

1 2. I am an associate in the law firm of Watson Rounds. I have over 7 years of
2 experience as a litigator in intellectual property and business litigation matters. Watson
3 Rounds is an AV-rated law firm.

4 3. Matthew D. Francis is a partner in the law firm of Watson Rounds. He has over 14
5 years of experience in the fields of intellectual property and business litigation, including
6 reported decisions.

7 4. Between October 18, 2013 and April 18, 2014, my and Mr. Francis's hourly billing
8 rate for this litigation was \$300 per-hour. It is my understanding that the customary fee
9 charged by attorneys with our experience for similar patent and deceptive trade practices
10 matters in Nevada ranges between \$275-\$450 per-hour. It is also my understanding that
11 intellectual property litigators in major markets, such as San Francisco, Los Angeles, New
12 York, and Boston charge in excess of these amounts, and in some instances, over \$500 per-
13 hour. According to the 2002 Altman Weil "Survey of Law Firm Economics," the median
14 partner hourly rates for intellectual property litigation exceeded well over \$300 per-hour in
15 2002. A true and correct copy of the 2002 Altman Weil Survey entitled "Mining the Surveys:
16 Which Specialties Command the Highest Rates," is attached hereto as Exhibit 1. This Survey
17 was conducted over a decade ago. Furthermore, in 2012, the Ninth Circuit upheld a District of
18 Nevada fee award in a trade dress action in the amount of \$836,899.99, and approved
19 attorneys' fees ranging between \$320 to \$685 per hour. *See Secalt S.A. v. Wuxi Shenxi Const.*
20 *Machinery Co., Ltd.*, 668 F.3d 677, 689 (9th Cir. 2012).

21 4A. Nancy Lindsley, my current secretary and paralegal, has over 30 years of
22 paralegal experience and has worked almost exclusively on intellectual property matters
23 during her tenure at Watson Rounds. Mrs. Lindsley's hourly rate for this action is \$125 per-
24 hour.

25 5. The itemization and description of the work performed for the fees sought herein is
26 set forth in a true and correct copy of Plaintiff's client ledger dated April 23, 2014, and
27 attached hereto as Exhibit 2. Attached collectively hereto as Exhibit 3 are true and correct
28 redacted copies of the actual invoices sent to Plaintiff, which list all activity performed on the