

1 that the Court can readily determine what services were rendered by
2 all timekeepers on each day. Counsel are not to submit separate
3 billings by timekeeper or by firm.

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5 2. The records shall state, for each entry: the name or initials of the
6 timekeeper, the hourly rate sought for the timekeeper, a description
7 of the services performed, the amount of time billed, and the dollar
8 amount charged for that entry (i.e., the time spent multiplied by the
9 hourly rate). These dollar amounts may not be “rounded up.” While
10 the Court will not mandate use of the litigation codes from the
11 Uniform Task-Based Management System (UTBMS) if counsel do
12 not already use that system, the Court will require that counsel
13 provide, at the time a fee request is made, a summary of the total fees
14 attributable to categories such as those described in the UTBMS.

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16 3. The services rendered must be described in sufficient detail for the
17 Court to determine the nature and reasonableness of the services.
18 Generic or general activity descriptions are inappropriate. Entries
19 such as “research and preparation of motion to dismiss,” “conference
20 with client,” and other non-specific descriptions will generally not be
21 considered adequate, especially if the amount of time billed is
22 significant. (Time records ultimately filed publicly with a motion for
23 fees may be redacted to preserve confidentiality. The Court will
24 require an *in camera* unredacted submission.)

- 1 4. Time records must be maintained on a contemporaneous basis.
2 Timekeepers should not attempt to reconstruct their time days after
3 the services were rendered.
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- 5 5. The minimum time increment will not be greater than one-tenth of
6 an hour. See Welch v. Metropolitan Life Ins. Co., 480 F.3d 942, 949
7 (9th Cir. 2007).
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- 9 6. “Block-billing,” i.e, a line item with a single time charge for
10 multiple activities is inappropriate. See id. at 948.
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- 12 7. Time charged for intra or inter-office conferences,
13 correspondence, e-mails, etc. should be kept to a minimum.
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- 15 8. If more than one timekeeper charges for attending hearings,
16 depositions, etc., the Court will ultimately require an explanation of
17 why the second appearance was appropriate. (If counsel believe non-
18 chargeable attendance by others is desirable in order for young
19 lawyers or para-professionals to gain training or experience, and such
20 time is normally recorded by the firm, the billing records should
21 indicate that the time is not being charged.)
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- 23 9. Expenses and costs must be listed by reasonably narrow and
24 specific category, preferably the applicable categories described in
25 the UTBMS. Only expenses and costs normally billed to a client and
26 otherwise permitted by statute or case law will be awarded. Only
27 actual costs, without markup, will be permitted. Counsel should not
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1 seek reimbursement for items generally regarded as overhead. If a
2 law firm maintains a flat-rate contract with an electronic legal
3 database (e.g., Westlaw or Lexis), reimbursement is ordinarily
4 inappropriate, unless the database was reasonably utilized for activity
5 outside of the firm's flat-rate contract.

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7 10. Reimbursement should not be sought for first class airfare, or
8 meals and accommodations in amounts higher than a reasonable
9 client would permit. Counsel shall exercise good judgment in
10 selecting reasonably-priced transportation, accommodations, and
11 meals.

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13 Lead Plaintiff's Counsel is to provide *in camera*, within the next 90 days, a
14 representative monthly bill that complies with this Order. This will permit the
15 Court to determine early on whether counsel's billing format is acceptable.

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17 If there is a contested motion for attorneys' fees in the future, the Court will
18 issue a further order establishing the required format for such motion.

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20 The Court should be advised (by an *in camera* submission, if appropriate) if
21 anything in this Order conflicts with the instructions of Lead Plaintiff, now or in
22 the future, or if Lead Plaintiff objects to any of the requirements of this Order.

23 IT IS SO ORDERED.

24 8/6/10

25 Dated: _____



26 Dale S. Fischer

27 United States District Judge

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