

# **EXHIBIT 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

JENNIFER J. TAYLOR	)	
	)	
Plaintiff,	)	
	)	
v.	)	CA No. 1:12cv523
	)	(GBL/IDD)
REPUBLIC SERVICES, INC., <i>et al.</i>	)	
	)	
Defendants.	)	
	)	

**DECLARATION OF CARLA D. BROWN**

I, Carla D. Brown, do hereby declare and state as follows, pursuant to 28 U.S.C. § 1746:

1. I am a member of the bar of this Court and counsel for Jennifer J. Taylor, the prevailing plaintiff in this action. I make this declaration in support of Ms. Taylor's request for an award of attorneys' fees and costs in this action, pursuant to 18 U.S.C. § 1514A(c), Fed. R. Civ. P. 54(d) and 68, Rule 54(D)(1) of the Local Rules, and the Memorandum Opinion dated September 16, 2013. This declaration constitutes the application of Charlson Bredehoft Cohen Brown & Sakata, P.C. for such fees and expenses incurred from August 16, 2011 – September 29.<sup>1</sup>

2. All employees of Charlson Bredehoft Cohen Brown & Sakata, P.C. keep time and expense records on a regular daily basis for professional services rendered to clients. Those records are based on a minimum time unit of one-tenth of an hour. Based on the records of our firm, which are attached to this declaration as Exhibit 7, the firm of Charlson Bredehoft Cohen Brown & Sakata, P.C. spent 2,224.7 hours of attorney time and 641.3 hours of paralegal time on

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<sup>1</sup> A supplemental petition may be filed for time expended after September 27, 2013.

this case. Of this time, we have deleted several timekeepers with only peripheral involvement in the case, and do not request an award for any time expended by those timekeepers, amounting to 35.7 hours of attorney time and 12.9 hours of paralegal time. In addition, we have “no charged” 106.1 hours of attorney time and 22.0 hours of paralegal time which, in my professional judgment, was necessarily effected to ensure thorough and adequate preservation and preparation of the case, but in the interest of presenting a fee petition after having exercised discretionary time-cutting measures, we have accordingly decreased the time sought to be compensated by the Court. This also reflects deductions attorney time and paralegal time expended on the claims that were either dismissed by the Court on summary judgment, or on which plaintiff was not the prevailing party at trial. Therefore, this firm requests total compensation for 2,082.9 hours of attorney time and 606.4 hours of paralegal time. Please see Exhibits 1 and 2 (Summary of Time Records for which an Award is Requested, and Summary of No Charge by Timekeeper/ Summary of Timekeepers Removed) and Exhibit 7 (time records).

3. I am familiar with the standards for determining a reasonable attorney's fee set forth in *Riverside v. Rivera*, 477 U.S. 561, 106 S. Ct. 2686 (1986); *Hensley v. Eckerhart*, 461 US 424, 103 S.Ct 1933 (1983); *Barber v. Kimbrell's, Inc.*, 577 F.2d 216 (4th Cir.), *cert. denied*, 439 U.S. 934 (1978) and *Anderson v. Morris*, 658 F.2d 246 (4th Cir. 1981). *See also Daly v. Hill*, 790 F.2d 1071, 1077 (4th Cir 1986); *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir 1975). With respect to each of the factors required to be considered for determining the reasonability of counsel fees, I have the following comments:

a. Time and labor expended. As stated above and detailed in the attached time records, our firm requests compensation for 2,082.9 hours of attorney time and 606.4 hours of paralegal time on the prosecution of this case. Of the attorney time, 324.8 hours were billed by

the principal of the firm and trial counsel, Elaine Charlson Bredehoft (of which 7.3 hours is “no charge,” and for which compensation is requested at the rate of \$550 per hour for hours up through and including March 31, 2013, and \$600 per hour for hours beginning on April 1, 2013); 1,133.3 hours were billed by the Carla D. Brown, a partner of the firm and trial counsel, (of which 33.8 hours is “no charge,” and for which compensation is requested at the rate of \$475 per hour); 480.0 hours were billed by Brian A. Scotti, an associate and trial counsel for this case (of which 31.1 hours is “no charge” and for which compensation is requested at the rate of \$425 per hour); 30.4 hours were billed by Heather Austin Jones, a senior associate of the firm (for which compensation is requested at the rate of \$450 per hour); 27.6 hours were billed by Kathleen Z. Quill, an associate of the firm (for which compensation is requested at the rate of \$400 per hour); 126.3 hours were billed by Daphne Shih Gebauer, an associate of the firm (of which 11.3 hours is “no charge” and for which compensation is requested at the rate of \$375 for hours through 11/4/12, and at the rate of \$400 per hour for hours billed starting on 11/5/12); 44.6 hours were billed by Aseil Abu-Baker, an associate of the firm (of which .6 hours is “no charge” and for which compensation is requested at the rate of \$325 per hour); 487 hours were billed by senior paralegals of the firm (of which 22 hours is no charge, and for which compensation is requested at the rate of \$250 per hour); and 150.4 hours were billed by paralegals of the firm, for which compensation is requested at the rate of \$135 per hour). 48.6 hours were expended by timekeepers who were removed from this Petition entirely.

b. Novelty and difficulty of the questions raised.

The Defendants launched a very aggressive defense at all stages, including extensive discovery, depositions, motions’ practice, and exhibit issues, all the way through and including

trial. By way of example, the defendants moved for multiple sanctions, even requesting dismissal of the entire case, necessitating an evidentiary hearing, where the Court denied their requested relief.

In addition, because Republic asserted multiple defenses, Ms. Taylor faced the very difficult burden of disproving the many “legitimate business justifications” for her termination asserted by the Defendants. This involved extensive discovery, including numerous depositions. Defendants even disputed that Ms. Taylor was terminated, as opposed to having voluntarily resigned.

The depositions, although immediately noticed with ample time to schedule, were met with resistance and scheduling conflicts, several scheduled so late that they would have been taken after any opportunity to issue further discovery requests. In addition, the depositions were conducted without regard to the rules and case law. Defendants repeatedly instructed witnesses not to answer questions that were not protected as attorney-client privilege or work product, frustrating the efforts of Plaintiff to discover important and relevant facts, and forcing Plaintiff to file motions and objections, and attempt to overcome hurdles in various ways to be able to prove her case and to meet the burdens in responding to Defendants’ proffered legitimate business justifications.

Meanwhile, the fees and costs escalated at a rapid rate, because of the manner in which Defendants were fighting this litigation. While Plaintiff needed to pursue the claim, no true effort was made on Defendants’ part to settle at any stage. Instead, Defendants aggressively defended, filed extensive motions, including three motions for summary judgment, attempted to dismiss the case with multiple allegations of discovery abuses, and remained in a strong aggressive stance throughout trial.

Time was necessarily expended for extensive review of the material facts, examining job performance of Ms. Taylor, parsing through communications and defenses raised by defendants for each aspect of the claims, as well discovery relating to damages.

Moreover, the Virginia Supreme Court and the United States Court handed down decisions during the litigation and immediately after trial that potentially impacted this case, requiring additional briefing. This Court was also asked to rule on a number of novel issues, including whether damages could include the retaliation to the husband of Plaintiff, and whether the Plaintiff waived her right to a jury trial in a Title VII case.

The level of significance and complexity of the prosecution of this case, as well as the many hurdles and obstacles placed before the Plaintiff, is accurately reflected in the number of hours billed.

c. Skill required. This was a complex retaliation case. The fact that the discovery has been so difficult is perhaps indicative of the complexity and difficulty in bringing this to the attention of the Magistrate Judge.

Defendant raised numerous issues during the motions' practice, as well as in a motion to dismiss, the effective response to which required in my opinion skill substantially greater than that usually required on the part of plaintiff's counsel because of the level of detail, facts and documents necessary to weave the full picture and respond to the issues raised. In addition, the legitimate business justifications being asserted for each aspect of the claims require substantial discovery of documents and depositions. Given that Defendants were permitted to eschew the requirements of Rule 34(b) in its entirety and instead produced tens of thousands of documents, including on multiple disks with no reasonable order, the degree of skill required even to conduct

the many depositions with any reasonable level of preparation was very high. Counsel needed to have a mastery of the documents in order to effectively examine and cross-examine the witnesses in deposition, yet Plaintiff has been effectively denied access to a substantial portion of the relevant documents, which requires even greater skill on the part of counsel to conduct the depositions.

This case involved witnesses in various parts of the country, holding a number of positions with the Defendants, a waiver of jury trial from a predecessor company, with allegations of a hostile environment spanning a period of time, in different regions, by different individuals, in different positions with the companies, and different people “handling” each of the complaints made by the Plaintiff. The proffered legitimate business justifications necessitated comparisons of persons in a similar position in other regions for some aspects, and other persons not in a similar position in the same region. The hurdles placed in discovery, some upheld by the Magistrate Judge, amplified these complexities.

The legal hurdles included varying statute of limitations issues, proving the decision-makers and roles of the varying individuals for each aspect of the claims of retaliation (with road blocks raised by defendants in deposition and document production on these issues), the liability of individuals versus corporate, the liability for damages, and legal standards for the different causes of action.

d. Lost opportunity costs. Litigating this case took an extreme toll on our offices. The amount of emailing by Defendants, the resistance to even the simplest of issues, and the need to plan depositions throughout the country, only to have them rescheduled, sometimes repeatedly, the uncertainty of documents, the timing and availability of documents, and the speed of the docket, prevented counsel from taking many other cases, and in the cases in the office,

from scheduling depositions, motions and other litigation-related events during the discovery period.

Our office caseload is very heavy, and we would have spent essentially all of the time we dedicated to this case on other remunerative matters had we not dedicated the time to this case. We have turned down a large number of clients over the course of this litigation for lack of time adequately to even meet with potential clients, much less to represent their interests in an effective manner, and we have had to spend substantial time performing legal work on this case, the extensive document productions, motions, and deposition preparation during the regular work hours, evenings and weekends on a sustained and regular basis.

In this case in particular, lost opportunity costs have been very high. Charlson Bredehoft Cohen Brown & Sakata has expended over 2,866 hours of professional time to this matter. Our office is very small, and this litigation consumed a large part of our resources. Although the time expended is a large amount of time, in my professional opinion, the case could not have been prosecuted successfully if we had devoted less time or effort. Defendants would be hard-pressed to suggest that Plaintiff's counsel could have devoted less time and effort.

e. Customary fee of Charlson Bredehoft Cohen Brown & Sakata, P.C. The customary fee for like work charged by Charlson Bredehoft Cohen Brown & Sakata, P.C. is based on fees awarded by the Court, contingent fee recoveries, or hourly charges.

My standard hourly rate for litigation matters, as well as for other matters, is \$475. This has been my hourly rate since before the inception of this case. Ms. Bredehoft's hourly rate was



\$550 for the majority of this case, increasing on April 1, 2013 to \$600. As detailed below,<sup>2</sup> the hourly rate of other attorneys ranges from \$300 to \$450 per hour. The standard hourly rate charged to clients of the firm for associates varies according to level of experience. The standard hourly rate charged to clients of the firm for senior paralegal time is \$250 per hour (the two senior paralegals of the firm have 30 and 23 years' experience), and \$135 for other paralegals.

These rates have been regularly billed to and paid by the firm's clients, and represent our standard hourly charges for all clients represented on other than a contingent-fee or full or partial pro bono basis.

This request seeks an award at the rates of \$450-\$600 (depending on time frame) for principal and partner attorney time, \$300-\$450 for associate time, and \$135 to \$250 for paralegal work.

Charlson Bredehoff Cohen Brown & Sakata has, over the past few years, varied our hourly rates based upon the ability of the client to pay and the client's need for legal services. On a regular basis, Charlson Bredehoff Cohen Brown & Sakata has provided, and continues to provide, legal representation, including in-court representation in federal and state courts, at no or a substantially reduced fee to select clients.

In a very limited number of cases, our fee for professional services has been based on a sharply discounted hourly rate or flat fee, combined with a reduced-percentage contingent fee.

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<sup>2</sup> Elaine Charlson Bredehoff - \$550 per hour through 3/31/13 and \$600 per hour thereafter; Carla D. Brown - \$475 per hour; Heather Austin Jones - \$450 per hour; Brian A. Scotti - \$425 per hour; Kathleen Z. Quill - \$400 per hour; Daphne Shih Gebauer - \$375 per hour through 11/4/12 and \$400 per hour thereafter; and Paralegals - \$135 or 250 per hour (depending on experience level).

There is nothing we could have, or should have, done differently that would have resulted in a better outcome for the Plaintiff at this stage in this litigation, given the intractable position of Defendants and the circumstances presenting themselves to the Plaintiff at this time.

g. Attorney's expectations. Expectations of counsel in this matter, as in all litigated cases our firm has brought trial or prosecuted under eligible statutes or regulations, has been to apply for an award of fees and costs to be paid for by the Defendants. The Defendant anticipated the same, and as set forth in the Memorandum Opinion of this Court, Plaintiff was directed to file the Petition for attorney's fees and costs with the Court, pursuant to 18 U.S.C. § 1514A(c), Fed. R. Civ. P. 54(d) and Rule 54(D)(1) of the Local Rules.

h. Time limitations. The time limitations imposed on Plaintiff were extremely difficult in light of the Defendants' plan of action, to delay and prevent providing discovery and witnesses on a timely basis, or in a format that would facilitate less time for follow up and further investigation. The Court issued a Scheduling Order providing for the deadlines for discovery consistent with the Federal Rules. Although the Plaintiff honored it, the Defendants did not, which placed enormous burdens on the Plaintiff in attempting to ready this case for trial. The Plaintiff bears the burden of proof, and the lack of meaningful discovery responses has the most detrimental effect on the Plaintiff, who does not have access to the documents or the vast majority of the witnesses. The short time for discovery, combined with the Defendants' effective delay tactics, rendered the time constraints imposed by the Scheduling Order particularly burdensome. This was even more the case because Plaintiff complied with all of the time constraints imposed by the Court and attempted to move this case along in the manner that all

other cases are moved in the Eastern District of Virginia, but encountered multiple, overwhelming at times, roadblocks Plaintiff was still attempting to remove at the time of trial.

i. Amount in controversy and results obtained. Under the circumstances presented to the Plaintiff at this time, the result obtained is excellent. One of the most important aspects of this journey was Ms. Taylor's right to dispel the rumors and innuendo and impugning of her professional reputation, and to regain his self-respect and self-esteem. Ms. Taylor was a top performer who consistently not only met, but exceeded, her goals and objectives at Republic, until she was stripped of the tools and authority to continue performing her job. Ms. Taylor had never been terminated in her career, and had worked extremely hard for Republic, as well as all of her previous employers. The Opinion of this Court, which is a matter of public record, restores that unblemished, stellar reputation, and vindicates Ms. Taylor, while also compensating Ms. Taylor for the financial and emotional losses.

Under *Riverside v. Rivera*, 477 U.S. 561, 106 S. Ct. 2686 (1986), the Court recognized that measurement of proportionality is not appropriate in a civil rights action, because civil rights advance the public benefit, encourage persons like Ms. Taylor to come forward and take a stance against illegal employment actions, and to hopefully deter employers from acting in a similar manner against other qualified and performing employees. Instead, the United States Supreme Court indicated that the Court should review whether the amount expended by counsel was reasonable and reflected the sound legal judgment of counsel for Plaintiff.

Even if there was some effort to examine the amount sought versus the amount received, Ms. Taylor did not ask for any dollar amount in her Complaint, but instead asked for an amount determined by the jury. Once this Court ruled that Ms. Taylor had waived her right to a jury

trial, the Court took it upon itself to determine the appropriate amount, which it did, in a well thought out and detailed 60 page Opinion.

There has never been a legitimate settlement offer by the Defendants. In fact, at Mediation, Defendants offered to let Ms. Taylor simply walk away without having to pay *Defendants* anything, as their settlement offer. Therefore, Defendants have effectively nullified the significance of this category, because it does not matter what the Plaintiff sought – she had no choice but to pursue her claims through this Court, and the fees and costs would necessarily be evaluated on whether the time was reasonable under the circumstances.

While Ms. Taylor has at times made initial demands to attempt to start the negotiation process, all have been rejected by Defendants without any effort to resolve the claims, to respond, or to engage in good faith negotiations. The amount demanded cannot be legitimately considered as the amount sought, as in the settlement process, the initial amount is always much higher than the amount the Plaintiff would accept, but starts the process. Defendants were never willing to engage in any serious manner.

j. Experience, reputation, and ability of counsel.

1. Charlson Bredehoft Cohen Brown & Sakata P.C.: The Firm was founded in 1991 by Elaine Charlson Bredehoft, with an emphasis on civil litigation. A substantial portion of the practice, especially since 1993, has consisted of employment-related litigation. The firm has represented both plaintiffs and defendants in employment-related matters, although the practice is generally plaintiff-oriented. The following background is provided for the information of the Court.

This firm regularly receives between fifty and two hundred inquiries from

prospective clients per week. A large proportion of these callers have been referred to our firm by defense counsel against whom we have litigated employment cases in the past, and other lawyers in the Metropolitan Washington D.C. area, as well as throughout the Commonwealth of Virginia. The vast majority of these prospective clients are referred to other firms because of our firm's heavy workload, which included this case during the relevant time period.

**Carla D. Brown:** I joined the firm in 2006, and became a Partner in 2009. I earned my undergraduate degree from the University of Virginia in 1996 and received my law degree from George Mason University School of Law in 1999. I am currently admitted to practice in the Commonwealth of Virginia, the District of Columbia, and Maryland. I am also admitted to practice in the federal trial courts in Virginia, the District of Columbia, and Maryland, as well as the United States Court of Appeals for the Fourth Circuit and the District of Columbia.

Prior to joining Charlson Bredehofft Cohen Brown & Sakata, I was an associate with the firm of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, where I represented insurance companies, their insureds, and other corporate entities in arbitration, mediation, and litigation involving construction disputes, coverage disputes, employment discrimination, medical malpractice and product defect matters.

I served as lead counsel on this matter, from the inception of the case in 2011.

I have litigated cases in state and federal courts throughout Virginia, as well as in the District of Columbia and Maryland. I routinely handle employment-related matters, including contractual matters, such as the negotiation and review of severance agreements, covenants not to compete, and employment agreements. A large part of my

practice includes counseling employees who are subjected to workplace harassment, discrimination, and retaliation, including whistleblowers. I have extensive involvement in all aspects of litigating employment cases, including through jury trials.

I have been recognized as a rising star in *Virginia Super Lawyers Magazine* in 2009, 2010, 2011 and 2012, a Super Lawyer in 2013, and was recognized as a Washington, D.C. Rising Star in 2013.

Recent judgments in business, employment and discrimination/civil rights cases include: *York v. DynCorp International, LLC.*, C.A. No. 2011-4995 (Fairfax Cir. Ct. 2012) (Breach of Contract - \$5.4 million verdict, including prejudgment interest); *Crowe, et al v. Marsh & McLennan Agency, LLC*, Civil Action 1:10cv1016 (E.D. Va. 2011)(Represented individuals and successor employer, Lockton, in obtaining ruling by Court, striking covenants not to compete and confidentiality provisions as invalid, May, 2011); *Grissom v. The Mills Corporation*, Civil Action 06-961 (E.D. Va. 2007) (Sarbanes-Oxley wrongful termination, breach of contract, and defamation per se - \$459,566 judgment, fees and costs awarded).

I have been a lecturer at numerous employment litigation Continuing Legal Education seminars. Recent presentations include: "Effective Uses for Magistrates" (the Virginia Bar Association Forty-Second Annual Conference on Labor Relations and Employment Law, September 20, 2012); "Plaintiff's Perspective in Federal Court: 'New' Pleading Standard, Discovery, Experts, Mediation and More" (the Virginia Bar Association, May 2010); "Plaintiff's Perspective: What's the Plan? Issues That Arise in State, Federal, or ADR Forum" (Virginia Bar Association Annual Employment Law

Update, May 13, 2010); “Hot Topics in Employment Law and Ethical and Professional Mediation Guidelines to Resolve Cases Early” (Fairfax Bar Association, Las Vegas, October 6, 2009); “Hot Topics in Employment” (The National Organization of Black Law Enforcement Executives, July 28, 2009); “Careers in Labor Employment” (D.C. Bar Labor & Employment Section, July 26, 2007); “Strategic Thinking in Settlement Negotiations” (the Virginia Bar Association Thirty-Sixth Annual Conference on Labor Relations and Employment Law, October 6, 2006); “Careers in Labor & Employment” (D.C. Bar Labor & Employment Section, July 26, 2007).

I am a member of the Virginia Bar Association, the Metropolitan Washington Employment Law Association, the Fairfax Bar Association, the Northern Virginia Black Attorneys Association, and the Federal Bar Association. I am also a Barrister of the George Mason American Inn of Court.

***Elaine Charlson Bredehoft:*** Ms. Bredehoft is a principal of the firm of Charlson Bredehoft Cohen Brown & Sakata, P.C., located in Reston, Virginia. Ms. Bredehoft formed the firm on April 15, 1991, although she has been in active practice in federal and state courts in Virginia since 1984. Ms. Bredehoft graduated in 1981 from the University of Arizona with a B.A. in speech communications, and received her legal education at the Columbus School of Law of the Catholic University of America, where she served as an associate editor of the Catholic University Law Review. Ms. Bredehoft received her law degree in May of 1984.

From 1984 to April 1991, Ms. Bredehoft was an associate, and then principal (1988-1991), of the firm of Walton & Adams, P.C., in McLean, Virginia.

Ms. Bredehoft is admitted to practice before the courts of the Commonwealth of Virginia, as well as the Eastern District of Virginia, the United States Court of Appeals for the Fourth Circuit, the United States Bankruptcy Court for the Eastern District of Virginia, the courts of the District of Columbia, the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit, and the United States Supreme Court.

Ms. Bredehoft has been the sole or lead counsel in many wrongful termination, employment discrimination or other employment-related actions, including counsel for the prevailing party in *Kydd v. FedBid*, CA 2012-00985 (Fairfax Cir. Ct. 2013) (Breach of Contract/Unjust Enrichment - \$150,000 judgment, June 2013); *York v. DynCorp International, LLC*, C.A. No. 2011-4995 (Fairfax Cir. Ct. 2012) (Breach of Contract - \$5.4 million judgment, including prejudgment interest, March 2012, DynCorp's Petition for Appeal denied); *Sara K. Payne v. Marsh & McLennan Agency, LLC*, Civil Action 1:12cv1 (E.D. Va. 2012) (Represented individual and successor employer Lockton in successfully defending against temporary restraining order in dispute challenging validity of covenants, February 2012); *Crowe, et al v. Marsh & McLennan Agency, LLC*, Civil Action 1:10cv1016 (E.D. Va. 2011)(Represented individuals and successor employer, Lockton, in obtaining ruling by Court striking covenants not to compete and confidentiality provisions as invalid, May, 2011); *Shannon v. Randy Andrews, et al.*, C.A. No. 2010-2895 (Fairfax Cir. Ct. 2011) (Breach of Contract - \$856,653.54 judgment, February 2011); *Mazich v. Sevatec, Inc.*, C.A. No. 2010-1799 (Fairfax Cir. Ct. 2010) (Breach of Contract - \$257,000 judgment, December 2010); *Cardinal Financial*



*Corporation, et al. v. O'Donnell, et al*, C.A. No. 2010-12283 (Represented former employer in obtaining temporary restraining order against former employees under Virginia Trade Secrets Act and common law claims, August, 2010); *Grissom v. The Mills Corporation*, C.A. No. 1:06cv961 (E.D. Va. 2007)(Sarbanes-Oxley wrongful termination, breach of contract, and defamation per se – \$459,566.82 judgment, fees and costs awarded, appealed and settled); *Ivarone v. CACI Commercial, Inc. et al.*, Claim No. 16 160 00761 05 (AAA Arbitration, March 2007)(Defamation per se against former employer, \$150,000 compensatory damages, \$150,000 punitive damages); *Hyland v. Raytheon Company, et al.*, At Law No. 221038 (Fairfax Cir. Ct., Oct. 2005)(Represented former Senior Vice President in defamation, fraud and tortious interference - \$3.5 million verdict, reduced to \$1.875 million, reversed and remanded for retrial, settled); *Jackson v. Government Micro Resources, Inc., et al.*, At Law No. 57849 (Prince William Cir. Ct., Dec. 2004) (Represented former President and CEO in defamation and breach of contract - \$6.2 million jury verdict; reduced to \$1.5 million, \$5.5 million judgment reinstated by Virginia Supreme Court, Jan. 2006); *Scott v. Hovnanian Enterprises, Inc., et al.*, C.A. No. 03-1435-A (E.D. Va. 2004)(pregnancy discrimination, retaliation, FMLA and constructive fraud -- jury verdict valued at \$2.2 million; reduced to \$675,000; \$350,000 awarded in attorney's fees and costs); *Luba v. Motient Corporation*, Claim No. 16199 00077 03(AAA Arbitration, May 2003)((Breach of Change in Control Agreement, \$203,625.27); *Moore v. United International Investigative Services*, C.A. No. 01-1886(E.D. Va. 2002)(Defamation and Conversion - \$254,460.01 verdict, conversion claim dismissed on post-trial motions, \$200,000 defamation verdict upheld by Fourth Circuit ); *Swinton v. Broadwing Communications Services, Inc.*, C.A. No. 00-

1605(E.D.Va. 2001) (Breach of contract – change in control provisions for Internet backbone Chief Architect transferred to work on the Last Mile - \$350,854.15 verdict – value of vested stock options at time of attempted exercise); *Pasko v. Broadwing Communications Services, Inc.*, C.A. No. 00-1631(E.D.Va. 2001) (Breach of contract – change in control provisions for Internet backbone Manager and Designer transferred to work on the Last Mile - \$290,335.44 verdict – value of vested stock options at time of attempted exercise); *Stiles v. Town of Leesburg, et al.*, C.A. No. 00-628 (E.D.Va. 2000) (Section 1983 Whistleblower action by former Chief of Police of Town of Leesburg terminated for reporting illegal acts of Town Manager and Council Member--\$3.1 million jury verdict, \$261,000 awarded in attorney’s fees and costs); *Davison v. FastComm Communications Corp.*, At Law No. 159733 (Fairfax Cir. Ct. 1998) (Represented former COO and Director in breach of contract for stock options - \$1.288 million jury verdict); *Shaw v. Titan Corporation*, C.A. No. 96-325-A (E.D.Va. 1998) (Gender, age and race based discrimination of white male, \$465,000 verdict, reduced to \$415,000); *Hetzel v. Prince William County, et al.*, C.A. No. 94-919 (E.D.Va. 1995, 1998)(Race and sex discrimination and retaliation in the Prince William Co. Police Dept. -- \$750,000 verdict, \$186,000 court award of attorney's fees, liability upheld, on remand from U.S. Supreme Court retrial on damages, \$45,000 damages, \$69,000 attorney’s fees and costs); *Grier v. Titan Corporation*, C.A. No. 95-900-A (E.D.Va.1996) (Retaliation and wrongful termination/ constructive discharge -- \$635,000 verdict, after second trial \$829,500 verdict, reduced to \$27,500, \$95,351.94 awarded in fees and costs); *Robinson v. The Hill*, C.A. No. 1:96CV02067 (D.D.C. 1998) (Race based termination, \$100,000 verdict,

\$118,000 attorney's fees and costs award); *Berman v. The Washington Times Corporation*, C.A. No. 92-2738 (D.D.C. 1995) (Sex discrimination, sexual harassment and retaliation in advertising department -- \$789,000 jury verdict, October 24, 1997, \$200,000 awarded in attorney's fees).

Ms. Bredehoft has tried, by herself or as lead counsel, over one hundred trials, including jury trials and bench trials at the federal and state court levels over the past twenty years. She has also represented and appeared on behalf of clients before a number of administrative bodies, including arbitration panels of the American Arbitration Association, the Virginia Civil Service Commission, the Fairfax County Human Rights Commission, the federal Civil Service Commission, the Fairfax County Board of Supervisors, the Fairfax County Public Schools and various Fairfax County administrative committees.

Ms. Bredehoft has also represented a large number of clients in employment and discrimination disputes whose claims were resolved without litigation or before trial. The former positions of employment of those clients cover a wide range of occupations, from blue-collar workers, to corporate counsel for multinational corporations, to directors and chief executive officers of very large concerns. In some (although not all) of these cases, our firm charged a fee on an hourly basis. In each such case in which an hourly fee was charged, our firm charged its standard hourly rates for principal attorney time, associate attorney time, and paralegal time.

Ms. Bredehoft served as a member of the Virginia Commission on Women and Minorities in the Legal System for three years, and served as Secretary to that body for two years. She has been active in bar functions and was a former member of the

Executive Committee of the Virginia Bar Association Young Lawyers Section. Ms. Bredehoft also served as statewide, regional and local coordinator for the Virginia Bar Association Model Judiciary Program for a period spanning six years. During her tenure with the Model Judiciary Program, Ms. Bredehoft caused the program to be expanded to include the participation in student appellate arguments to both the Virginia Court of Appeals and the full Virginia Supreme Court. Other bar related activities include: Master, George Mason Inns of Court, 1995-2012, Emeritus Member, 2012-present; Faculty Member, Virginia State Bar Professionalism Committee, 1997-2000; Faculty Trainer, 1999-2000; Chairperson, Fairfax Bar Association Diversity Task Force Committee, 1998-99; Co-Chair, Fairfax Bar Association Diversity Task Force Subcommittee on the Inclusion of Minorities, 1997-98; Virginia Commission on Women and Minorities in the Legal System, Member, 1987-90; Secretary to the Commission, 1988-90; Fairfax County Circuit Court Neutral Case Evaluation Program and Conciliator Program, Court-appointed attorney case evaluator, 1993-present; Court-appointed conciliator, 1996-present; Virginia Trial Lawyers Association, Member, Employment Law Section 1997-present; Co-Chair, 1997 and 1998 Annual Convention; Member, Long Range Planning Committee, 1995-96; Virginia Bar Association, Member, 1984-present; Virginia Bar Association Section on Labor and Employment Law, Member of Governing Council, 1994-present; Fairfax Bar Association, Member, 1984-present; served on FBA Committees on Professionalism, Law Day, Nominating, Annual Meeting and Diversity Task Force; participated as mentor in FBA mentoring program; and Virginia Women Attorneys Association, Member, 1997-present.

Ms. Bredehoft was also been selected as a “fellow” of American College of Trial Lawyers in 2003, a “fellow” of the International Academy of Trial Lawyers in 2005, a “fellow” of the Litigation Counsel of America in 2008, an invitee of the Fourth Circuit Judicial Conference, 1997-99, a Permanent Member since 2000, and an invitee to the Boyd Graves Conference since 1999 and a member of the Boyd Graves Steering Committee from 2004-09.

Ms. Bredehoft is a frequent lecturer on employment and business litigation at Continuing Legal Education seminars sponsored by Virginia Supreme Court, Virginia State Bar, Virginia Trial Lawyers Association, Virginia Association of Defense Attorneys, Virginia Bar Association, Fairfax Bar Association, Virginia Law Foundation, Southern Methodist University Labor and Employment Conference, National Employment Lawyers Association, Metropolitan Employment Lawyers Association, D.C. Bar, and other organizations or groups.

**Brian A. Scotti:** Mr. Scotti joined the firm in June 2012. Mr. Scotti graduated from James Madison University in Harrisonburg, Virginia, where he earned his B.S. in Economics. Mr. Scotti received his J.D. in 2004 from The Catholic University of America, Columbus School of Law.

Over the course of his legal career, Mr. Scotti has handled a wide variety of matters in all stages of litigation including medical malpractice, insurance coverage, professional liability defense in law and real estate, product liability, general liability defense and subrogation matters. Mr. Scotti has considerable trial experience, including first chair jury trial experience in Virginia state courts as well as representing clients in

arbitrations and mediations. Mr. Scotti now focuses his practice primarily on employment-related matters in state and federal court.

Mr. Scotti is admitted to practice in the Commonwealth of Virginia, the District of Columbia, Maryland, New Jersey, New York, and the federal trial courts in the Commonwealth of Virginia, the District of Columbia, Maryland, and New Jersey. Mr. Scotti is a member of the Virginia Bar Association, the District of Columbia Bar Association, the Alexandria Bar Association, and the Fairfax Bar Association.

Mr. Scotti has supported or participated in a number of trials, including as trial counsel in *Kydd v. FedBid*, CA 2012-00985 (Fairfax Cir. Ct. 2013) (Breach of Contract/Unjust Enrichment - \$150,000 judgment, June 2013). Mr. Scotti also appeared as lead counsel in a number of evidentiary hearings and motions in this case.<sup>3</sup>

***Heather Austin Jones:*** Ms. Jones joined the firm in March 2012. Ms. Jones graduated *magna cum laude* with a B.A. in Communications from James Madison University in 1991, and received her law degree from George Mason University School of Law in 2002. Prior to and while attending law school, Ms. Jones worked at the Federal Judicial Center (FJC) in Washington, D.C., the research and education agency for the federal courts. During her 10-year tenure at the FJC, Ms. Jones worked directly with federal judges, court clerks, pretrial services and probation officers, and other federal court personnel in the development and production of video and live training programs televised to U.S. district courts across the country on the Federal Judicial Television

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<sup>3</sup> Mr. Scotti was trial counsel for the direct examination of Mr. William Foote, one of Plaintiff's Experts, and was prepared to cross-examine a number of other witnesses listed by Defendants who Defendants elected not to call, including both of their experts.

Network. While attending law school, Ms. Jones also obtained her third year practice certification and prosecuted involuntary civil commitment cases before special masters in Virginia with respect to mentally ill individuals in need of appropriate treatment.

Upon graduation from law school, Ms. Jones served as a judicial law clerk to the Honorable R. Terrence Ney of the Fairfax County Circuit Court, 19th Judicial Circuit. Following her clerkship, Ms. Jones worked as a litigation associate for one of the largest construction law firms in the United States. Ms. Jones subsequently joined a national insurance defense firm where she represented individual and corporate clients and successfully litigated a wide range of civil matters, including professional liability defense, premise liability, business related torts and contract claims, employment litigation, and insurance coverage disputes.

Ms. Jones has significant experience in handling all aspects of litigation from commencement through appeal. She is well-versed in motions practice in courts across the region, including the Supreme Court of Virginia. She is admitted to practice in Virginia state courts and the U.S. District Court for the Eastern District of Virginia. Ms. Jones is a member of the American Bar Association, the Virginia Bar Association, and the Fairfax Bar Association.

***Kathleen Z. Quill:*** Ms. Quill, of Menasha, Wisconsin, joined the firm in 2003. Ms. Quill graduated with distinctions and *Phi Beta Kappa*, from the University of Wisconsin in 1990. She received her J.D. from the University of Chicago Law School in June 1996, where she was co-president of the Women's Law Caucus and participated in the Mandel Legal Aid Clinic, Criminal Justice Project. After law school, Ms. Quill clerked in the Federal District Court of Massachusetts for the Honorable Nathaniel M.

Gorton. Ms. Quill is currently admitted to practice in Massachusetts, Virginia and Washington, D.C.

Ms. Quill has fifteen years of experience handling a variety of litigation matters. Most recently, Ms. Quill was an Assistant Attorney General, Senior Litigator, in the Civil Rights Division of the Attorney General's Office in the Commonwealth of Massachusetts, where she was part of the Employment Rights Project. She prosecuted cases on behalf of the public and victims of discrimination and hate crimes. These cases involved employment, disability, housing, and public accommodation discrimination, as well as violations of the Massachusetts Civil Rights Act. From 1999 to 2001, Ms. Quill worked for the United States Department of Justice as a Trial Attorney in the National Courts Section of the Civil Division. There she was responsible for the defense of a large and complicated caseload encompassing several different legal areas, including government employment law, both at the trial level in the United States Court of Federal Claims and at the appellate level in the Federal Circuit, where she argued appellate matters on a regular basis. From 1997 to 1999, Ms. Quill worked for a private Boston firm in its commercial litigation department, where she was also a member of the employment law group and participated in the representation of both employees and employers at the Massachusetts Commission Against Discrimination. She also participated in many pro bono projects representing indigent individuals in cases involving employment rights, housing rights, and political asylum. Since joining Charlson Bredehoff Cohen Brown & Sakata, Ms. Quill has been involved in all aspects of the firm's practice, including participating in trials, motions, depositions and all facets of



litigation, as well as providing business and commercial advice to business clients and high level executives.

***Daphne Shih Gebauer:*** Ms. Gebauer joined the firm in April 2010. Ms. Gebauer earned her J.D. from the New York University School of Law in 2007. While in law school, Ms. Gebauer interned with the World Health Organization's Department of Ethics, Trade, Human Rights and Health Law in Geneva, Switzerland, and the Law & Justice Unit of ABC News in New York City.

Upon graduation from law school, Ms. Gebauer joined the Litigation and White Collar Defense practice groups in Foley & Lardner LLP's Washington D.C. office. During her time at that firm, Ms. Gebauer assisted and represented corporate clients in a wide range of business disputes, including civil litigation, internal investigations, class action defense, software licensing, and administrative actions.

Since joining the firm, Ms. Gebauer has been trial counsel *in Crowe, et al v. Marsh & McLennan Agency, LLC*, Civil Action 1:10cv1016 (E.D. Va. 2011) (Represented individuals and successor employer, Lockton in obtaining ruling by Court striking covenants not to compete and confidentiality provisions as invalid, May, 2011; and as trial counsel in *Shannon v. Randy Andrews, et al.*, C.A. No. 2010-2895 (Fairfax Cir. Ct. 2011) (Breach of Contract - \$856,653.54 judgment, February 2011) and has been actively engaged in multiple litigations and settlements.

Ms. Gebauer is admitted to practice in the Commonwealth of Virginia and District of Columbia, and is a member of the Virginia Bar Association, D.C. Bar Association, Fairfax Bar Association, Federal Bar Association, and American Bar Association.

***Aseil Abu-Baker:*** Ms. Abu-Baker joined the firm in 2012. Ms. Abu-Baker graduated from the University of Virginia where she earned her B.A. in Foreign Affairs and Middle East Studies. Ms. Abu-Baker received her J.D. cum laude in 2010 from American University, Washington College of Law. While in law school, Ms. Abu-Baker served as an extern with the World Organization for Human Rights and worked for the Open Society Institute.

Prior to joining the Firm, Ms. Abu-Baker worked with a Fairfax law firm of Moran Monfort, PLC, where she represented a broad range of corporate and individual clients in civil litigation, business law and bankruptcy law.

In addition, Ms. Abu-Baker was a fellow with Boat People SOS, where she handled immigration matters for victims of trafficking.

Ms. Abu-Baker is admitted to practice in the Commonwealth of Virginia, the District of Columbia, the United States District Court for the Eastern District of Virginia, the United States Bankruptcy Court for the Eastern District of Virginia and the United States District Court in Washington D.C. Ms. Abu-Baker is a member of the Virginia Bar Association, Fairfax Bar Association, Metropolitan Washington Employment Lawyers Association, Virginia Women Attorneys Association and the Northern Virginia Bankruptcy Bar Association.

Ms. Abu-Baker handles a variety of employment and labor law matters involving business tort and contract claims and employment discrimination and retaliation claims. She has provided significant support for litigation, arbitration and state and federal trials with the firm.

(k) Extensive use of paralegal personnel. Our firm regularly uses paralegals to perform many tasks related to discovery, document management, and trial preparation.

During the course of this litigation, the primary litigation paralegal assigned to this case was Leslie A. Hoff. Ms. Hoff is a 1988 graduate of the College of William & Mary with a B.A. in economics, and has been a litigation paralegal at Charlson Bredehoft Cohen Brown & Sakata, P.C. since 1993 (twenty years), and at a Washington, D.C. law firm for the three years prior to joining the firm. Ms. Hoff has worked extensively with Ms. Bredehoft, including appearing at a number of trials to assist, and has been Ms. Bredehoft's primary litigation paralegal for twenty years. This petition seeks an award based on 411.7 hours of billable time expended by Ms. Hoff on this case.

Kathryn M. Baker is a 1983 graduate of Lynchburg College with a B.A. in History and Political science. Ms. Baker has more than 30 years of experience and joined the firm in July 2007. Prior to joining Charlson Bredehoft Cohen Brown & Sakata, Ms. Baker enjoyed 20+ years experience as a paralegal with prominent defense firms in Northern Virginia, including Cremins, Snead & Annunziata, Allred and Meade, PC, Mary Meade & Associates, Cremins & Associated, McCarthy, Massey & Cremins, and Cremins, Gentile, Kelley & Markley. This petition seeks an award based on 44.3 hours of billable time expended by Ms. Baker on this case.

Alexandra Charlson Bredehoft is a 2012 honors graduate of Clemson University with a Bachelor of Science in Parks, Recreation, and Tourism Management with a Concentration in Therapeutic Recreation, and obtained her license as a Certified Therapeutic Recreation Specialist (CTRS) in January 2013. Ms. Bredehoft has worked part-time and full time as a receptionist, and then paralegal for the firm since 2005. This petition seeks an award based on 107.9 hours of billable time expended by Alexandra Bredehoft on this case.

Abbas Sabur obtained his Bachelor of Arts from The College of Wooster in 2011, where he served as Class President his senior year, was an At Large Member of the Campus Council his sophomore and junior years, and served as the Marketing Coordinator & Public Relations Officer for Noor (Muslim Student Association) for two years. Mr. Sabur was honored as the Recipient of the Senior Leadership Award from the College of Wooster, and was the Recipient of the Remy Johnston Prize in Philosophy. Mr. Sabur's Senior Independent Study Thesis was entitled *The Ethical Weapon: Just War in the Middle East* and his Junior Thesis was entitled *The Existentialist Perspective on Revenge*. Mr. Sabur joined the firm as a paralegal in December 2012. This petition seeks an award based on 42.5 hours of billable time expended by Abbas Sabur on this case.

1. Undesirability of the case.

This representation was in no manner undesirable due to the nature of our client. However, litigating a case premised on alleged illegal conduct by an employer, retaliation and violation of rights is always a difficult and unpopular task, especially an entity with the resources of Republic, the second largest waste removal company in the Country.

In retaliation cases, it has been our experience that it is exceedingly difficult to interview witnesses and secure favorable witnesses for trial. The fear of reprisal is high in employees still working for the defendant company, or in this case, where the witnesses have received significant severance packages to cooperate in the litigation of the Company. The fear in this case was particularly well-founded. The witnesses' fear of reprisal only magnified the pressure of this type of litigation and the importance of prevailing to attempt to stop the flow of misconduct.

Throughout the litigation of this case, it was clear the Defendants were not accepting

responsibility for their actions, blaming instead Ms. Taylor for complaining unnecessarily and for performance based reasons, which were proven to be false.

There was a level of undesirability in the relationship between counsel, due to allegations of spoliation of evidence, which resulted in a litigation that was both contentious and aggressively fought. For example, defense counsel accused Plaintiff and her counsel of engaging in criminal conduct; Mr. Baldwin made statements in both the February 15, 2013 and the March 29, 2013 hearings, accusing Ms. Taylor and her counsel of conspiring and claiming the “crime fraud” exception applied to overcome the attorney-client privilege. His allegations and efforts were unsuccessful and denied by the Court.

m. Nature and length of the professional relationship.

This firm has represented Ms. Taylor since the outset of this case, beginning in August 2011.

n. Attorneys’ fees awards in similar cases.

Charlson Bredehoft Cohen Brown & Sakata, P.C. has received substantial awards of attorneys’ fees in similar cases, including *Scott v. Hovnanian Enterprises, Inc., et al.*, C.A. No. 03-1435-A (E.D. Va. July, 2004)(pregnancy discrimination, retaliation, FMLA and constructive fraud -- \$350,000 awarded in attorney’s fees and costs, \$350.00 per hour approved for Elaine Charlson Bredehoft); *Stiles v. Town of Leesburg, et al.*, C.A. No. 00-628 (E.D.Va. 2000) (Section 1983 Whistleblower retaliation, in excess of \$261,000 awarded in attorney’s fees and costs by Judge Bryan at rates of \$290 per hour for Elaine Charlson Bredehoft after 1/1/00 and \$250 per hour prior to 1/1/00), and \$235 per hour for associates); *Hetzel v. Prince William Co.*, CA 94-919 (\$250 awarded by Judge Brinkema, 1995, hourly rate upheld by 4<sup>th</sup> Circuit in unpublished opinion, No. 98-1514 (1999); \$225 and \$250 hourly rates for Elaine Bredehoft and

\$250 hourly rates for John Bredehoft awarded by Judge Cacheris, March 19, 1999); *Robinson v. The Hill*, CA No. 1:96CV02067 (race based termination - awarding \$250 per hour for John Bredehoft and Elaine Bredehoft); *Grier v. Titan Corporation*, CA No. 95-900-(E.D.Va.1996) (retaliation and wrongful termination/constructive discharge -- awarding \$200 per hour to Elaine Bredehoft and John Bredehoft); *Berman v. The Washington Times Corporation*, CA No. 92-2738 (D.D.C. 1995) (sex discrimination, sexual harassment and retaliation in advertising department -- awarding *attorney's fees* at \$250 per hour to John M. Bredehoft and \$200 per hour to Elaine Bredehoft); *Martin v. Cavalier Hotel Corp.*, C.A. No. 2-93cv163 (E.D. Va. April 21, 1994) (award to our firm of attorney's fees at requested rate of \$200 per hour in constructive discharge sex discrimination action under Title VII) (Kellam, Senior Judge); *Beardsley v. Isom*, C.A. No. 92-1294 (E.D. Va. May 14, 1993) (award to Elaine Bredehoft of attorney's fees at requested rate of \$200 per hour in constructive discharge sex discrimination action under Section 1983) (Bryan, J.), *aff'd*, 30 F.3d 524 (4th Cir. 1994); *Shope v. Board of Supervisors of Loudoun County*, C.A. No. 91-1677-A (E.D. Va. 1992) (award of attorney's fees at rate of \$175 per hour in constructive discharge sex discrimination action under 42 U.S.C. § 1983) (Ellis, J.), *aff'd*, 63 Empl. Prac. Dec. (CCH) ¶ 42,755 (4th Cir. 1993); *Hill v. Board of Supervisors of Stafford County*, C.A. No. 91-1456-A (E.D. Va. 1992) (award of attorney's fees for Elaine Bredehoft and John Bredehoft at rate of \$175 per hour in pregnancy discrimination action under Title VII, reduced from requested \$200 per hour to account for now-abandoned method of keeping time by 0.25 hour rather than 0.10 hour) (Ellis, J.), *aff'd*, 996 F.2d 1211 (4th Cir. 1993) (table case). *See also Brown v. Chiari*, C.A. 91-1771-A (E.D. Va. May 27, 1992) (awarding fees at hourly rate of \$200 for Elaine Bredehoft in contract case) (Bryan, Senior Judge).

Counsel's hourly rates are in line with the suggested typical hourly rates under Craig Reilly's survey of Northern Virginia rates. **See, Exhibit 3 hereto.** Laffey rates, which are not binding on Virginia Courts but have been looked to as instructive (*See Laffey and Adjusted Laffey, Exhibits 4 and 5*).

More recently, the Eastern District has made similar awards in several cases, including *Vienna Metro LLC v. Pulte Home Corp.*, No. 1:10cv502 (GBL) (E.D. Va. Aug. 24, 2011) and *Tech Systems, Inc. v. Lovelen Pyles, et al.*, No. 12cv00374-GBL (JFA) (E.D. Va. Aug. 6, 2013).

5. Accordingly, I request that my firm be compensated at the hourly rate of \$550 for Elaine Charlson Bredehoft for time billed prior to 4/1/13 and at \$600 for time billed thereafter; \$475 per hour for Carla D. Brown; \$425 per hour for Brian A. Scotti; \$450 per hour for Heather A. Jones; \$400 per hour for Kathleen Z. Quill; \$375 per hour for Daphne S. Gebauer for time billed prior to 11/5/12 and \$400 per hour for time billed thereafter; \$325 per hour for Aseil Abu-Baker, \$250 per hour for Leslie A. Hoff and Kathy M. Baker; and \$135 per hour for Alexandra C. Bredehoft and Abbas S. Sabur.

Applying these rates to the 2,082.9 hours of attorney time and 606.4 hours of paralegal time devoted to this matter on issues which plaintiff prevailed and for which we seek an award, this yields a fee for professional services of \$1,119,144.00 which we hereby request the Court award to Charlson Bredehoft Cohen Brown & Sakata, P.C. (**See Exhibit 1** for detailed breakdown by timekeeper.)

6. I also request an award of non-taxable costs and expenses necessarily incurred in connection with this case. As detailed on Exhibit 6 to this declaration, plaintiff has incurred \$103,023.61 in non-taxable costs and expenses, which are compensable under 42 U.S.C. § 1988. Those expenses were actually and necessarily incurred, and I request that this Court award them


to the plaintiff, in the amount of \$103,023.61 to Charlson Bredehoff Cohen Brown & Sakata, P.C. (**See Exhibit 10 to Memorandum in Support of Fee Petition**).

7. I also request an award of taxable costs and expenses necessarily incurred in connection with this case. As detailed on Plaintiff's Bill of Costs, filed on September 27, 2013 (Dkt. 294), has incurred \$36,160.12 in taxable costs and expenses, which are compensable under 28 U.S.C. §§ 1920 and 1924, and pursuant to Fed. R. Civ. P. 54(d)(1) and Rule 54(D)(1) of the Local Rules. Those expenses were actually and necessarily incurred, and I request that this Court award them to the plaintiff in the amount of \$36,160.12 to Charlson Bredehoff Cohen Brown & Sakata, P.C.

8. Therefore, plaintiff Jennifer J. Taylor requests a total award of \$1,119,144.00 in attorneys' fees, \$103,023.61 in non-taxable costs, and \$36,160.12 in taxable costs, for a total amount of \$1,258,327.73 against the Defendants, Republic Services, Inc. and Republic Services of Virginia, LLC.

I declare under penalty of perjury that the foregoing is true and correct, and that the foregoing costs were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed.

DATE: 9/30/13

  
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