

FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

RELIGIOUS TECHNOLOGY CENTER, §
a California corporation, §
§
Plaintiff, §

vs. §

Civil Action No. 6:OOCV503
Judge Hannah

DELL LIEBREICH, Individually and as §
Personal Representative of the Estate of §
Lisa McPherson, §
§
Defendant. §

DECLARATION OF WARREN MCSHANE

I, Warren McShane, hereby declare the following to be true and accurate under pain and penalty of perjury:

1. I am the President of plaintiff Religious Technology Center ("RTC"). I have personal knowledge of the facts set forth below, and if called upon to do so, could and would testify competently thereto.

2. In January 2002, attorneys Paul Mogin of Williams & Connolly and Michael Addison of Addison & Delano attended the trial of this case to testify concerning the bills that they had submitted to RTC for their work in addressing the addition of David Miscavige as a defendant in the Florida wrongful death suit, *Estate of Lisa McPherson v. Church of Scientology Flag Service Organization, Inc.* Each of these attorneys billed RTC for the time they spent in connection with preparing for and providing their testimony herein. Mr. Mogin's fees are \$16,200.00 (- \$40.00 witness

fee for one day trial attendance, being requested in the bill of costs) and Mr. Addison's fees are \$7,806.00 (- \$40.00 witness fee for one day trial attendance, being requested in the bill of costs). Exhibit A is a true and correct copy of the Williams & Connolly bill for Mr. Mogin's time and Exhibit B is a true and correct copy of the bill presented by Mr. Addison for his time. The travel expenses for Mr. Mogin and Mr. Addison are being requested in the bill of costs.

3. Attorney Samuel D. Rosen of Paul, Hastings, Janofsky & Walker, LLP also testified at trial. His fees and expenses as a witness for preparing for and providing his testimony was \$12,650.00 (- \$80 witness fee for two days trial attendance, being requested in the bill of costs). The charges for these witness fees are included in the Paul, Hastings bills attached as Exhibit A to Mr. Rosen's Declaration and are based upon his time sheets which are Exhibit B thereto. This amount has been subtracted from the total of attorneys' fees in the Paul, Hastings bills, and is included in the category of witness fees, as described in Mr. Rosen's accompanying declaration.

4. Attorney Brent Howard testified as an expert witness for RTC at trial in this case. Mr. Howard's fees are \$7,640.00 (- \$80.00 witness fee for two days trial attendance, being requested in the bill of costs.) Attached hereto as Exhibit C is a true and correct copy of the bill presented by Mr. Howard in connection with his preparation of his expert report, preparation for trial and his testimony for trial.

5. I have reviewed all of the forgoing bills and all bills in support of RTC's motion for attorney fees. They are all reasonable and I have approved payment of them.

6. I have also reviewed the bills of Paul, Hastings; Jenkins & Gilchrist; and

Sammons & Parker in order to identify the time spent in connection with the tort claim. I estimate the total of the fees for work related to that claim was \$13,133.25, primarily addressing the time spent by Jenkins & Gilchrist and Paul, Hastings related to Plaintiff's Motion to Amend filed on February 26, 2001 and Dell Liebreich's Motion to Dismiss filed on August 24, 2000. Concerning the motion to dismiss, it related to both the breach of contract claim and the tort claim. I allocated fees incurred equally between the two claims because it is impossible to identify the exact amount of time spent on each claim. The total fees for work concerning the tort claim, calculated in this fashion, were:

Jenkins & Gilchrist: \$8,498.25

Paul, Hastings: \$3,930.00

Sammons & Parker: \$705.00

The related time entries are marked with an "x" on the bills and timesheets attached to the declarations of counsel.

Executed in Los Angeles, California, this 19 day of March, 2002.


Warren McShane

LAW OFFICES
WILLIAMS & CONNOLLY LLP

725 TWELFTH STREET, N.W.
WASHINGTON, D. C. 20005-5901

(202) 434-5000

FAX (202) 434-5029

February 5, 2002

Mr. Warren McShane
Religious Technology Center
1710 Ivar Avenue
Suite 1100
Los Angeles, California 90028

RE: Miscavige/Estate of McPherson

For services rendered through
January 31, 2002 \$16,200.00

Disbursements:

Hotel	395.84	
Travel	2,295.50	
Meals	42.94	2,733.28

Current month total \$18,933.28

Balance from Previous Statement 1,686.82
Less Payment(s) [1,686.82]

Balance Forward _____ .00

BALANCE DUE \$18,933.28

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TIME ENTRIES

INDEX #	DATE	TIMEKEEPER	DESCRIPTION	HOURS	AMOUNT
1434642	01/07/02	P. P. MOGIN	Tc's w/ A. Cartwright; Review time records.	.50	225.00
1438379	01/17/02	P. P. MOGIN	Tc w/ A. Cartwright.	.25	112.50
1438388	01/18/02	P. P. MOGIN	Review corres.	.25	112.50
1441866	01/22/02	P. P. MOGIN	Print file list and pldgs index; Travel from Washington, DC to Dallas, TX.	6.50	2,925.00
1441870	01/23/02	P. P. MOGIN	Review time records; Meetings in preparation for trial; Travel from Dallas to Tyler; Further meeting re trial.	13.00	5,850.00
1441871	01/24/02	P. P. MOGIN	Travel from motel to Walker's office; Trial; Return trip to Washington.	15.50	6,975.00
TOTALS:				36.00	16,200.00

ADDISON & DELANO, P. A.

Federal Employer ID No. 59-3732196
Post Office Box 2175
Tampa, FL 33601-2175
(813) 223-2000 FAX (813) 228-6000

Invoice submitted to:

David Miscavige
c/o Warren McShane
Religious Technology Center
1710 Ivar Ave., Suite 1100
Los Angeles CA 90028

January 29, 2002
Invoice No. 10057

In Reference To: McPherson (Liebreich) v. Church of Scientology, et al.
Our file no. Miscavige/McPhers.5415

Professional Services:

			<u>Hrs/Rate</u>	<u>Amount</u>
12/18/2001	MCA	Attention to the flight arrangements and ticketing.	0.10 275.00/hr	27.50
12/19/2001	MDL	Telephone conferences with Mr. Cartwright. Search all correspondence and memo files for April 15 through May 30, 2000, and fax him copies of all letters to or from Rosen and Dandar relating to Rosen's request for copies of deposition transcripts.	1.10 90.00/hr	99.00
1/11/2002	MDL	Telephone conference with Mr. Cartwright to confirm assignment. Review all correspondence to locate letters for Mr. Cartwright. Fax letters to client.	1.30 90.00/hr	117.00
1/16/2002	MCA	Telephone conference with Mr. Cartwright regarding the schedule and the travel and meeting times.	0.20 275.00/hr	55.00
1/22/2002	MCA	Preparation for travel to Texas for the trial. Conference with Ms. Lesnek on the materials to be taken for the hearing. Attention to the billing summaries.	0.60 275.00/hr	165.00
1/23/2002	MCA	Travel to and from Dallas, Texas. Review of billing invoices and correspondence. Conference with Mr. Rose, Mr. Call and other counsel regarding the billings. Travel to and from Tyler, Texas. Continued conferences regarding the testimony and trial strategy. Review of memo of law on the claims asserted.	12.00 275.00/hr	3,300.00
1/24/2002	MCA	Conference with counsel on the fees issues. Attendance at trial in Tyler, Texas. Testified on the issue of attorney's fees. Travel to Dallas and then to Tampa.	14.50 275.00/hr	3,987.50
1/25/2002	MCA	Review of materials following the testimony in Tyler. Re-file materials involved in the testimony.	0.20 275.00/hr	55.00
For professional services rendered			30.00	\$7,806.00

B

HOWARD, DAVIS & BUNT, P.C.
ATTORNEYS AT LAW
216 W. ERWIN, SUITE 200, P.O. BOX 1050
TYLER, TX 75710
903/533-9997 TAX ID# 75-2653104

September 11, 2001

Billed through 08/31/01

Bill number 000005-00000-004 BH

RELIGIOUS TECHNOLOGY CENTER
C/O JACK WALKER III
SAMMONS & PARKER
218 N COLLEGE
TYLER TX 75702

NO. 6:00CV503; RELIGIOUS TECHNOLOGY CENTER V. DELL LIEBREICH;
USDC TYLER DIVISION

FOR PROFESSIONAL SERVICES RENDERED

06/20/01 BH	RECEIPT AND REVIEW OF CORRESPONDENCE AND DOCUMENTS FROM JACK WALKER	.80 hrs 200 /hr	160.00
08/13/01 BH	RECEIPT AND REVIEW OF ADDITIONAL INFORMATION INCLUDING CVS, AFFIDAVITS, ETC.; PREPARATION OF AMENDED AFFIDAVIT; TELEPHONE CONVERSATION WITH JACK WALKER CONCERNING SAME	3.20 hrs 200 /hr	640.00
	Total fees for this matter		\$ 800.00

DISBURSEMENTS

08/31/01	PHOTOCOPIES PER FEE AGREEMENT		54.30
	Total disbursements for this matter		\$ 54.30

BILLING SUMMARY

BRENT HOWARD	4.00 hrs	200 /hr	800.00
TOTAL FEES	4.00 hrs	\$	800.00
TOTAL DISBURSEMENTS		\$	54.30
TOTAL CHARGES FOR THIS BILL		\$	854.30



HOWARD, DAVIS & BUNT, P.C.
ATTORNEYS AT LAW
216 W. ERWIN, SUITE 200, P.O. BOX 1050
TYLER, TX 75710
903/533-9997 TAX ID# 75-2653104

February 6, 2002

Billed through 01/31/02

Bill number 000005-00000-011 BH

RELIGIOUS TECHNOLOGY CENTER
C/O JACK WALKER III
SAMMONS & PARKER
218 N COLLEGE
TYLER, TX 75702

NO. 6:00CV503; RELIGIOUS TECHNOLOGY CENTER V. DELL, LIEBREICH;
USDC TYLER DIVISION

FOR PROFESSIONAL SERVICES RENDERED

01/13/02 BH	PREPARATION FOR AND ATTENDING MEETING IN DALLAS CONCERNING TRIAL TESTIMONY, ETC.	6.90 hrs 200 /hr	1,380.00
01/19/02 BH	REVIEW OF ADDITIONAL MATERIALS IN PREPARATION FOR TRIAL TESTIMONY	2.80 hrs 200 /hr	560.00
01/20/02 BH	REVIEW OF ADDITIONAL MATERIALS IN PREPARATION FOR TESTIMONY	4.60 hrs 200 /hr	920.00
01/22/02 BH	MEETING WITH ATTORNEYS IN DALLAS IN PREPARATION FOR TESTIMONY; REVIEW OF ADDITIONAL MATERIALS IN PREPARATION FOR TESTIMONY	7.40 hrs 200 /hr	1,480.00
01/24/02 BH	PREPARATION FOR AND ATTENDING TRIAL; REVIEW OF ADDITIONAL DOCUMENTS IN PREPARATION FOR TESTIMONY	10.70 hrs 200 /hr	2,140.00
01/25/02 BH	PREPARATION FOR AND ATTENDING TRIAL	1.80 hrs 200 /hr	360.00
	Total fees for this matter		\$ 6,840.00

DISBURSEMENTS

01/13/02	TRAVEL EXPENSES, TRAVEL TO DALLAS	65.00
01/13/02	MEALS, PARKING, ETC.	11.40
01/22/02	MEALS, PARKING ETC.	72.40
01/22/02	TRAVEL EXPENSES, TRAVEL TO DALLAS	65.00
01/24/02	MEALS, PARKING, ETC.	26.40
01/31/02	FAX TRANSMISSIONS	4.00
	Total disbursements for this matter	\$ 244.20