

STATE OF NORTH CAROLINA
COUNTY OF WAKE

FILED
2019 MAY 10 PM 3:32
WARE COUNTY, N.C.
BY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
18 CVS 014001

COMMON CAUSE, et al.,

Plaintiffs,

v.

DAVID R. LEWIS, IN HIS OFFICIAL CAPACITY AS
SENIOR CHAIRMAN OF THE HOUSE SELECT
COMMITTEE ON REDISTRICTING, et al.,

Defendants.

**AFFIDAVIT OF
R. STANTON JONES**

I, R. Stanton Jones, upon my oath, declare and say as follows:

1. I am over the age of eighteen (18) and competent to testify as to the matters set forth herein.
2. I am a partner with the law firm Arnold & Porter Kaye Scholer LLP and one of the attorneys representing Plaintiffs Common Cause and 37 North Carolina voters in this case.
3. This Affidavit is being submitted pursuant to this Court's May 1, 2019 Order granting Plaintiffs' requested relief in their Supplemental Brief Concerning Their First and Second Motions to Compel (the "Supplemental Motion to Compel"), including Plaintiffs' request for an award of fees and costs associated with Plaintiffs' filing and arguing for the relief sought in the Supplemental Motion to Compel.
4. The other primary Arnold & Porter attorneys working on this matter are partner Elisabeth S. Theodore and senior associate Daniel F. Jacobson. Ms. Theodore, Mr. Jacobson, and I were admitted to this Court *pro hac vice* in this case on February 22, 2019. Ms. Theodore, Mr. Jacobson, and I each have extensive experience litigating voting-rights cases, including partisan gerrymandering cases like this one. Most recently, Ms. Theodore, Mr. Jacobson, and I

represented the plaintiffs who successfully challenged Pennsylvania’s congressional districting plan as an unconstitutional partisan gerrymander in violation of the Pennsylvania Constitution.

5. Our regular and customary hourly rates, consistent with prevailing market rates of individuals with our skill and levels of experience, are as follows: \$940 for Mr. Jones; \$920 for Ms. Theodore; and \$855 for Mr. Jacobson.

6. I have reviewed our firm’s billing records associated with the Supplemental Motion to Compel, and they are consistent with my recollection of the work performed by Ms. Theodore, Mr. Jacobson, and me. These billing records were recorded contemporaneously.

7. In an effort to be conservative, I have limited the time for which we are seeking fees here in three ways. First, I have not included the time that multiple attorneys devoted to reviewing Legislative Defendants’ April 3 supplemental discovery responses, although such review was essential to the eventual filing of the supplemental motion. Second, I have limited our request for fees to time spent by myself, Ms. Theodore, and Mr. Jacobson, and have not included time spent by other attorneys on our team. And third, because the Supplemental Motion to Compel was one of three motions on which the Court heard argument at the April 30 hearing, I have included only one-third of each of our time spent preparing for and participating in the April 30 hearing.

8. The following chart shows reports generated from Arnold & Porter Kaye Scholer LLP’s internal time and expense reporting system, detailing the time entries associated with filing and arguing Plaintiffs’ Supplemental Motion to Compel:

Date	Attorney Name	Hours	Amount	Narrative
4/9/2019	Jacobson, Daniel	0.5	\$428	Draft correspondence to opposing counsel.

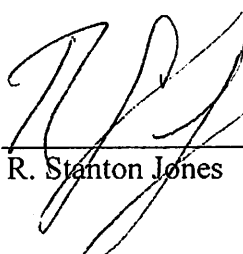
4/9/2019	Jones, R. S.	0.4	\$376	Correspondence with P. Strach re: deficiencies in Legislative Defendants' April 3 supplemental discovery responses.
4/10/2019	Jacobson, Daniel	2.2	\$1,881	Draft supplemental brief on motions to compel.
4/11/2019	Jones, R. S.	1.1	\$1,034	Revise supplemental brief re: motions to compel and related communications with D. Jacobson.
4/12/2019	Jacobson, Daniel	2.5	\$2,138	Draft supplemental brief on motion to compel.
4/12/2019	Theodore, Elisabeth S.	0.9	\$828	Revise supplemental brief in support of fees.
4/12/2019	Jones, R. S.	1.0	\$940	Revise and finalize supplemental brief re: motions to compel and related communications with D. Jacobson.
4/26/2019	Jacobson, Daniel	1.5	\$1,283	Draft reply supplemental brief on motions to compel.
4/26/2019	Theodore, Elisabeth S.	0.5	\$460	Review filings re: discovery motions to compel.
4/26/2019	Jones, R. S.	0.5	\$470	Revise and finalize supplemental reply re: motions to compel and related communications with D. Jacobson.
4/29/2019	Jacobson, Daniel	1.0	\$855	Prepare for hearing. [1/3 total time]
4/29/2019	Jones, R. S.	0.8	\$752	Prepare for hearing on discovery motions. [1/3 total time]
4/30/2019	Theodore, Elisabeth S.	0.7	\$644	Prep for hearing and attend hearing. [1/3 total time]
4/30/2019	Jacobson, Daniel	1.5	\$1,283	Prepare for hearing and attend hearing. [1/3 total time]
4/30/2019	Jones, R. S.	0.7	\$658	Argue discovery motions at telephonic hearing, and related preparation and debrief with clients and team. [1/3 total time]
Total		15.8	\$14,030	

9. Plaintiffs are not seeking reimbursement for any expenses incurred in connection with the Supplemental Motion to Compel.

10. Plaintiffs respectfully request that the Court order Legislative Defendants to pay Arnold & Porter Kaye Scholer LLP a total of \$14,030, consisting exclusively of attorneys' fees, for our work relating to Plaintiffs' Supplemental Motion to Compel.

Further Affiant Sayeth Not.

Respectfully submitted this the 9th day of May, 2019.



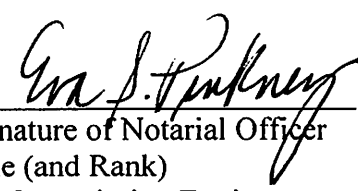
R. Stanton Jones

District of Columbia

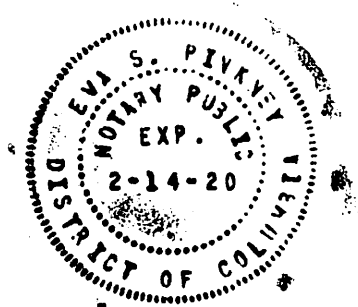
Signed and sworn to (or affirmed) before me on 5/9/19 (date) by Stanton Jones
(name of person making statement).

(Seal)

EVA S. PINKNEY
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires February 14, 2020



Signature of Notarial Officer
Title (and Rank)
My Commission Expires:
2/14/2020



CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing by email, addressed to the following persons at the following addresses which are the last addresses known to me:

Amar Majmundar
Stephanie A. Brennan
Paul M. Cox
NC Department of Justice
P.O. Box 629
114 W. Edenton St.
Raleigh, NC 27602
amajmundar@ncdoj.gov
sbrennan@ncdoj.gov
pcox@ncdoj.gov

*Counsel for the State Board of Elections and
Ethics Enforcement and its members*

John E. Branch III
H. Denton Worrell
Nathaniel J. Pencook
Shanahan McDougal, PLLC
128 E. Hargett Street, Suite 300
Raleigh, NC 27601
jbranch@shanahanmcdougal.com
dworrell@shanahanmcdougal.com
npencook@shanahanmcdougal.com
Counsel for the Defendant-Intervenors

Phillip J. Strach
Michael McKnight
Alyssa Riggins
Ogletree, Deakins, Nash, Smoak & Stewart,
P.C.
4208 Six Forks Road, Suite 1100
Raleigh, NC 27609
Phillip.strach@ogletree.com
Michael.mcknight@ogletree.com
Alyssa.riggins@ogletree.com
Counsel for the Legislative Defendants

E. Mark Braden
Richard B. Raile
Trevor M. Stanley
Baker & Hostetler, LLP
Washington Square, Suite 1100
1050 Connecticut Ave., N.W.
Washington, DC 20036-5403
rraile@bakerlaw.com
mbraden@bakerlaw.com
tstanley@bakerlaw.com
Counsel for the Legislative Defendants

This the 10th day of May, 2019.


Caroline P. Mackie