	\$462.91	\$77.18
Totals for User Name CHRISTIAN ADAM (3192684)		13	\$462.91	\$77.18
Totals for Client 526		13	\$462.91	\$77.18
Client 913	Hart, David			\$77.18
User Name CHRISTIAN ADAM (3192684)				
Day 09/05/2006	Totals for Included	1	\$6.00	\$1.00
Totals for Day 09/05/2006		1	\$6.00	\$1.00
Day 09/07/2006	Totals for Included	13	\$1,233.95	\$205.74
Totals for Day 09/07/2006		13	\$1,233.95	\$205.74
Totals for User Name CHRISTIAN ADAM (3192684)		14	\$1,239.95	\$206.74
Totals for Client 913		14	\$1,239.95	\$206.74
Client EAST END				\$206.74
User Name SMITH ALAN D (3192683)				
Day 09/08/2006	Totals for Included	24	\$1,051.20	\$175.27
Totals for Day 09/08/2006		24	\$1,051.20	\$175.27
Totals for User Name SMITH ALAN D (3192683)		24	\$1,051.20	\$175.27
Totals for Client EAST END		24	\$1,051.20	\$175.27
Client EAST END TAXI				\$175.27
User Name SMITH ALAN D (3192683)				
Day 09/10/2006	Totals for Included	7	\$269.05	\$44.86
Totals for Day 09/10/2006		7	\$269.05	\$44.86
Totals for User Name SMITH ALAN D (3192683)		7	\$269.05	\$44.86
Totals for Client EAST END TAXI		7	\$269.05	\$44.86
Client ISLANDIA ELKINS				\$44.86
User Name FRANCOIS DENISE M (2056031)				
Day 09/03/2006	Totals for Included	39	\$1,533.45	\$255.67
Totals for Day 09/03/2006		39	\$1,533.45	\$255.67
Day 09/04/2006	Totals for Included			\$255.67

Account: HODGE & FRANCOIS, CHARLOTTE AMALIE VI (1000637324)

Date Range: January 01, 2007 - January 31, 2007

Report Format: Summary-Account by Client by User by Day

Account by Client by User by Day	Database Time	Transactions	Docs/Lines	Connect Time	Standard Charge	Special Pricing Charge	Tax Amount	Total Charge
Totals for Day 01/25/2007		2			\$160.00	\$33.57	\$0.00	\$33.57
Totals for User Name SMITH, ALAN D (3192683)		22			\$524.75	\$110.10	\$0.00	\$110.10
Totals for Client EAST END TAXI		22			\$524.75	\$110.10	\$0.00	\$110.10
Client ELLICK								
User Name SMITH, ALAN D (3192683)								
Day 01/25/2007								
Totals for Included		2			\$134.00	\$28.11	\$0.00	\$28.11
Totals for Day 01/25/2007		2			\$134.00	\$28.11	\$0.00	\$28.11
Day 01/26/2007								
Totals for Included		1			\$8.00	\$1.68	\$0.00	\$1.68
Totals for Day 01/26/2007		1			\$8.00	\$1.68	\$0.00	\$1.68
Day 01/27/2007								
Totals for Included		4			\$216.00	\$45.32	\$0.00	\$45.32
Totals for Day 01/27/2007		4			\$216.00	\$45.32	\$0.00	\$45.32
Totals for User Name SMITH, ALAN D (3192683)		7			\$358.00	\$75.11	\$0.00	\$75.11
Totals for Client ELLICK		7			\$358.00	\$75.11	\$0.00	\$75.11
Client H & F								
User Name FRANCOIS, DENISE M (2056031)								
Day 01/17/2007								
Totals for Included		2			\$87.30	\$18.32	\$0.00	\$18.32
Totals for Day 01/17/2007		2			\$87.30	\$18.32	\$0.00	\$18.32
Totals for User Name FRANCOIS, DENISE M (2056031)		2			\$87.30	\$18.32	\$0.00	\$18.32
Totals for Client H & F		2			\$87.30	\$18.32	\$0.00	\$18.32
Client ISLANDIA ELKINS								
User Name FRANCOIS, DENISE M (2056031)								
Day 01/24/2007								
Totals for Included		3			\$195.00	\$40.91	\$0.00	\$40.91
Totals for Day 01/24/2007		1			\$35.00	\$0.00	\$0.00	\$35.00
Totals for User Name FRANCOIS, DENISE M (2056031)		4			\$230.00	\$40.91	\$0.00	\$75.91
Totals for Client ISLANDIA ELKINS		4			\$230.00	\$40.91	\$0.00	\$75.91
Totals for Account 1000637324		203	3,971		\$8,857.47	\$1,851.05	\$0.00	\$1,886.05
Report Totals - Included		202	3,971		\$8,822.47	\$1,851.05	\$0.00	\$1,851.05
Report Totals - Excluded		1			\$35.00	\$0.00	\$0.00	\$35.00
Report Totals		203	3,971		\$8,857.47	\$1,851.05	\$0.00	\$1,886.05

2/16/07

Account: HODGE & FRANCOIS, CHARLOTTE AMALIE VI (1000637324)

Date Range: March 01, 2007 - March 31, 2007

Report Format: Summary-Account by Client by User by Day

Account by Client by User by Day	Database Time	Transactions	Docs/Lines	Connect Time	Standard Charge	Special Pricing Charge	Tax Amount	Total Charge
Totals for Included		3			\$162.00	\$27.62	\$0.00	\$27.62
Totals for Day 03/05/2007		3			\$162.00	\$27.62	\$0.00	\$27.62
Day 03/06/2007								
Totals for Included		44	1		\$2,430.20	\$414.29	\$0.00	\$414.29
Totals for Day 03/06/2007		44	1		\$2,430.20	\$414.29	\$0.00	\$414.29
Day 03/07/2007								
Totals for Included		6			\$270.00	\$46.03	\$0.00	\$46.03
Totals for Day 03/07/2007		5			\$270.00	\$46.03	\$0.00	\$46.03
Day 03/27/2007								
Totals for Included		6			\$118.00	\$20.12	\$0.00	\$20.12
Totals for Day 03/27/2007		6			\$118.00	\$20.12	\$0.00	\$20.12
Day 03/28/2007								
Totals for Included		11			\$348.50	\$59.58	\$0.00	\$59.58
Totals for Day 03/28/2007		11			\$348.50	\$59.58	\$0.00	\$59.58
Day 03/29/2007								
Totals for Included		5			\$176.25	\$30.05	\$0.00	\$30.05
Totals for Day 03/29/2007		5			\$176.25	\$30.05	\$0.00	\$30.05
Totals for User Name SMITH,ALAN D (3192683)		74	1		\$3,505.95	\$597.67	\$0.00	\$597.67
Totals for Client BRIERLEY		74	1		\$3,505.95	\$597.67	\$0.00	\$597.67
Client BRIERLEY ET AL								
User Name SMITH,ALAN D (3192683)								
Day 03/03/2007								
Totals for Included		6			\$272.20	\$46.40	\$0.00	\$46.40
Totals for Day 03/03/2007		6			\$272.20	\$46.40	\$0.00	\$46.40
Totals for User Name SMITH,ALAN D (3192683)		6			\$272.20	\$46.40	\$0.00	\$46.40
Totals for Client BRIERLEY ET AL		6			\$272.20	\$46.40	\$0.00	\$46.40
Client EAST END								
User Name SMITH,ALAN D (3192683)								
Day 03/12/2007								
Totals for Included		10			\$258.25	\$44.02	\$0.00	\$44.02
Totals for Day 03/12/2007		10			\$258.25	\$44.02	\$0.00	\$44.02
Day 03/17/2007								
Totals for Included		4			\$216.00	\$36.82	\$0.00	\$36.82
Totals for Day 03/17/2007		4			\$216.00	\$36.82	\$0.00	\$36.82
Day 03/20/2007								
Totals for Included		3			\$182.00	\$27.62	\$0.00	\$27.62
Totals for Day 03/20/2007		3			\$182.00	\$27.62	\$0.00	\$27.62
Totals for User Name SMITH,ALAN D (3192683)		17			\$636.25	\$108.46	\$0.00	\$108.46
Totals for Client EAST END		17			\$636.25	\$108.46	\$0.00	\$108.46
Client EAST END TAXI								
User Name SMITH,ALAN D (3192683)								
Day 03/09/2007								

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8262322741
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4/17/07

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Account: MARK D HODGE, CHARLOTTE AMALIE VI (1003528344)
 Date Range: November 01, 2007 - November 30, 2007
 Report Format: Summary-Account by Client by User by Day

Account by Client by User by Day	Database Time	Transactions	Docs/Lines	Connect Time	Standard Charge	Special Pricing Charge	Tax Amount	Total Charge
Day 11/19/2007								
Totals for Included		7			\$181.25	\$36.85	\$0.00	\$36.85
Totals for Day 11/19/2007		7			\$181.25	\$36.85	\$0.00	\$36.85
Totals for User Name SMITH,ALAN (6104725)		7			\$181.25	\$36.85	\$0.00	\$36.85
Totals for Client DE LEON		7			\$181.25	\$36.85	\$0.00	\$36.85
Client EETA								
User Name SMITH,ALAN (6104725)								
Day 11/06/2007								
Totals for Included		11			\$529.00	\$107.54	\$0.00	\$107.54
Totals for Day 11/06/2007		11			\$529.00	\$107.54	\$0.00	\$107.54
Day 11/07/2007								
Totals for Included		8			\$283.00	\$57.53	\$0.00	\$57.53
Totals for Day 11/07/2007		8			\$283.00	\$57.53	\$0.00	\$57.53
Day 11/26/2007								
Totals for Included		28			\$1,260.50	\$256.24	\$0.00	\$256.24
Totals for Day 11/26/2007		28			\$1,260.50	\$256.24	\$0.00	\$256.24
Totals for User Name SMITH,ALAN (6104725)		47			\$2,072.50	\$421.31	\$0.00	\$421.31
Totals for Client EETA		47			\$2,072.50	\$421.31	\$0.00	\$421.31
Totals for Account 1003528344		99	1	4.938	\$5,404.21	\$1,098.60	\$0.00	\$1,098.60
Report Totals - Included		99	1	4.938	\$5,404.21	\$1,098.60	\$0.00	\$1,098.60
Report Totals		99	1	4.938	\$5,404.21	\$1,098.60	\$0.00	\$1,098.60

12/19/07